



To: Board of Commissioners
Planning Board

From: Andrew C. Bryant, Director

Date: October 12, 2022

Re: UDO Proposed Amendment #2022-3
Lincoln County Planning and Inspections Department, applicant

The following information is for use by the Lincoln County Board of Commissioners and Planning Board at their joint meeting/public hearing on November 7, 2022.

Proposal

The planning staff is proposing the following amendment to the Lincoln County Unified Development Ordinance:

- 1) amend Section 2.4.5 & Section 2.4.6 & Section 2.4.7 to revise the Dimensional Standards, to amend Section 2.4.9.A., Section 2.4.9.B. & Section 2.4.9.E. to standardize Dimensional Standards for residential uses in Planned Development Districts
- 2) amend Section 5.6.1.A. to provide for a reduction in the required minimum lot size for Family Subdivisions.

Background

The purpose of Amendment 1 is to revise the Dimensional Standards table to eliminate any omissions from UDO Amendment 2022-2 and to implement a separate Dimensional Standards table for Planned Development. The revised tables keep minimum lot size consistent for single family detached, zero lot line, alley-loaded, and two family housing types while placing a maximum density per acre standard of 6 units per acre for townhomes and 8 units per acre for multi-family development. The added tables for Planned Developments maintain a one-acre minimum lot size for single family detached, zero lot line, alley-loaded, and two family housing types and creates a maximum density per acre standard of 6 units per acre for townhomes and 8 units per acre for multi-family development.

The purpose of Amendment 2 is to create a reduction in the minimum lot size requirement for Family subdivisions. This reduction is 25% of the minimum lot size defined by the underlying zoning district.



Zoning Amendment

Proposed Statement of Consistency and Reasonableness

Case UDO #2022-3

Applicant Lincoln County Planning & Inspections

Parcel ID# N/A

Location N/A

Proposed amendment

To amend Section 2.4.5 & Section 2.4.6 & Section 2.4.7 to revise the Dimensional Standards, to amend Section 2.4.9.A., Section 2.4.9.B. & Section 2.4.9.E. to standardize Dimensional Standards for residential uses in Planned Development Districts, and to amend Section 5.6.1.A. to provide for a reduction in the required minimum lot size for Family Subdivisions.

This proposed amendment **is not consistent** with the Lincoln County Land Use Plan and other adopted plans in that:

The amendments to various portions of Section 2.4

- *Guiding principle 1* is that infrastructure shall direct growth and the proposed amendment breaks that link.
- *Guiding principle 6* looks to provide for well-designed and well-integrated developments throughout the county and the proposed amendment would not create any incentive for utilization of the planned development districts.
- *Guiding principle 7* is to allow for mixed-use development to occur in order to promote the integration of land uses, pedestrian accessibility and to reduce vehicle usage in the county and the proposed amendment's shift to a one acre minimum lot size will dramatically reduce the viability of such developments.
- *Guiding principle 8* is to ensure that Lincoln County remains an "Affordable" place in which to build and live and the proposed amendment could reduce housing stock and will increase the amount of land needed to build and could increase cost.

The amendment to Section 5.6.1.A is consistent with Guiding Principle 8 which aims to ensure that Lincoln County remains an "Affordable" place in which to build and live and the proposed amendment could reduce housing stock and will increase the amount of land needed to build and could increase cost. This amendment would keep the County a more affordable place to build for families that want to subdivide property.



Unified Development Ordinance **Text Amendment Application**

Lincoln County Planning and Inspections Department
115 W. Main St., Lincolnton, NC 28092
Phone: (704) 736-8440

Part I

Applicant Name Lincoln County Planning & Inspections

Applicant Address 115 W. Main St., Lincolnton, NC 28092

Applicant Phone Number (704)736-8440

Part II

Briefly describe the proposed text amendment.

To amend Section 2.4.5 & Section 2.4.6 & Section 2.4.7 to revise the Dimensional Standards, to amend Section 2.4.9.A., Section 2.4.9.B. & Section 2.4.9.E. to standardize Dimensional Standards for residential uses in Planned Development Districts, and to amend Section 5.6.1.A. to provide for a reduction in the required minimum lot size for Family Subdivisions.

Part III

Provide the full text of the proposed amendment (on a separate sheet if necessary) with proposed deleted text shown as struck through and proposed added text underlined.

See attached pages

\$400 APPLICATION FEE MUST BE RECEIVED BEFORE PROCESSING.

I hereby certify that all of the information provided for this application and attachments is true and correct to the best of my knowledge.



Applicant

10/03/2022

Date

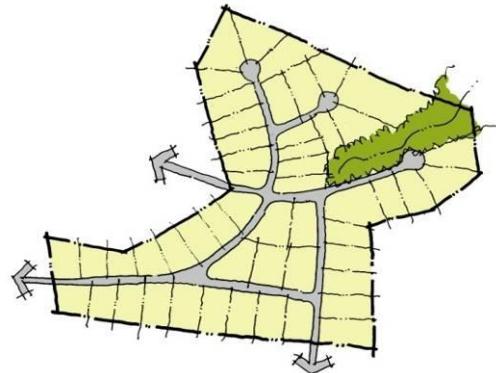
PART I. RESIDENTIAL DISTRICTS

§2.4.4. Residential Subdivision Types

Development within the residential districts allows a variety of subdivision types. Two types of residential subdivisions are permitted, as follows.

