MEMO TO: Planning Board

FROM: Planning Staff

SUBJECT: ZTA-1-2026 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

DATE: May 19, 2026

Background

Occasionally, minor errors in the text or changes in circumstances necessitate amendments to the Unified Development Ordinance (UDO). To enhance the UDO's enforceability and effectiveness, it is essential to modify, update, or add specific sections of the ordinance.

Proposed Amendment Section:

§ 153.315 AMENDMENTS TO TEXT AND MAP.

§ 153.316 ADDITIONAL PROVISIONS PERTAINING TO CONDITIONAL ZONING AMENDMENTS.

Staff Comment: Currently, our ordinance mandates a one-year waiting period to reapply for a denied zoning map amendment, zoning text amendment, or conditional zoning. However, state legislation passed in September 2025 prohibits us from imposing a waiting period on applications that are denied or withdrawn. This language is being removed from the ordinance.

Proposed Amendment Section:

§ 153.126 TID TRANSITIONAL INFILL DEVELOPMENTS.

Staff Comment: We have several abandoned mills that need attention. There are no zoning districts that are appropriate for the redevelopment of existing mills. We have added language to the Transitional Infill Development zoning district that would meet this need.

Zoning Amendment
Staff's Proposed Statement of Consistency for
APPROVAL of Application

Case No. ZTA-1-2026

Applicant: City of Lincolnton Planning Department

Request: ZTA-1-2026 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

Proposed Consistency and Reasonableness Statement:

> The proposed amendment is **consistent** with the adopted Lincolnton Land Use Plan, as it is not contrary to the goals and objectives outlined in the Plan, and **its approval is reasonable and in the public interest**.

CONSISTENT: It updates the language of regulations to align with current procedures and best practices, addresses the City's current needs, and offers additional guidance to help citizens understand the regulations.

Staff Recommendation:

Approve ZTA-1-2026 as written.

Motions:

Motion to approve

Or

Motion to deny

CURRENT VERSION WITH LANGUAGE TO BE REMOVED

§ 153.315 AMENDMENTS TO TEXT AND MAP.

Land use regulations, as contained in this chapter, including zoning district boundaries, may from time to time be amended, supplemented, changed, modified or repealed in the following manner.

(A) Initiation of application.

(1) Applications for a change in the chapter text or zoning map may be instituted by the Planning Board, City Council or any person except as provided in G.S. § 160D-601(d) and § 153.315(A) of this chapter.

(2) No amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor is it enforceable, without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the city. For purposes of this section, DOWN-ZONING means a zoning ordinance that affects an area of land in one of the following ways:

(a) By decreasing the development density of the land to be less dense than was allowed under its previous usage;

(b) By reducing the permitted uses of the land that are specified in a zoning

(B) The application for a change in a zoning district shall be made on a form provided by the city.

(1) Each non-contiguous parcel of land for which a rezoning is requested shall be considered as a separate application, and a fee (in accordance with a fee schedule established by the City Council) shall accompany each application. There shall be no fee for applications instituted by the Administrator or any city official acting on behalf of the city.

(2) Each application shall be signed and contain the following information:

(a) Applicant’s full name, address and telephone number; the property owner’s full name, address and telephone number, if different from applicant;

(b) Applicant’s interest in the property; and

(c) If the proposed change would require a change in the zoning map, the current zoning of the property and the type of zoning requested. In addition, the application shall be accompanied by an accurate and scaled diagram showing:

1. All property lines with dimensions, distances of lot from the nearest street intersection and north arrow;

2. Adjoining street rights-of-way and paving widths;

3. Zoning classification of all contiguous lots;

4. The names and addresses of all abutting property owners as shown on the most current records of the County Tax Supervisor's office; and

5. Except for conditional rezonings, neither the Planning Board nor the City Council shall evaluate a rezoning petition based on any specific proposal for the use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested zoning district.

(C) The application for a change in the text shall be on a form provided by the city and shall be accompanied by a fee (in accordance with a fee schedule established by the City Council). The application shall contain a reference to the specific section, subsection, paragraph or item proposed for change, as well as the wording of the proposed change.

(D) (1) The Planning Board shall consider no application unless it has been properly completed and submitted to the Administrator, or his or her designee, by the application deadline on the city's website, to be reviewed at the meetings corresponding to the schedule.

