



## Amendment of Various Chapters of the Land Development Code

### **Application number: TA-2016.04 South Point Peninsula Overlay District**

**Request:** The city requests the planning and zoning board review and make a recommendation to the city council on the following amendment of Chapters 4 and 5 of the Belmont Land Development code establishing an overlay zone – South Point Peninsula Overlay District (SPP-O). This overlay district will establish a minimum lot size (.33 acre) and associated dimensional provisions for this district for the purpose of implementing the adopted Comprehensive Land Use Plan (LUP). Any exceptions to these requirements may be considered through a Conditional Zoning District (CD).

An overlay zone is a zoning district applied over one or more previously established zoning districts establishing additional or stricter standards and criteria for covered properties in addition to those of underlying districts.

**Background:** Staff was directed to evaluate lot sizes and density on the peninsula establishing a minimum lot size of .33 acre for lots zoned General Residential. Staff utilized the City's adopted land use plan as a starting point because:

- The plan is intended to be used to guide decision-makers in land-use decisions; and
- Belmont's plan was a year-long community project which included participation from the general public, stakeholders, and public officials; and
- The plan was adopted by the City Council in 2007 and is currently programed for an update in FY 2016-17.

The LUP revealed that future density ranges were planned on the peninsula at one to three dwelling units per acre. This density range would be considered low to moderate. There are also village center neighborhood areas planned to take the form of an urban neighborhood with interconnected, walkable streets, with higher densities connecting homes to commercial or civic centers. These centers are located at existing and future intersections on the peninsula. The LUP map is provided below.

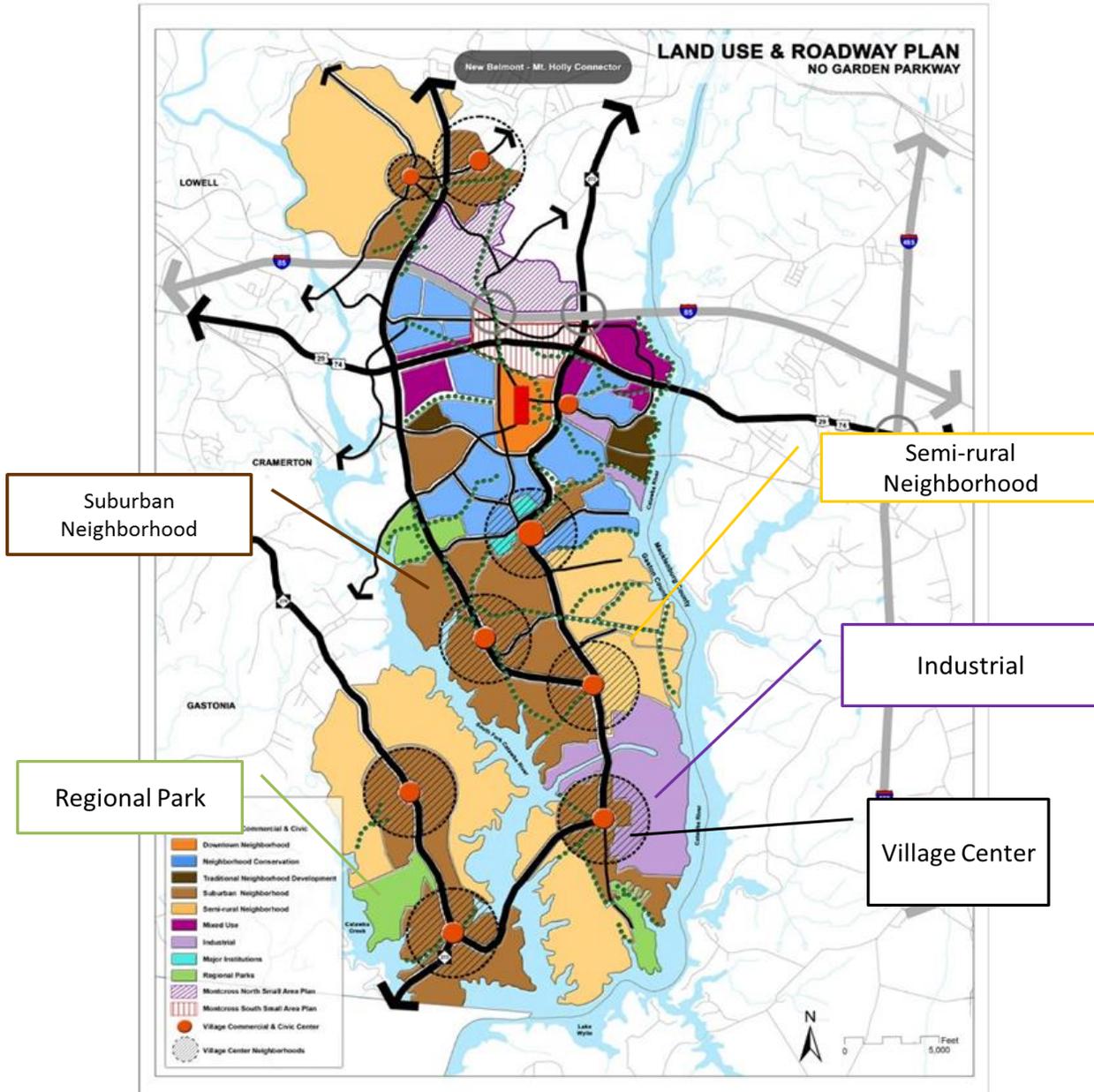
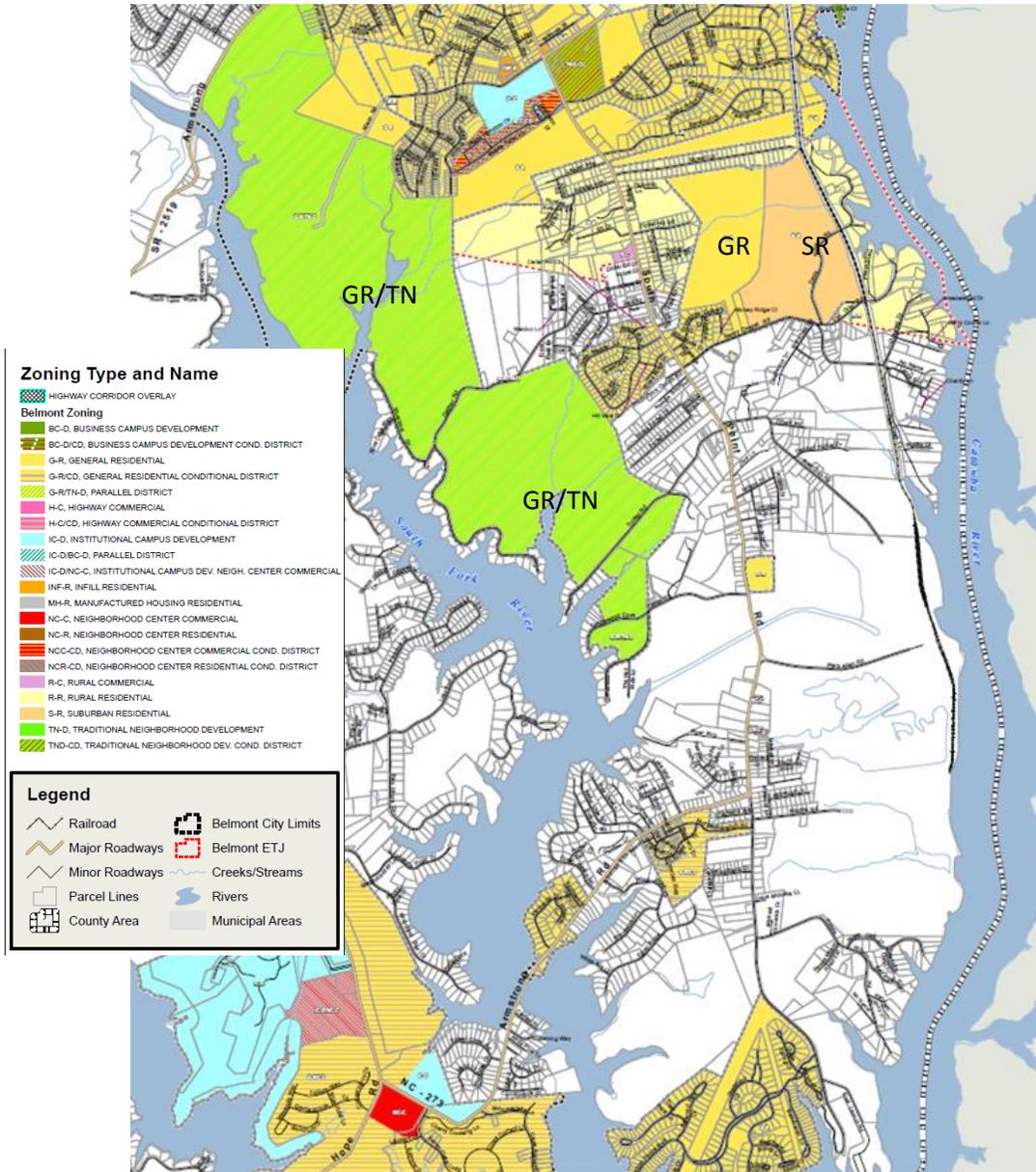


Figure 20: Land Use Plan - No Garden Parkway Alternative



## Zoning Classifications

Zoning classifications were evaluated because the city's regulations are intended to implement a city's adopted comprehensive land use plan. Zoning classifications for properties located on the peninsula range from Rural Residential (RR-D) to Conditional Zoning Districts (CD's) such as McLean. Any area in white is unincorporated Gaston County.



Existing zoning on the peninsula provides for densities ranging from ½ dwelling unit to the acre (RR) to six dwelling units to the acre (GR).

Zoning District	Density	Minimum Lot Size	Minimum lot width
<b>Rural Residential*</b>	½ unit per acre	2 acres	40-feet at ROW
<b>General Residential</b>	6 units per acre	N/A	Based on building form 30-55 feet
<b>Suburban Residential</b>	3 units per acre	N/A	Based on building form 30-55 feet
<b>Conditional Districts</b>	Vary project by project as approved by City Council		
<b>TND – Mixed Use</b>	Each use is subject to the building form requirements.		

\*Rural Residential zoned properties are within the City’s ETJ area.

Existing developments are in keeping with densities envisioned within the 2007 comprehensive land use plan such as McLean, Reflection Point, Morgan’s Branch, South Point Village, Belle Meade, and so on. These existing developments also meet the minimum .33 acre lot size except for those approved by Conditional Zoning by the City Council. The larger vacant tracks of land, excluding unincorporated county area, have the potential of exceeding the densities envisioned in the LUP based on their zoning classification. As shown above, properties zoned GR, SR, or TND have flexibility with the minimum lot size and minimum lot width based on their building form type.

Based on staff’s evaluation of planning documents and direction from the Council, staff recommends an overlay zone be established to bring densities into compliance with the adopted land use plan. Staff proposes the following:

### 5.19 South Point Peninsula Overlay District (SPP-O)

The South Point Peninsula Overlay is coded to allow low to moderate density development in areas farther from central Belmont in keeping with the adopted Comprehensive Land Use Map. This overlay provides the opportunity to fulfill the vision of the Suburban Neighborhood, Semi-Rural Neighborhood, and the Village Center Neighborhoods while providing flexibility through the Conditional Zoning process.

Minimum Lot Size: **14,500** square feet (**.33 acre**)

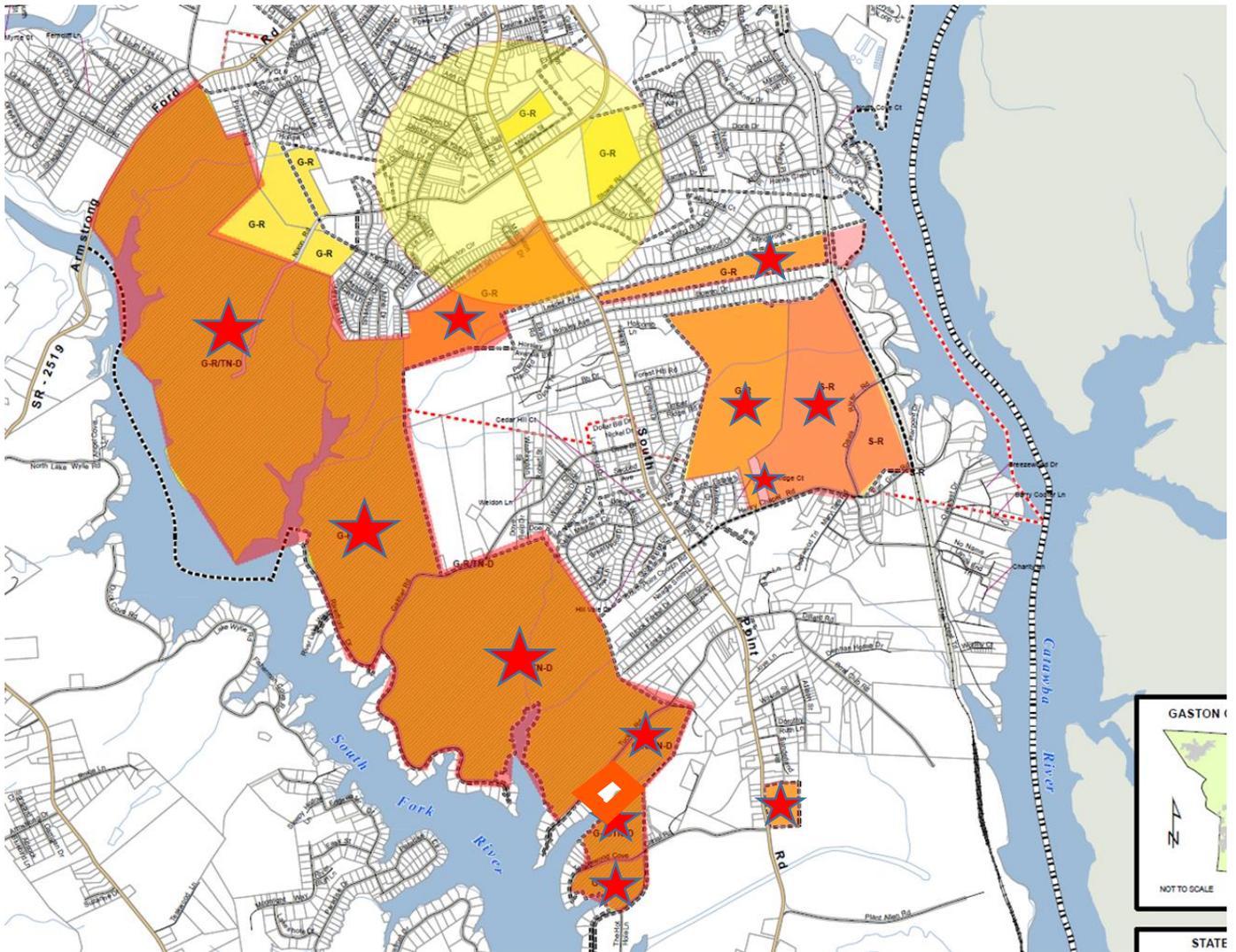
Maximum Development Density (on a project by project basis): 3 units/acre. Exceptions may be considered for developments within the planned village center as represented in the Comprehensive Land Use Plan by Conditional Zoning.

Minimum Lot Width: 90-feet

Setbacks: Front-yard - 30-feet  
               Side-yard    12-feet  
               Rear-yard  30 feet

Any exceptions to these requirements may be considered through a Conditional Zoning District.

Other sections of Chapters 4 and 5 of the Land Development Code (LDC) are also proposed to be amended to cross-reference this new overlay section. If approved, this amendment will be placed on large parcels within our zoning authority that are zoned GR, SR, or TND that are located south of Stowe/South Point Village or adjacent to the South Fork River. Any future annexations located within this area will be subject to this overlay district.



