



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

To: Board of Commissioners
Planning Board

From: Joshua L. Grant, Manager

Date: May 10, 2024

Re: UDO Proposed Amendment #2024-3
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 June 3, 2024.

Background

In August of 2022 the Unified Development Ordinance was revised to change the minimum lot size to one acre across all residential zoning districts in Lincoln County. On the heels of this revision a committee was formed to examine density/minimum lot sizes across those residential districts. After many meetings of the Committee a recommendation was brought back to the Board of Commissioners at the September 2023 meeting. This proposal saw a positive recommendation from the Planning Board, but the Board of Commissioners tabled that recommendation pending further information and deliberation.

In November of 2023 staff hosted a workshop for the Board of Commissioners, Planning Board and Density Committee where an overview of the pending change to density/minimum lot sizes in the UDO was presented. Coming out of the workshop there seemed to be two primary areas of uncertainty on how to move forward for the Board of Commissioners 1) townhouse/multi-family density and 2) duplex minimum lot sizes. In order to work through the remaining uncertainty planning staff, the County Manager and the County Attorney took time with each Board member in December to review the status of the proposal and receive direction to move forward. After that series of meetings, we did not reach a consensus amongst the Board on a direction forward.



PLANNING & INSPECTIONS DEPARTMENT

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In April of 2024 staff hosted a workshop with the Planning Board to consider all the feedback from the Density & Lot Size Committee and the Board of Commissioners series of meetings over the winter. The Planning Board discussed the impact of density and lot size on growth and development in Lincoln County. Deliberations continued until a general consensus was reached on both the existing base zoning districts and the proposed addition of new tables for residential planned development as well as some general discussion of how to approach mixed-use planned developments. Direction to staff was given to finalize the text amendment for June 2024 in accordance with directives from the Board of County Commissioners.

Proposal Narrative & Summary

It should be noted that minimum lot sizes and densities in Planned Developments are ultimately guided by the Land Use Plan. Following the action taken on this amendment, if approved, correlating modifications are needed within the Land Use Plan to reflect and align with the changes in density & lot size in the Unified Development Ordinance.

The lot sizes and densities shown in the proposal below for planned developments would not be recommended in a vast majority of the County, while specifically the townhouse and multifamily densities shown would be available in less than 1% of the County in Walkable Activity Centers. Staff will note that there was a significant amount of conversation around a larger minimum lot size for two-family houses, but it was determined that based on the structure of the minimum lot size tables and their interplay with Chapter 5 Subdivision Standards it was determined that differing lot sizes based on housing type in a district was not administratively feasible.

The proposal gives the Board discretion when evaluating a mixed-use project through the requirement for a development agreement. A development agreement allows the Board to carefully craft components of the development such as sequencing of residential, commercial, or distinguishing between active / passive open space. Please remember that the densities outlined above are only recommended in Walkable Activity Centers as depicted in the Land Use Plan and are not available in roughly 99% of the county's geography.



PLANNING & INSPECTIONS DEPARTMENT

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After considerable dialogue, workshops, and deliberation with the Board of County Commissioners, Planning Board, and the Density & Lot Size Committee, the planning staff are proposing the following amendment(s) to the Lincoln County Unified Development Ordinance:

** It should be noted that the items listed below are a detailed summary of the changes. However, it does not capture every single change made including minor adjustments to dimensional tables. To observe the full text amendment verbatim, please see the attached redline excerpt from the Lincoln County Unified Development Ordinance.*

Conventional Subdivision

R-R: 1.0-acre minimum lot size.

R-T: 0.75-acre minimum lot size.

R-S: 0.75-acre minimum lot size for Single-Family Detached and Two-Family houses.

R-SF: 0.75-acre minimum lot size.

Conservation Subdivision (10-acre minimum tract)

R-R: 0.25-acre minimum lot size.

R-T: 0.25-acre minimum lot size.

R-S: 0.25-acre minimum lot size.

R-SF: 0.25-acre minimum lot size.

Planned Development Residential - Conventional

0.5-acre minimum lot size for Single-Family Detached, Alley Loaded and Two-Family houses with a 25% Open Space Requirement.

Maximum Townhouse density: 10 units per acre

Maximum Multi-Family density: 16 units per acre

Planned Development Residential - Conservation

0.25-acre minimum lot size for Single-Family Detached, Alley Loaded and Two-Family houses with a 50% Open Space Requirement.