A. Conventional Residential Subdivision

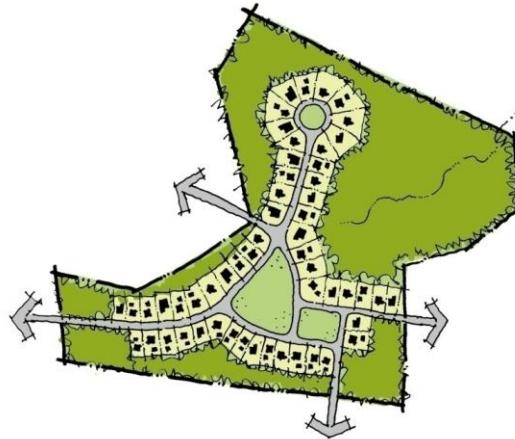
Conventional residential subdivision is a pattern of residential development that provides a majority of property owners with substantial yards on their own property.



B. Cluster Residential Subdivision

Cluster residential subdivisions trade conventional minimum lot size and dimensions for additional common recreation and open space. A cluster residential subdivision shall be a sufficient size to ensure adequate common recreation and open space can be incorporated into the subdivision design. A cluster residential subdivision may allow additional density provided certain enhancements are incorporated into the design of the subdivision.

Figure 1. Conventional Residential Subdivision



§2.4.5. Conventional Subdivision Standards

A. Applicability

A conventional residential subdivision is permitted in all residential districts subject to the following standards.

B. Development Standards

Applicants utilizing the conventional residential subdivision option shall meet all applicable development standards as set forth in Article 3, General Development Standards and Article 7, Natural Resource Protection. Applicants shall comply with all other provisions in this UDO and all other applicable laws.

C. Dimensional Standards

Applicants utilizing the conventional residential subdivision option shall meet the following standards. Applicants shall comply with all other provisions in this UDO

and all other applicable laws. Dimensional standards for manufactured homes shall be the same as for single-family detached in the applicable district.

Conventional Residential Subdivision

R-R	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Site (min.)						
Area (acres)	None					
Recreation/open space (sq. ft.)	N/A					
Lot (without public water/sewer)						
Lot area (min. Acres)	43,560					
Lot width (min. ft.)	100					
Lot (with public water/sewer)						
Lot area (min. sq. ft.)	43,560					
Lot width (min. ft.)	100					
Yards (min. ft.)						
Road yard	30					
Side yard (interior)	10					
Side yard (total)	20					
Side yard (road)	20					
Rear yard	40					
Bulk (max.)						
Height (ft.)	35					
Building coverage	35%					
Impervious surface	50%					

R-T	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Not Permitted	Permitted	Not Permitted	Not Permitted
Site (min.)				None		
Area (acres)	None			N/A		
Recreation/open space (sq. ft.)	N/A					
Lot (without public water/sewer)						
Lot area (min. sq. ft.)	43,560			43,560		
Lot width (min. ft.)	100			100		
Lot (with public water/sewer)						
Lot area (min. sq. ft.)	43,560			43,560		
Lot width (min. ft.)	100			100		
Yards (min. ft.)						
Road yard	30			30		
Side yard (interior)	10			15		
Side yard (total)	20			30		
Side yard (road)	20			25		
Rear yard	40			40		
Bulk (max.)						
Height (ft.)	35			35		
Building coverage	35%			35%		
Impervious surface	50%			50%		

Conventional Subdivision Standards

Conventional Residential Subdivision

R-S	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family ⁽¹⁾
Use	Permitted	Not Permitted	Not Permitted	Permitted	Special Use Not Permitted	Special Use
Density (max. units/acre)						
Without public water/sewer	--			--		4
With public water or sewer	--			--		6
With public water/sewer	--			--		8
Site (min.)						
Area (acres)	None			None		None
Recreation/open space (sq. ft.)	N/A			N/A		N/A
Parcel (min.)				43,560		43,560
Area per building	--					
Lot (without public water/sewer)						
Lot area (min. sq. ft.)	43,560			43,560		43,560
Lot width (min. ft.)	100			100		100
Lot (with public water/sewer)						
Lot area (min. sq. ft.)	43,560			43,560		43,560
Lot width (min. ft.)	100			100		100
Yards (min. ft.)						
Road yard	30			30		30
Side yard (interior)	10			10		10
Side yard (total)	20			20		20
Side yard (road)	20			40		40
Rear yard	40			40		40
Bulk (max.)						
Height (ft.)	35			35		35
Building coverage	35%			35%		35%
Impervious surface	50%			50%		50%

R-SF	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
	Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Site (min.)						
Area (acres)	None					
Recreation/open space (sq. ft.)	N/A					
Lot (without public water/sewer)						
Lot area (min. sq. ft.)	43,560					
Lot width (min. ft.)	100					
Lot (with public water/sewer)						
Lot area (min. sq. ft.)	43,560					
Lot width (min. ft.)	100					
Yards (min. ft.)						
Road yard	30					
Side yard (interior)	10					
Side yard (total)	20					
Side yard (road)	20					
Rear yard	40					
Bulk (max.)						
Height (ft.)	35					
Building coverage	35%					
Impervious surface	50%					

⁽¹⁾ More than one building may be established on a single lot (see §4.1, Complexes)