The parcels identified above will be subject to a city initiated rezone to place the overlay district on the properties. Property owners have been notified and the proposed associated zoning map amendments will be heard after this request.

**Recommendation:** Staff is of the opinion this amendment is consistent with the goals of the Comprehensive Land Use Plan because it aligns the densities with that envisioned for the plan on the South Point Peninsula Area while maintaining the opportunity to process a conditional zoning to consider quality planned developments.

Attachment A- Draft Chapter 4 of the LDC  
Attachment B – Draft Chapter 5 of the LDC

**SECTION 4.1 BUILDING TYPES ESTABLISHED**

Because of the established architectural vernacular of the City of Belmont in a wide-variety of common building types, this Code has established regulations specific to these typologies. These building types do not favor one specific architectural style over another, though certain styles are not appropriate for the types presented in this Code. Design regulations are not intended to promote the replication of the existing built form of Belmont, but to allow imaginative design that is respectful of its neighborhood.

The rich, architectural vocabulary of the City presents a wide variety of development opportunities using traditional forms while avoiding any perception of monotony. Buildings that are stylized in an attempt to use the building itself as advertising shall be discouraged, particularly where the proposed architecture is the result of a “corporate” or franchise style. The guidelines in this Chapter are intended to attach the same or greater level of importance to the overall building design as is placed on the use contained within. Buildings are expected to be added to the City of Belmont as long-term additions to the architectural vibrancy of the community. Unless otherwise noted, all buildings shall meet the following:

1. All buildings shall share a frontage line with a street or civic open space (Exception: Buildings in the H-C, BC-D, and IC-D districts that are interior to a site which have buildings that otherwise meet the frontage requirements such as significant outparcel buildings are not subject to this requirement).
2. Principal building entrances shall be from the fronting street.
3. All buildings, except accessory structures, shall have a main, useable entrance opening onto a street or square from the front facade. On a corner lot, the principal entrance in both design and function should be from the primary pedestrian street. Pedestrian connections from the principal entrance of the building to sidewalks on adjoining streets and parking lots shall be built. (Exception: Flex Commercial buildings may be accessed from entries located in the front half of the building)
4. Important street vistas (such as along City gateways and primary pedestrian streets) should terminate in a focal point, such as a building or other architectural or natural feature.
5. Adjacent buildings housing similar type uses that are located within the same or similar zoning districts should relate in similarity of scale, height, architectural style, and configuration.
6. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically proportioned wherever possible.
7. All visibly exposed facades (exception: Single Family Homes and Duplexes) should have:
  - a) a recognizable base course consisting of, but not limited to thicker walls, ledges or sills; integrally textured materials such as stone or other masonry; integrally colored and patterned materials such as smooth finished stone or tile; lighter or darker colored materials, mullions, or panels; and/or planters; and
  - b) a recognizable top consisting of, but not limited to cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; stepped parapets; and/or a cornice capping the top of a building wall.

In accordance with Section 20.3.2, innovative planning or design ideas for development in any district where the proposed building types are different than those allowed by the base district requirements may be reviewed as a Conditional Use District.

Required building materials may be substituted with materials that are similar in appearance and durability. Effective December 3, 2007, the requirements of this chapter shall apply to any new zoning permit application unless building elevations were approved as part of a conditional district rezoning.

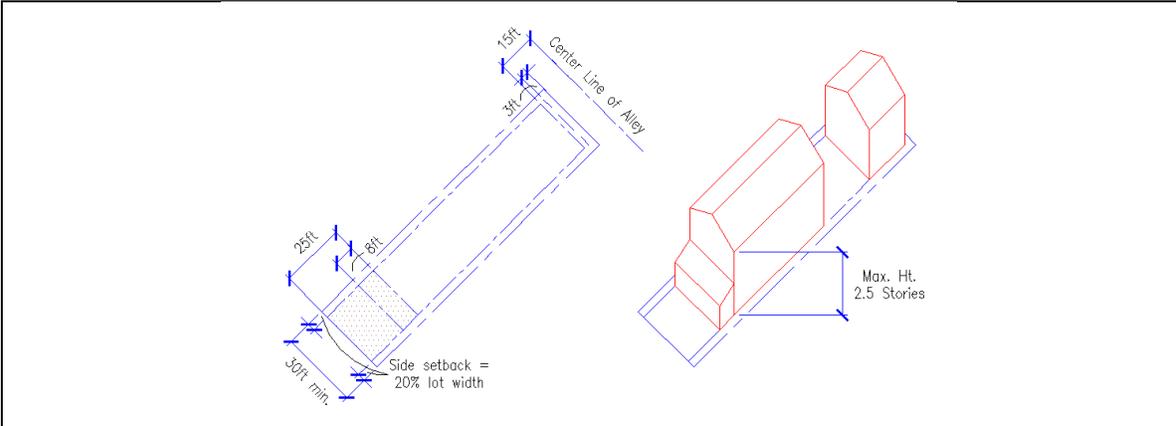
**4.2 DETACHED HOUSE**

*Description: The detached house is the predominant building type in the City of Belmont. It is flexible in use (where permitted), accommodating single family uses, multi-family uses up to four units, home occupations, professional offices, and limited retail uses. When other building types are integrated with Detached Houses, the scale of the Detached House shall control (exception: Civic Buildings). The use permitted within the building is determined by the District in which it is located.*

**1. LOT REQUIREMENTS**

**Type A: Alley Lot**

The alley lot is a lot with primary vehicular access is provided using a rear lane or alley only. This condition is required for lots less than 55 feet wide and permitted for all others. No curb cuts or driveways are permitted along the frontage except on previously platted lots.



**Setbacks:** Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within 300 ft or one block length (whichever is greater). Where no frontage condition currently exists, the minimum setbacks shall be as follows:

- Front:** 0-25 ft
- Side:** 20% of the lot width (In new developments, the entire setback may be allocated to one side with a minimum of 6 feet of total building separation)
- Rear:** Three (3) ft on lots with an area of less than or equal to 7,000 square feet; otherwise, 15 ft from centerline of alley or lane
- Accessory Structure Setback:** 3 ft \*

**Minimum Lot Width:** 30 Ft  
**Maximum Height:** 2 ½ Stories

**Encroachments:** Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the required front or rear setback a maximum of 8 ft.

**Lot Coverage (Maximum Impervious):** 75%

**Vehicular Access to Lot:** For lots less than 55 feet wide, alley access is required. For all others the use of an alley is permitted.

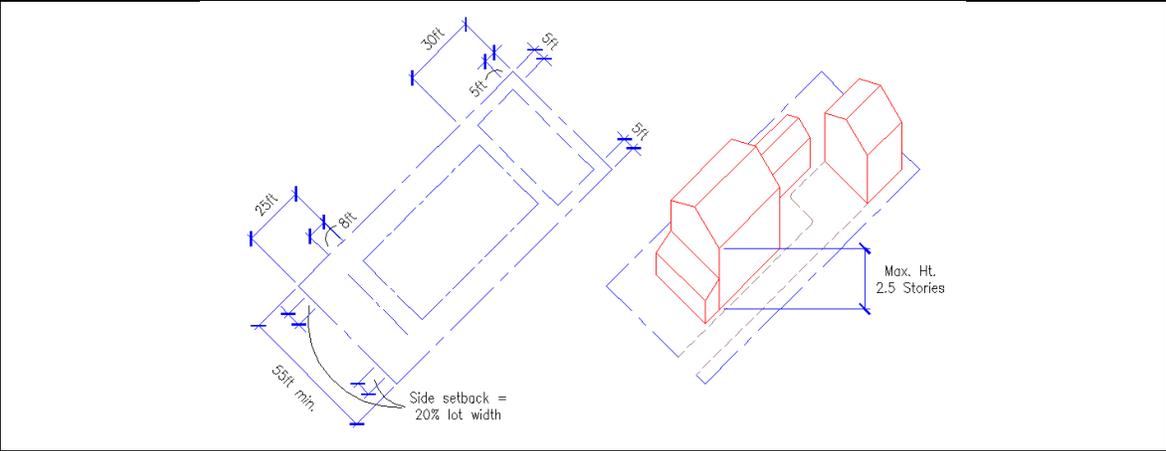
\*Excludes Temporary Family Health Care Structures

**Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.**



**4.2 DETACHED HOUSE**

**Type B: Street Lot** The street lot is a medium or large sized lot (55 feet or greater in width) that provides primary vehicular access from the street.



**Setbacks:** Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within 300 ft or one block length (whichever is less). Where no frontage condition currently exists, the minimum setbacks shall be as follows:

**Front:** 20 ft (Exception R-R – 40 ft) If a house has a front-loaded (street-facing) garage, a minimum 30-foot parking pad in front of garage shall be required, and shall be measured from the property line/right-of-way to the garage door. This requirement shall apply to any new development which has not received schematic approval by the City of Belmont as of the adoption date of this amendment (June 4, 2012).

**Sides:** 20% of the lot width (The entire setback may be allocated to one side, unless prohibited by building code requirements).

**Sides (Infill Lots):** Lots  $\geq$  10,000 ft<sup>2</sup> = 12 ft  
 Lots < 10,000 ft<sup>2</sup> = 8 ft

**Rear:** 30 ft

**Accessory Structure Side/Rear Setback:** For lots less than or equal to 7,000 square feet in area there shall be a minimum three (3) ft setback on rear lot lines; otherwise there shall be a minimum side or rear yard setback of five (5) ft. Accessory structure(s) must be located at least 10 ft from principal structure. Excludes Temporary Family Health Care Structures

**Minimum Lot Width:** 55 ft.

**Maximum Height:** 2 ½ Stories

**Encroachments:** Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into any required front or rear setback a maximum of 8 ft.

**Lot Coverage (Maximum Impervious):** 50%

**Minimum Lot Size (Duplex Only):** 10,000 ft<sup>2</sup>

**Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.**



**4.2 DETACHED HOUSE**

**2. ARCHITECTURAL REQUIREMENTS**

**A. General Requirements**

1. Useable porches and stoops should form a predominate motif of the building design and be located on the front and/or side of the home. Useable front porches are at least 6 feet deep and extend more than 50% of the facade.
2. Garages with front loading bays (if permitted) shall be recessed a minimum of one (1) foot from the front facade of the house and visually designed to form a secondary building volume. All garages with more than two bays shall be turned such that the bays are not visible from the street. At no time shall the width of an attached garage door exceed 45% of the total building facade.
3. Fences or walls shall be no greater than 8 feet in height behind the front building line. Fences shall be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
4. Garage doors are not permitted on the front elevation of any detached on a lot less than 55 feet wide.
5. Except for Single Family Homes on Type B-Street Lots and Single Family Homes located in neighborhoods developed specifically for seniors, to provide privacy, all front entrances shall be raised from the finished grade (at the frontage line) a minimum of 1½ feet.

**B. Materials**

1. Residential building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, approved vinyl, or similar material.

2. Garden walls may be of brick, stone or stucco matching the principal building. Front yard fences shall be wood picket, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material. All side and rear yard fences over 4 ft in height shall be wood or similar material.
3. Residential roofs shall be clad in wood shingles, standing seam metal, terne, slate, asphalt shingles or similar material.

**C. Configurations**

1. Main roofs on residential buildings shall be symmetrical gables or hips with a pitch between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No monopitch roof shall be less than 4:12.
2. Two wall materials may be combined on one façade with the material that is more substantial in appearance (e.g., brick, stone or faux stone are deemed more substantial in appearance than materials such as vinyl, stucco or cementitious fiber siding) being below.
3. The undercroft of buildings shall be enclosed.

**D. Techniques**

1. Overhanging eaves may expose rafters.
2. Flush eaves shall be finished by profiled molding or gutters.



*Duplex*



*Professional Offices*

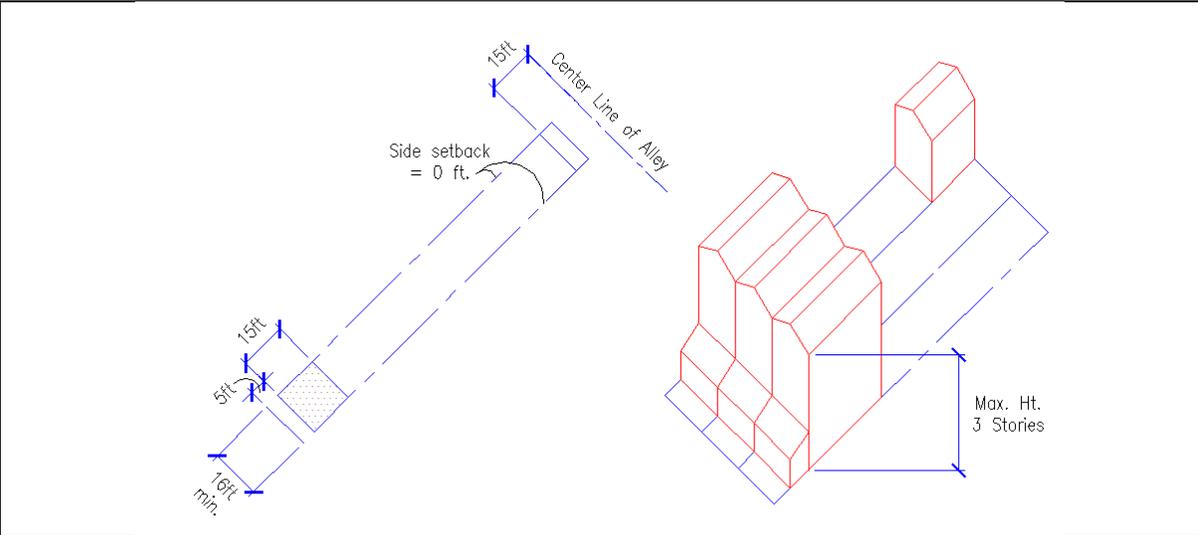


*Quadruplex*

**4.3 TOWNHOUSE**

*Description: The townhouse is a building with two or more residential units that are located side-by-side. When an entrance is provided at-grade, the townhouse may be used as a live-work unit. The use permitted within the building is determined by the District in which it is located.*

**1. LOT REQUIREMENTS**



**Setbacks:**  
**Front (Maximum):** 0-25 ft  
**Sides:** 0 ft (Corner-6 ft)  
**Rear:** 15 ft from centerline of alley or lane

**Parking and Vehicular Access:** Primary vehicular access is provided using a rear lane or alley only. Off-street parking shall be located in the rear yard only. No curb cuts or driveways are permitted along the frontage.

**Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.**

**Minimum Lot Width:** 16 Ft  
**Maximum Height:** 3 Stories

**Encroachments:** Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach within the front yard. Upper story balconies may encroach into the right-of-way up to 5 feet with permission from the City.

**Accessory Structures:**  
**Side/Rear Setback:** 0 ft  
**Maximum Footprint:** 650 sq ft  
**Maximum Number of Structures:** 1



## 4.3 TOWNHOUSE

### 2. ARCHITECTURAL REQUIREMENTS

#### A. General Requirements

1. Useable porches and stoops should form a predominate motif of the building design and be located on the front and/or side of the building. Useable front porches are at least 6 feet deep and extend more than 50% of the facade.
2. Garage doors are not permitted on the front elevation of any townhouse building.
3. Fences or walls shall be no greater than 8 feet in height behind the front building line. Fences shall be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
4. All building elevations visible from the street shall provide doors, porches, balconies, and/or windows. A minimum of 60% of front elevations, and a minimum of 30% of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. This standard applies to each full and partial building story.
5. To provide privacy, all front entrances shall be raised from the finished grade (at the building line) a minimum of 1½ feet.
6. All multi-family and infill buildings shall provide detailed design along all elevations. Detailed design shall be provided by using at least three (3) of the following architectural features on all elevations as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
  - a. Dormers
  - b. Gables
  - c. Recessed entries
  - d. Covered porch entries
  - e. Cupolas or towers
  - f. Pillars or posts
  - g. Eaves (minimum 6 inch projection)
  - h. Off-sets in building face or roof (minimum 16 inches) Window trim (minimum 4 inches wide)
  - i. Bay windows
  - j. Balconies
  - k. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation, and similar features)
  - l. Decorative cornices and roof lines (for flat roofs)

#### B. Materials

1. Residential building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, approved vinyl, or similar material.
2. Garden walls may be of brick, stone or stucco matching the principal building. Front yard fences shall be wood picket, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material. All side and rear yard fences over 4 ft in height shall be wood or similar material.
3. Residential roofs shall be clad in wood shingles, standing seam metal, terne, slate, asphalt shingles or similar material.