Maximum Townhouse density: 14 units per acre

Maximum Multi-Family density: 20 units per acre

Planned Development- Mixed Use

Densities Strictly derived from Land Use Plan allowances. All mixed use planned development districts shall be accompanied by a development agreement.



PLANNING & INSPECTIONS DEPARTMENT

Joshua L. Grant, Manager

Zoning Amendment

Proposed Statement of Consistency and Reasonableness

Case UDO #2024-3

Applicant Lincoln County Planning & Inspections

Parcel ID# N/A

Location N/A

Proposed amendment Amend Article 2.4 of the Lincoln County Unified Development Ordinance and several sections therein effectively modifying the dimensional tables including density standards and lot sizes for base zoning districts, planned development - residential and planned development - mixed use. (see attached excerpts)

This proposed amendment **is consistent** with the Lincoln County Land Use Plan and other adopted plans in that:

The proposed amendments support orderly growth and development across the county by providing the ability to achieve a variety of housing types. The focus on the conservation of open space increases quality of life and protects agriculture, while the focus on aligning higher densities in the Walkable Activity Center (WAC) Community Type bodes well for targeted infrastructure investment. The requirement for a development agreement in mixed use districts ensures the timely delivery of each component or phase within a master planned project and affords assurances to protect public investment and the interests of the community at large.



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 Article 2.4 of the Lincoln County Unified Development Ordinance and several sections therein effectively modifying the dimensional tables including density standards and lot sizes for base zoning districts, planned development - residential and planned development - mixed use.

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 red lined pages of the Unified Development Ordinance.

\$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.

A handwritten signature in cursive script, appearing to read "John L. Hunt".

Applicant

04/19/2024

Date

	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
P = Permitted S = Special Use (§9.10) * = Group of Uses (§2.3)																
Residential Uses¹	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
Single-family detached	P	P	P	P	P	P	P	P								
Modular (CABO)	P	P	P	P	P	P	P	P								
Alley-loaded house		P	P	P	P	P	P	P								§4.2.1
Zero lot line house								P	P							§4.2.2
Two-family house	P	P	P					P	P							§4.2.3
Townhouse			S		S			P	P	S	S					§4.2.4
Multi-family			S		S				P							§4.2.5
Upper-story residential										P	S	S				§4.2.6
Boarding house	P	P	P						P	P						§4.2.7
Manufactured home, Class A	P	P	P													§4.2.8
Manufactured home, Class B	P	P	P													§4.2.9
Manufactured home, Class C	P	P	S													§4.2.10
Manufactured home, Class D	S	S														§4.2.11
Manufactured home, Class E	P	P	S													§4.2.12
Manufactured home, Class F																§4.2.13
Manufactured home park (<20 units)	S	S														§4.2.14
Manufactured home park (>20 units)	S	S														§4.2.14
Storage, private (on <2 ac.)	S	S	S	S	S											
Storage, private (on >2 ac.)	P	P	P	P	P											
Civic Uses	R-R	R-T	R-S	R-SF	R-CR	R-14	R-20	R-MR	R-MF	O-R	B-N	B-G		I-L	I-G	Use Standard
Airport, public or private	S	S													S	
Adult care home	S	S	S						S	S	S					
Bus terminal, public	S	S										P		P	P	
Cemetery	P	P	S	S	S							S				§4.3.1
Civic club or community center	S	S	S	S	S					P	P	P			P	
Coliseums 1000+ seats												S				
College										P	S	S				
Correctional facility															S	
County facility	P	P	P	P	P	P	P	P	P	P	P	P		P	P	§4.3.5
Child care center, small group (1-6)	P	P	P	P	P			P	P	P	P	P				
Child care center (6+)	S	S	S	S	S			S	S	P	P	P		P	S	§4.3.2
Child care center (6+) as accessory use														P	P	
Family care home	P	P	P	P	P	P	P	P	P	P	P					§4.3.3
Hospital										S	P	P				
Museum (privately owned)										P	P	P				
Nursing home	S	S	S							S	S	S				
Place of worship, seating capacity<500	P	P	P	P	P					P	P	P				§4.3.4
Place of worship, seating capacity 500 to 1000	P	P	S	S	S						P	P				§4.3.4
Place of worship, seating capacity >1000											P	P				§4.3.4
State or federal facility not listed as C use										P	P	P		P	P	§4.3.5
Public safety facility	P	P	P	P	P	P	P	P	P	P	P	P		P	P	§4.3.5
Railroad terminal and yard															P	
School, elementary and secondary	P	P	P	P	P						S	S				§4.3.6
Solar farm	S	S										S		S	S	4.3.7

¹ Some residential uses listed in this table may only be allowed in cluster subdivisions (See §2.4.5 and §2.4.6)

Residential Subdivision Types

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.