Conventional Residential Subdivision

R-CR	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse⁽¹⁾	Multi-family⁽¹⁾
Use	Permitted	Not Permitted	Not Permitted	Not Permitted	Special Use	Special Use
Density (max. units/acre)	--				<u>106</u>	<u>108</u>
Site (min.) Area (acres)	None				<u>43,560</u>	<u>43,560</u>
Recreation/open space (sq. ft.)	N/A				None N/A	None N/A
Parcel (min. sq. ft.) Area per building	--				<u>43,560</u>	<u>43,560</u>
Lot (without public water/sewer) Lot area (min. acres)	43,560				Set by Special Use Process	Set by Special Use Process
Lot width (min. ft.)	100					
Lot (with public water or sewer) Lot area (min. acres)	43,560				Set by Special Use Process	Set by Special Use Process
Lot width (min. ft.)	100					
Lot (with public water/sewer) Lot area (min. sq. ft.)	43,560				Set by Special Use Process	Set by Special Use Process
Lot width (min. ft.)	100					
Yards (min. ft.) Road yard	30					
Side yard (interior)	10					
Side yard (total)	20					
Side yard (road)	20					
Rear yard	40					
Bulk (max.) Height (ft.)	35				Set by Special Use Process	Set by Special Use Process
Building coverage	35%					
Impervious surface	50%					

R-20	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Site (min.) Area (acres)	None					
Recreation/open space (sq. ft.)	N/A					
Parcel (min. sq. ft.) Area per building	--					
Lot (min.) Lot area (sq. ft.)	43,560					
Lot width (ft.)	100					
Water/sewer, public	Required					
Yards (min. ft.) Road yard	30					
Side yard (interior)	10					
Side yard (total)	20					
Side yard (road)	20					
Rear yard	30					
Bulk (max.) Height (ft.)	35					
Building coverage	35%					
Impervious surface	55%					

Conventional Subdivision Standards

Conventional Residential Subdivision

R-14	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Site (min.) Area (acres)	None					
Recreation/open space (sq. ft.)	N/A					
Parcel (min. sq. ft.) Area per building	--					
Lot (min.) Lot area (sq. ft.)	43,560					
Lot width (ft.)	100					
Water/sewer, public	Required					
Yards (min. ft.)						
Road yard	30					
Side yard (interior)	10					
Side yard (total)	20					
Side yard (road)	20					
Rear yard	30					
Bulk (max.)						
Height (ft.)	35					
Building coverage	35%					
Impervious surface	55%					

R-MR	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse⁽¹⁾	Multi-family⁽¹⁾
Use	Permitted	Permitted	Not Permitted	Not Permitted	Special Use	Not Permitted
Density (max. units/acre)	--	--			6	
Site (min.) Area (sq. ft.)	None	None			43,560	
Recreation/open space (sq. ft.)	N/A	N/A			N/A	
Parcel (min. sq. ft.) Area per building	--	--			43,560	
Lot (min.) Lot area (sq. ft.)	43,560	43,560			Set by Special Use Process	
Lot width (ft.)	100	100			Set by Special Use Process	
Water/sewer, public	Required	Required			Set by Special Use Process	
Yards (min. ft.)						
Road yard	15	15				
Side yard (interior)	6	0				
Side yard (total)	12	10				
Side yard (road)	10	10				
Rear yard	20	20				
Bulk (max.)						
Height (ft.)	35	35			Set by Special Use Process	
Building coverage	35%	35%			Set by Special Use Process	
Impervious surface	50%	50%				

⁽¹⁾ More than one building may be established on a single lot (see §4.1, Complexes)

Conventional Residential Subdivision

R-MF	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse ⁽¹⁾	Multi-family ⁽¹⁾
Use	Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Special Use
Density (max. units/acre)	--				6	68
Site (min.)						
Area (acres)	None				4	4
Recreation/open space (sq. ft.)	N/A				N/A	N/A
Parcel (min. sq. ft.)					43,560	43,560
Area per building	--					
Lot (min.)						
Lot area (sq. ft.)	43,560				Set by Conditional Use Process	Set by Special Use Process
Lot width (ft.)	100					
Water/sewer, public	Required					
Yards (min. ft.)						
Road yard	20					
Side yard (interior)	6				Set by Conditional Use Process	Set by Special Use Process
Side yard (total)	12					
Side yard (road)	10					
Rear yard	20					
Bulk (max.)						
Height (ft.)	35				Set by Conditional Use Process	Set by Special Use Process
Building coverage	35%					
Impervious surface	60%					

⁽¹⁾ More than one building may be established on a single lot (see §4.1, Complexes)

§2.4.6. Cluster Subdivision Standards

A. Intent

The intent of a cluster residential subdivision is to provide a development alternative to a conventional subdivision. A cluster residential subdivision involves placing a cluster of home sites within a portion of the development site, allowing housing units on smaller lots than those permitted in a conventional residential subdivision to promote environmental sensitivity, make more efficient use of the land and provide additional common recreation and open space. Cluster subdivision development is encouraged by Lincoln County in the form of these flexible design and maximum density provisions. Other purposes of a cluster residential subdivision include the following:

1. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
2. To preserve important historic and archaeological sites.
3. To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
4. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
5. To promote interconnected greenways and corridors throughout the community, and create contiguous green space within and adjacent to development sites.
6. To protect scenic views.

Cluster Subdivision Standards

7. To protect prime agricultural land and preserve farming as an economic activity.

B. Applicability

A cluster residential subdivision is permitted in the R-R, R-T, R-SF, R-20 and R-14 districts subject to the following standards.