#### C. Configurations

1. Main roofs on residential buildings shall be symmetrical gables or hips with a pitch between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No monopitch roof shall be less than 4:12.
2. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
3. The undercroft of buildings shall be enclosed.

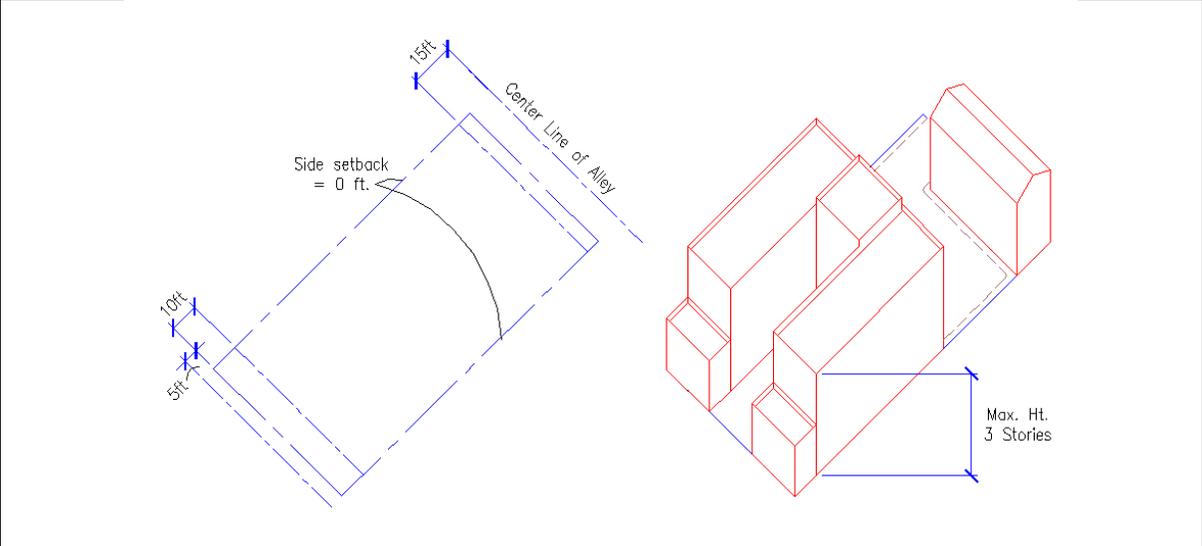
#### D. Techniques

1. All buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.
2. Overhanging eaves may expose rafters.
3. Flush eaves shall be finished by profiled molding or gutters.
4. All rooftop equipment shall be screened from view.

**4.4 APARTMENT BUILDING**

*Description: A multiple-unit building with apartments vertically arranged and with parking located below or behind the building. Units may be for rental or for sale in condominium ownership or may be designed as continuing care facilities. The ground floor may be available for commercial uses. The use permitted within the building is determined by the District in which it is located.*

**1. LOT REQUIREMENTS**



**Setbacks:**  
**Front (Maximum):** 0-25 ft  
**Sides:** 0 ft (Corner-4 ft)  
**Rear:** 15 ft from centerline of alley or lane

**Parking and Vehicular Access:** Primary vehicular access is provided using a rear lane or alley only. Off-street parking shall be located in the rear yard only; except on corner lots where parking areas and structures may be allowed in the side yard subject to the issuance of a conditional use permit. No curb cuts or driveways are permitted along the frontage except for vehicular access to rear parking.

**Performance Standards may vary based on zoning classification. See zoning district classification in Chapter 5.**

**Maximum Height:** 3 Stories

**Accessory Structures:**  
**Side/Rear Setback:** 0 ft  
**Maximum Footprint:** 1,300 sq ft

Accessory structures over 1,300 sq ft are subject to the issuance of a conditional use permit.

**Encroachments:** Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback. Upper story balconies may encroach into the right-of-way up to 5 feet with permission from the City.



## 4.4 APARTMENT BUILDING

### 2. ARCHITECTURAL REQUIREMENTS

#### A. General Requirements

1. Useable porches and stoops should form a predominate motif of the building design and be located on the front and/or side of the building. Useable front porches are at least 6 feet deep and extend more than 50% of the facade.
2. Garage doors are not permitted on the front elevation of any apartment building.
3. Fences or walls shall be no greater than 8 feet in height behind the front building line. Fences shall be no greater than 4 feet in height and walls no greater than 3 feet in height in the front yard setback.
4. All building elevations visible from the street shall provide doors, porches, balconies, and/or windows. A minimum of 60% of front elevations, and a minimum of 30% of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. This standard applies to each full and partial building story.
5. To provide privacy, all front entrances shall be raised from the finished grade (at the building line) a minimum of 1½ feet.
6. All multi-family and infill buildings shall provide detailed design along all elevations. Detailed design shall be provided by using at least three (3) of the following architectural features on all elevations as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
  - a. Dormers
  - b. Gables
  - c. Recessed entries
  - d. Covered porch entries
  - e. Cupolas or towers
  - f. Pillars or posts
  - g. Eaves (minimum 6 inch projection)
  - h. Off-sets in building face or roof (minimum 16 inches) Window trim (minimum 4 inches wide)
  - i. Bay windows
  - j. Balconies
  - k. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation, and similar features)
  - l. Decorative cornices and roof lines (for flat roofs)

#### B. Materials

1. Residential building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, approved vinyl, or similar material.
2. Garden walls may be of brick, stone or stucco matching the principal building. Front yard fences shall be wood picket, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material. All side and rear yard fences over 4 ft in height shall be wood or similar material.
3. Residential roofs shall be clad in wood shingles, standing seam metal, terne, slate, asphalt shingles or similar material.

#### C. Configurations

1. Main roofs on residential buildings shall be symmetrical gables or hips with a pitch between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No monopitch roof shall be less than 4:12.
2. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
3. Exterior chimneys shall be finished in brick, siding, or other similar material.
4. The undercroft of buildings shall be enclosed.

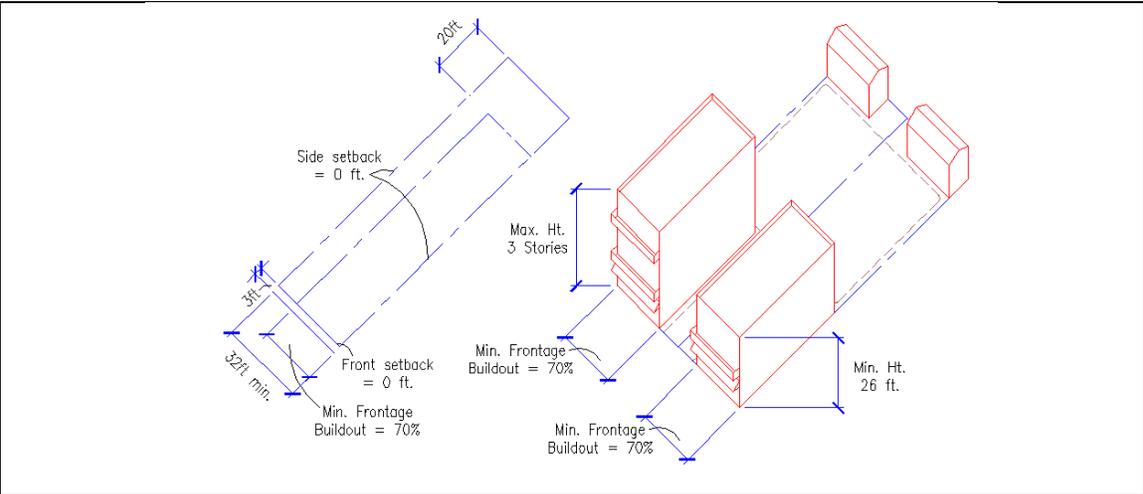
#### D. Techniques

1. All buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.
2. Overhanging eaves may expose rafters.
3. Flush eaves shall be finished by profiled molding or gutters.
4. All rooftop equipment shall be screened from view.

**4.5 SHOPFRONT BUILDING**

*Description : A small scale structure which can accommodate a variety of uses. A group of shopfront buildings can be combined to form a mixed-use neighborhood center. Individual shopfront buildings can be used to provide some commercial service, such as a neighborhood store, in close proximity to homes. Office buildings, hotels and inns can be placed in shopfront buildings. The use permitted within the building is determined by the District in which it is located.*

**1. LOT REQUIREMENTS**



**Minimum Height:** 26 ft  
**Maximum Height:** 3 Stories (42 feet)

**Setbacks:**  
**Front (Maximum):** 0 ft  
**Sides:** 0 ft  
**Rear:** 20 ft

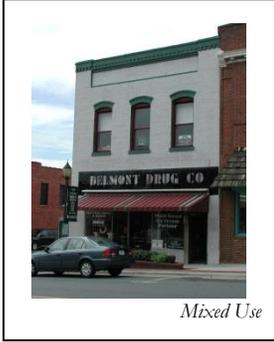
**Frontage Buildout (Min.):** 70%

**Parking and Vehicular Access:** Primary vehicular access is provided using a rear lane or alley only. Off-street parking shall be located in the rear yard only. No curb cuts or driveways are permitted along the frontage.

**Minimum Lot Width:** 32 ft (Lots platted prior to 1995 – 16 ft)

**Encroachments:** Upper story balconies may encroach into the right-of-way up to 3 feet with permission from the City.

**Accessory Structures:**  
**Side/Rear Setback:** 0 ft



## 4.5 SHOPFRONT BUILDING

### 2. ARCHITECTURAL REQUIREMENTS

#### A. General Requirements

1. At least 70% of the width of street level frontages shall be in windows or doorways. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
2. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
3. The principal, functional doorway for public or direct-entry access into a building shall be from the fronting street. Corner entrances may be provided on corner lot buildings.
4. Decorative cornices shall be provided for buildings with a flat roof. Alternatively, eaves shall be provided with a pitched roof.
5. A building canopy, awning, or similar weather protection may be provided and should project 3-5 feet from the façade.

#### B. Materials

1. Commercial building walls shall be brick, cast concrete, stone, marble, or other materials similar in appearance and durability. Regular or decorative concrete block and EIFS-type stucco may be used on building walls not visible from a public street or as an accent material only. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, asphalt shingles or similar material.
3. Signs on the inside of glazed openings may be neon.

4. Rear and side yard fences and walls shall be brick, stucco, wrought iron, stone, or materials similar in appearance and durability. Maximum fence and wall height shall be 8 feet.

#### C. Configurations

1. All visibly exposed facades shall have a recognizable base course, which shall align with the sill level of the first story consisting of, but not limited to: thicker walls, ledges or sills; integrally textured materials such as stone or other masonry; integrally colored and patterned materials such as smooth finished stone or tile; lighter or darker colored materials, mullions, or panels; and/or planters.
2. All visibly exposed facades shall have a recognizable top consisting of, but not limited to: cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; stepped parapets; and/or a cornice which shall terminate or cap the top of a building wall.
3. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
4. Sky-lights shall be flat (non-bubble).

#### D. Techniques

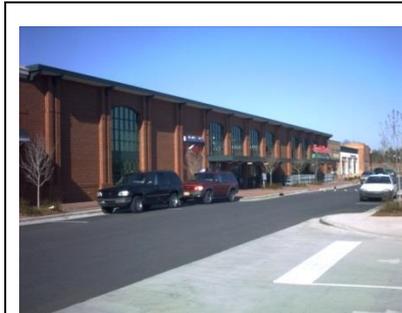
1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.
3. All rooftop equipment shall be screened from view.



Mixed Use



Mixed Use

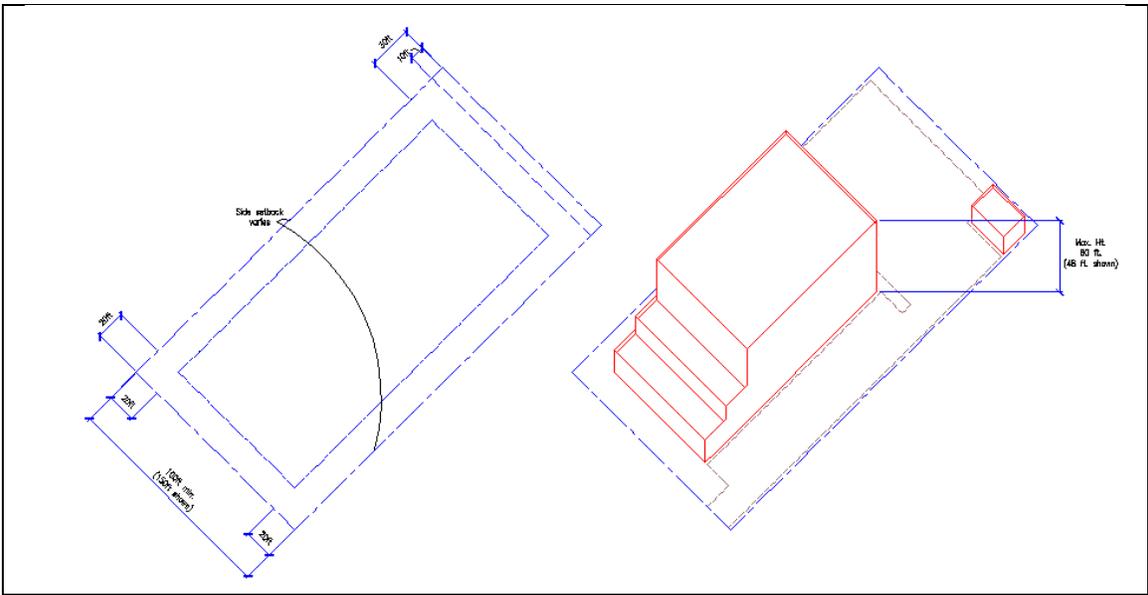


Grocery Store

**4.6 WORKPLACE BUILDING**

**Description:** A building available for manufacturing and its related functions. Offices within the building should enfront the street. Loading is accommodated to the rear. Existing industrial buildings may be converted to loft buildings which are defined as multiple-unit buildings with units available for either residential or commercial use. The ceilings must be high to permit a greater distance from windows required in commercial units. Units may be for rental or for sale in condominium ownership. The use permitted within the building is determined by the District in which it is located.

**1. LOT REQUIREMENTS**



**Setbacks:** Front yard and side yard setbacks for structures on infill lots shall generally be equal to the average setbacks for all principal structures within 300 ft or one block length (whichever is greater). Where no frontage condition currently exists, the minimum setbacks shall be as follows:

- Front:** 10 - 20 ft
- Side:** varies
- Rear:** 30
- Accessory Structure Setback:** 10 ft
- Rear/Side Parking Setback:** 10 ft

**Minimum Lot Width:** 100 Ft  
**Minimum Lot Size:** 1 acre

**Maximum Height:** 60 ft in BC-D/IC-D otherwise three stories

**Parking and Vehicular Access:** Off-street parking shall be located in the side or rear yard only except as permitted in the underlying district. A circulation driveway is permitted in the front yard.