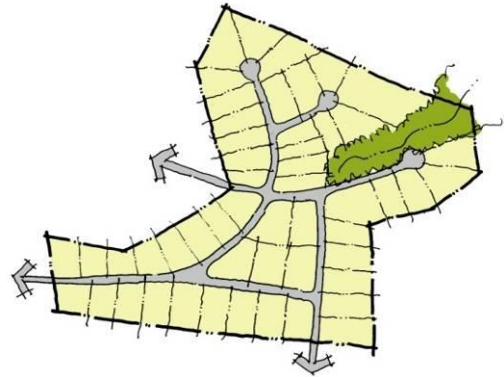


Figure 1. Conventional Residential Subdivision

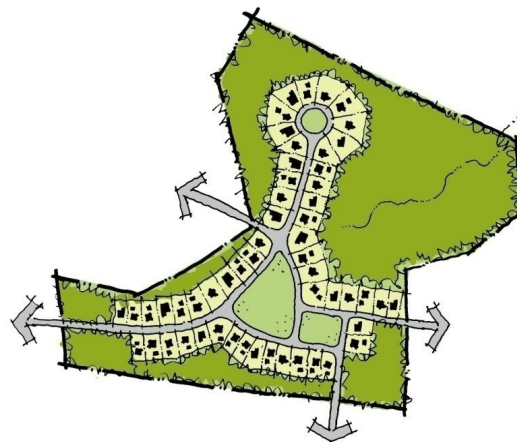
B. Cluster Conservation

Figure 2. Cluster Residential Subdivision

enhancements are incorporated into the design of the subdivision.

Residential Subdivision

Cluster Conservation residential subdivisions trade conventional minimum lot size and dimensions for additional common recreation and open space. A

cluster conservation residential subdivision shall be a sufficient size to ensure adequate common recreation and open space can be incorporated into the subdivision design. A cluster conservation residential subdivision may allow additional density provided certain

