UNIFIED DEVELOPMENT ORDINANCE

[NEW] 2.3. Principal structures.

A. No development shall contain more than one principal building per lot, unless:

1. As part of an approved group development;
2. As part of a conditional zoning district;
3. As part of an approved special use permit; or
4. As part of a pre-existing nonconforming use.

B. A multi-unit structure, such as duplexes, townhomes, and mixed-use buildings, within a single lot will be treated as a single primary structure for the purposes of compliance with the dimensional standards of this ordinance.

C. For separate lots within a zero-lot line development, such as those for some types of townhomes and mixed-use buildings, the individual units will be considered the primary structure for each lot.

D. The maximum ground floor area for principal structures varies by zoning district and shall be measured in accordance with the following table.

TABLE 2.3A: GROUND FLOOR AREA	
District	Maximum Ground Floor Area Each Principal Structure
GR4	10,000 sq. ft.
GR8	8,000 sq. ft.
RMX—Single-family home and duplex	8,000 sq. ft.
RMX—Multi-family and nonresidential	25,000 sq. ft.
NMX	30,000 sq. ft.
DMX	25,000 sq. ft.
CMX	50,000 sq. ft.
IC	100,000 sq. ft.
GI	100,000 sq. ft.
Note: Projects of developments that do not meet the above standards apply for conditional zoning in accordance with Section 2.1.C.	

[NEW] 2.4. Group development.

2.4.1. General group development requirements.

A. ***Applicability***:

1. Group development review is applicable to any land development subject to a site plan that includes 2 or more principal buildings on a single parcel (or grouping thereof) for the purpose of development (whether immediate or in the future).

Commented [EB1]: Note that purple is in our current ordinance and black is new text!

2. Other individual structures designed to accommodate a variety of distinct uses may be considered as a group development at the discretion of the administrator.

B. ***Group development matrix:*** The following matrix sets forth the manner by which certain types of group developments may be permitted within the various districts.

1. "P" denotes those uses that are permitted "by right."
2. "—" denotes those uses that are not permitted within the given district.
3. "PS" denotes those uses that are permitted with additional standards, which are set forth in CHAPTER 3.
4. "MHD" denotes those uses that are permitted within a Manufactured Housing Overlay District.

TABLE 2.4A: GROUP DEVELOPMENT TYPOLOGY MATRIX

CATEGORY	GROUP DEVELOPMENT	ZONING DISTRICTS						
		GR	RMX	NMX	DMX	CMX	IC	GI
Residential	All residential group developments, except as listed below	PS	PS	PS	PS	PS	PS	—
	Cluster Home Development	PS	PS	PS	—	—	PS	—
	Neighborhood Development	PS	PS	—	—	—	—	—
	Manufactured Home Park	MHD	MHD	MHD	MHD	MHD	MHD	MHD
Non-Residential	All non-residential or mixed-use group developments, except as listed below	—	PS	PS	PS	PS	PS	PS
	Shopping Centers	—	—	PS	PS	PS	—	—

C. ***Submittal requirements:***

1. Each application for a group development shall be accompanied by development plans as required by CHAPTER 17 that show compliance with all applicable regulations, including but not limited to landscaping, parking, stormwater management, and infrastructure improvements.

D. ***Use limitations:***

1. Unless otherwise provided by this section for a specific type, group developments must comply with the use matrix. No other uses may be permitted.
2. The following uses are not permitted in group developments, unless explicitly allowed by this section:
    a. Dwelling - Single-family
    b. Dwelling - Duplex
    c. Manufactured Home

Commented [EB2]: This means that you couldn't put two single family houses on a property and call it a group development. These uses would only be allowed in a group development if they are in a cluster home, neighborhood development, or MHP

E. ***Connectivity and circulation***:

1. The group development shall accommodate safe, efficient, and convenient vehicular, pedestrian, and bicycle circulation throughout the development.
2. All principal structures within a group development shall be connected by a sidewalk.

F. ***Street access***:

1. Any building established as a part of a group development project, which cannot properly be served by emergency or service vehicles from an existing abutting street, shall be made accessible to such vehicles by a publicly-accessible road.

a. A building cannot be properly served if it is not within X feet of a fire hydrant, within X feet from a publicly accessible road, or otherwise deemed unacceptable by the Technical Review Committee.

Commented [EB3]: All of these distances will be vetted by TRC

2. All interior roads shall be paved to City standards with a minimum width of 20 feet and adequately maintained for emergency or service vehicle access.

G. ***Building separation:***

1. All buildings established as part of a group development project shall be separated in accordance with North Carolina Building Code separation requirements.

H. ***Setbacks***:

1. Unless otherwise provided by this section, each group development project shall comply with the setback requirements established for the zoning districts in Section 2.5.