**4.6 WORKPLACE BUILDING**

**2. ARCHITECTURAL REQUIREMENTS**

**A. Materials**

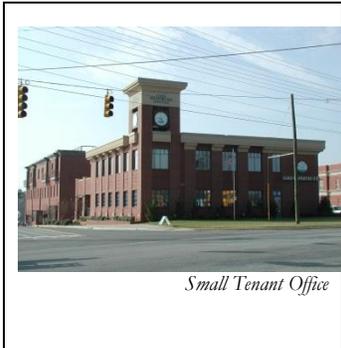
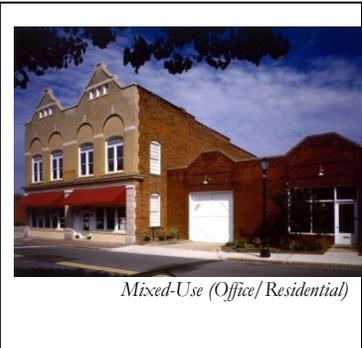
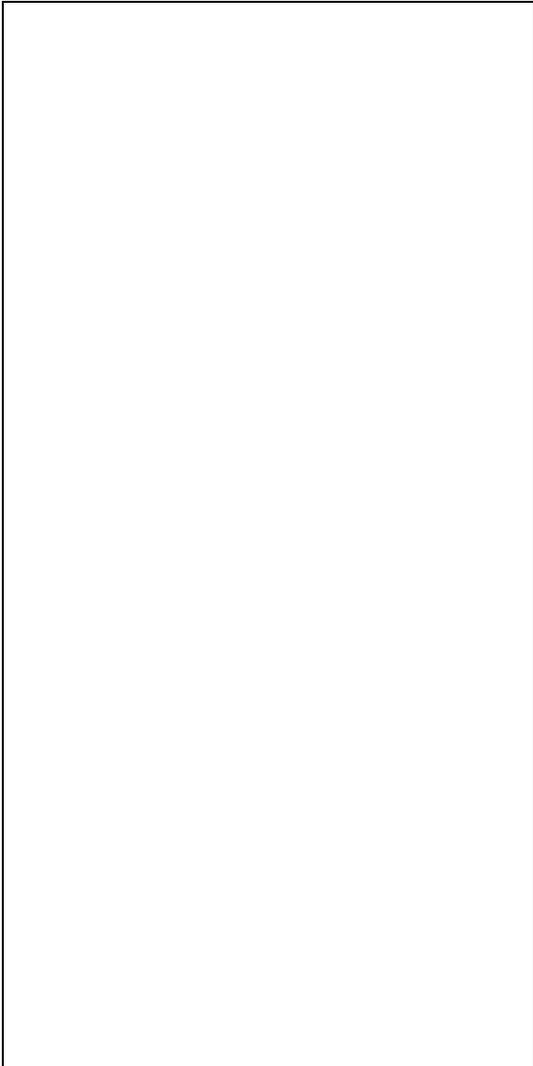
1. All building walls visible from a public street shall be brick, cast concrete, stucco, stone, marble, decorative concrete masonry unit or other materials similar in appearance and durability.
2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
3. Front and side yard fences and walls shall be brick, stucco, wrought iron, stone, or materials similar in appearance and durability. Maximum fence height shall be 5 feet. Rear yard fences and walls shall be made of brick, stucco, wrought iron, stone, wood, chain linked, or similar material. (barbed wire fences are only permitted in rear yards not visible from a street). Maximum fence height shall be 8 feet.

**B. Configurations**

1. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
2. Skylights shall be flat (non-bubble).

**C. Techniques**

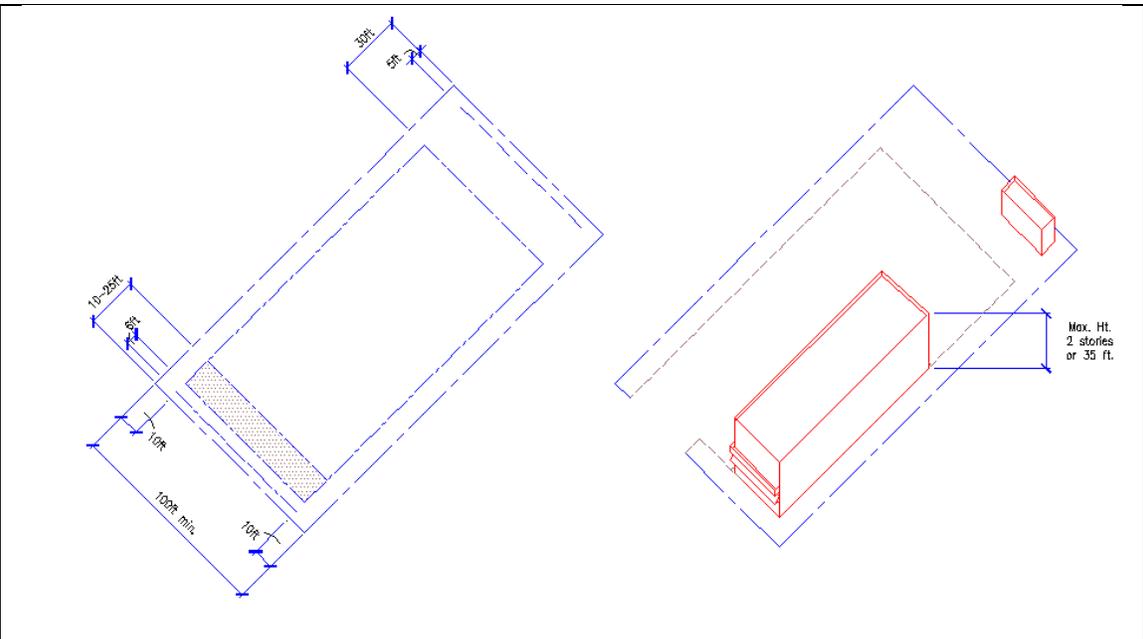
1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.
3. All rooftop equipment shall be screened from view.



**4.7 FLEX COMMERCIAL BUILDING**

***Description:** Similar to a shopfront in use, the highway commercial building is specifically coded for automobile-oriented uses that are found along Wilkinson Boulevard and in circumstances allowed under the NC-C zoning district provisions found in chapter 5.6. This building type provides convenient automobile access from the fronting thoroughfare, while minimizing the negative impacts of parking lots on an active pedestrian realm. The use permitted within the building is determined by the District in which it is located.*

**1. LOT REQUIREMENTS**



**Setbacks:** Front yard and side yard setbacks for structures on infill lots should generally be equal to the average setbacks for all principal structures within 300 ft or one block length (whichever is greater). Where no frontage condition currently exists, the minimum setbacks shall be as follows:

- Front:** 10ft
- Side:** 4 (8 ft for corner lot)
- Rear:** 30 ft
- Accessory Structure Setback:** 5 ft

**Minimum Lot Width:** 100 Ft  
**Maximum Height:** 2 stories or 35 feet, whichever is less

**Encroachments:** Balconies, stoops, stairs, open porches, and raised doorways are permitted to encroach into the front setback a maximum of 6 ft.

**Parking and Vehicular Access:** Off-street parking shall be located in the side or rear yard only except as permitted in the underlying district. A circulation driveway is permitted in the front yard.



**4.7 FLEX COMMERCIAL BUILDING**

**2. ARCHITECTURAL REQUIREMENTS**

**A. General Requirements**

1. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
2. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 32 feet.
3. The principal, functional doorway for public or direct-entry access into a building shall be from the fronting street and located in the front half of the building (side entries permitted). Corner entrances shall be provided on corner lot buildings.
4. Decorative cornices shall be provided for buildings with a flat roof. Alternatively, eaves shall be provided with a pitched roof.
5. A building canopy, awning, or similar weather protection may be provided and should project 3-5 feet from the façade.

**B. Materials**

1. Commercial building walls shall be brick, cast concrete, stone, marble, or other materials similar in appearance and durability. Regular or decorative concrete block and EIFS-type stucco may be used on building walls not visible from a public street or as an accent material only.

Existing flex-commercial structures with non-conforming building wall materials may upgrade to EIFS-type stucco, Dryvit®, or an architectural panel resembling these materials. If an architectural panel is proposed, planning department staff shall have final approval of the material, on a case-by-case basis, after a physical sample has been submitted.

2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, asphalt shingles or similar material.
3. Signs on the inside of glazed openings may be neon.

4. Front and side yard fences and walls shall be brick, stucco, wrought iron, stone, or materials similar in appearance and durability. Maximum fence height shall be 5 feet. Rear yard fences and walls shall be made of brick, stucco, wrought iron, stone, wood, chain linked, or similar material. (barbed wire fences are only permitted in rear yards not visible from a street). Maximum fence height shall be 8 feet.

**C. Configurations**

1. All visibly exposed facades shall have a recognizable base course, which shall align with the sill level of the first story consisting of, but not limited to: thicker walls, ledges or sills; integrally textured materials such as stone or other masonry; integrally colored and patterned materials such as smooth finished stone or tile; lighter or darker colored materials, mullions, or panels; and/or planters.
2. All visibly exposed facades shall have a recognizable top consisting of, but not limited to: cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; stepped parapets; and/or a cornice which shall terminate or cap the top of a building wall.
3. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
4. Sky-lights shall be flat (non-bubble).

**D. Techniques**

1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.
3. All rooftop equipment shall be screened from view.



*Gas Station*

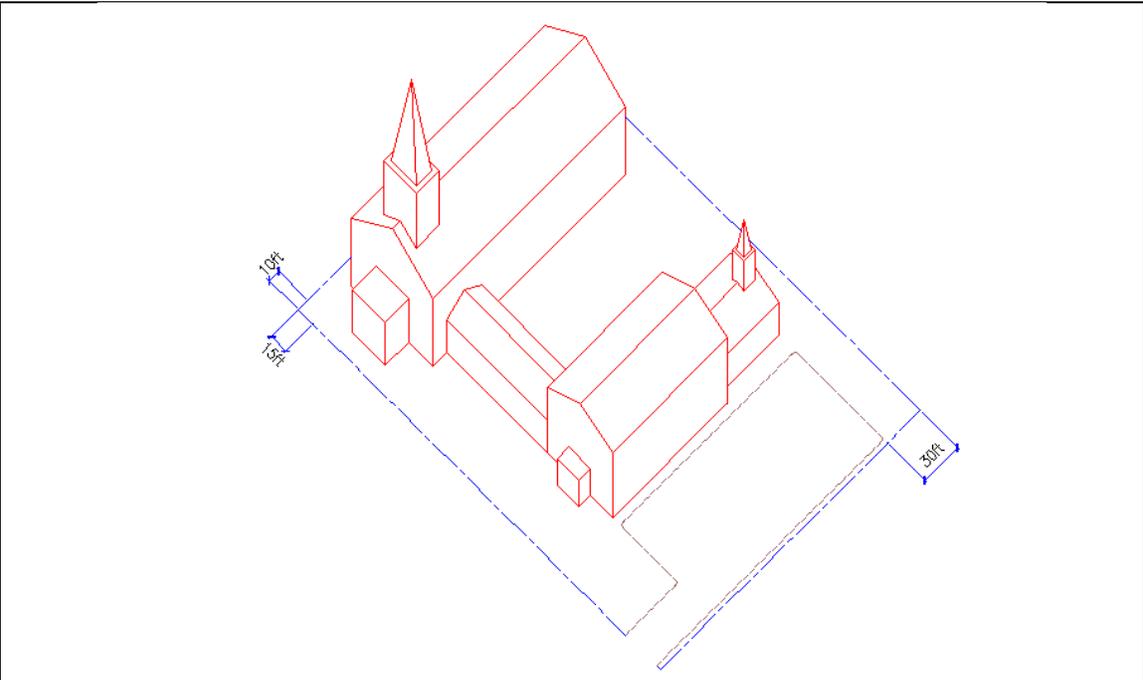


*Pharmacy with Drive Thru*

**4.8 CIVIC/INSTITUTIONAL BUILDING**

*Description: Specialized buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and non-profit or charitable clubs and organizations.*

**1. LOT REQUIREMENTS**



**Setbacks (Minimum):**  
**Front:** 0 ft  
**Sides:** 15  
**Rear:** 30 ft

**Accessory Structures less than 500 ft<sup>2</sup>:**  
 (Used Primarily for Storage, max 2 Permitted)  
 Side and Rear Setback: 5ft.  
 Maximum Height: 15 ft.

**Accessory Structures greater than 500 ft<sup>2</sup>:**  
 Side and Rear Setback: 20 ft.  
 Maximum Height: 26 ft.

**Minimum Lot Width:** 70 Ft  
**Minimum Lot Size:** none

**Maximum Height:** 3 Stories (Exception R-R, G-R – 2 Stories)

**Encroachments:** Balconies, stoops, stairs, open porches, bay windows, and raised doorways are permitted to encroach into the front setback a maximum of 10 ft.



Church

**4.8 CIVIC/INSTITUTIONAL BUILDING**

**B. ARCHITECTURAL REQUIREMENTS**

**A. General Requirements**

1. Schools, churches, and government buildings should be built so that they terminate a street vista whenever possible, and shall be of sufficient design to create visual anchors for the community.
2. Off-street parking shall be provided in the side or rear yards only.
3. Building(s) incidental to the principal structure shall be behind a line a minimum of 20 ft from the front facade of the structure, and if more than one, shall be arranged to create secondary gathering spaces within the lot.
4. Parking shall be located towards the interior of the lot. On-street parking may be used to fulfill parking requirements. Parking may not occur within a front setback or corner side setback.
5. Front setbacks may be altered to preserve views or significant trees.

**B. Materials**

1. Civic building walls shall be clad in clapboard, stone, stucco, brick, or marble. Decorative cast concrete and wood or vinyl siding may be used as a secondary element on facades facing public streets.
2. Civic roofs shall be clad in slate, sheet metal, corrugated metal, or asphalt shingles, or other material similar in appearance and durability.
3. Gutters and down spouts shall be made of copper or galvanized painted metal, or other material similar in appearance and durability.
4. The orders, if provided, shall be made of wood or cast concrete.
5. Stained glass or other decorative window treatments are encouraged.
6. Front and side yard fences and walls shall be brick, stucco, wrought iron, stone, or materials similar in appearance and durability. Maximum fence height shall be 6 feet. Rear yard fences and walls shall be brick, stucco, wrought iron, stone, wood, chain linked, or similar material. Maximum fence height shall be 8 feet. For security and safety reasons, public safety station (police/fire departments, etc.) fences shall be exempt from the above requirements but shall be subject to review by the Planning Department in accordance with the spirit and intent of this ordinance.

**C. Configurations**

1. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
2. Flat roofs are allowed, but principal civic buildings adjacent to residential structures are encouraged to have pitched roofs or similar architectural features to ensure compatibility.

**D. Techniques**

1. Windows shall be set to the inside of the building face wall.
2. All rooftop equipment shall be screened from view.



**5.1 GENERAL PROVISIONS**

This Code establishes the following Districts for use as Zoning categories:

Rural Residential (RR)  
 Suburban Residential (SR)  
 General Residential (GR)  
 Neighborhood Center Residential (NC-R)  
 Neighborhood Center Commercial (NC-C)  
 Downtown District (DD)  
 Highway Commercial (HC)  
 Infill Development (INF-D)  
 Traditional Neighborhood Development (TN-D)  
 Business Campus Development (BC-D)  
 Institutional Campus District (IC-D)  
 Historic Preservation Overlay (HP-O)  
 Watershed Protection Overlay (WP-O)  
 Highway Corridor Overlay (HC-O)  
 Rural Commercial (RC)  
 Manufactured Housing Development (MH-D)  
 Conditional Districts (CD)  
 South Point Peninsula Overlay (SPP-O)

In addition, each District has a corresponding Conditional District (CD) as outlined in Section 5.18. The overlay zoning districts are not eligible for conditional district, although the underlying zoning district(s) are.