§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	Permitted	Not Permitted	Not Permitted
Site (min.)						
Area (acres)	None			None		
Recreation/open space (sq. ft.)	N/A			N/A		
Lot (without public water/sewer)	<u>1 ac.</u>			1 ac.		
Lot area (min. sq. ft.)	(43,560)			43,560		
Lot width (min. ft.)	100			100		
Lot (with public water/sewer)	<u>1 ac.</u>			1 ac.		
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			10		
Side yard (total)	20			20		
Side yard (road)	20			20		
Rear yard	40			40		
Bulk (max.)						
Height (ft.)	35			35		
Building coverage	35%			35%		
Impervious surface	50%			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.)						
Area (acres)	None			None		
Recreation/open space (sq. ft.)	N/A			N/A		
Lot (without public water/sewer)	<u>43,560.75 ac.</u>			<u>43,560.75 ac.</u>		
Lot area (min. sq. ft.)	<u>(32,670)</u>			<u>(32,670)</u>		
Lot width (min. ft.)	100			100		
Lot (with public water/sewer)	<u>43,560.75 ac.</u>			<u>43,560.75 ac.</u>		
Lot area (min. sq. ft.)	<u>(32,670)</u>			<u>(32,670)</u>		
Lot width (min. ft.)	100			100		
Yards (min. ft.)						
Road yard	30			30		
Side yard (interior)	10			<u>45</u> 10		
Side yard (total)	20			<u>30</u> 20		
Side yard (road)	20			<u>25</u> 20		
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	Special Use
Density (max. units/acre)						
Without public water/sewer	--			--	<u>3</u>	<u>43</u>
With public water or sewer	--			--	<u>3</u>	<u>63</u>
With public water/sewer	--			--	<u>4</u>	<u>84</u>
Site (min.)						
Area (acres)	None			None	<u>None</u>	None
Recreation/open space (sq. ft.)	N/A			N/A	<u>N/A</u>	N/A
Parcel (min.)						
Area per building	--			43,560	<u>43,560</u>	43,560
Lot (without public water/sewer)	<u>43,560.75 ac.</u>			<u>43,560.75 ac.</u>		
Lot area (min. sq. ft.)	<u>(32,670)</u>			<u>(32,670)</u>	<u>43,560</u>	43,560
Lot width (min. ft.)	100			100	<u>100</u>	100
Lot (with public water/sewer)	<u>43,560.75 ac.</u>			<u>43,560.75 ac.</u>		
Lot area (min. sq. ft.)	<u>(32,670)</u>			<u>(32,670)</u>	<u>43,560</u>	43,560
Lot width (min. ft.)	100			100	<u>100</u>	100
Yards (min. ft.)						
Road yard	30			30	<u>30</u>	30
Side yard (interior)	10			10	<u>10</u>	10
Side yard (total)	20			20	<u>20</u>	20
Side yard (road)	20			<u>40</u> 20	<u>40</u>	40
Rear yard	40			40	<u>40</u>	40
Bulk (max.)						
Height (ft.)	35			35	<u>35</u>	35
Building coverage	35%			35%	<u>35%</u>	35%
Impervious surface	50%			50%	<u>50%</u>	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)	<u>43,560.75 ac.</u>					
Lot area (min. sq. ft.)	<u>(32,670)</u>					
Lot width (min. ft.)	100					
Lot (with public water/sewer)	<u>43,560.75 ac.</u>					
Lot area (min. sq. ft.)	<u>(32,670)</u>					
Lot width (min. ft.)	<u>100</u> 80					
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)	--				104	104
Site (min.)						
Area (acres)	None				43,560	43,560
Recreation/open space (sq. ft.)	N/A				N/A	N/A
Parcel (min. sq. ft.)					43,560	43,560
Area per building	--					
Lot (without public water/sewer)	43,560.75 ac.				Set by Special Use Process	Set by Special Use Process
Lot area (min. sq. ft.)	(32,670)					
Lot width (min. ft.)	100					
Lot (with public water or sewer)	43,560.75 ac.				Set by Special Use Process	Set by Special Use Process
Lot area (min. sq. ft.)	(32,670)					
Lot width (min. ft.)	100					
Lot (with public water/sewer)	43,560.50 ac.				Set by Special Use Process	Set by Special Use Process
Lot area (min. sq. ft.)	(21,780)					
Lot width (min. ft.)	100					
Yards (min. ft.)						
Road yard	30				Set by Special Use Process	Set by Special Use Process
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.)	43,560					
Lot area (sq. ft.)	0.75 ac.					
Lot width (ft.)	(32,670)					
Water/sewer, public	100 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.)	43,560 <u>0.75 ac.</u>					
Lot area (sq. ft.)	(32,670)					
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	Permitted	Special Use	Not Permitted
Density (max. units/acre)	--	--			64	
Site (min.)						
Area (sq. ft.)	None	None			43,560	
Recreation/open space (sq. ft.)	N/A	N/A		--	N/A	
Parcel (min. sq. ft.)					43,560	
Area per building	--	--		--		
Lot (min.)	43,560 <u>0.75 ac.</u>	43,560 <u>0.75 ac.</u>		0.75 ac.		
Lot area (sq. ft.)	(32,670)	(32,670)		(32,670)	Set by Special Use Process	Set by Special Use Process
Lot width (ft.)	100	100		100		
Water/sewer, public	Required	Required		Required		
Yards (min. ft.)						
Road yard	15	15		15		
Side yard (interior)	6	0		6	Set by Special Use Process	Set by Special Use Process
Side yard (total)	12	10		12		
Side yard (road)	10	10		10		
Rear yard	20	20		20		
Bulk (max.)						
Height (ft.)	35	35		35	Set by Special Use Process	Set by Special Use Process
Building coverage	35%	35%		35%		
Impervious surface	50%	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	Permitted	Permitted	Permitted
Density (max. units/acre)	--				<u>66</u>	<u>68</u>
Site (min.)						
Area (acres)	None	<u>None</u>			4	4
Recreation/open space (sq. ft.)	N/A	<u>N/A</u>		-	N/A	N/A
Parcel (min. sq. ft.)					43,560	43,560
Area per building	--	--		-		
Lot (min.)	<u>43,560 .75 ac.</u>	<u>0.75 ac</u>		0.75 ac.		
Lot area (sq. ft.)	<u>(32,670)</u>	<u>(32,670)</u>		(32,670)	<u>43,560</u>	<u>43,560</u>
Lot width (ft.)	100	<u>100</u>		100	<u>100</u>	<u>100</u>
Water/sewer, public	Required	<u>Required</u>		Required		
Yards (min. ft.)						
Road yard	20	<u>15</u>		30	<u>30</u>	<u>30</u>
Side yard (interior)	6	<u>0</u>		10	<u>10</u>	<u>10</u>
Side yard (total)	12	<u>10</u>		20	<u>20</u>	<u>20</u>
Side yard (road)	10	<u>10</u>		40	<u>40</u>	<u>40</u>
Rear yard	20	<u>20</u>		40	<u>40</u>	<u>40</u>
Bulk (max.)						
Height (ft.)	35	<u>35</u>		35	<u>35</u>	<u>35</u>
Building coverage	35%	<u>35%</u>		35%	<u>35%</u>	<u>35%</u>
Impervious surface	60%	<u>50%</u>		50%	<u>50%</u>	<u>50%</u>