C. Subdivision Design Process

Cluster option subdivisions shall be designed around recreation and open space. The design process should be “land-based”, and commence with the delineation of all potential open space, after which potential building sites are located. Following that, road alignments are identified, with lot lines being drawn as the final step. This “four-step” design process is further described below:

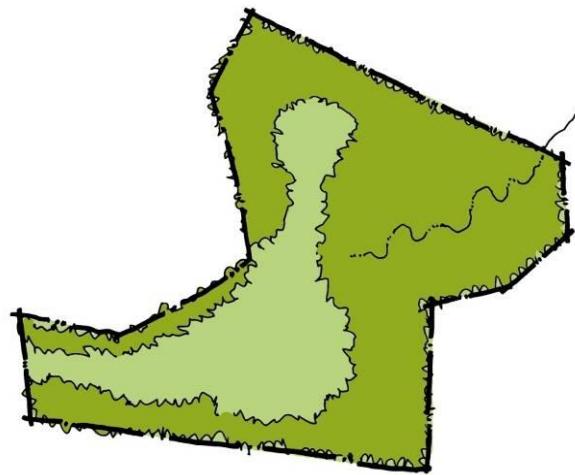


Figure 3. Subdivision Design Process

STEP 1: OPEN SPACE DESIGNATION

All potential conservation areas shall be identified using a Site Analysis Map. See §3.3.3 for using conservation areas to meet minimum open space requirements.

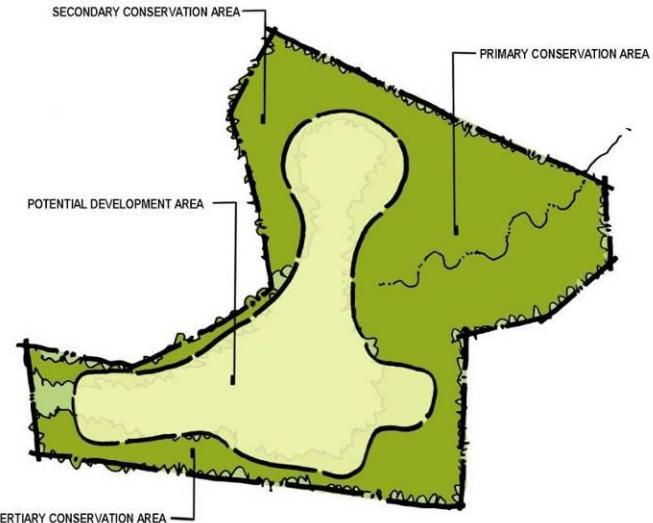


Figure 4. Step 1: Open Space Designation

STEP 2: BUILDING SITE LOCATION

During the second step, potential building sites are tentatively located, taking into consideration the locations of existing cleared areas, slope, etc.

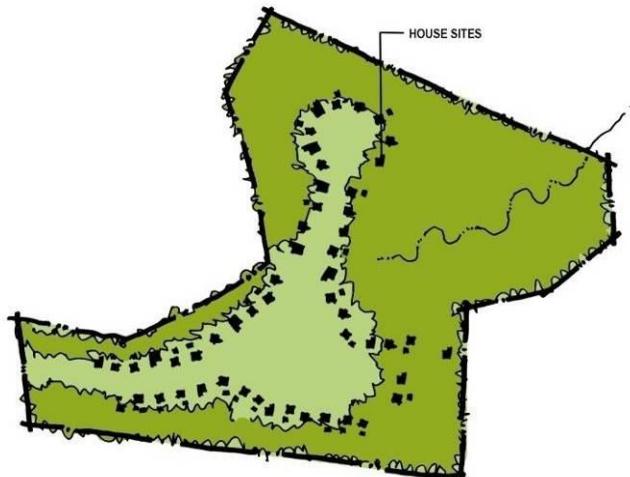
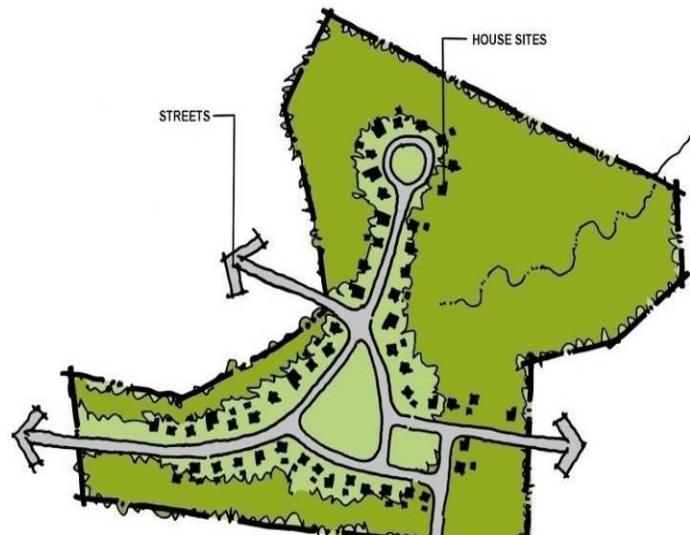


Figure 5. Step 2: Building Site Location

STEP 3: ROAD AND LOT LAYOUT

The third step consists of aligning proposed roads to provide vehicular access to each building in the most reasonable and economical manner. When access roads are laid out, they shall be located in such a way that avoids or at least minimizes impacts on the Primary, Secondary, and Tertiary Conservation Areas.