These Districts are a cross-matrix of both the Building Types listed in Chapter 4 as well as the **Permitted Uses, Uses Permitted with Additional Requirements, and Uses Permitted subject to the issuance of a Conditional Use Permit** in accordance with Section 15.10.

All uses permitted in this Code have been divided into seven (7) general categories and are defined as follows:

- Residential:** Premises available for long-term human habitation by means of ownership and rental, but excluding short-term letting of less than a month's duration
- Lodging:** Premises available for short-term human habitation, including daily and weekly letting
- Office:** Premises available for the transaction of general business, but excluding commercial sales and manufacturing
- Commercial:** Premises available for the commercial sale of merchandise and prepared foods, but excluding manufacturing
- Manufacturing:** Premises available for the creation, assemblage, and repair of items including their retail sale except when such activity creates adverse impacts

- Civic:** Premises available for not-for-profit organizations dedicated to religion, arts and culture, education, government, social service, transit, and other similar functions
- Other:** Uses not otherwise classified but permitted with Additional Conditions in Chapter 6 and/or subject to the issuance of a Conditional Use Permit in accordance with Section 15.10.

Within these categories, the uses are defined as Open, Limited, and Restricted indicating the general permissiveness within each use category.

Uses shall only be allowed in those zoning districts in which they are listed in the various general zoning districts contained in Chapter 5. The Land Development Code text does not identify all potential uses. Many allowable uses are contained within identified use categories (i.e., commercial use, light manufacturing, etc.) For instance, a “blueprinting service” is not specifically identified in any particular zoning district but meets the definition of a “commercial use.” Thus, a blueprinting service would be allowed in any district where “commercial uses” are allowed. Conversely, a “day care center”, which meets the definition of a “commercial use”, is specifically listed as being allowed in certain districts only. Accordingly, “day care centers” and similar uses which are specifically identified are only allowed in those identified zoning districts and are prohibited in all other zoning districts.

**5.2 RURAL RESIDENTIAL (RR)**

Rural Residential districts are coded to accommodate very low density residential development and agricultural uses, protect natural vistas, and landscape features that define our rural heritage.

The intent of this district is to maintain a rural boundary, preserving agricultural and forested areas on the perimeter of Belmont until utility infrastructure can be installed to allow for planned growth.

<p><b>1. Permitted Building Types</b></p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p><b>Detached House – Street Lot Only Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<p><b>1. Minimum Lot Size (Subject to increase by the Gaston County Health Dept)</b>                  Lots platted prior to June 6, 2002: 20,000 sq ft.                  Lots platted after June 6, 2002: 2 acres</p> <p><b>2. Lot Width</b>                  Minimum Lot Width at Right-of-Way: 40 ft</p>

3. Permitted Uses (Rural Residential RR)	
<b>Residential</b>	<b>Limited Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, Manufactured Housing, and Bona Fide Farms
<b>Lodging</b>	<b>Limited Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) <sup>1</sup> and Bed and Breakfast Inns <sup>1</sup>
<b>Office</b>	<b>Restricted Office:</b> Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations <sup>1</sup>
<b>Commercial</b>	<b>Restricted Commercial:</b> Drive-in Theatres shall be permitted with a minimum lot size of 3 acres, and with the establishment of a Type A buffer/screening around the perimeter of the property. (See Chapter 11.2) Day Care Centers and Day Care Homes <sup>1</sup> . All other commercial uses are forbidden.
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Manufacturing uses are not permitted.
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
<b>Other</b>	Cemetery <sup>1</sup> , Essential Services-Class 1 & 2 <sup>1</sup> , Recreational Facilities <sup>1</sup> , Water-related Structures <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.3 SUBURBAN RESIDENTIAL (SR)**

The Suburban Residential District is coded to allow low to moderate density development in areas farther from central Belmont, but to ensure that these areas develop along the same traditional lines as central Belmont. This District is intended to be the predominant residential district for areas identified on the Comprehensive Land Use Map as Suburban Neighborhood and Semi-Rural Neighborhood.

<p><b>1. Permitted Building Types</b></p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot Townhouse Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p> <p><b>District provisions may vary if lots are located within the South Point Peninsula Overlay District. See Chapter 5.19</b></p>	<p><b>1. Minimum Lot Size</b> The minimum lot size for a duplex home shall be 21,780 square feet, except with approval of a Conditional Use permit.</p> <p><b>2. Maximum Development Density</b> Maximum Density (on a project by project basis): 3 Units/Acre</p> <p><b>3. Permitted Building Type Ratio</b> The maximum number of Detached House-Alley Lot and Townhouse buildings in an SR development shall not exceed 30% of the total number of units.</p> <p><b>4. Lot Width</b>  On infill lots, the minimum lot width shall be equal to the average lot width of lots within 300 feet or 1 block length (whichever is greater), except with approval of a Conditional Use permit.</p>

3. Permitted Uses (Suburban Residential SR)	
<b>Residential</b>	<p><b>Limited Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service.</p> <p><b>Permitted Uses:</b> Single Family Homes, Duplexes, and Townhouses (in new developments only, no townhouses are permitted on infill lots in the SR District)</p>
<b>Lodging</b>	<p><b>Limited Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests.</p> <p><b>Permitted Uses:</b> Rental Cottages (in Ancillary Buildings)<sup>1</sup> and Bed and Breakfast Inns<sup>1</sup></p>
<b>Office</b>	<p><b>Restricted Office:</b> Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling.</p> <p><b>Permitted Uses:</b> Home Occupations<sup>1</sup></p>
<b>Commercial</b>	<p><b>Limited Commercial:</b> The area permitted for commercial uses is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis.</p> <p><b>Permitted Uses:</b> Day Care Centers and Day Care Homes<sup>1</sup></p>
<b>Manufacturing</b>	<p><b>Restricted Manufacturing:</b> Manufacturing uses are not permitted.</p>
<b>Civic</b>	<p><b>Open Civic:</b> Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.</p>
<b>Other</b>	<p>Cemetery<sup>1</sup>, Essential Services-Class 1 &amp; 2<sup>1</sup>, Recreational Facilities<sup>1</sup>, Water-related Structures<sup>1</sup>, Temporary Family Health Care Structure<sup>1</sup></p>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.4 GENERAL RESIDENTIAL (GR)**

The General Residential District is coded to permit the health of the City’s historical neighborhoods as well as providing for the City’s expansion with new development along the same traditional lines under which they were established. This District is intended to be the predominant residential district for the City and represents the largest land area on the Zoning Map.

<p><b>2. Permitted Building Types</b></p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot Townhouse Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p> <p><b>District provisions may vary if lots are located within the South Point Peninsula Overlay District. See Chapter 5.19</b></p>	<p><b>1. Minimum Lot Size</b> For Lots platted prior to June 6, 2002, the minimum lot size is 4,000 square feet. The minimum lot size for a duplex home shall be 10,000 square feet, except with approval of a Conditional Use permit.</p> <p><b>2. Maximum Development Density</b> Maximum Density (on a project by project basis): 6 Units/Acre</p> <p><b>3. Permitted Building Type Ratio</b> The maximum number of Detached House-Alley Lot and Townhouse buildings in a GR development shall not exceed 30% of the total number of units.</p> <p><b>4. Lot Width</b> On infill lots, the minimum lot width shall be equal to the average lot width of lots within 300 feet or 1 block length (whichever is greater), except with approval of a Conditional Use permit.</p>

3. Permitted Uses (General Residential GR)	
<b>Residential</b>	<b>Limited Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Townhouses (in new developments only, no townhouses are permitted on infill lots in the GR District)
<b>Lodging</b>	<b>Limited Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) <sup>1</sup> and Bed and Breakfast Inns <sup>1</sup>
<b>Office</b>	<b>Restricted Office:</b> Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations <sup>1</sup>
<b>Commercial</b>	<b>Limited Commercial:</b> The area permitted for retail is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis. <i>Permitted Uses:</i> Day Care Centers and Day Care Homes <sup>1</sup> ; Events Facility <sup>1,2</sup> , Temporary Amusements <sup>1,2</sup>
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Manufacturing uses are not permitted.
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
<b>Other</b>	Cemetery <sup>1</sup> , Essential Services-Class 1 & 2 <sup>1</sup> , Recreational Facilities <sup>1</sup> , Water-related Structures <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.5 NEIGHBORHOOD CENTER RESIDENTIAL (NC-R)**

The Neighborhood Center Residential District is coded to provide for areas for residential and mixed-use development in close proximity to existing and planned commercial centers. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian interaction. Different housing types and lot styles are encouraged as well as office and civic uses.

<p><b>1. Permitted Building Types</b></p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot Townhouse Apartment Building Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<p>1. <b>Minimum Lot Size:</b> 2,700 square feet (May be computed as an average lot size for developments that utilize condominium ownership or are otherwise held in common ownership by a single entity). This may be reduced subject to the approval of a Conditional District rezoning.</p>

3. Permitted Uses (Neighborhood Center Residential NC-R)	
<b>Residential</b>	<b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
<b>Lodging</b>	<b>Limited Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may only be provided to guests. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) <sup>1</sup> and Bed and Breakfast Inns <sup>1</sup>
<b>Office</b>	<b>Open Office:</b> The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations <sup>1</sup> , Live-Work Units, Professional Offices Uses
<b>Commercial</b>	<b>Limited Retail:</b> The area permitted for commercial uses is limited to the first story at corner locations. Parking shall be negotiated on a site-by-site basis. <i>Permitted Uses:</i> Day Care Centers and Day Care Homes <sup>1</sup> , Events Facility <sup>1,2</sup> , Funeral Home <sup>1,2</sup>
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Manufacturing uses are not permitted.
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
<b>Other</b>	Cemetery <sup>1</sup> , Essential Services-Class 1 & 2 <sup>1</sup> , Recreational Facilities <sup>1</sup> , Water-related Structures <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.6 NEIGHBORHOOD CENTER COMMERCIAL (NC-C)**

This District is coded to provide pedestrian-scaled higher density residential homes and opportunities for limited scale commercial activities along existing mixed use corridors and at the functional center of new neighborhoods. Developments in the NC-C Districts are to emulate the Main Street characteristics of Downtown and East Belmont, and encourage pedestrian use through connections to adjacent neighborhoods and the construction of mixed use buildings. NC-C may be used to apply initial zoning to existing commercial buildings outside of downtown and East Belmont, and to allow for neighborhood-scaled commercial development outside the downtown commercial/civic area and village centers as shown on the comprehensive land use plan map.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"> <b>Detached House</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront</b>  <b>Civic Building</b>  <b>Flex commercial building (only in areas located outside downtown and East Belmont)</b> </p>
<p><b>2. Specific District Provisions</b></p>	<ol style="list-style-type: none"> <li>1. Maximum Building Footprint: 6,000 square feet for buildings located in the Downtown Commercial and Civic area and the Catawba Street Corridor area as shown on the Belmont Comprehensive Land Use Plan. No maximum outside of these areas.</li> <li>2. To maintain pedestrian scale, accessibility, and integration with the surrounding neighborhoods, Neighborhood Center Commercial Districts should not exceed 30 acres or extend 1/8 of a mile from the central focus of the area.</li> <li>3. New Neighborhood Center Commercial Districts shall be located a minimum of 1/4 mile from each other.</li> <li>4. A conditional use permit shall be required for any building with a gross floor area of greater than 50,000 square feet.</li> </ol>

3. Permitted Uses (Neighborhood Center Commercial NC-C)	
<b>Residential</b>	<b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
<b>Lodging</b>	<b>Open Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) <sup>1</sup> , Bed and Breakfast Inns, and Hotels <sup>1</sup>
<b>Office</b>	<b>Open Office:</b> The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses
<b>Commercial</b>	<b>Open Commercial:</b> The area available for commercial use is limited to the requirement of one assigned parking space for each 400 square feet of gross space. <i>Permitted Uses:</i> Commercial Uses, Drive-through Commercial <sup>1&amp;2</sup> , Restaurants <sup>1</sup> , Private Night Clubs <sup>2</sup> , Funeral Homes <sup>1</sup> , Convenience Stores (in flex commercial buildings only) <sup>1</sup> , Neighborhood Stores <sup>1</sup> , and Day Care Centers and Day Care Homes <sup>1</sup>
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Neighborhood Manufacturing. <sup>1</sup>
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted.
<b>Other</b>	Cemetery <sup>1</sup> , Essential Services-Class 1 & 2 <sup>1</sup> , Parking Structures <sup>1</sup> , Recreational Facilities <sup>1</sup> Outdoor Storage of Landscaping/Garden Supplies/Live Plants <sup>1</sup> , Water-related Structures <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6

<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.7 DOWNTOWN DISTRICT (DD)**

The Downtown District is coded to encourage the redevelopment and expansion of the traditional City center. This center is intended to serve as the civic, cultural, and governmental hub of activity for the entire Belmont community.

Commercial components of the Downtown may exceed 18,000 square feet within a single building. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level residential. Higher densities of residential development are encouraged.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"> <b>Detached House</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront Building</b>  <b>Civic Building</b> </p>
<p><b>2. Specific District Provisions</b></p>	<p>1. Loading areas are permitted in the rear yard only.</p>

3. Permitted Uses (Downtown District DD)	
<b>Residential</b>	<b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
<b>Lodging</b>	<b>Open Lodging:</b> Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, and Hotels
<b>Office</b>	<b>Open Office:</b> <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses
<b>Commercial</b>	<b>Open Commercial:</b> Permitted Uses: Commercial Uses, Restaurants, Night Clubs and Bars with Live Music <sup>1</sup> , Entertainment Uses Excluded Uses: Drive-through Commercial, Automotive, Boat & Heavy Equipment Sales and Service, Adult Establishments, Adult Video Stores, Pool Halls, Billiard Parlors, Game Rooms, and Arcades.
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Neighborhood Manufacturing. <sup>1</sup>
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted.
<b>Other</b>	Cemetery <sup>1</sup> , Essential Services-Class 1 & 2 <sup>1</sup> , Parking Structures <sup>1</sup> , Recreational Facilities <sup>1</sup> , Temporary Uses <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup> Outdoor Storage of Landscaping/Garden Supplies <sup>1</sup> , Water-related Structures <sup>1</sup>

<sup>1</sup>See *Additional Conditions in Chapter 6*  
<sup>2</sup>Subject to the issuance of a *Conditional Use Permit*

**5.8 HIGHWAY COMMERCIAL (HC)**

The intensity of commercial development in the Highway Commercial district is established by the traffic of the fronting thoroughfare. Though coded primarily for auto dependent development along the frontage, buildings that do not front along Wilkinson Boulevard shall be scaled to the pedestrian.

