ZTA 2025-02
Timeline & Rationale

Commissioners' goals: Community Advancement

- *"To invest in cultural capital and advancement strategies that promote participative governance that elevates a community to live, work and play – while also positioning Burke County as a community of choice."*
- By reducing unnecessary hurdles for homeowners and modernizing our development standards, we are actively positioning Burke County as a "community of choice" where regulations facilitate the ability to live, work, and play.



What we've completed so far:

- **Zoning Ord. Overhaul (Completed 2021)-** Compliance with NCGS 160D, moving towards modern UDO (unified development ordinance).
- **ZTA 2024-01:** introduction of conditional zoning, allowing for greater community input, flexible design standards, and mixed-use developments.
- **ZTA 2025-01**: Reduced lot sizes and changes to formatting to formulate a unified development ordinance.

Where we are headed:

- **(We are here) ZTA 2025-02:** Reduced regulations for ADUs, provide options for accessory structures, streamlined MHP regulations, added options for residential and commercial "special developments" , and state statue compliance.
- **ZTA 2026-XX:** Subdivision Ord. Revision- road standards, minor/major subdivision criteria, continuing to craft the zoning ordinance to operate more like a UDO.

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ZTA 2025-02
Roundtable Members



Design & Construction Professionals
- Doug Suttle
- John Causby
- Mark Huffman
- Stephen Hawkins
- Justin Standley
- Greg Smith
- Lee Gragg
- Miles Champion
- James Ratliff

Real Estate, Builder & Developer Professionals
- Andrew Loudermilk
- Stoney Story
- Tim Norman
- Polly Leadbetter
- Brian Smith
- Jenny Cook
- Ginny Erwin
- Ed Hallyburton
- Madelyn Russ
- Damian Patton
- Roy Coffey
- Mike Taylor
- Zachery Cole
- Mark Rostan
- Allen Curtis
- Brian Shuping
- Tim & Christy Truitt

Government, Planning, and Public Service
- Joyce Counihan
- Rick Justice
- Alison Adams
- Logan Shook
- Alexander Corpening
- Brian King
- Tommy Craig
- Ben Ealy
- Shawn Freeman
- Hope Hopkins
- Beverly Carlton
- Jeff Kincaid
- Ed Hallyburton

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ZTA 2025-02
Accessory Structures

Article 5, Section 5.2

- Limits on residential accessory structures such as sheds and garages were burdening residents, Staff, and the Board of Adjustment.

- **Proposed Size Allowances**
  - We are moving to a sliding scale based on lot size:
    - **< 1 Acre:** Max **1,500 sq. ft.** (Previously 1,200 sq ft.)
    - **1 – 3 Acres:** Max **2,400 sq. ft.** (Previously 1,500 sp. ft)
    - **3+ Acres:** Max **4,000 sq. ft.** (Anything larger requires BOA approval) .
- **Existing Structure Exemption:**
  - For lots **>0.5 acres**, up to **1,000 sq. ft.** of *existing* structures are exempt from the cap.
  - *Note:* This prevents penalizing long-time owners but does **not** allow any single *new* structure to exceed the maximums.
- **Updated Standards:**
  - **Setbacks:** Now tiered based on structure size (larger buildings = larger setbacks).
  - **Shipping Containers:** Permitted but must be earth-toned, max 10 ft height (no stacking), and on a proper foundation (requiring inspection)



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ZTA 2025-02 Accessory Structures Case Study

- The Burke County Board of Adjustment, under the **current accessory structures** allowance, was seeing an average of **3-4 cases a month, many of which were for personal storage.**
- The majority of accessory building cases were approved by the BOA since 2021- Thus telling staff this is an unnecessary burden on our boards and citizens.
  - **Under the new allocation the majority of these cases would have <u>NOT</u> gone to the board**
- Examples of cases that were approved by the BOA
  - SUP 2025-11 (Snow), which was for an accessory building that had other old farm buildings (5 acres and seeking only 1,200 sq. foot building)
  - SUP 2025-17 (Sonnek), which was for an accessory building on a vacant parcel (2 acres and seeking a 2,400 square foot building)
  - SUP 2025-18 (Fisher), which was for an accessory building on a vacant parcel (36 acres and seeking a 3,200 square foot building)

Property Size (Acres)	New Max Square Footage	Previous Max Square Footage	Notes
Under 1 Acre	1,500 sq. ft.	1,200 sq. ft.	Increased by 300 sq. ft.
1 – 3 Acres	2,400 sq. ft.	1,500 sq. ft.	Increased by 900 sq. ft.
3+ Acres	4,000 sq. ft.	N/A	Anything larger requires **BOA approval**

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ZTA 2025-02 Expanding Housing Options

Article 2 (Definitions) & Article 5 (Use Standards)

Tiny Homes (New Definition):

- Defined as a single-family detached dwelling, maximum **400 sq. ft.** (as defined by NC Building Code Appendix Q)
- Must be on a **permanent foundation** (no wheels/chassis). This clearly separates permanent housing from RVs/Campers. (Taskforce Suggestion)



Accessory Dwelling Units (ADUs) (Section 5.1):

- Now explicitly allows **attached** units (previously implied detached only).
- Size limit clarified to **1,000 heated sq. ft.**.
- **Restriction:** Not permitted on duplex lots to preserve neighborhood density.