STEP 4: DRAWING IN LOT LINES

The fourth step consists of drawing in lot lines around potential building sites. Each lot must meet the requirements of §2.4.6.H,

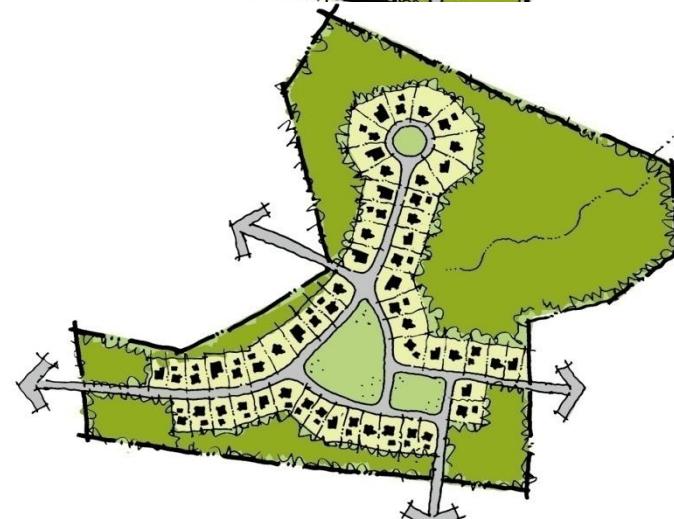


Figure 7. Step 4: Drawing in Lot Lines

Cluster Subdivision Standards

Dimensional Standards, and shall contain a buildable area of sufficient size to accommodate intended structures (i.e. Dwelling units and customary accessory uses including but not limited to, storage buildings and garages, patios and decks, and driveways.)

D. Mix of Housing Types

Two-family and townhouse residential units may comprise no more than 50 percent of the total dwelling units of a proposed cluster residential subdivision.

E. Density

In no case shall the district density be exceeded for the overall site. (See §2.4)

F. Public Water/Sewer

Public water and sewer is required, unless otherwise approved by the County Health Department.

G. Development Standards

Applicants utilizing the cluster residential subdivision option shall meet all applicable development standards as set forth in Article 3, General Development Standards, and Article 7, Natural Resource Protection. Applicants shall comply with all other provisions in this UDO and all other applicable laws.

H. Dimensional Standards

Applicants utilizing the cluster residential subdivision option shall meet the following standards. Applicants shall comply with all other provisions of this UDO and all other applicable laws. Dimensional standards for manufactured homes shall be the same as for single-family detached in the applicable district.

Cluster Residential Subdivision

R-R	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	1.1	1.1				
Site (min.)						
Area (acres)	5	5				
Recreation/open space (sq. ft.)	50%	50%				
Lot (min.)						
Lot area (min. sq. ft.)	43,560	43,560				
Lot width (min. ft.)	100	100				
Water/sewer, public	Required	Required				
Yards (min. ft.)						
Road yard	30	30				
Side yard (interior)	10	0				
Side yard (total)	20	20				
Side yard (road)	20	20				
Rear yard	30	30				
Bulk (max.)						
Height (ft.)	35	35				
Building coverage	30%	30%				
Impervious surface	35%	35%				

Cluster Subdivision Standards

Cluster Residential Subdivision

R-T	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Permitted	Permitted	Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	1.5	1.5	1.5	1.5		
Site (min.)						
Area (acres)	5	5	5	5		
Recreation/open space (sq. ft.)	50%	50%	50%	50%		
Lot (min.)						
Lot area (min. sq. ft.)	43,560	43,560	43,560	43,560		
Lot width (min. ft.)	100	100	100	100		
Water/sewer, public	Required	Required	Required	Required		
Yards (min. ft.)						
Road yard	25	25	15	25		
Side yard (interior)	5	0	5	10		
Side yard (total)	10	10	10	20		
Side yard (road)	15	15	10	15		
Rear yard	20	20	20	20		
Bulk (max.)						
Height (ft.)	35	35	35	35		
Building coverage	30%	30%	30%	30%		
Impervious surface	35%	35%	35%	35%		

R-S	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse (1)	Multi-family (1)
Use	Permitted	Permitted	Permitted	Permitted	Special Use	Special Use
Density (max. units/acre)	1.5	1.5	1.5	1.5	1.5	8.8.0
Site (min.)						
Area (acres)	5	5	5	5	5	5
Recreation/open space (sq. ft.)	50%	50%	50%	50%	50%	50%
Parcel (min. sq. ft.)						Set by Special Use Process
Area per building	--	--	--	--	7,500	
Lot						
Lot area (min. sq. ft.)	43,560	43,560	43,560	43,560	43,560	Set by Special Use Process
Lot width (min. ft.)	100	100	100	100	100	
Water/sewer, public	Required	Required	Required	Required	Required	
Yards (min. ft.)						
Road yard	15	15	15	15	15	
Side yard (interior)	5	0	5	5	5	
Side yard (total)	10	10	10	10	10	
Side yard (road)	10	10	10	10	10	
Rear yard	15	15	15	15	15	
Garage setback from R.O.W.	20	20	--	20	20	
Bulk (max.)						
Height (ft.)	35	35	35	35	35	Set by Special Use Process
Building coverage	35%	35%	35%	35%	35%	
Impervious surface	50%	50%	50%	50%	50%	

(1) More than one building may be established on a single lot (see §4.1, Complexes)

Cluster Residential Subdivision

R-SF	Single- family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	1.5		1.5			
Site (min.)						
Area (acres)	5		5			
Recreation/open space (sq. ft.)	50%		50%			
Parcel (min. sq. ft.)						
Area per building	--		--			
Lot						
Lot area (min. sq. ft.)	43,560		43,560			
Lot width (min. ft.)	100		100			
Water/sewer, public	Required		Required			
Yards (min. ft.)						
Road yard	15		10			
Side yard (interior)	5		5			
Side yard (total)	10		10			
Side yard (road)	10		10			
Rear yard	15		15			
Garage setback from R.O.W.	20		--			
Bulk (max.)						
Height (ft.)	35		35			
Building coverage	35%		35%			
Impervious surface	50%		50%			