(2) In no case shall the meeting at which the Planning Board initially reviewed the application occur greater than 60 days after the completed application was submitted to the Administrator. The Planning Board shall have 45 days from the date of referral to comment and submit its recommendation to the City Council. If a recommendation is not made during the 45-day period, the application shall be forwarded to the City Council without a recommendation. During the process of reviewing an amendment, the Planning Board must advise the governing board in writing whether the amendment is consistent with the adopted city's land use plan. This can be done as part of the recommendation to the City Council in the staff report or by other means.

(E) If a petition for rezoning is proposed, the Planning Board shall consider the matter. If a recommendation is made to the City Council, it shall be as follows:

(1) Grant the rezoning as requested;

(2) Grant the rezoning with a reduction of the area requested;

(3) Grant the rezoning to more restricted general zoning district or classification(s) (but less restrictive than the existing zoning classification) as shown in division (G) below of this chapter;

(4) Grant the rezoning with a combination of divisions (E)(1), (E)(2) and (E)(3) above; or

(5) Denial of the application request.

(F) If a petition to amend the text of this chapter is proposed, the Planning Board shall consider the matter. If a recommendation is made to the City Council, it shall be as follows:

(1) Adoption of the amendment(s) as written;

(2) Adoption of the amendment as revised by the Planning Board; or

(3) Rejection of the amendment.

(G) The list of all general zoning districts in descending degrees of restrictiveness as follows:

Zoning Districts - Most Restrictive to Least Restrictive
Zoning Districts - Most Restrictive to Least Restrictive
R-25 (most restrictive)
R-15
R-10
R-8
RMF
RO
OI
NB
PB
CBT
CB
GB
GMC

(H) A public hearing shall be held by the Planning Board and by the City Council before adoption of any proposed amendment to this chapter. Notice of each public hearing shall be given as follows:

(1) A notice shall be published in a newspaper having general circulation in the city area once a week for 2 successive weeks, the first notice to be published not less than 10 days nor more than 25 days prior to the date established for the public hearing. In computing the time, the date of publication is not be included, but the date of the hearing shall be included.

(2) A notice shall be conspicuously placed by the city in the City Hall not less than 10 days nor more than 25 days before the date established for the public hearing.

(3) A conspicuous notice shall be posted by the city in at least 1 conspicuous place on the subject property or on the street right-of-way near the site at least 10 days but not more than 25 days prior to the public hearing. For map amendments that contain

multiple parcels, sufficient notice must be posted around the site.

(4) At least 10 days, but not more than 25 days prior to the public hearing, a notice of the proposed zoning change shall be sent by the city by first class mail to the owners of property subject to the proposed rezoning action and to all abutting property owners at the last addresses listed for such owners on the county tax abstracts. For the purpose of this section, properties are ABUTTING even if separated by a street, railroad, or other transportation corridor.

(5) The first class mail notice cited in division (H)(4) above may not be required if the proposed zoning action involves a zoning map amendment that directly affects more than 50 properties, owned by a total of at least 50 different property owners. In lieu of sending first class mail notice to all the affected and contiguous property owners, the city may elect to publish in a newspaper of local circulation a notice of the public hearing that includes one or maps showing the boundaries of the area affected by the proposed map amendment. The newspaper notice shall be not less than 1/2 of a newspaper page in size and shall be published once a week for at least 2 consecutive weeks. The notice shall satisfy the 2 advertisements published to satisfy the requirements of division (H)(1) above. Notwithstanding, affected and contiguous property owners who reside outside the circulation area of the newspaper shall be sent first class mail notice of the public hearing per division (H)(4) above.

(I) If any resident or property owner in the city submits a written statement regarding a proposed amendment, modification, or repeal to a zoning ordinance to the clerk to the City Council at least 2 business days prior to the proposed vote on such change, the Clerk shall deliver such written statement to the City Council.

(J) (1) After the City Council public hearing has been conducted and officially closed, the City Council shall render a decision concerning the proposal not later than the next regularly scheduled City Council meeting. The decision of the City Council shall be limited to 1 of the various alternatives listed in divisions (E) and (F) of this chapter. A copy of the City Council's decision shall be sent to the applicant by the Administrator by first class mail within 5 working days after the City Council's decision.