I. ***Ownership:***

1. When a group development is designed with individual lots with shared stewardship of the common areas, the following additional standards shall be met:
   a. Covenants of shared stewardship shall be recorded in the Transylvania County Register of Deeds and such contractual rights and obligations shall be established prior to final zoning inspection approval.
2. When a group development is designed as a multi-dwelling, multi-tenant or mixed-use development under single ownership, subject to the use limitations herein, the following additional standards shall be met:
   a. If at any point in the future the owner intends to transfer individual lots into separate ownership, a plat meeting all requirements of this ordinance shall be submitted to Planning staff for review and approval. Covenants of shared stewardship shall be recorded in the Transylvania County Register of Deeds and such contractual rights and obligations shall be established prior to final plat approval.

2.4.2. Cluster home development.

A. ***Purpose***: A cluster home development allows for small lot residential development in a manner that organizes multiple dwellings around a common open space, designed as a cohesive whole and maintained in shared stewardship by residents.

B. ***Applicability***:

1. Cluster home development may take one of the following forms:
   a. A development may be designed with individual lots with shared stewardship of the common areas.
   b. A development may be designed as a multi-dwelling development, subject to the use limitations below.
2. Cluster home development shall comply with the group development standards established herein and the following standards.

C. ***Use Limitations***:

1. The following housing types are permitted in a cluster home development:
   a. Dwelling - Single-family
   b. Dwelling - Duplex
   c. Dwelling – Multifamily 3-4 units/building
   d. Dwelling – Townhome

2. Accessory dwelling units are prohibited within a cluster home development.

D. ***Density and buildings***:

1. The maximum allowable density of a cluster home development shall be equal to 50% greater than the underlying base zoning district.
2. Cluster home developments shall have a minimum of three detached residential buildings.
3. All principal buildings within the cluster home development shall front on a street or a common open space.
4. Each principal building within the cluster home development is permitted one accessory structure less than 120 SF.
5. A maximum of two accessory structures shall be allowed within a cluster home development project for shared use. This includes any shared community buildings, storage sheds, etc. The maximum ground floor area for accessory structures shall not exceed 50% of the aggregate ground floor area of the principal structures. Gazebos and other structures that are amenities within the common areas are exempt.

E. ***Setbacks***:

1. Individual lots or building sites within the cluster home development are exempt from the base zoning district setback requirements. However, the base zoning district setbacks apply to the cluster home development parcel.
2. Dwelling units oriented towards a common open space area shall provide a six feet minimum setback from the common area. Such setback does not count toward any required common area.

F. ***Common open space***: Common open space areas shall meet the following standards:

1. The common open space shall include a central green, lawn or garden areas, playground, plaza, or other greenspace / feature as a central focal point.
2. The minimum size of the common open space area is 3,000 square feet or 500 square feet per dwelling unit, whichever is greater.
3. The common open space area shall maintain a minimum width of 30 feet, shall be contiguous and centrally located, and shall front on a public street.
4. A maximum of 30% of the common open space may be hardscape.

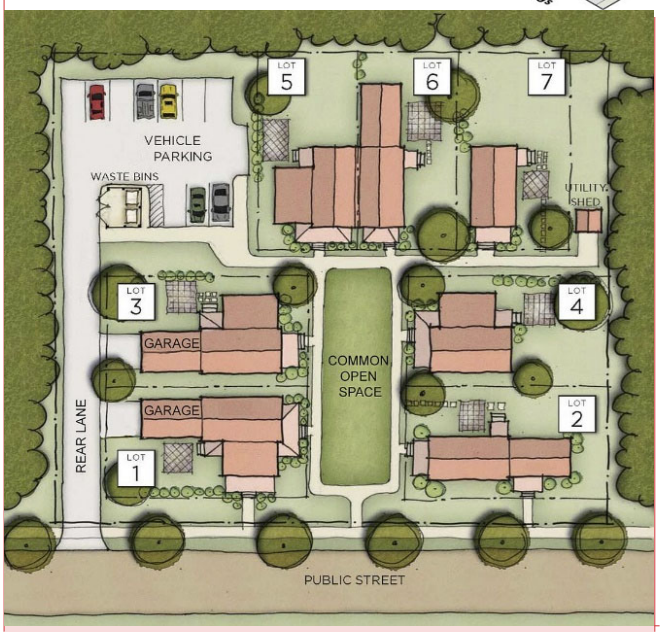
G. ***Parking***: In addition to the parking standards in CHAPTER 10, parking for a cluster home development shall meet the following standards:

1. Required off-street parking may be provided on individual development sites within the cluster home development or in a shared parking area serving multiple dwellings on site.
2. Parking shall not be located:
    a. between principal structures,
    b. between principal structures and the street,
    c. between principal structures and the required common area, or
    d. within any required common area.

Commented [EB4]: Graphic from Charlotte



3.



Commented [EB5]: Graphic from Sarasota, FL

2.4.3. Neighborhood development.

A. ***Applicability***:

1. Neighborhood development standards shall apply to a predominately residential group development designed as individual lots with shared stewardship of common areas and infrastructure.
2. These standards shall apply to any project with 8 or more lots and/or shared infrastructure.