R-20	Single- family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	2.2	2.2	2.2			
Site (min.)						
Area (acres)	5	5	5			
Recreation/open space (sq. ft.)	50%	50%	50%			
Parcel (min. sq. ft.)						
Area per building	--	--	--			
Lot (min.)						
Lot area (sq. ft.)	43,560	43,560	43,560			
Lot width (ft.)	100	100	100			
Water/sewer, public	Required	Required	Required			
Yards (min. ft.)						
Road yard	15	15	10			
Side yard (interior)	5	0	5			
Side yard (total)	10	10	10			
Side yard (road)	10	10	10			
Rear yard	15	15	15			
Bulk (max.)						
Height (ft.)	35	35	35			
Building coverage	35%	35%	35%			
Impervious surface	50%	50%	50%			

Cluster Subdivision Standards

Cluster Residential Subdivision

R-14	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	3.5	3.5	3.5			
Site (min.)						
Area (acres)	5	5	5			
Recreation/open space (sq. ft.)	50%	50%	50%			
Parcel (min. sq. ft.)						
Area per building	--	--	--			
Lot (min.)						
Lot area (sq. ft.)	43,560	43,560	43,560			
Lot width (ft.)	100	100	100			
Water/sewer, public	Required	Required	Required			
Yards (min. ft.)						
Road yard	15	15	10			
Side yard (interior)	5	0	5			
Side yard (total)	10	10	10			
Side yard (road)	10	10	10			
Rear yard	15	15	15			
Bulk (max.)						
Height (ft.)	35	35	35			
Building coverage	35%	35%	35%			
Impervious surface	50%	50%	50%			

I. Project Boundary Buffer

1. No buffer is required where the width of the project's perimeter lots is equal to or greater than the minimum lot width of the adjoining development or the minimum lot width required by the zoning district applied to any adjoining undeveloped parcel.
2. Where narrower lot widths are provided, a Class C buffer shall be provided (see §3.4, Landscaping, Screening and Buffering) along all project boundaries of a cluster subdivision.

§2.4.7. Nonresidential Dimensional Standards in Residential Districts

As set forth in the Permitted Land Use Table (see §2.2.1), certain nonresidential uses are permitted in residential districts. Permitted nonresidential uses shall meet the following dimensional standards. Applicants shall comply with all other provisions of this UDO and all other applicable laws. More restrictive standards may apply to specific uses (See Article 4, Specific Use Standards)

	R-R	R-T	R-S	R-SF	R-CR	R-20	R-14	R-MR	R-MF
Lot (with public water/sewer)		<u>43,560</u>							
Lot area (min. sq. ft.)	43,560	<u>32,500</u>	<u>22,500</u>	<u>22,500</u>	<u>14,000</u>	<u>20,000</u>	<u>14,000</u>	<u>14,000</u>	<u>14,000</u>
Lot width (min. ft.)	100	100	100	100	100	100	100	100	100
Lot (without public water or sewer)		<u>43,560</u>							
Lot area (min. sq. ft.)	43,560	<u>32,500</u>	<u>32,500</u>	<u>32,500</u>	<u>20,000</u>	<u>20,000</u>	<u>14,000</u>	<u>14,000</u>	<u>14,000</u>
Lot width (min. ft.)	100	100	100	100	100	100	100	100	100
Lot (without water/sewer)		<u>43,560</u>							
Lot area (min. sq. ft.)	43,560	<u>32,500</u>	<u>32,500</u>	<u>32,500</u>	<u>22,500</u>	<u>20,000</u>	<u>14,000</u>	<u>14,000</u>	<u>14,000</u>
Lot width (min. ft.)	100	100	100	100	100	100	100	100	100
Yards (min. ft.)									
Road yard	30	30	30	30	30	30	30	30	30
Side yard (interior)	25	20	10	10	10	10	10	10	10
Side yard (total)	50	40	20	20	20	20	20	20	20
Side yard (road)	40	40	40	40	40	40	40	40	40
Rear yard	40	40	40	40	40	40	40	40	40
Bulk (max.)									
Height (ft.)	35	35	35	35	35	35	35	35	35
Building coverage	35%	35%	35%	35%	35%	35%	35%	35%	35%
Impervious surface	50%	50%	55%	55%	55%	55%	55%	55%	55%

PART 2. NONRESIDENTIAL DISTRICTS

§2.4.8. Nonresidential District Standards

A. Development Standards

Applicants shall meet all applicable development standards as set forth in Article 3, General Development Standards and Article 7, Natural Resource Protection.

Applicants shall comply with all other provisions in this UDO and all other applicable laws.

Nonresidential District Standards

B. Nonresidential Dimensional Standards in Nonresidential Districts

- As set forth in the Permitted Land Use Table (see §2.2.1) certain nonresidential uses are permitted in nonresidential districts. Permitted nonresidential uses shall meet the following dimensional standards. Applicants shall comply with all other provisions of this UDO and all other applicable laws.

	O-R	B-N	B-G	B-C	I-L	I-G
Parcel (min.)						
Parcel area (sq. ft.)	10,000	22,500	32,500	32,500	1 acre	1 acre
Parcel width (ft.)	50	70	70	70	100	100
Water/sewer	Required	Required	Required	Required	Required	Required
Yards (min. ft.)						
Road yard (min.)	20	20	30	30	50	50
Road yard (max.)	30	90	150	N/A	N/A	N/A
Side yard (interior)	10	10	15	15	20	20
Abutting residential district	30	20	30	30	50	50
Side yard (road)	20	20	30	30	30	30
Rear yard	20	20	25	25	30	30
Abutting residential district	30	30	30	30	50	50
Building Separation	20	20	20	20	20	20
Bulk (max.)						
Height (ft.)	35	35	60	60	60	60
Gross floor area (sq. ft.)	10,000	10,000	50,000	50,000	N/A	N/A
Building coverage	50%	50%	50%	50%	50%	50%
Impervious surface	75%	75%	75%	75%	75%	75%

- More than one building may be permitted on a single lot (see §4.1, Complexes). Interior side yards for attached buildings may be reduced to zero as part of a planned development, provided that where buildings are not attached, the minimum building spacing requirements of §4.1.7 shall apply. (See §9.5 and §2.4.9 for more information).
- The Board of Commissioners may approve greater maximum floor area than above via Planned Development procedures of §9.5.
- Public water and sewer services are required to be used for all nonresidential (commercial, office and industrial) projects where services are available.