(2) When adopting or rejecting any petition for a zoning map amendment, City Council shall approve a statement analyzing the reasonableness of the proposed rezoning. This statement of reasonableness may consider, among other factors:

(a) The size, physical conditions, and other attributes of the area proposed to be rezoned;

(b) The benefits and detriments to the landowners, the neighbors, and the surrounding community;

(c) The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;

(d) Why the action taken is in the public interest; and

(e) Any changed conditions warranting the amendment.

(3) If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending the future land use map in the approved land use plan, and no additional request or application for a plan amendment shall be required.

(K) City Council members shall not vote on any legislative decision regarding a development regulation adopted pursuant to this chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. City Council members shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. For purposes of this section, a CLOSE FAMILIAL RELATIONSHIP means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

To be Removed

(L) (1) If the City Council has denied an application for the change of any zoning district or change in zoning text, it shall not, thereafter, accept any application for the same or substantively similar change of zoning districts affecting the same property or any portion thereof or for a similar change in the zoning text until the expiration of 1 year from the date of the previous denial.

(2) When a petition for a change in classification zoning is withdrawn prior to it being considered by the City Council, no new petition for any change in zoning classification of the same property or any part thereof may be filed by the petitioner within a period of 90 days immediately following the withdrawal of the petition.

(Prior UDO, § 20.1) (Ord. ZTA-2-2016, passed 6-2-2016; Ord. O-16-17, passed 11-2-2017; Ord. passed - - ; Ord. O-5-2024, passed 6-6-2024; Ord. ZTA-1-2025, passed 4-3-2025) Penalty, see § 153.999

Editor’s note:

Supplementary requirements for rezoning petitions to a conditional zoning district are found in § 153.316.

§ 153.316 ADDITIONAL PROVISIONS PERTAINING TO CONDITIONAL ZONING AMENDMENTS.

The procedures in this section exist to supplement the procedures set forth in § 153.315 of this chapter, to clarify special requirements for conditional rezonings.

(A) Purpose. The conditional rezoning process allows particular uses to be established, but only in accordance with a specific development project. Some land

uses are of a nature or scale that they have significant impacts on both the immediate surrounding area and/or on the entire community that cannot be predetermined and controlled by general district standards or the criteria governing planned developments. There are also circumstances in which a general district designation allowing a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property and be consistent with the objectives of these regulations, the adopted land use plan, and other plans for the physical development of the city as adopted by the City Council. Property may be placed in a conditional district only in response to a petition by all owners of the property to be included. The review process established herein provides for the accommodation of the uses by a reclassification of property into a conditional district approval process is also established to address those situations when a particular use may be acceptable but the general zoning districts which would allow that use would not be acceptable.

(B) Reclassification required prior to development.

(1) In order for a property owner to secure privileges for developing property under the conditional district process, the property must first be rezoned by the City Council to a conditional district. Specific conditions may be proposed by the petitioner or the city, but only those conditions approved by the city and consented to by the petitioner in writing may be incorporated into the zoning regulations. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, the land use plan or the impacts reasonably expected to be generated by the development or use of the site. Any use permitted under this process must also conform to the development regulations for the corresponding general zoning district.

(2) Thus, if a property were rezoned to an NB(CD), that use must:

(a) Be a use allowed in the NB District; and

(b) Meet all dimensional, screening and related requirements of the NB District.

(3) Rezoning of property to a conditional district is a voluntary procedure on the part of the property owner and is intended for firm development proposals. It is not intended or suited for securing early zoning for tentative proposals that may not be undertaken for some time. No conditional district shall be established until the owner(s) of the property(ies) in question (or his or her authorized agent) proposing the district has submitted an application for the rezoning of the property and the City Council has approved the application in accordance with the procedures stated herein.

(C) Plans and other information to accompany petition. Every application for the rezoning of property to a conditional district shall be accompanied by a site plan, drawn to scale, and any necessary supporting information together which conform to all the requirements set forth in division (D) below and when requested, the additional information that may be required pursuant to division (A) above.

(D) Submittal to the Administrator.

(1) Submittal to the Administrator of an application for a conditional district

rezoning shall be in accordance with the schedule set forth in § 153.315(D) of this chapter.