The intent of these regulations is to facilitate convenient access, minimize traffic congestion, and reduce the visual impact of excessive signage and parking lots. In addition to Wilkinson Boulevard, North Main Street, McAdenville Road, and Park Street in the proximity of Wilkinson Boulevard and the south side of I-85 may be designated for Highway Commercial development.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Townhouse                  Apartment Building                  Shopfront Building                  Flex Commercial Building                  Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<ol style="list-style-type: none"> <li>1. Parking shall be in the side or rear yard only. Parking may be permitted in the front yard subject to the issuance of a Conditional Use Permit provided:                         <ol style="list-style-type: none"> <li>a. There exists no practical alternative for the location of such parking because of the unique needs generated by a specific use</li> <li>b. The parking in the front yard, if provided, shall be set back a minimum of 10 feet from the right-of-way and shall be screened using a Type B-Semi Opaque Screen (11.2.B)</li> </ol> </li> <li>2. Loading areas in the rear yard only.</li> <li>3. Uses greater than 50,000 square feet shall be subject to the issuance of a Conditional Use Permit.</li> </ol>

3. Permitted Uses (Highway Commercial HC)	
<b>Residential</b>	<b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the minimum parking requirements of 1 ½ assigned spaces per unit. <i>Permitted Uses:</i> Multi-Family
<b>Lodging</b>	<b>Open Lodging:</b> The number of bedrooms available for lodging is limited by the parking requirements of Chapter 9. Food service may be provided at all times. <b>Permitted Uses:</b> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns, Motels, and Hotels
<b>Office</b>	<b>Open Office:</b> The area available for office use is limited by the parking requirements of Chapter 9. <b>Permitted Uses:</b> Home Occupations, Live-Work Units, and Office Uses
<b>Commercial</b>	<b>Open Commercial:</b> The area available for commercial use is limited to the parking requirements of Chapter 9.  <b>Permitted Uses:</b> Retail Commercial Uses, Restaurants, Private Nightclubs <sup>1,2</sup> , Entertainment Uses, Adult Establishments <sup>1&amp;2</sup> , and Adult Video Stores <sup>1&amp;2</sup> , Automotive/Boat/Heavy Equipment/Manufactured Home Sales and/or Service <sup>1&amp;2</sup> , Day Care Centers and Day Care Homes <sup>1</sup> , Convenience Stores <sup>1</sup> , Drive-through Commercial <sup>1</sup> , Events Facility <sup>1</sup> , Temporary Amusements <sup>1</sup> , ABC package store/beer and wine (exclusive) discount store, Body/skin piercing establishment, Cash-advance/vehicle title loan service, Gambling/sweepstakes/games of chance establishment, Palm reading/fortune telling/psychic reading/tarot reading establishment, Pawn shop, Tattoo parlor and/or permanent cosmetic salon.
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> No manufacturing activity is permitted.
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted.
<b>Other</b>	Essential Services-Class 1 & 2, Parking Structures, Recreational Facilities <sup>1</sup> , Outdoor Storage <sup>1</sup> , Water-related Structures <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.9 INFILL DEVELOPMENT (INF-D)**

The intent of this District is to design infill developments in built-up environments that adhere to the following neighborhood design principles:

- Integration of existing street systems
- Flexibility of housing types
- Small-scale commercial uses that serve the immediate neighborhood
- Creation of a useable and coherent public realm
- Reservation of prominent sites for civic uses, where practical

Though it is similar to the Traditional Neighborhood Development, Infill Development has a more limited range of permitted building types and uses.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront Building</b>  <b>Civic Building</b></p>												
<p><b>2. Specific District Provisions</b></p>	<ol style="list-style-type: none"> <li>1. Minimum project size: 3 acres</li> <li>2. Maximum project size: 40 acres (Projects in excess of 40 acres shall be developed as a TN-D)</li> <li>3. Shopfront Buildings shall not exceed a maximum footprint are of 6,000 square feet.</li> <li>4. The total number of multi-family units shall not exceed 35% of the total residential units or 25 acres, whichever is less, except with a Conditional Use Permit.</li> </ol>												
<p><b>3. Gross Land Allocation by Use</b>                  The percentages are allocated on a gross area basis inclusive of the street rights-of-way.</p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Use</u></th> <th style="text-align: left;"><u>Minimum - Maximum</u></th> </tr> </thead> <tbody> <tr> <td>Single-Family Uses</td> <td>15% - 75%</td> </tr> <tr> <td>Duplex and Multi-Family Uses</td> <td>10% - 40%</td> </tr> <tr> <td>Lodging/Office/Retail Uses</td> <td>2% - 10%</td> </tr> <tr> <td>Civic Uses</td> <td>2% - no maximum</td> </tr> <tr> <td>Open Space</td> <td>Per Chapter 7</td> </tr> </tbody> </table>	<u>Use</u>	<u>Minimum - Maximum</u>	Single-Family Uses	15% - 75%	Duplex and Multi-Family Uses	10% - 40%	Lodging/Office/Retail Uses	2% - 10%	Civic Uses	2% - no maximum	Open Space	Per Chapter 7
<u>Use</u>	<u>Minimum - Maximum</u>												
Single-Family Uses	15% - 75%												
Duplex and Multi-Family Uses	10% - 40%												
Lodging/Office/Retail Uses	2% - 10%												
Civic Uses	2% - no maximum												
Open Space	Per Chapter 7												

2.8 Permitted Uses (Infill Development INF-D)	
<b>Residential</b>	<b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family
<b>Lodging</b>	<b>Limited Lodging:</b> The number of bedrooms available for lodging is limited by the parking requirements of Chapter 9. Food service may only be provided in the morning. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings) <sup>1</sup> and Bed and Breakfast Inns <sup>1</sup>
<b>Office</b>	<b>Limited Office:</b> Customary home occupation uses are permitted only provided the office use is restricted to the first floor or ancillary building and by the requirement of one assigned parking space for each 400 sq ft, in addition to the parking requirement for each dwelling. <i>Permitted Uses:</i> Home Occupations <sup>1</sup> and Live-Work Units <i>Exceptions:</i> Offices (in existing Workplace buildings only)
<b>Commercial</b>	<b>Limited Commercial:</b> Commercial uses are forbidden with the following exceptions: One Neighborhood Store shall be permitted for each 300 units in a neighborhood.  <b>Permitted Uses:</b> Day Care Centers and Day Care Homes <sup>1</sup> and Neighborhood Store <sup>1</sup>
<b>Manufacturing</b>	<b>Restricted Manufacturing:</b> Manufacturing uses are forbidden.
<b>Civic</b>	<b>Open Civic:</b> Civic uses shall be permitted, except those uses that exceed 25,000 square feet shall be subject to the issuance of a Conditional Use Permit.
<b>Other</b>	Essential Services, Class 1 & 2 <sup>1</sup> , Recreational Facilities <sup>1</sup> , Water-related Structures <sup>1</sup> , Temporary Family Health Care Structure <sup>1</sup>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.10 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TN-D)**

The intent of this District is to allow for the development of fully integrated, mixed-use pedestrian-oriented neighborhoods that minimize traffic congestions, suburban sprawl, infrastructure costs, and environmental degradation. Traditional Neighborhoods adhere to the following design principles:

- All neighborhoods have identifiable centers and edges
- Edge lots are readily accessible to commercial and/or recreation by non-vehicular means (a distance not greater than ¼ mile)
- Uses and housing types are mixed and in close proximity to one another
- Street networks are interconnected and blocks are small
- Civic buildings are given prominent sites throughout the neighborhood

<p><b>1. Permitted Building Types</b></p> <p>Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront Building</b>  <b>Workplace Building</b>  <b>Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<ol style="list-style-type: none"> <li>1. <b>Minimum project size:</b> 40 acres</li> <li>2. <b>Maximum project size:</b> 200 acres (Projects in excess of 200 acres should be developed as multiple Traditional Neighborhoods, each individually subject to all such provisions)</li> <li>3. The entire land area of the TND shall be divided into blocks, streets, and lots and optional natural or greenbelt areas.</li> <li>4. Similar land categories shall generally front across streets. Dissimilar categories shall abut at rear lot lines. Corner lots which front on streets of dissimilar use shall be set back the same as the adjacent use with the lesser setback.</li> <li>5. Large-scale, single use (conference spaces, theaters, athletic facilities, etc.) shall occur behind or above occupiable street front space.</li> <li>6. The long axis of streets exceeding 500 feet in length shall have appropriate termination with either a public monument, specifically designed building facade, or a gateway to the ensuing space.</li> <li>7. No portion of the TND is further than 660 feet (1/8 mile) from an open space as defined in Chapter 7.</li> <li>8. <b>See Section 5.19 for residential district performance standards if located within the South Point Peninsula Overlay District</b></li> </ol>

<p><b>3. Gross Land Allocation by Use</b></p> <p>The percentages are allocated on the gross land area including street rights-of-way.</p>	<table border="0"> <thead> <tr> <th style="text-align: left;"><u>Use</u></th> <th style="text-align: left;"><u>Minimum - Maximum</u></th> </tr> </thead> <tbody> <tr> <td>Single-Family Uses</td> <td>15% - 75%</td> </tr> <tr> <td>Duplex and Multi-Family Uses</td> <td>10% - 40%</td> </tr> <tr> <td>Lodging/Office/Commercial/Manuf. Uses*</td> <td>2% - 40%</td> </tr> <tr> <td>Civic Uses</td> <td>2% - no maximum</td> </tr> <tr> <td>Open Space</td> <td>Per Chapter 7</td> </tr> </tbody> </table> <p>*The developer may request that the city council waive the lodging/office/commercial/manufacturing uses after five years of the plat being recorded or after 50% build out of residential units in the development, whichever is sooner, if the development is located within one (1) street-mile of a Village Center or Downtown Commercial and Civic Center as shown on the Belmont comprehensive land use plan map.</p>	<u>Use</u>	<u>Minimum - Maximum</u>	Single-Family Uses	15% - 75%	Duplex and Multi-Family Uses	10% - 40%	Lodging/Office/Commercial/Manuf. Uses*	2% - 40%	Civic Uses	2% - no maximum	Open Space	Per Chapter 7
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Lodging/Office/Commercial/Manuf. Uses*	2% - 40%												
Civic Uses	2% - no maximum												
Open Space	Per Chapter 7												
<p><b>4. Permitted Uses (Traditional Neighborhood Development TN-D)</b></p>													
<p><b>Residential</b></p>	<p><b>Open Residential:</b> The number of dwellings is limited by the required lot dimensions and the provision of public water and sewer service. <i>Permitted Uses:</i> Single Family Homes, Duplexes, and Multi-Family</p>												
<p><b>Lodging</b></p>	<p><b>Open Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times. <i>Permitted Uses:</i> Rental Cottages (in Ancillary Buildings), Bed and Breakfast Inns<sup>1</sup>, and Hotels</p>												
<p><b>Office</b></p>	<p><b>Open Office:</b> The area available for office use is limited by the requirement of one assigned parking space for each 400 sq ft. <i>Permitted Uses:</i> Home Occupations, Live-Work Units, and Office Uses</p>												
<p><b>Commercial</b></p>	<p><b>Open Commercial:</b> The area available for commercial use is limited to the requirement of one assigned parking space for each 400 square feet of gross-commercial space. <b>Permitted Uses:</b> Commercial Uses, Restaurants, Drive-through Commercial<sup>1,2</sup>, and Neighborhood Stores<sup>1</sup></p>												
<p><b>Manufacturing</b></p>	<p><b>Limited Manufacturing:</b> The area available for manufacturing use is limited to the building. <i>Permitted Uses:</i> Light Manufacturing Uses (no outdoor storage permitted)</p>												
<p><b>Civic</b></p>	<p><b>Open Civic:</b> Civic uses shall be permitted.</p>												
<p><b>Other</b></p>	<p>Cemetery<sup>1</sup>, Essential Services-Class 1 &amp; 2<sup>1</sup>, Parking Structures<sup>1</sup>, Recreational Facilities<sup>1</sup>, and Water-related Structures<sup>1</sup></p>												

<sup>1</sup>See Additional Conditions in Chapter 6

<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.11 BUSINESS CAMPUS DEVELOPMENT (BC-D)**

In order to maintain an attractive and viable environment in which to locate workplaces, the City of Belmont has created this district to promote the existing academic campus setting in the City and the southern piedmont region.

Business Campus Developments are coded to permit the development of corporate office campus, light industrial uses and heavy industrial uses. Such developments are typically too large in scale to fit within a neighborhood environment and must be designed in a manner that is more appropriate to their technology, production methods, and/or operations.

Business Campus Developments are coded to achieve the high quality site design and use flexibility inherent in campus design. This is accomplished through attention to a building’s architectural compatibility with other buildings and the relationship of buildings to the public realm.

This district may not be used to circumvent other Sections in this Code.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront Building</b>  <b>Workplace Building</b>  <b>Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<p><b>1. Minimum District Size:</b> 40 Acres</p> <p><b>2. Minimum District Setbacks</b>                  (as measured from exterior District boundary)  <b>Parking:</b> 80 ft  <b>Light Manufacturing Uses:</b> 200 ft  <b>Heavy Manufacturing Uses:</b> 400 ft</p> <p><b>3. Maximum Building Height (within District only):</b> 5 Stories or 60 ft</p> <p>4. For infill lots, parking shall be allowed only in the side and rear yards, except as approved by a conditional use permit.</p> <p>5. Individual parcel(s) may be zoned BC-D contingent upon:</p> <ul style="list-style-type: none"> <li>• The parcel(s) is (are) adjacent to an existing BC-D district; and,</li> <li>• Workplace and civic/institutional building types shall be the only building types permitted, except upon approval of a conditional district rezoning; and</li> <li>• Only office and professional uses shall be allowed.</li> </ul>

<p><b>3. General Provisions</b></p>	<ol style="list-style-type: none"> <li>1. Internal setbacks and the location of parking areas shall be set during the review process. Consideration shall be given to the placement of buildings in a manner that encourages pedestrian activity and facilitates the provision of public transit.</li> <li>2. A coherent, interconnecting network of internal streets shall be designed to accommodate the various uses found within the District.</li> <li>3. The street network shall be designed in a manner to facilitate bus transit. Front doors shall be located to provide easy access to the interior of buildings from transit stops.</li> <li>4. The interior of new Business Campus Developments shall maintain a well-defined open space network to give prominence to important structures and allow for assembly and pedestrian circulation.</li> <li>5. Where practical, buildings are encouraged to integrate into the urban fabric.</li> <li>6. All buildings shall front upon a street, square, green, park, or quadrangle. Buildings not fronting on a street shall provide for vehicular access from a rear alley or street. Such streets shall be constructed to the public street standards detailed in Section 6.0 but may be privately maintained.</li> <li>7. Public streets, parking areas and private driveways may encroach into setbacks that do not abut public external streets or residential uses up to 40 feet.</li> <li>8. All buildings shall be designed in a manner that is pedestrian in scale and massing unless a technological requirement demands a different trajectory.</li> </ol>												
<p><b>4. Permitted Building Type Mix</b></p> <p>The percentages are allocated on the gross land area.</p>	<table style="margin-left: auto; margin-right: auto;"> <tr> <td><b>Detached House – Alley and Street Lot</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Townhouse</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Apartment Building</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Shopfront Building</b></td> <td><b>0% - 20%</b></td> </tr> <tr> <td><b>Workplace Building</b></td> <td><b>55% - 100%</b></td> </tr> <tr> <td><b>Civic Building</b></td> <td><b>unlimited</b></td> </tr> </table>	<b>Detached House – Alley and Street Lot</b>	<b>0% - 30%</b>	<b>Townhouse</b>	<b>0% - 30%</b>	<b>Apartment Building</b>	<b>0% - 30%</b>	<b>Shopfront Building</b>	<b>0% - 20%</b>	<b>Workplace Building</b>	<b>55% - 100%</b>	<b>Civic Building</b>	<b>unlimited</b>
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5. Permitted Uses (Business Campus Development BC-D)	
<b>Residential</b>	<p><b>Open Residential:</b> The number of dwellings is limited by the requirement of 1.5 assigned parking spaces for each dwelling, a ratio that may be reduced according to the shared parking standard.</p> <p><b>Permitted Uses:</b> Single Family Homes, Duplexes, and Multi-Family</p>
<b>Lodging</b>	<p><b>Open Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times.</p> <p><b>Permitted Uses:</b> Rental Cottages (in Ancillary Buildings)<sup>1</sup>, Bed and Breakfast Inns<sup>1</sup>, and Hotels</p>
<b>Office</b>	<p><b>Open Office:</b> The area available for office use is limited by the requirement of one assigned parking space for each 250 sq ft, a ratio that may be reduced according to the shared parking standards.</p> <p><b>Permitted Uses:</b> Office Uses, Live-Work Units</p>
<b>Commercial</b>	<p><b>Restricted Commercial:</b> Free-standing commercial uses are forbidden. Commercial uses are permitted as an auxiliary use within buildings containing primarily office uses such as cafeterias and restaurants, and specialty stores.</p> <p><b>Permitted Uses:</b> Commercial Uses, Restaurants<sup>1</sup>, and Day Care Centers and Day Care Homes<sup>1</sup>. Drive-through Commercial<sup>1</sup>; Events Facility<sup>1</sup>; Temporary Amusements<sup>1</sup></p>
<b>Manufacturing</b>	<p><b>Open Manufacturing:</b> The area available for manufacturing use is limited to the building and a contiguous yard to its rear screened from view. The parking requirement shall be negotiated according to the specific manufacturing activity.</p> <p><b>Permitted Uses:</b> Light Manufacturing Uses, Heavy Manufacturing Uses<sup>2</sup></p>
<b>Civic</b>	<p><b>Open Civic:</b> Civic Uses, Hospitals<sup>2</sup></p>
<b>Other</b>	<p>Cemetery<sup>1</sup>, Essential Services-Class 1 and 2<sup>1</sup>, Essential Services-Class 3<sup>2</sup>, Parking Structures<sup>1</sup>, Recreational Facilities<sup>1</sup>, Water-related Structures<sup>1</sup></p>

<sup>1</sup>See Additional Conditions in Chapter 6  
<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.12 INSTITUTIONAL CAMPUS DEVELOPMENT (IC-D)**

The intent of this District is to allow for the continued and future use, expansion, and new development of academic and religious campuses, as well as government and health-care facilities with a total development size larger than 15 acres.