C. Residential Dimensional Standards in Nonresidential Districts

- As set forth in the Permitted Land Use Table (see §2.2.1) certain residential uses are permitted in nonresidential districts. Dimensional standards for townhouses and multi-family are established through the special use process (see §9.11). No townhouse or multi-family shall be established on a parcel less than 20,000 square feet in area; lots may be as small as 2,500 square feet.
- Upper-story residential is permitted on the upper floors of a nonresidential building and shall conform to all lot, yard and bulk requirements of the principal building.
- Townhouse and multi-family parcels and upper-story residential units shall not exceed a density of ten units per acre.

PART 3. PLANNED DEVELOPMENT DISTRICTS

§2.4.9. Planned Development District Standards

A. General Provisions for all Planned Developments (PD-R, PD-C, PD-I, PD-MU)

1. Rezoning Criteria

In approving a rezoning for a planned development, the Board of Commissioners shall find the district designation and planned development master plan comply with the general standards for all planned development in this section and the specific standards for the proposed planned development listed in paragraphs B through E below, respectively.

2. Planned Development Master Plan

The development proposed in the master plan is compatible with the character of surrounding land uses and maintains and enhances the value of surrounding properties. The master plan shall be prepared by a design professional as defined in Article 12.

3. Design Guidelines and Dimensional Standards

Each planned development shall provide a comprehensive set of design guidelines that demonstrate the project will be appropriate within the context of the surrounding properties and the larger community. All bulk, area and dimensional standards shall be established by the Board of Commissioners at the time of approval.

4. Development Standards

Unless specifically waived by the Board of Commissioners, all standards specified in Article 3, General Development Standards, and Article 7, Natural Resource Protection, shall apply.

5. Recreation and Open Space

The planned development master plan shall include a minimum of 12.5 percent recreation and open space. (See §3.3).

6. Stormwater Management

When determined necessary by the Board of Commissioners, the planned development master plan shall contain a comprehensive stormwater management plan prepared by a professional engineer, geologist and land surveyor licensed in the State of North Carolina.

7. Phasing

If development is proposed to occur in phases, the planned development master plan shall include a phasing plan for the development, and if appropriate, with specific build-out dates. Unless waived by the Board of Commissioners, site improvements or amenities that are part of the master plan shall be constructed with the first phase of the project or by the platting of 25% of the lots proposed in the development, whichever comes first. Any monetary contributions in lieu of constructing off-site improvements or donations of land that are included in the master plan shall be made prior to platting the first phase of the development.

8. Dimensional Standards

Planned Development District Standards

	<u>Single-family Detached</u>	<u>Zero Lot Line</u>	<u>Alley- loaded</u>	<u>Two-family</u>	<u>Townhouse</u>	<u>Multi-family</u>
Density (max. units/acre)						
Without public water/sewer	1	1	1	1	4	4
With public water or sewer	1	1	1	1	6	6
With public water/sewer	1	1	1	1	6	8
Site (min.)						
Area (acres)	None	None	None	None	None	None
Recreation/open space (sq. ft.)	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%
Parcel (min.)						
Area per building	--	--	--	--	--	--
Lot (without public water/sewer)						
Lot area (min. sq. ft.)	43,560	43,560	43,560	43,560	--	--
Lot width (min. ft.)	100	100	100	100	--	--
Lot (with public water/sewer)						
Lot area (min. sq. ft.)	43,560	43,560	43,560	43,560	--	--
Lot width (min. ft.)	100	100	100	100	--	--
Yards (min. ft.)						
Road yard	30	15	15	30	15	30
Side yard (interior)	10	0	0	10	--	10
Side yard (total)	20	10	10	20	--	20
Side yard (road)	20	10	10	40	10	40
Rear yard	40	20	20	40	20	40
Bulk (max.)						
Height (ft.)	35	35	35	35	35	35
Building coverage	35%	35%	35%	35%	--	35%
Impervious surface	50%	50%	50%	50%	--	50%

B. Planned Development-Residential (PD-R) District

1. Minimum Requirements

The Planned Development-Residential District is an option provided to encourage a mix of housing options within a comprehensively planned development.

2. Permitted Uses

All uses permitted by right and as special uses in residential districts are permitted in a PD-R District (§2.2.1), subject to approval by the Board of Commissioners.

3. Project Boundary Buffer

An undisturbed buffer at least 50 feet in width and meeting the standards for a Class B buffer (see §3.4, Landscaping, Screening and Buffering) shall be maintained along all project boundaries.

4. Exterior Sidewalks

In addition to the requirements of §5.5, sidewalks shall be installed along all existing roads that abut and provide access to the project. All required sidewalks shall be a minimum five feet in width.

5. Minimum Lot Sizes

Lot area and width within the PD-R district must conform to the standards established in §2.4.[9.A.85 for the R-S \(Residential Suburban\) district.](#)

C. Planned Development-Commercial (PD-C) District

1. Minimum Requirements

The Planned Development-Commercial District is an option provided to enhance the design of a commercial development within a comprehensively planned development by allowing for additional flexibility not available in nonresidential districts.