(2) The application for a conditional zoning amendment can only be initiated by the property owner/owners.

(E) Procedures. The procedures for requesting rezoning to a conditional district shall be as follows:

(1) 3 copies and a digital version of a completed written application for a conditional district shall be filed with the Administrator. The application shall be submitted on official forms provided by the Administrator and shall be accompanied by the following items:

(a) A scaled boundary survey showing the total acreage, and present zoning classifications for the property(ies) for which the conditional district is sought, date and north arrow. On this survey shall be sketched the information required by this section;

(b) All existing easements, rights-of-way and required setbacks for the lot(s) for which the conditional district is sought;

(c) Proposed use, size, layout and setbacks of all proposed structures and proposed uses of land. For residential uses this shall include the number of units and an outline of the area where all principal and accessory structures will be located. For nonresidential uses, this shall include the approximate gross floor areas of all structures and an outline of the area where the structures will be located;

(d) Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets;

(e) Landscape plan showing proposed screening and landscaping, including location of walls, fences, berms and natural plantings as well as treatment of any existing natural features within the site;

(f) Delineation of areas within the regulatory floodplain as shown on the official flood hazard boundary maps;

(g) Proposed number, size, type and location of freestanding signs;

(h) Proposed phasing, if any, and approximate completion time of the project;

(i) The owner's names and addresses, tax parcel numbers and existing land use(s) of all adjoining properties;

(j) A sketch vicinity map with north arrow shall be included showing the relationship between the proposed use and surrounding area; and

(k) Other information as the Planning Board may request as provided for in division (F) below.

(2) No application shall be considered complete unless it contains or is accompanied by all items listed in this section of this chapter and a fee, in accordance

with a fee schedule approved by the City Council for the submittal of conditional district applications.

(3) The Planning Board shall consider no application unless it has been properly completed and submitted to the Administrator, or his or her designee, by the application deadline on the city's website, to be reviewed at the meetings corresponding to the schedule. In no case shall the meeting at which the Planning Board initially reviews the application occur greater than 60 days after the required number of copies of the completed application have been submitted by the applicant to the Administrator.

(4) If the conditional district application is for a property located within an HO-Historic Overlay District the Administrator shall, upon his or her receipt of the application, promptly notify the chairperson of the Historic District Commission and submit copies of the application to the Historic District Commission in order that the Historic District Commission may review and make a recommendation on the application in accordance with § 153.122(G) of this chapter.

(5) The Planning Board shall have a maximum of 45 days from the date at which it initially met to review the application to submit its recommendation to the City Council. If a recommendation is not made during the 45-day period, the application shall be forwarded to the City Council without a recommendation.

(6) (a) When dealing with the conditional district process and with the rezoning of properties to a conditional district, it may be necessary to request information in addition to that listed in this division in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board (and/or City Council) may request additional information of the applicant, as it deems necessary.

(b) A request for additional information shall stay any further consideration of the application by the Planning Board or City Council. This information may include (but not be limited to) the following:

1. Permanent and construction phase plans for the control of sedimentation and erosion control (for projects subject to State Sedimentation Pollution Control Act) and plans for the control of stormwater drainage and run-off;

2. Existing and proposed topography at 4-foot contour intervals or less;

3. The existing and proposed location of all water and sewer lines and fire hydrants intended to serve the proposed development;

4. Proposed number, type and location of signs; and

5. A traffic impact study of the proposed development prepared by a qualified transportation or traffic engineer or planner. The traffic impact study shall include the following information:

a. Existing traffic conditions within the study area boundary;

b. The distribution of existing and proposed trips through the street network;

c. Analyses of the capacities of intersections located within the study area boundary;

d. Recommendations for improvements designed to mitigate traffic impacts and to enhance pedestrian access to the development from the public right-of-way;

e. Other pertinent information, including but not limited to noise, and impacts on air quality and other natural resources; and

f. Traffic volumes generated by the existing and proposed development on the parcel, including the morning peak, afternoon or evening peak and average daily traffic levels.

(F) City Council decision.

(1) Public hearing. Once a recommendation has been received from the Planning Board, or the 45-day Planning Board review period has expired, the City Council shall hold (after notice) a public hearing concerning the application for a conditional district.