This district is coded to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the traditional campus setting.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot</b>  <b>Townhouse</b>  <b>Apartment Building</b>  <b>Shopfront Building</b>  <b>Workplace Building</b>  <b>Civic Building</b></p>
<p><b>2. Specific District Provisions</b></p>	<p><b>1. Minimum District Size:</b> 15 Acres</p> <p><b>2. Minimum District Setbacks</b>                  (as measured from exterior District boundary)  <b>Front (as defined by the Main Entrances):</b> 80 ft  <b>All other sides:</b> 25 feet</p> <p><b>3. Maximum Building Height (within District only):</b> 5 Stories or 60 ft</p> <p>4. Buildings within an IC-D development are exempt from the building type requirement listed in Section 4.1 but shall be aligned in a manner that creates formal space such as squares and quadrangles to give prominence to important structures and to allow for gathering and pedestrian circulation</p> <p>5. Parking areas shall not encroach into any required front setback and must be set back at least ten feet from all side and rear yards. Parking areas in the side and rear yards must be screened with a solid wall or fence that is at least four feet in height. Parking areas shall be interconnected within the property.</p>

<p><b>3. General Provisions</b></p>	<ol style="list-style-type: none"> <li>1. Internal setbacks and the location of parking areas shall be set during the review process. Consideration shall be given to the placement of buildings in a manner that encourages pedestrian activity and facilitates the provision of public transit.</li> <li>2. A coherent, interconnecting network of internal streets shall be designed to accommodate the various uses found within the District.</li> <li>3. The street network shall be designed in a manner to facilitate bus transit. Front doors shall be located to provide easy access to the interior of buildings from transit stops.</li> <li>4. The interior of new Institutional Campus Developments shall maintain a well-defined open space network to give prominence to important structures and allow for assembly and pedestrian circulation.</li> <li>5. All buildings shall front upon a street, square, green, park, or quadrangle. Buildings not fronting on a street shall provide for vehicular access from a rear alley or street. Such streets shall be constructed to the public street standards detailed in Section 6.0 but may be privately maintained.</li> <li>6. Public streets, parking areas and private driveways may encroach into setbacks that do not abut public external streets or residential uses up to 40 feet.</li> <li>7. All buildings shall be designed in a manner that is pedestrian in scale and massing unless a technological requirement demands a different trajectory.</li> </ol>													
<p><b>4. Permitted Building Type Mix</b></p> <p>The percentages are allocated on the gross land area.</p>	<table style="margin-left: auto; margin-right: auto;"> <tr> <td><b>Detached House – Alley and Street Lot</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Townhouse</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Apartment Building</b></td> <td><b>0% - 30%</b></td> </tr> <tr> <td><b>Shopfront Building</b></td> <td><b>0% - 20%</b></td> </tr> <tr> <td><b>Workplace Building</b></td> <td><b>55% - 100%</b></td> </tr> <tr> <td><b>Civic Building</b></td> <td><b>unlimited</b></td> </tr> </table>		<b>Detached House – Alley and Street Lot</b>	<b>0% - 30%</b>	<b>Townhouse</b>	<b>0% - 30%</b>	<b>Apartment Building</b>	<b>0% - 30%</b>	<b>Shopfront Building</b>	<b>0% - 20%</b>	<b>Workplace Building</b>	<b>55% - 100%</b>	<b>Civic Building</b>	<b>unlimited</b>
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5. Permitted Uses	
<b>Residential</b>	<p><b>Open Residential:</b> The number of dwellings is limited by the requirement of 1.5 assigned parking spaces for each dwelling, a ratio that may be reduced according to the shared parking standard.</p> <p><b>Permitted Uses:</b> Single Family Homes, Duplexes, and Multi-Family</p>
<b>Lodging</b>	<p><b>Open Lodging:</b> The number of bedrooms available for lodging is limited by the requirement of one assigned parking space for each bedroom, in addition to the parking requirement for each dwelling. Food service may be provided at all times.</p> <p><b>Permitted Uses:</b> Rental Cottages (in Ancillary Buildings)<sup>1</sup>, Bed and Breakfast Inns<sup>1</sup>, Hospice and Assisted Living Facilities, Hotels<sup>1</sup></p>
<b>Office</b>	<p><b>Open Office:</b> The area available for office use is limited by the requirement of one assigned parking space for each 250 sq ft, a ratio that may be reduced according to the shared parking standards.</p> <p><b>Permitted Uses:</b> Home Occupations<sup>1</sup>, Office Uses, Live-Work Units</p>
<b>Commercial</b>	<p><b>Restricted Retail:</b> Free-standing commercial uses are not permitted. Events facility<sup>1</sup>, Day Care Centers and Day Care Homes<sup>1</sup>, Restaurants<sup>1</sup></p>
<b>Manufacturing</b>	<p><b>Restricted Manufacturing:</b> Manufacturing uses are not permitted. Uses</p>
<b>Civic</b>	<p><b>Open Civic:</b> Civic Uses, Hospitals<sup>2</sup>.</p>
<b>Other</b>	<p>Cemetery<sup>1</sup>, Essential Services-Class 1 and 2<sup>1</sup>, Essential Services-Class 3<sup>2</sup>, Parking Structures<sup>1</sup>, and Recreational Facilities<sup>1</sup>, Water-related Structures<sup>1</sup></p>

<sup>1</sup>See Additional Conditions in Chapter 6

<sup>2</sup>Subject to the issuance of a Conditional Use Permit

**5.13 HISTORIC PRESERVATION OVERLAY (HP-O)****1. INTENT**

The historical heritage of Belmont is one of our most valued and important assets. The Historic Preservation Overlay (HP-O) district is created to encourage the restoration, preservation, rehabilitation, and conservation of districts, buildings, sites, and objects with historical and/or architectural significance and to prevent the decline, decay, and/or demolition of such districts, buildings, sites, and objects.

It is the intent of this district to create a process for the local designation of historic districts. It is strongly recommended that this process be completed after the designation of such districts on the National Register of Historic Places.

It is further intended that such an overlay be designated with the support of the affected property owners.

**2. USES PERMITTED**

All uses permitted in the underlying zoning district shall be permitted in the HP-O. Regulations promulgated under the authority of this Section shall not be construed to further regulate the use of the structures in the underlying zoning districts.

**3. REGULATION OF EXTERIOR FEATURES**

No exterior feature of any building or other structure, landscape or natural feature, above-ground utility structure or any type of on-premise sign shall be erected, altered, restored, moved or demolished within a Historic Preservation Overlay District until an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission. Exterior features include the architectural style, general design, color and general arrangement of the exterior of the building or other structure, including the kind and texture of the building materials, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, exterior features refers to the style, material, size, color, and location of all such signs.

**4. FEATURES NOT CONSIDERED**

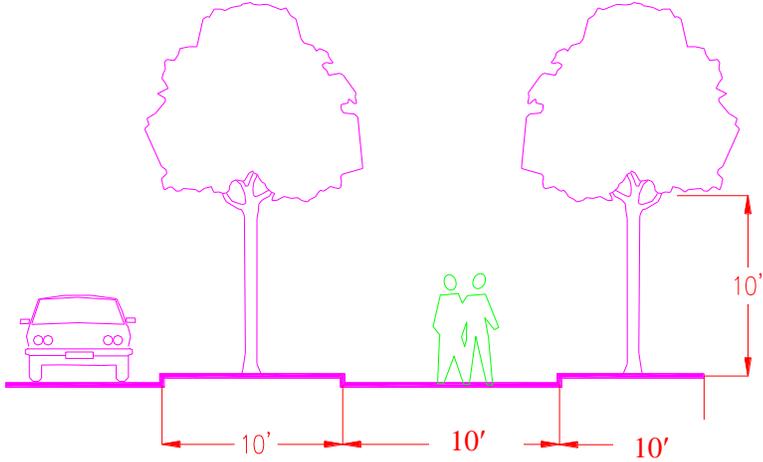
The Historic Preservation Commission shall not consider interior arrangement nor take any action to restrict interior changes except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, or outdoor advertising signs in the Historic Preservation Overlay District which would be incongruous with the historic aspects.

**5. STANDARDS AND DESIGN GUIDELINES**

1. All buildings, structures, features, sites, objects, or surroundings in a Historic Preservation Overlay District shall be subject to the design guidelines adopted by the Historic Preservation Commission. These guidelines shall be based upon the United States Secretary of the Interior's Standards for Rehabilitation which are as follows:
2. A property shall be used for its historical purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
3. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
4. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
5. Most properties change over time; those changes that have acquired historical significance in their own right shall be retained and preserved.
6. Distinctive features, finishes, and constructive techniques or examples of craftsmanship that characterize a property shall be preserved.
7. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new one shall match the old in design, color, texture, and other visual qualities and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
8. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
9. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
10. New additions, exterior alterations, or related new construction shall not destroy historical materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the *massing*, size, and architectural features to protect the historic integrity of the property and its environment.
11. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**5.15 HIGHWAY CORRIDOR OVERLAY (HC-O)**

This District is coded to preserve and improve the transportation efficiency, non-motorized mobility, and aesthetics of the Wilkinson Boulevard corridor. All provisions of the underlying district shall be effective except those specifically stated in this chapter.

<p><b>1. Streetscape Requirements</b></p>	<p>All development shall provide the following improvements across the frontage:</p> <ul style="list-style-type: none"> <li>• 10 foot landscape strip between the curb and multi-use path</li> <li>• 10 foot wide multi-use path</li> <li>• 10 foot (minimum) landscape strip behind the sidewalk</li> <li>• Canopy Trees planted 40 feet on-center on both sides of the multi-use path staggered every 20 feet (Where aerial utility lines prohibit the installation of Canopy Trees, Small Maturing Trees may be substituted with permission of the Planning Director)</li> </ul>  <p>The diagram illustrates the streetscape layout. From left to right: a car is positioned on the road. To its right is a 10-foot wide landscape strip. This is followed by a 10-foot wide multi-use path. To the right of the path is another 10-foot wide landscape strip. Finally, there is a 10-foot high tree canopy. The trees are staggered every 20 feet along the multi-use path.</p>
<p><b>2. General Provisions</b></p>	<ol style="list-style-type: none"> <li>1. <b>Minimum lot frontage:</b> 200 feet</li> <li>2. <b>Minimum Lot Area:</b> 2 acres (applicable for Automotive/Boat/Heavy Equipment/Mobile Home Sales and/or Services, Mini-Storage Facilities, and Hotels/Motels only)</li> <li>3. <b>Lot Provisions:</b> The HC overlay shall exist along the entire length of the Wilkinson Boulevard corridor within the city's zoning jurisdiction (including the ETJ). The HC overlay shall consist of lots fronting along the boulevard for a depth measured from the center-line of the right-of-way to the rear of the affected property, but not to exceed 500 feet in length (depth).</li> </ol>

<p><b>2. Access Management</b></p>	<p>1. Driveways shall be limited in accordance with the following standards. Where the NC DOT Driveway Manual conflicts, the stricter of the two standards shall prevail.</p>													
	<table border="0"> <tr> <td style="text-align: center;"><u><b>Frontage (feet)</b></u></td> <td style="text-align: center;"><u><b>Number of Driveways Allowed</b></u></td> </tr> <tr> <td style="text-align: center;">≤ 500</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">501-999</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">&gt;1000</td> <td style="text-align: center;">3</td> </tr> <tr> <td style="text-align: center;"><u><b>Development Type</b></u></td> <td style="text-align: center;"><u><b>Minimum Spacing (feet)</b></u></td> </tr> <tr> <td style="text-align: center;"><u>Residential</u></td> <td style="text-align: center;">100</td> </tr> <tr> <td style="text-align: center;"><u>Commercial</u></td> <td style="text-align: center;">400</td> </tr> </table>	<u><b>Frontage (feet)</b></u>	<u><b>Number of Driveways Allowed</b></u>	≤ 500	1	501-999	2	>1000	3	<u><b>Development Type</b></u>	<u><b>Minimum Spacing (feet)</b></u>	<u>Residential</u>	100	<u>Commercial</u>
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<u><b>Development Type</b></u>	<u><b>Minimum Spacing (feet)</b></u>													
<u>Residential</u>	100													
<u>Commercial</u>	400													
<p>2. The minimum distance between a driveway and an intersection shall be as follows. Where the NC DOT Driveway Manual conflicts, the stricter of the two standards shall prevail.</p>														
<table border="0"> <tr> <td style="text-align: center;"><u><b>Street Type</b></u></td> <td style="text-align: center;"><u><b>Minimum Distance (feet)</b></u></td> </tr> <tr> <td style="text-align: center;"><u>Major/Minor Thoroughfare</u></td> <td style="text-align: center;">500</td> </tr> <tr> <td style="text-align: center;"><u>Local/Collector Street</u></td> <td style="text-align: center;">200</td> </tr> </table>	<u><b>Street Type</b></u>	<u><b>Minimum Distance (feet)</b></u>	<u>Major/Minor Thoroughfare</u>	500	<u>Local/Collector Street</u>	200								
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<p>3. The Minimum Spacing between median openings shall be 1000 feet. Where the NC DOT Median Crossover Guidelines conflict, the stricter of the two standards shall prevail.</p>														

**5.16 RURAL COMMERCIAL (RC)****1. INTENT**

Rural Commercial is coded for commercial clusters along primary rural corridors within the extraterritorial jurisdiction of the city and for existing commercial clusters within the City which are less pedestrian oriented in design than NC-C development.

Carrying capacity of the road or intersection is the factor which limits the size of R-C development.

Uses located in R-C districts shall draw from a local area as opposed to a regional area characteristic of H-C development.

South Point Road, Perfection Avenue and South New Hope Rd. are the designated primary rural corridors along which R-C development can occur.