B. ***Use limitations:***

1. Neighborhood development shall be predominately residential, subject to the use matrix in Section 2.2.

C. ***Street access:***

1. Roads and driveways shall meet the requirements of CHAPTER 13. If the roads are to be dedicated to the City of Brevard for maintenance, they shall be built in compliance with public road standards.

D. ***Density and buildings***:

1. The maximum allowable density of a neighborhood development shall be equal to the underlying base zoning district.

E. ***Setbacks***:

1. All lots established as part of a neighborhood development shall comply with the setback requirements of the base zoning district.

F. ***Parking***: In addition to the parking standards in CHAPTER 10, parking for a neighborhood development shall meet the following standards:

1. Required off-street parking may be provided on individual development sites within the neighborhood development or in a shared parking area serving multiple dwellings on site.

2.4.4. Manufactured home park.

A. ***Applicability***:

1. Manufactured home park standards shall apply to a residential group development with three or more manufactured homes or manufactured home spaces designed as a cohesive whole and maintained either by a single entity or in shared stewardship by residents.
2. Manufactured home park may take one of the following forms:
   a. A development may be designed with individual lots with shared stewardship of the common areas.
   b. A development may be designed as a multi-dwelling development, subject to the use limitations below.

B. ***Use Limitations***:

1. The following housing types are permitted in a manufactured home park:
   a. Manufactured home.
2. Accessory dwelling units are prohibited within a manufactured home park.

C. ***Density and buildings***:

1. The maximum allowable density of a manufactured home park shall be equal to 50% greater than the underlying base zoning district.
2. All principal buildings within the manufactured home park shall front on a street or interior road.

3. Each principal building within the manufactured home park is permitted one accessory structure less than 120 SF.
4. A maximum of two accessory structures shall be allowed within a manufactured home park for shared use. This includes any shared community buildings, storage sheds, etc. The maximum ground floor area for accessory structures shall not exceed 50% of the aggregate ground floor area of the principal structures. Gazebos and other structures that are amenities within the common areas are exempt.

D. ***Setbacks***:

1. Individual lots or manufactured home sites within the shopping center group development are exempt from the base zoning district setback requirements. However, the base zoning district setbacks apply to the shopping center parcel.

E. ***Parking***: In addition to the parking standards in CHAPTER 10, parking for a cluster home development shall meet the following standards:

1. Required off-street parking may be provided on individual development sites within the manufactured home park or in a shared parking area serving multiple dwellings on site.
2. Parking shall not be located:
   a. between principal structures,
   b. between principal structures and the street,
   c. between principal structures and the required common area, or
   d. within any required common area.

2.4.5. Shopping center.

A. ***Applicability:***

1. Shopping center regulations shall apply to large-scale non-residential or mixed-use group development with at least 2 commercial, recreational and/or institutional uses and at least 25,000 square feet of gross floor area. Anchors may include supermarkets, drug stores, department stores, etc.
2. Shopping centers may be designed as multi-tenant commercial buildings, zero-lot line development of attached structure(s); as individual parcels with shared stewardship of the common areas; or a combination thereof.

B. ***Use Limitations:***

1. The shopping center may contain uses permitted by the applicable zoning district.

C. ***Setbacks:***

1. Individual lots or building sites within the shopping center group development are exempt from the base zoning district setback requirements. However, the base zoning setbacks apply to the shopping center parcel.

[MOVED] 2.5. Accessory structures.

Current Section 4.8

[MOVED] 2.6. Density and dimensional requirements.

Current Section 2.3 (the minimum road frontage and other lot standards will be relocated to the new subdivision chapter that is in development).

[EXCERPT] 19.3. Definitions.

Cluster home development: A small lot residential group development that organizes multiple dwellings around a common open space, designed as a cohesive whole and maintained by a single entity or in shared stewardship by residents.

Group development: Any land development subject to a site plan that includes 2 or more principal buildings on a single parcel (or grouping thereof) for the purpose of development (whether immediate or in the future). Other individual structures designed to accommodate a variety of distinct uses may be considered as a group development at the discretion of the administrator.

Manufactured home park: A residential group development with three or more manufactured homes or manufactured home spaces designed as a cohesive whole and maintained either by a single entity or in shared stewardship by residents. ~~The location of two or more manufactured homes or manufactured home spaces on a single parcel of land, or a grouping of two or more manufactured homes on at least two contiguous parcels when such parcels are under common ownership and/or management as a park for the rental of manufactured homes or manufactured home spaces.~~

Neighborhood development: A residential group development designed as individual lots with shared stewardship of common areas and infrastructure. This definition shall apply to any predominately residential project with 8 or more lots and/or shared infrastructure.

Principal building or principal structure: A building in which is conducted the principal use of the parcel on which it is situated.

Shopping center: A form of large-scale non-residential or mixed-use group development with at least 2 commercial, recreational and/or institutional uses and at least 25,000 square feet of gross floor area. Anchors may include supermarkets, drug stores, department stores, etc.

Zero lot line development: A development approach in which a building with attached units is located on separate lots where the common walls are along the interior lot lines.

FIGURE 19.3-X. ZERO LOT LINE DEVELOPMENT

