MEMO TO: Mayor and City Council

FROM: Planning Staff

SUBJECT: ZTA-4-2025 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

DATE: October 2, 2025

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.

Please note: The text amendment is now presented in a new, easier-to-read format. We are providing a current version and a proposed version, replacing the previous redline and highlight system.

Proposed Amendment Section:

153.126 TID Transitional Infill Developments

Staff Comment: This section was mainly confusing and lacked clear standards. Lot size requirement was up to 10 acres; however, infill development typically applies to smaller lots with existing infrastructure. Staff believes that projects larger than 2 acres should adhere to the Planned Residential Development (PRD) process, which has stricter requirements for open space and is for projects that are at least 2 acres. Therefore, the lot size requirement has been revised to 2 acres, as Planned Residential Development projects begin at that size. Additionally, detailed criteria has been added to the section.

Proposed Amendment Section: (Since this section is new language only, there is no current version document)

§ 153.030 Interpretation of Terms and Words

153.105 R-25 Rural Residential District

153.106 R-15 Single-Family Residential District
153.107 R-10 Residential District

153.108 R-8 Residential District

153.109 RMF Residential Multi-Family District

153.110 R-O Residential Office District

153.111 O-I Office Institutional District

Staff Comment: Added definitions for Recreation, Public Parks, and Recreation Facility, Public to the zoning definitions and added them as a permitted use in every residential district.

§ 153.126 TID TRANSITIONAL INFILL DEVELOPMENTS.

(A) A request for rezoning to the TID district may be approved by the City Council subject to §§153.315, 153.316 and 153.127 and only after having first been reviewed by the Planning Board. A transitional infill development (TID) is a type of TND that is characterized by smaller project areas and higher density, innovative development. In addition, a TID contains residential uses only. The project size of a TID shall be up to ten acres in area and shall contain at least three dwelling units.

(B) The Planning Board shall consider the request only after a completed application has been submitted to the Administrator. (Note: Prior to submission of the site plan and application, and prior to any disturbance of any land or vegetation it is recommended that the applicant consult with the Administrator or his or her designee in order for the applicant to be briefed on the requirements of this chapter and that consideration be given to natural features of the site.)

(C) A TID may be established only on parcels that meet all of the following criteria. A A TID district is similar to a TND district, as established in § 153.125, except that the following principles may not apply to all TIDs:

(1) Neighborhood centers shall not be required in a TID;

(2) TIDs need not be planned to connect with neighboring developments (whether existing or planned); (3)

TIDs need not contain a mixture of housing types; and

(4) Common open space may not be required in smaller-sized TIDs.

(D) *Additional criteria for TIDs.*

(1) 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.

(2) Otherwise, setback and yard regulations for a TID shall be as follows.

Attached Housing		
Setback/Height Standard	***Minimum (ft)***	***Maximum (ft)***
Side yard setback (end unit only)	0	40
Rear yard setback	25	N/A
Building height	N/A	35
Front yard	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. 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. For all internal streets within the TID, there shall be no required front yard setbacks.	

Detached Housing		
Setback/Height Standard	***Minimum (ft)***	***Maximum (ft)***
Side yard setback	5	N/A
Rear yard setback	20	N/A
Building height	N/A	35
Front yard	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. 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. For all internal streets within the TID, there shall be no required front yard setback.	

(E) *Application requirements and review procedures.*Transitional infill developments are established through the conditional district process outlined in §§ 153.315 and 153.316 and the site plan submission process outlined in §153.127 of this chapter.

(Ord. passed - - ; Ord. O-5-22, passed 6-30-2022)

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 APPLICATION REQUIREMENTS, REVIEW PROCEDURES AND WATERSHED OVERLAY CLUSTER DEVELOPMENTS.

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.

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.*** 35 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.

i. 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.

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

b) ***Minimum side yard setback at project boundary.*** 5 feet**.**

c) ***Minimum rear yard setback at project boundary.*** 20 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 STREET STANDARDS.

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.

a) Screening requirements are based on the location and physical characteristics of the property per § 153.046 SCREENING.

2) Landscaping requirements per § 153.047 LANDSCAPING.

I. Parking.

1) Off-street parking should follow the off-street parking schedule, § 153.185(K) OFF-STREET PARKING REQUIREMENTS.

a) 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.

a) 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

§ 153.030 INTERPRETATION OF TERMS AND WORDS.

RECREATION, PUBLIC PARK. Any publicly owned, leased, operated or maintained property that is designated as a park by the city, including any adjacent public parking area as well as the driveway, entrance way or pedestrian walkway used by the public to access the public park or recreation facility.

RECREATION FACILITY. Any publicly owned, leased, operated or maintained property that is designated as a recreation facility by the city, including any adjacent public parking area as well as the driveway, entrance way or pedestrian walkway used by the public to access the recreation facility.

Add as permitted uses to the following zoning districts:

153.105 R-25 Rural Residential District

153.106 R-15 Single-Family Residential District

153.107 R-10 Residential District

153.108 R-8 Residential District

153.109 RMF Residential Multi-Family District

153.110 R-O Residential Office District

153.111 O-I Office Institutional District

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

Case No. ZTA-4-2025

Applicant: City of Lincolnton Planning Department

Request: ZTA-4-2025 - 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 in that it is not contrary to the goals and objectives outlined by the Plan, and **approval of the amendment is reasonable and in the public interest**.

CONSISTENT: Because it updates text language to match current procedures and best practices, and it provides additional direction to assist citizens in understanding the regulations.

Planning Board Recommendation:

Approve ZTA-4-2025 as written.

Motions:

Motion to approve

Or

Motion to deny