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

§2.4.6. ClusterConservation Subdivision Standards**A. Intent**

The intent of a clusterconservation residential subdivision is to provide a development alternative to a conventional subdivision. A clusterconservation 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. ClusterConservation subdivision development is encouraged by Lincoln County in the form of these flexible design and maximum density provisions. Other purposes of a clusterconservation 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.

Cluster Conservation Subdivision Standards

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

B. Applicability

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

C. Subdivision Design Process

~~Cluster Conservation~~ 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:

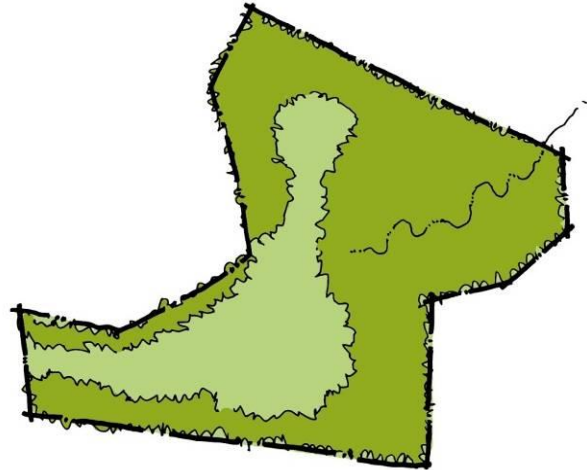


Figure 3. Subdivision Design Process

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.

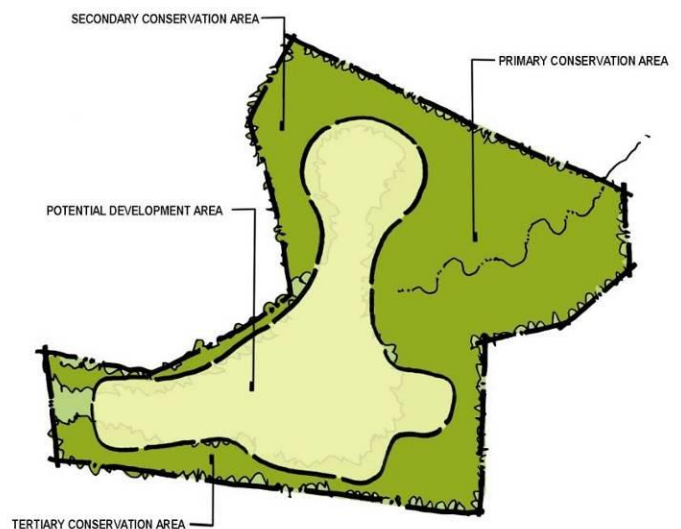


Figure 4. Step 1: Open Space Designation

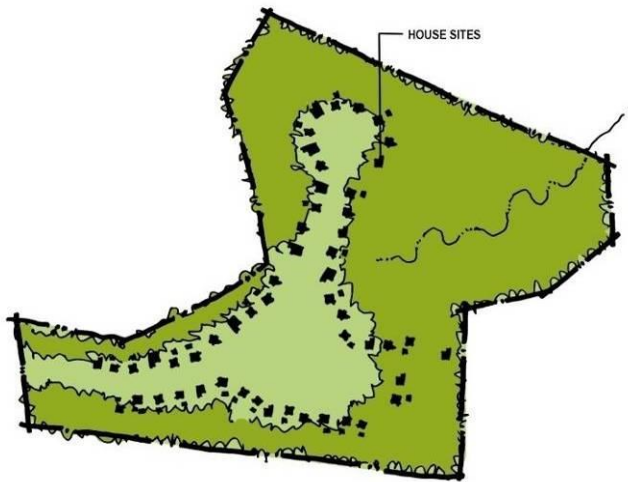


Figure 5. Step 2: Building Site Location

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.