(2) Special conditions and conditional district. Specific conditions may be proposed by the petitioner or the city, but only those conditions mutually approved by the city and the petitioner may be incorporated into the zoning regulations. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, the land use plan, or the impacts reasonably expected to be generated by the development or use of the site. Prior to approval of a conditional district rezoning, the application shall be subject to all of the procedures and hearing as set forth in divisions (E) and (F) of this section.

(G) Effect of approval.

(1) If a petition for a conditional district rezoning is approved under this subchapter, the conditional district that is established and all conditions which may have been attached to the approval are binding on the property as an amendment to these regulations and to the zoning map. All subsequent development and use of the property shall be in accordance with the standards for the approved conditional district and all conditions attached to the approval.

(2) Following the approval of the petition for a parallel conditional district, the subject property shall be identified on the zoning map by the appropriate district designation. A parallel conditional district shall be identified by the same designation as the corresponding general zoning district followed by the letters CD (for example, “NB(CD)”.

(3) Following the approval of the petition for a conditional district as identified in §§ 153.123 through 153.129, the subject property shall be identified on the zoning map by the appropriate district designation (PRD, PUD, TND, TID, MHP, or CC).

(H) Alterations to approval.

(1) Except as provided in(I) below, changes to the approved conditional district or

to the conditions attached to the approval shall be treated the same as amendments to these regulations or to the zoning map and shall be processed in accordance with the procedures in this subchapter.

(2) Minor changes in the detail of the approved conditional district that are in accordance with division (J) below may be made with the approval of the Administrator. If multiple parcels of land are subject to a conditional district, the owners of individual parcels may apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Any modifications approved shall only be applicable to those properties whose owners petition for the modification.

(I) Change in conditional district. Once a petition for rezoning to a conditional district has been approved by the City Council, any request to materially change (any change not authorized by division (J)) the conditional district may only be made by the property owner or his or her authorized agent only after a public hearing has been duly advertised and held in accordance with §§ 153.315 and 153.316 of this chapter. Any amendment to the conditional district shall also be subject to the same considerations as set forth in § 153.315(F) of this chapter.

(J) Binding effect.

(1) Any conditional district so authorized shall be perpetually binding to the property unless subsequently changed or amended by the City Council.

(2) However, minor changes in the detail of the approved plan which:

(a) Will not alter the basic relationship of the proposed development to adjacent property;

(b) Will not alter the uses permitted or increase the density or intensity of development; and

(c) Will not decrease the off-street parking ratio or reduce the yards provided at the periphery of the site may be made with the approval of the Administrator.

(3) The changes shall not be deemed to materially change the conditional district.

(4) An increase in building size not to exceed 10% of the existing floor area on the site or 1,000 square feet of gross floor area on the entire site, whichever is less, and provided the expansion does not violate any of the standards of this chapter, shall be deemed a minor change as described in this chapter.

(K) Certificate of occupancy. No certificate of occupancy shall be issued for any building or land use on a piece of property which has been rezoned to a conditional district unless the building is constructed or used, or the land is developed or used, in conformity with the conditional district approved by the City Council. In the event that only a segment of a proposed development has been approved, the certificate of occupancy shall be issued only for that portion of the development constructed or used as approved.

To be Removed

(L) One-year limitation on re-application. If a request for a conditional district is denied by the City Council, a similar application for the same property or any portion thereof shall not be filed until the expiration of a 12-month period from the date of the most recent denial by the City Council. This waiting period shall not be applicable where the application for a conditional district is substantially different from the application that most previously had been denied.

(M) Change in conditional district. Any request to materially change (a change other than a minor change as set forth in division (J)) the conditional district once it has been issued by the City Council shall first be reviewed by the Planning Board in accordance with §§ 153.315 and 153.316 of this chapter. The City Council may thereafter change or amend any previously approved conditional district, only after having held a public hearing. Notice of the public hearing shall be in accordance with § 153.315 of this chapter. Amendment by the City Council of a previously issued conditional district shall be subject to the same considerations as provided for in §§ 153.315 and 153.316 of this chapter.