**2. USES PERMITTED**

Commercial Uses (Including Commercial, Business, Service, Office, and Wholesaling) up to 20,000 square feet

Exclusions: Uses listed above which involve on-site manufacturing, outdoor storage of hazardous materials, warehousing and/or storage necessitating daily truck travel (not including servicing of establishments located within the district or mini-storage facilities), machine shops, auto parts and supply stores, mining, adult retail, pool halls and gaming rooms, and gambling facilities.

**3. USES PERMITTED WITH CONDITIONS**

Essential Services, Class 1, 2, & 3 (Class 3 is allowed as a conditional use only)

Commercial uses exceeding 20,000 square feet in area

Indoor storage of hazardous material (\*Fireworks sales shall not be permitted except as a minor stock item)

Service Stations and Garages

Drive In Theaters

Water-related Structures<sup>1</sup>

4. LOT PROVISIONS/ SETBACKS/ ENCROACHMENTS

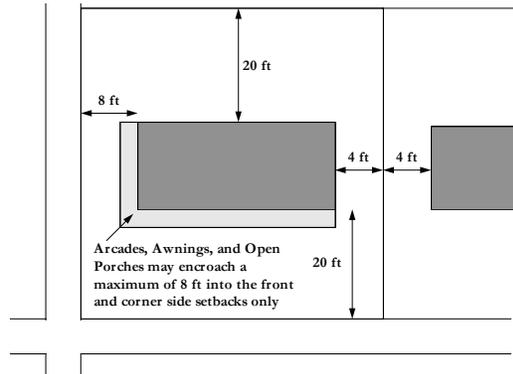
Lot Width (min): 40 feet

Front Setback (min): 20 feet

Side Setback (min): 4 feet (Corner Lot - 8 ft)

Rear Setback (min): 20 feet

Arcades, awnings, and open porches shall be permitted to encroach a maximum of 6 ft into front setbacks and *corner side* setbacks only.



5. BUILDING HEIGHT

The vertical distance from the mean elevation of the finished grade relative to the frontage street, to the roof line of the structure.

All uses - Maximum 35 ft.

Exceptions:

- Roof equipment not intended for human occupancy and which is necessary to the structure upon which it is placed.
- Principal buildings not intended for human occupancy such as solariums, atriums and greenhouses.
- Institutional Campus Development with conditions.

6. PARKING AND LOADING REQUIREMENTS

Parking requirements shall be as follows:

Offices: 1 per 300 sq ft  
 Commercial: 1 per 250 sq ft  
 Restaurant/Night Clubs/Lounges/Bars: 1 per 75 sq ft  
 Hotels/ Motels/Bed and Breakfast Inns: 1 per room or suite  
 Drive-thru Business: 11 car lengths for first windows plus 7 for each additional window  
 All other Uses: 1 per 250 sq ft

Off Street Loading Requirements shall be as follows:

Office/Restaurant/Hotel  
 Less than 5,000 sq ft: None  
 5,000-50,000 sq ft: 1  
 Over 50,000: 2 plus 1 for each additional 100,000 sq ft of space

All Other Uses  
 Less than 5,000 square feet: None  
 5,000-20,000 square feet: 1  
 Over 20,000 square feet: 2 plus 1 for each additional 30,000 sq ft

7. ARCHITECTURAL STANDARDS

All walls **visible** from a public right-of-way shall be clad with the same material required for the front of the building (see A. Materials below).  
 Approved metal paneling may not exceed 40% of any facade of a structure visible from a ROW.

All walls **not visible** from a public right-of-way may be constructed of cinder block. Blocks or approved metal paneling shall be painted to match the overall color scheme of the rest of the building.

**A. Materials**

1. Building walls may be clad in brick, cast concrete, stucco, wood or wood clapboard, approved metal paneling, or material that is similar in appearance and durability.
2. Pitched roofs shall be clad in wood shingles, slate, sheet metal, corrugated metal, or diamond tab asphalt shingles.

**B. Configurations**

1. Two wall materials may be combined horizontally on one facade. The heavier material must be below.
2. Roof pitch may not vary within a development.

**C. Techniques**

1. Stucco shall be float finish.
2. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

**5.17 MANUFACTURED HOUSING DEVELOPMENT (MH-D)****1. INTENT**

Manufactured housing is a recognized form of affordable housing.

The MH-R district is coded to allow for the development of neighborhoods which utilize manufactured housing as its principle building type. Manufactured housing neighborhoods can only occur in a MH-R district.

The intent is to treat manufactured housing with the same design considerations applied to homes built to the Standards set forth in the North Carolina Building Code and those codified in this Ordinance.

The minimum development size shall be 5 acres. Max size 40 acres

**2. USES PERMITTED**

Manufactured Housing  
Essential Utility Services, Class 1 & 2<sup>1</sup>  
Water-related Structures<sup>1</sup>

**3. USES PERMITTED WITH CONDITIONS**

Customary Home Occupations

**4. LOT AND BUILDING PROVISIONS**

The following lot sizes are to be the minimum size requirements and may be increased due to requirements for placement of well and septic tank systems, such as soil conditions and separation distances, the topography of the land or other environment conditions. The applicant shall indicate on the application, the number of bedrooms per house for which the septic tank system should be evaluated.

Porches, patios, and bay windows may encroach into a front yard setback only.

CATEGORY	Water & Sewer Available	Water or Sewer Available	Well & Septic Tank
MINIMUM LOT SIZE	8000 sq ft	10,000 sq ft	20,000 sq ft
LOT WIDTH AT BUILDING LINE	60 ft	70 ft	90 ft
LOT WIDTH AT STREET RIGHT-OF-WAY	40 ft		
FRONT SETBACK	20 ft		
SIDE SETBACK	12 ft	15 ft	
REAR SETBACK	30 ft		
MAXIMUM HEIGHT	35 ft		
ENCROACHMENTS (Rear yard setbacks)	(10ft)	(12ft)	(12ft)

**5. ACCESSORY STRUCTURES**

The following uses are permitted within outbuildings:

- Parking
- Gazebo
- Poolhouse
- Sauna
- Workshop
- Equipment Enclosure

Trash containers, mechanical equipment and outdoor storage shall be located only within the rear yard.

Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard. Doghouses may be placed in rear yards only.

**Lots Over 10,000 sq ft**

Accessory structures shall not exceed 40% of the total area of the principle structure. At no time shall the total area of an accessory use exceed 25% of the rear yard. Such uses shall only be permitted in the rear yard. Accessory structures with a total area exceeding 500 square feet shall be constructed using materials and features similar to the principle structure.

- Minimum side and rear setbacks: 5 ft
- Minimum setback from principle structure: 10 ft
- Maximum Height: 26 ft

**Lots Under 10,000 sq ft**

Accessory structures shall not exceed 500 sq ft.

- Minimum side and rear setback: 5 ft
- Minimum setback from home: 10 ft
- Maximum height: 26 ft

Accessory structures in rear yards that abut a publicly dedicated street shall be set in the portion of the rear yard opposite the street.

**6. ACCESSORY USES**

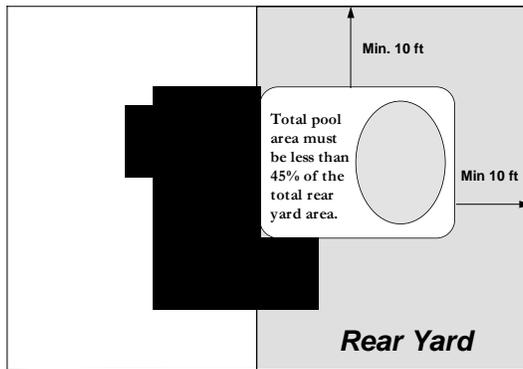
**(A) POOLS**

All pools, whether above-ground or in-ground, shall be built only in rear yards. The definition of a pool shall include all structures, and walks or patio areas of cement, stone, or wood *at or above grade*, built for, and used in conjunction with the pool.

A pool as defined above shall not exceed 45% of a required rear yard.

Pools, as defined above, shall be setback a minimum of 10 ft from all side and rear property lines. Patio areas *at grade* have no setback requirements from rear or side lot lines

Pools shall have the rear yard enclosed by a privacy fence with a minimum height of four (4) feet and a maximum height of eight (8) feet.



**(B) SATELLITE DISHES**

Satellite dishes less than 20 inches in diameter may be located anywhere on a lot. All other satellite dishes shall adhere to the following standards:

1. Satellite dishes shall be no larger than eight (8) feet in diameter
2. The maximum height shall be fifteen (15) feet unless the applicant can prove:
  - a) a less intrusive location is not possible and,
  - b) a higher location will improve reception
3. The dish must be installed and grounded properly.
4. Satellite dishes may not be located in front or side yards and shall meet all setbacks applicable to accessory structures.
5. Satellite dishes shall be screened from view with dense landscaping materials, fences, or other solid materials, to the extent that it does not impair reception.
6. Satellite dishes with a reflective surface shall be painted a subdued or natural color.
7. Satellite dishes shall not be located on a roof.

7. MANUFACTURED HOUSING STANDARDS

In no instance may a manufactured home be used for a nonresidential purpose. A manufactured home must bear a seal certifying that it was built to the standards adopted on July 1, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

<p><b>Materials</b></p> <ol style="list-style-type: none"> <li>1. The exterior siding consists of wood, hardboard, vinyl, brick or aluminum and shall be comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.</li> <li>2. The roof shall be finished with a type of shingle that is commonly used in standard residential construction.</li> <li>3. A continuous, permanent brick foundation or curtain wall, unpierced except for required ventilation and access, shall be installed upon a poured concrete footer after placement on the lot, and before occupancy.</li> </ol>
<p><b>Configurations</b></p> <ol style="list-style-type: none"> <li>1. The minimum width (the width being the narrower of the two overall dimensions) of the main body of the manufactured home as assembled on the site shall be at least twenty-two (22) feet for a distance extending along the length (the length being the longer of the two overall dimensions) of at least twenty (20) feet.</li> <li>2. Stairs, porches, entrance platforms and other means of entrance and exit to the manufactured home shall be installed and constructed in accordance with the standards set by the by the NC Department of Insurance.</li> <li>3. The pitch of the roof of the manufactured home shall have a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, or the standard of each individual manufacturer's equivalent to a 4' x 12' roof pitch. Not applicable to existing manufactured home parks.</li> <li>4. The roof of the manufactured home shall have an overhang (eave) extending at least ten (10) inches from each vertical exterior wall. A site installed gutter may be counted in the width of the eave.</li> </ol>
<p><b>Techniques</b></p> <ol style="list-style-type: none"> <li>1. The manufactured home is set up on the site in accordance with the standards set by the NC Department of Insurance.</li> <li>2. The manufactured home shall face the fronting street</li> <li>3. The tongue, axes, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.</li> </ol>

**8. GENERAL PROVISIONS**

- a) No manufactured home shall be located within a 100 year *flood plain* as established by the most recent Federal Emergency Management Agency map.
- b) All parking shall be on-site in side or rear yards and driveways only.
- c) Developments with twenty or more homes shall have at least four entrances/exits.
- d) Streets shall follow the provisions of Section 3.15 (b). Private streets do not require curb and gutter. Sidewalks shall be provided as per Section 3.15 (d). *Note: These references are for a previous Ordinance. For current reference, please see Chapter 8.*
- e) Open Space shall be provided for as per Section 3.15(h) and 3.16 *Note: These references are for a previous Ordinance. For current standards, please see Chapter 7.*
- f) Landscaping shall be provided for as per Section 3.15( I) and 3.15 (j). *Note: These references are for a previous Ordinance. For current reference, please see Chapter 11.*

**5.18 CONDITIONAL DISTRICTS (CD)**

Conditional Districts provide for orderly and flexible development under the general policies of the base district without the constraints of the general district standards. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

**A. Applicability:**

District	Minimum Area Required
Rural Residential (R-R)	40 Acres
Suburban Residential (S-R)	15 Acres
General Residential (G-R)	15 Acres
Neighborhood Center-Residential (NC-R)	None
Neighborhood Center-Commercial (NC-C)	None
Downtown District (D-D)	None
Highway Commercial (H-C)	2 Acres
Infill Development (INF-D)	3 Acres
Traditional Neighborhood Development (TND)	30 Acres
Business Campus Development (BC-D)	10 Acres
Institutional Campus Development (IC-D)	15 Acres
Rural Commercial	2 Acres
Manufactured Home Residential (MH-R)	5 Acres
South Point Peninsula Overlay District	10 Acres

**B. Modification to General Provisions:**

Within a Conditional District (CD), any proposed use must be allowed in of the corresponding Base District. 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 city ordinances and an officially adopted comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards

shall apply. In addition to the modification of specific district provisions (except use), the following General Provisions as detailed in Chapters 4-11 may be varied if specifically requested by the petitioner as part of a Conditional District application:

CH	Title	Exception to modifications:
4	Building Type Requirements	
5	District Provisions	Uses permitted may not be varied unless the use proposed is not currently defined or contemplated by the Code
6	Additional Requirements for Certain Uses	
7	Open Space	May substitute required open space for payment in lieu in accordance with Section 7.2. Amount required may not be reduced.
8	Streets and Greenways	Variations already permitted by Section 8.1. No further modifications permitted.
9	Parking	
10	Signs	Only standards in Section 10.1, 10.2, and 10.3 may be varied. Signage may exceed the permitted amount by no more than 50%.
11	Tree Protection and Landscaping	No further modifications permitted. Alternate Methods of Compliance provided in Section 11.5.

**C. Establishment of a Condition District (CD)**

For the Development Plan Review Process for the establishment of a Conditional District (CD), please see Section 15.6.

**5.19 SOUTH POINT PENINSULA OVERLAY DISTRICT (SPP-O)**

The South Point Peninsula Overlay is coded to allow low to moderate density development in areas farther from central Belmont in keeping with the adopted Comprehensive Land Use Map. This overlay provides the opportunity to fulfill the vision of the Suburban Neighborhood, Semi-Rural Neighborhood, and the Village Center Neighborhoods while providing flexibility through the Conditional Zoning process.

<p><b>1. Permitted Building Types</b>                  Except where topographic or pre-existing building conditions prohibit, all new buildings shall front on public streets.</p>	<p style="text-align: center;"><b>Detached House – Alley and Street Lot                  Townhouse                  Civic Building                  TND Building Types*</b></p> <p>*Underlying zone – TND – requires Conditional Zoning</p>						
<p><b>2. Specific District Provisions</b>                  Any exceptions to these requirements may be considered through a Conditional Zoning District.</p>	<p><b>1. Minimum Lot Size</b>                  The minimum lot size for a duplex home shall be 21,780 square feet, except with approval of a Conditional Use permit.</p> <p style="text-align: center;">14,500 square feet (.33 acre)</p> <p><b>2. Maximum Development Density</b>                  Maximum Density (on a project by project basis): 3 Units/Acre <b>Exceptions may be considered for developments within a planned village center as represented in the Comprehensive Land Use Map by Conditional Zoning.</b></p> <p><b>3. Permitted Building Type Ratio</b>                  The maximum number of Detached House-Alley Lot and Townhouse buildings in an SR development shall not exceed 30% of the total number of units. <b>See TND ratios if applicable.</b></p> <p><b>4. Lot Width</b>                  90-feet in width</p> <p>On infill lots, the minimum lot width shall be equal to the average lot width of lots within 300 feet or 1 block length (whichever is greater), except with approval of a Conditional Use permit.</p> <p><b>5. Setbacks</b></p> <table style="margin-left: 40px;"> <tr> <td>Front-yard</td> <td>30-feet</td> </tr> <tr> <td>Side-yard</td> <td>12-feet</td> </tr> <tr> <td>Rear-yard</td> <td>30-feet</td> </tr> </table>	Front-yard	30-feet	Side-yard	12-feet	Rear-yard	30-feet
Front-yard	30-feet						
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