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.

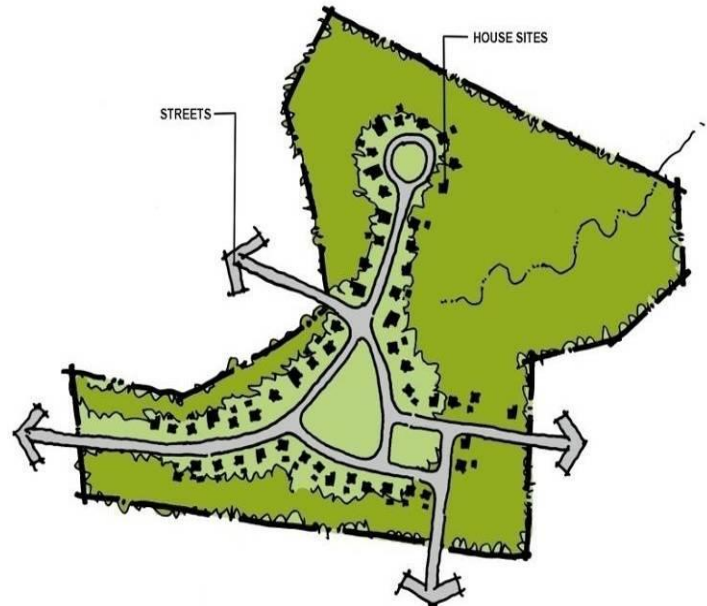


Figure 6. Step 3: Road and Lot Layout

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, 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.)

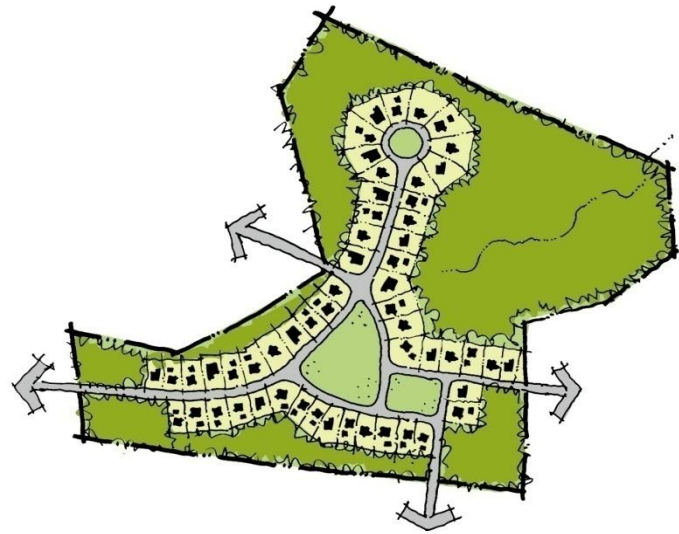


Figure 7. Step 4: Drawing in Lot Lines

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 ~~clusterconservation~~ 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 ~~clusterconservation~~ 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 ~~clusterconservation~~ 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.

~~ClusterConservation~~ Residential Subdivision

R-R	Single- family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Not Permitted	Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	4.4					
Site (min.)						
Area (acres)	5 10			5		
Recreation/open space (sq. ft.)	50%			50%		
Lot (min.)	43,560 43,560 .25 ac.			43,560 43,560 .25 ac.		
Lot area (min. sq. ft.)	(10,890)			(10,890)		
Lot width (min. ft.)	40 75			100		
Water/sewer, public	Required			Required		
Yards (min. ft.)						
Road yard	30			30		
Side yard (interior)	10			10		
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%		

ClusterConservation Subdivision Standards

ClusterConservation Residential Subdivision

R-T	Single- family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Use	Permitted	Not Permitted	Permitted	Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	1.5		1.5	1.5		
Site (min.)						
Area (acres)	510		510	510		
Recreation/open space (sq. ft.)	50%		50%	50%		
Lot (min.)	43,5600.25 ac.		43,5600.25 ac.	43,5600.25 ac.		
Lot area (min. sq. ft.)	(10,890)		(10,890)	(10,890)		
Lot width (min. ft.)	40075		40075	40075		
Water/sewer, public	Required		Required	Required		
Yards (min. ft.)						
Road yard	2530		15	2530		
Side yard (interior)	510		510	10		
Side yard (total)	4020		4020	20		
Side yard (road)	1520		4020	1520		
Rear yard	20		20	20		
Bulk (max.)						
Height (ft.)	35		35	35		
Building coverage	30%		30%	30%		
Impervious surface	35%		35%	35%		