Manufactured Home Parks (MHPs) (Section 5.5):

- Removed redundant regulations (street construction, parking dimensions, setbacks) that are already enforced in Article 6 .
- Retained specific requirements for owner responsibility, space markers, and trash maintenance. (Taskforce Suggestion)
- Clarified that tax payment cessation triggers loss of "grandfathered" status for vacant spaces.

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ZTA 2025-02
Special Developments

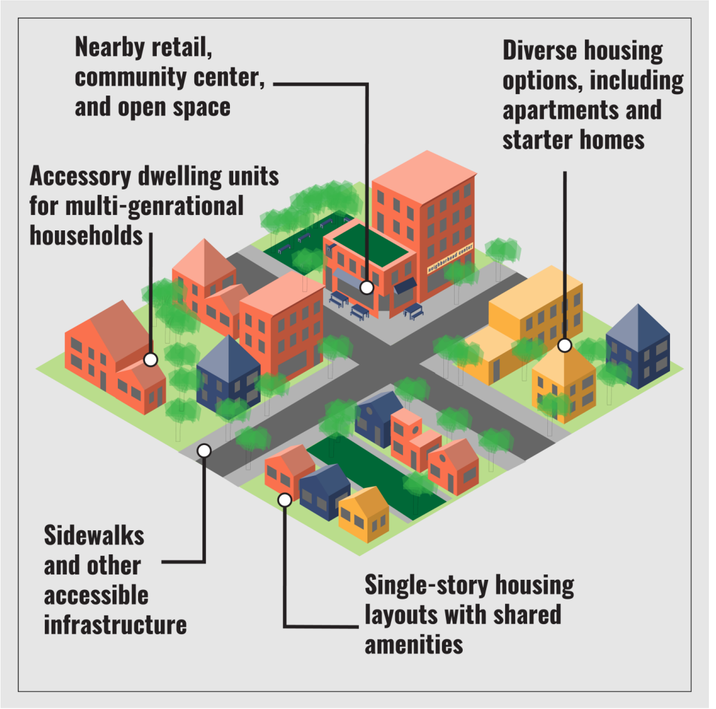
Article 6, Section 6.6 (B-C)

Cluster Developments (Watershed Protected Areas):

- Incentivize the protection of watersheds and sensitive environmental areas.
- **Developer Incentives:**
  - **Height:** Up to 25% increase allowed for vertical development.
  - **Density:** Up to 20% increase (units or lot size).
  - **Parking:** Up to 30% reduction allowed.
- **Requirements:** Must use stormwater best management practices and maintain 30-foot setbacks from streams.

Community Master Plans:

- Replaces Planned Unit Development for new coordinated **mixed-use** (Residential, Commercial, Office, etc.) neighborhoods.
  - Minimum **2 acres** to qualify.
  - **Flexibility:** Exempt from standard minimum parking/lot sizes; governed instead by the master site plan, provides incentives for creative design.
- **Approval Process: Must go through Conditional Zoning, requiring Planning Board recommendation and Board of Commissioners approval including public hearings.**



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ZTA 2025-02
Cluster Developments Case Studies

Cluster Development: Granite Falls- Duke Street Cottages

(Built by Howard Building Science out of Granite Falls)

- Cottage Style Development with smaller homes targeted towards missing middle housing (starter, workforce, elderly).
- Shared open space, community pavilion, and smaller lot sizes are often included in these developments.
- This development utilizes community solar for reduced utility costs and for resiliency during grid failures.



Community Master Plan: Morganton Innovation Campus

(Formerly Drexel Furniture Plant 3 & 5)

- Mixed use development that includes parks, manufacturing, trails, educational facilities, and more.
- This development would utilize a "community master plan" if built in Burke County Zoning.
- Encourages community assets (parks, trails, etc) while providing housing, commercial, and work on one parcel.



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ZTA 2025-02
Solar Farms & Administrative Changes

Article 5 (Use Standards) & Article 7 (Procedures)

Utility-Scale Solar Farms (Section 5.4):

- **New Definition:** Projects generating **2+ Megawatts** and connected to the grid .
- **Districts:** Permitted by right in **Industrial**; Special Use Permit required in **R-MU, G-B, L-I**.
- Must have a decommissioning plan compliant with **NC GS 130A-309.240** to ensure land is restored after use.

Procedural Modernization:

- **Digital Submission:** Transitioning from 7 paper copies to **Digital Site Plans** to speed up committee review.
- **Board Roles:**
  - **Planning Board:** Reviews Permitted Uses ("X") & Community Master Plans .
  - **Board of Adjustment:** Authority focused on Special Use Permits ("S").



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THANK YOU

Questions?