(N) Review of approval of conditional zoning district. It is intended that property be reclassified to a conditional district only in the event of firm plans to develop the property. Therefore, no sooner than five years after the date of approval of the petition, the Administrator will examine the progress made toward developing the property in accordance with the approved petition and any conditions attached to the approval. If the Administrator determines that progress has not been made in accordance with the approved petition and conditions, the Administrator shall forward to the City Council a report, which may recommend that the property be classified to another district.

CURRENT

§ 153.126 TID TRANSITIONAL INFILL DEVELOPMENTS.

(A) Application requirements and review procedures. A request for rezoning to the TID district must be approved by the City Council, subject to § 153.127.

(B) Purpose and intent. A transitional infill development (TID) is an innovative, high-density residential project planned on smaller, under-utilized parcels of land within an existing urban or developed area. Its purpose is to revitalize communities, combat urban sprawl, and create a sustainable, walkable, and connected residential environment.

(C) Dwelling types.

(1) Single-family detached houses.

(2) Lot-line houses.

(3) Village houses.

(4) Patio houses.

(5) Twin houses.

(6) Duplexes.

(7) Townhouses.

(8) Atrium houses.

(9) Multi-family developments.

(D) Project requirements.

(1) Minimum project site size. Less than two acres.

(2) Minimum density. At least three units.

(3) Utilities. Public water and sewer must be provided to the site.

(4) Maximum building height. Thirty-five feet, unless otherwise restricted.

(5) Project boundary setbacks.

(a) Minimum front yard setback or setback from any dedicated street. The front yard setback for all principal structures facing an existing public street shall be equal to (and not exceed) the average of all front setbacks for all principal structures located on the same side of the same street within 300 feet of any portion of the tract upon which the TID is to be constructed.

1. Notwithstanding, balconies, stoops, stairs, open porches, bay windows, and awnings shall be allowed to encroach up to five feet within the required front yard setback.

2. For all internal streets within the TID, there shall be no required front yard setbacks.

(b) Minimum side yard setback at project boundary. Five feet.

(c) Minimum rear yard setback at project boundary. Twenty feet.

(E) Design standards.

(1) Single-family detached homes typically have front porches large enough for sitting (with a six-foot minimum depth).

(2) Attached dwellings typically have sitting porches or front stoops.

(3) The bottom floor of any dwelling whose sidewalk-facing wall is within five feet of the sidewalk shall be elevated sufficiently above the sidewalk to provide additional privacy inside the dwelling. Must be shown with elevations.

(4) Front-loaded garages of any structure shall not be placed side by side and shall be recessed a minimum of five feet from the street-side façade.

(5) Architecture should reflect styles that complement each other. Developers should ensure a mixture of styles or sub-styles that work together to create overall consistency.

(6) Patios, covered patios, and fences should be covered in the HOA with a plan for uniformity.

(F) Streets and sidewalks. Refer to § 153.395.

(1) Must be private and are required to meet any applicable requirements, including but not limited to Fire Code and NCDOT Standards.

(2) Sidewalks are required on both sides of the street and, in addition, may contain a network of off-road walking and bike trails.

(3) Sidewalks shall be a minimum of four feet in width on private streets, with wider widths on public streets.

(G) Alleys.

(1) A system of rear access lanes (alleys) can provide garage access at the rear of the lot. This is especially preferred for lots less than 50 feet in width.

(2) Always for single homes served by alleys, and where feasible and designed appropriately for town homes, private spaces are protected at the rear using approved privacy devices.

(3) Where alleys are not available, other measures shall be taken to hide utility equipment; however, fire hydrants are always located on the fronting street, ideally situated on planting strip bulb-outs at intersections.

(H) Screening and landscaping.

(1) Screening will be required between TID districts and other residential or commercial districts and/or uses. Screening requirements are based on the location and physical characteristics of the property per § 153.046.

(2) Landscaping requirements per § 153.047.

(I) Parking.

(1) Off-street parking should follow the off-street parking schedule, § 153.185(K). Off-street parking lots should generally not front along a public street.

(2) On-street parking can be provided throughout the development, particularly on streets with attached housing. Where additional parking is needed, it is usually provided behind buildings in the interior of the block.

(3) Where parking is provided by private drives for individual dwelling units, space shall be provided for parking at least two cars at each dwelling unit. This requirement may be reduced to one car per dwelling where on-street parking is designed into the street system.

(J) Common open space.