R-S	Single- family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse (I)	Multi-family (I)
Use	Permitted	Not Permitted	Permitted	Permitted	Special Use Not Permitted	Special Use Not Permitted
Density (max. units/acre)	1.5		1.5	1.5	1.5	8.8
Site (min.)						
Area (acres)	510		510	510	5	5
Recreation/open space (sq. ft.)	50%		50%	50%	50%	50%
Parcel (min. sq. ft.)						
Area per building	--		--	--	7,500	Set by Special Use Process
Lot	43,5600.25 ac.		43,5600.25 ac.	43,5600.25 ac.		
Lot area (min. sq. ft.)	(10,890)		(10,890)	(10,890)	43,560	Set by Special Use Process
Lot width (min. ft.)	40075		40075	40075	400	
Water/sewer, public	Required		Required	Required	Required	
Yards (min. ft.)						
Road yard	4530		15	4530	45	
Side yard (interior)	510		510	510	5	
Side yard (total)	4020		4020	4020	40	Set by Special Use Process
Side yard (road)	4020		4020	4020	40	
Rear yard	4530		4530	4530	45	
Garage setback from R.O.W.	2030		--	2030	20	
Bulk (max.)						
Height (ft.)	35		35	35	35	Set by Special Use Process
Building coverage	35%		35%	35%	35%	
Impervious surface	50%		50%	50%	50%	

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

Cluster/Conservation 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)	510		510			
Recreation/open space (sq. ft.)	50%		50%			
Parcel (min. sq. ft.)						
Area per building	--		--			
Lot (min.)	43,560 0.25 ac.		43,560 0.25 ac.			
Lot area (min. sq. ft.)	(10,890)		(10,890)			
Lot width (min. ft.)	40075		40075			
Water/sewer, public	Required		Required			
Yards (min. ft.)						
Road yard	4530		4015			
Side yard (interior)	510		510			
Side yard (total)	4020		4020			
Side yard (road)	4020		4020			
Rear yard	4530		4530			
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	Not Permitted	Permitted	Not Permitted	Not Permitted	Not Permitted
Density (max. units/acre)	2.2		2.2			
Site (min.)						
Area (acres)	510		510			
Recreation/open space (sq. ft.)	50%		50%			
Parcel (min. sq. ft.)						
Area per building	--		--			
Lot (min.)	43,560 0.25 ac.		43,560 0.25 ac.			
Lot area (sq. ft.)	(10,890)		(10,890)			
Lot width (ft.)	40075		40075			
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			
Bulk (max.)						
Height (ft.)	35		35			
Building coverage	35%		35%			
Impervious surface	50%		50%			

ClusterConservation Subdivision Standards

ClusterConservation Residential Subdivision

R-14	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)	3.5		3.5			
Site (min.)						
Area (acres)	5 10		5 10			
Recreation/open space (sq. ft.)	50%		50%			
Parcel (min. sq. ft.)						
Area per building	--		--			
Lot (min.)	43,560 25 ac.		43,560 25 ac.			
Lot area (sq. ft.)	(10,890)		(10,890)			
Lot width (ft.)	100 75		100 75			
Water/sewer, public	Required		Required			
Yards (min. ft.)						
Road yard	45 30		40 30			
Side yard (interior)	5 10		5 10			
Side yard (total)	40 20		40 20			
Side yard (road)	40 20		40 20			
Rear yard	45 30		45 30			
Bulk (max.)						
Height (ft.)	35		35			
Building coverage	35%		35%			
Impervious surface	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~~conservation subdivision.

PART 3. PLANNED DEVELOPMENT DISTRICTS**§2.4.9. Planned Development District Standards****A. General Provisions for all Planned Developments (PD-R Conventional, PD-R Conservation, 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 for non-residential projects, 25 percent for conventional projects, and 50 percent for conservation projects. (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.

Planned Development District Standards

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. As required by §5.1.8, developments containing 50 or more dwelling units or lots have a mandatory requirement to rezone to Planned Development. Two options are available for PD-R district:

a) PD-R Conventional

The Planned Development Conventional subdivision is a method that allows builders to develop master planned communities with smaller lot sizes where access to appropriate utility infrastructure is available. The dimensional table below outlines the provisions that govern development in the conventional option.