2. Permitted Uses

All uses permitted by right and as special uses in the O-R, B-N, and B-G districts are permitted in a PD-C District (§2.2.1), subject to approval by the Board of Commissioners.

3. Project Boundary Buffer

- (a) Unless waived by the Board of Commissioners, a Class B buffer (see §3.4, Landscaping, Screening and Buffering) shall be provided along all project boundaries abutting a nonresidential district.
- (b) Unless waived by the Board of Commissioners, a Class C buffer (see §3.4, Landscaping, Screening and Buffering) shall be provided along all project boundaries abutting a residential district.

4. Exterior Sidewalks

In addition to the requirements of §5.5, sidewalks shall be installed along all existing roads that abut and provide access to the project. All required sidewalks shall be a minimum five feet in width.

D. Planned Development-Industrial (PD-I) District

1. Minimum Requirements

The Planned Development-Industrial District is an option provided to encourage unified industrial complexes of high quality by allowing for additional flexibility not available in nonresidential districts.

2. Permitted Uses

- (a) All uses permitted by right and as special uses in the B-N, B-G, I-L, and I-G districts are permitted in a PD-I District (§2.2.1), subject to approval by the Board of Commissioners.
- (b) Non-industrial or non-manufacturing uses located in a PD-I District are intended to serve the needs of the development and not the needs of a surrounding area. Areas designated for non-industrial and non-manufacturing activities shall be oriented towards the interior of the project and shall not be located on exterior or perimeter roads or property boundaries, but shall be centrally located within the project to serve the employees of the district.

3. Project Boundary Buffer

Eastern Lincoln Development District

A Class C buffer shall be provided (see §3.4, Landscaping, Screening and Buffering) along all project boundaries.

4. Landscape Area and Tree Canopy

Landscaping area and tree canopy requirements shall be in accordance with §3.4, unless otherwise approved by the Board of Commissioners.

5. Building Design

Building design shall be in accordance with §3.2, unless otherwise approved by the Board of Commissioners.

E. Planned Development-Mixed Use (PD-MU) District**1. Minimum Requirements**

The Planned Development-Mixed Use District is an option provided to encourage coordinated mixed use developments.

2. Permitted Uses

- (a)** All uses permitted by right and as special uses in the Permitted Use Table are permitted in a PD-MU District (§2.2.1), subject to approval by the Board of Commissioners.
- (b)** The mix of uses shall be established by the Board of Commissioners at the time of approval.

3. Project Boundary Buffer

Unless waived by the Board of Commissioners, a Class C buffer shall be provided (see §3.4, Landscaping, Screening and Buffering) along all project boundaries.

4. Exterior Sidewalks

In addition to the requirements of §5.5, sidewalks shall be installed along all existing roads that abut and provide access to the project. All required sidewalks shall be a minimum five feet in width.

5. Minimum Lot Sizes

Residential lot area and width within the PD-MU district must conform to the standards established in ~~§2.4.9.A.8. §2.4.5 for the R-S (Residential Suburban) district.~~

§5.6. Lots and Blocks

§5.6.1. Lots

- A. Every lot shall have a minimum of 35 feet of frontage on public right-of-ways or private right-of-ways pursuant to §5.4.6, except where otherwise specifically allowed by the dimensional standards of §2.4, and shall contain the minimum required lot width of the applicable zoning district within 100 feet of the road right-of-way adjoining the front yard, except for lots created pursuant to §9.6.6.A.3 and lots in family subdivisions as authorized below.
 - 1. Lots in a family subdivision created pursuant to §9.6.10, Family Subdivisions, need not have frontage on public right-of-ways, and all lots must meet or exceed the minimum lot size of the Lincoln County Water Supply Watershed Protection Ordinance.
 - 2. Lots in family subdivisions must either comply with subsection A, above, or have a minimum of 35 feet of frontage on either a newly created private road easement that has a minimum width of 45 feet or an easement that existed prior to May 14, 1996, provided the pre-existing easement has a minimum private road easement width of 20 feet. Such easement shall provide access to a NCDOT maintained road. Irrespective of this minimum width, the road easement shall be of appropriate width to accommodate the placement of utilities.
 - 3. In no instance may one unpaved private road easement intersect with another unpaved private road easement.
- 3.4. Lots in family subdivisions may reduce the minimum lot sizes as prescribed in §2.4.5.C. by a factor of 0.25**
- B. Lot sites, shapes, and locations shall be made with due regard to topographic conditions, contemplated uses, and the surrounding areas.
- C. Through lots shall be avoided, except when lots adjoin a thoroughfare and access is desirable by a road of residential scale, and discouraged or prohibited on the thoroughfare.
- D. Side lot lines shall be substantially at right angles or radial to road lines.
- E. Panhandle lots may be created in any zone if all of the following requirements are met:
 - 1. No panhandle lot may be adjacent to more than one panhandle lot;
 - 2. The access portion of the lot shall be at least 35 feet in width;
 - 3. The depth of the panhandle shall not exceed 100 feet as measured from the adjacent public or private road;

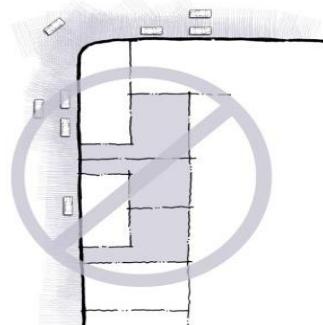


Figure 80. Panhandle Lots