(1) Innovative use of green spaces is strongly encouraged, such as community gardens, green roofs and walls, or decorative and functional rain gardens.

(2) Where space allows, amenity areas should be provided. Examples include pocket parks, linear parks, small playgrounds, fire pits, and walking trails.

(K) Additional requirements. Any additional applicable sections as required by the UDO.

PROPOSED AMENDMENT

§ 153.126 TID TRANSITIONAL INFILL DEVELOPMENTS.

(A) *Application requirements and review procedures.* A request for rezoning to the TID district must be approved by the City Council, subject to § 153.127.

(B) *Purpose and intent.* A transitional infill development (TID) is an innovative, high-density residential project planned on smaller, underutilized parcels of land within an existing urban or developed area. Its purpose is to revitalize communities, combat urban sprawl, and create a sustainable, walkable, and connected residential environment through development or redevelopment. The redevelopment element enables the transformation of aging textile mills and historic warehouse structures into contemporary living spaces, preserving their architectural character while modernizing land use.

(C) Development Types

(1) New Construction

(2) Redevelopment through adaptive reuse of existing warehouses or industrial buildings for multi-family residential dwelling units.

(D) Project Requirements

(1) New Construction

(a) *Dwelling types.*

1. Single-family detached houses
2. Lot-line houses
3. Village houses
4. Patio houses
5. Twin houses
6. Duplexes
7. Townhouses
8. Atrium houses
9. Multi-family developments

(b) *Minimum project site size.* Less than two acres.

(c) *Minimum density.* At least three units.

(d) *Maximum density.* Determined by the ability to meet requirements for off-street parking, improved open space provisions, and any applicable Watershed Water Supply regulations.

(e) *Utilities.* Public water and sewer must be provided to the site.

(f) *Maximum building height.* Thirty-five feet, unless otherwise restricted.

(g) *Project boundary setbacks.*

1. *Minimum front yard setback or setback from any dedicated street.* The front yard setback for all principal structures facing an existing public street shall be equal to (and not exceed) the average of all front setbacks for all principal structures located on the same side of the same street within 300 feet of any portion of the tract upon which the TID is to be constructed.
    a. Notwithstanding, balconies, stoops, stairs, open porches, bay windows, and awnings shall be allowed to encroach up to five feet within the required front yard setback.
    b. For all internal streets within the TID, there shall be no required front yard setbacks.
2. *Minimum side yard setback at project boundary.* Five feet.

3. *Minimum rear yard setback at project boundary.* Twenty feet.

(h) *Design standards.*

1. Single-family detached homes typically have front porches large enough for sitting (with a six-foot minimum depth).
2. Attached dwellings typically have sitting porches or front stoops.
3. The bottom floor of any dwelling whose sidewalk-facing wall is within five feet of the sidewalk shall be elevated sufficiently above the sidewalk to provide additional privacy inside the dwelling. Must be shown with elevations.
4. Front-loaded garages of any structure shall not be placed side by side and shall be recessed a minimum of five feet from the street-side façade.
5. Architecture should reflect styles that complement each other. Developers should ensure a mixture of styles or sub-styles that work together to create overall consistency.
6. Patios, covered patios, and fences should be covered in the HOA with a plan for uniformity.

(i) *Streets and sidewalks.* Refer to § 153.395.

1. Must be private and are required to meet any applicable requirements, including but not limited to Fire Code and NCDOT Standards.
2. Sidewalks are required on both sides of the street and, in addition, may contain a network of off-road walking and bike trails.
3. Sidewalks shall be a minimum of four feet in width on private streets, with wider widths on public streets.

(j) *Alleys.*

1. A system of rear access lanes (alleys) can provide garage access at the rear of the lot. This is especially preferred for lots less than 50 feet in width.
2. Always for single homes served by alleys, and where feasible and designed appropriately for townhomes, private spaces are protected at the rear using approved privacy devices.
3. Where alleys are not available, other measures shall be taken to hide utility equipment; however, fire hydrants are always located on the fronting street, ideally situated on planting strip bulb-outs at intersections.

(2) *Redevelopment.* Elevations are required as part of the rezoning application submission.