	Single-family Detached	Zero Lot Line	Alley-loaded	Two-family	Townhouse	Multi-family
Density (max. units/acre)						
Without public water/sewer					$\frac{4}{6}$	$\frac{4}{6}$
With public water or sewer					$\frac{10}{10}$	$\frac{16}{16}$
Site (min.)						
Area (acres)	None		None	None	None	None
Recreation/open space (sq. ft.)	25%		25%	25%	25%	25%
Lot (without public water/sewer)	0.75 ac.		0.75 ac.	0.75 ac.	--	--
Lot area (min. sq. ft.)	(32,670)		(32,670)	(32,670)	--	--
Lot width (min. ft.)	100		100	100	--	--
Lot (with public water/sewer)	0.5 ac.		0.5 ac.	0.5 ac.	--	--
Lot area (min. sq. ft.)	(21,780)		21,780	(21,780)	--	--
Lot width (min. ft.)	100		100	100	--	--
Yards (min. ft.)						
Road yard	40		15	40	15	30
Side yard (interior)	10		0	10	--	10
Side yard (total)	20		10	20	--	20
Side yard (road)	20		10	20	10	30
Rear yard	40		40	40	20	30
Bulk (max.)						
Height (ft.)	35		35	35	35	50
Building coverage	35%		35%	35%	35%	35%
Impervious surface	50%		50%	50%	50%	50%

-b) PD-R Conservation

The Planned Development Conservation subdivision is a method that allows builders to develop master planned communities with a clustering of smaller lot sizes, lot widths, and higher density in return for greater amounts of open space serving to offset development impacts while preserving a higher quality of life in the community. The dimensional table below outlines the provisions that govern development in the conservation option.

Planned Development District Standards

	Single-family Detached	Zero Lot Line	Alley- loaded	Two-family	Townhouse	Multi-family
Density (max. units/acre)						
Without public water/sewer					<u>6</u>	<u>6</u>
With public water or sewer					<u>10</u>	<u>10</u>
With public water/sewer					<u>14</u>	<u>20</u>
Site (min.)						
Area (acres)	<u>None</u>		<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
Recreation/open space (sq. ft.)	<u>50%</u>		<u>50%</u>	<u>50%</u>	<u>50%</u>	<u>50%</u>
Lot (with public water/sewer or Community well/septic)	<u>Required</u>		<u>Required</u>	<u>Required</u>		
Lot area (min. sq. ft.)	<u>0.25 ac.</u> <u>(10,890)</u>		<u>0.25 ac.</u> <u>(10,890)</u>	<u>0.25 ac.</u> <u>(10,890)</u>	--	--
Lot width (min. ft.)	<u>70</u>		<u>70</u>	<u>70</u>	--	--
Yards (min. ft.)						
Road yard	<u>30</u>		<u>15</u>	<u>30</u>	<u>15</u>	<u>30</u>
Side yard (interior)	<u>10</u>		<u>0</u>	<u>10</u>	--	<u>10</u>
Side yard (total)	<u>20</u>		<u>10</u>	<u>20</u>	--	<u>20</u>
Side yard (road)	<u>20</u>		<u>10</u>	<u>20</u>	<u>10</u>	<u>30</u>
Rear yard	<u>30</u>		<u>30</u>	<u>30</u>	<u>20</u>	<u>30</u>
Bulk (max.)						
Height (ft.)	<u>35</u>		<u>35</u>	<u>35</u>	<u>35</u>	<u>50</u>
Building coverage	<u>35%</u>		<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>
Impervious surface	<u>50%</u>		<u>50%</u>	<u>50%</u>	<u>50%</u>	<u>50%</u>

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 §2.4.5 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.

Planned Development District Standards**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

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. For the purposes of any residential components within this development type, the densities must not exceed those of the community type designation of the subject property within the Lincoln County Land Use Plan. All PD-MU districts shall be accompanied by a Development Agreement pursuant to N.C.G.S. 160D-1001.

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 §2.4.5 for the R-S (Residential Suburban) district.

§2.5. Overlay District Standards

§2.5.1. Eastern Lincoln Development District

A. Purpose and Intent

1. The purpose of Development Districts is to address the growth opportunities in the rapidly developing areas of Lincoln County in a more adequate manner than addressed by the Unified Development Ordinance base document. This is in keeping with the Lincoln County Land Use Plan.

2. The Eastern Lincoln Development District is established to provide additional development standards in eastern Lincoln County, primarily along the NC16 Business and NC16 Bypass corridors, and will address the building, site, traffic and other development needs of the growing community.

B. Applicability