(a) *Permitted uses*

1. Multi-family residential dwelling units.
2. Accessory uses and structures customarily incidental to the permitted residential use (e.g., resident storage, common laundry facilities, fitness rooms).
3. Limited ground-floor commercial uses (e.g., small cafes, art studios) not to exceed 10% of the overall square footage within the renovated building, provided they primarily serve the residents and do not introduce excessive noise or traffic.

(b) *Minimum density.* At least three units.

(c) *Maximum density.* Determined by the ability to meet requirements for off-street parking, improved open space provisions, and any applicable Watershed Water Supply regulations.

(d) *Utilities.* Public water and sewer must be provided to the site.

(e) *Maximum building height.* Thirty-five feet, unless otherwise restricted.

(f) *Additions.* Not to exceed 50% of the remaining square footage of the structure.

(g) *Setbacks.*

a. *Minimum front yard setback (as measured from the edge of the street right-of-way line).*

i. Existing setbacks may be maintained.

ii. Additions, porches, and balconies must meet the minimum setback of the adjacent district, or 10 feet, whichever is less.

b. *Minimum side yard setback.*

i. Existing setbacks may be maintained. However, if the existing building is within 10 feet of a property line, new windows or doors on that side must be screened for privacy.

ii. Additions, porches, and balconies must meet the minimum setback of the adjacent district, or 10 feet, whichever is less.

c. *Minimum rear yard setback.*

i. Existing setback may be maintained.

ii. A minimum setback of 15 feet is required for any additions, porches, balconies, ground-level common open space, or amenity area.

(3) *For all TID Projects.* The following applies to all projects within a TID District.

(a) *Cluster Mailboxes.*

1. Centralized cluster mailbox units shall be required.
2. The mailboxes must be located in a well-lit, easily accessible area, preferably near a primary pedestrian entrance or in a dedicated common area.
3. The area surrounding the cluster mailboxes shall be paved and maintained as a pedestrian common space and landscaping.

(b) *Screening and landscaping.*

1. Screening will be required between TID districts and other residential or commercial districts and/or uses. Screening requirements are based on the location and physical characteristics of the property per § 153.046.
2. Landscaping requirements per § 153.047.

(c) *Dumpster Screening.*

1. All refuse and recycling collection areas (dumpsters) shall be fully enclosed within a three-sided enclosure constructed of materials compatible with the main building (e.g., brick, stone, or painted wood or metal fencing).
2. The enclosure shall be high enough to completely screen the dumpsters from view but not less than 6 feet in height.
3. A sturdy, opaque gate shall be provided for access, which must remain closed when not in use.
4. The dumpster location shall be sited away from primary residential entrances and adjacent residential property lines.

(d) *Equipment Screening.* All mechanical equipment, including heating, ventilation, and air conditioning units, located at ground level or on the roof, shall be screened from view of adjacent residential properties and public streets using architectural elements, parapet walls, or vegetative screening.

(e) *Parking.*

1. Off-street parking, as provided in § 153.185.
2. Off-street parking lots should generally not front along a public street.
3. On-street parking can be provided throughout the development, particularly on streets with attached housing. Where additional parking is needed, it is usually provided behind buildings in the interior of the block.

4. Where parking is provided by private drives for individual dwelling units, space shall be provided for parking at least two cars at each dwelling unit. This requirement may be reduced to one car per dwelling where on-street parking is designed into the street system.
5. Locations of parking areas for redevelopment projects shall be based on the lot.

(f) *Common open space.*

1. Innovative use of green spaces is strongly encouraged, such as community gardens, green roofs and walls, or decorative and functional rain gardens.
2. Where space allows, amenity areas should be provided. Examples include pocket parks, linear parks, small playgrounds, fire pits, and walking trails.
3. Ownership and maintenance shall be outlined
4. *Additional common open space requirements for redevelopment projects.*
    a. A minimum of 30 square feet of common usable open space shall be provided per dwelling unit.
    b. Usable open space may include courtyards, patios, roof decks, common gardens, or indoor common recreation facilities (e.g., fitness rooms, community rooms).
    c. A minimum of 50% of the required common open space must be located outdoors.
    d. All common open spaces must be accessible to all residents of the development.

(g) *Additional requirements.*

1. Any additional applicable sections as required by the UDO.
2. Water Supply Watershed Overlay District, as provided in § 153.121.