

AN ORDINANCE TO AMEND RESIDENTIAL DESIGN STANDARDS (Updated 2-23-16)

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the Zoning Ordinance is hereby amended as follows:

Under Article 3, Subsections 3.2.1(d)(4); 3.2.2(d)(5); 3.2.4(d)(1); 3.2.5(d)(1); 3.2.6(d)(1); 3.2.7(d)(1); 3.2.11(d)(1); 3.2.13(d)(2); 3.3.1(d)(1); add the following bullet:

Compatibility with Surrounding Development.

- **Nothing in this subsection shall be interpreted to conflict with the building design element provisions as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.**

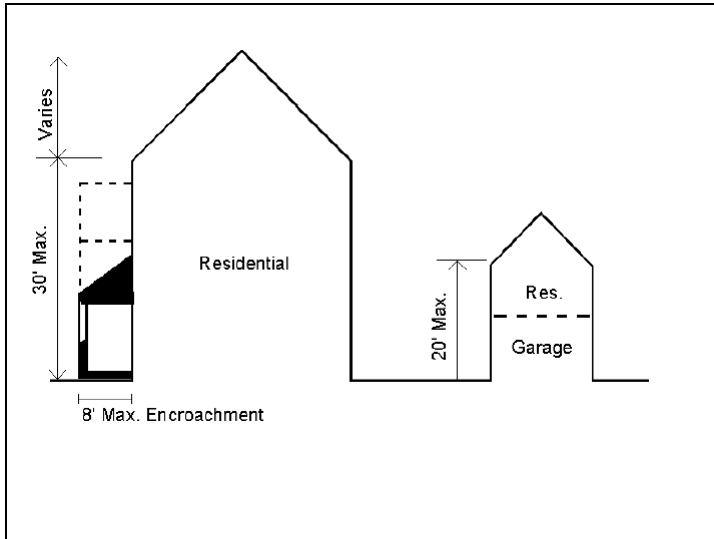
Under Article 3, add Subsections 3.2.1(d)(5); 3.2.2(d)(6); 3.2.4(d)(7); 3.2.5(d)(9); 3.2.6(d)(8); 3.2.7(d)(10); 3.2.11(d)(4); 3.2.13(d)(7); 3.3.1(d)(8) to read as follows:

See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

Under Article 4 Detached House Type, amend by deleting the Architectural Standards as follows:

Building Type / Detached House

Permitted Height/Uses/Encroachments



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height of main dwelling to ridge may vary depending on the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet or 50% of first floor area of principal residence, whichever is greater.
5. Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into setback area up to 8'.
6. Decks, balconies, and porches are permitted to encroach into the rear yard setback as provided in Section 8.8.9.

Architectural Standards

Principles-

- A. ~~To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external treatment. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance except within the MH-O District.~~
- B. ~~The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- C. ~~Each building should be designed to form part of a larger composition of the area in which it is situated. Adjacent buildings should thus be of similar scale, height, and configuration.~~
- D. ~~Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings. Excessively grandiose roof pitches with multiple changes of outline are not acceptable **recommended**.~~
- E. ~~Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- F. ~~Front loaded garages **and driveways**, if provided, shall meet the standards of Section 8.16.~~

Configurations-

- A. ~~Main roofs on residential buildings should be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs should be attached to the wall of the main building. No monopitch should be less than 4:12. It is recommended that accessory buildings have roof pitches that conform to those of the main building.~~
- B. ~~Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- C. ~~Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- D. ~~Exterior chimneys should be finished in brick or stucco.~~

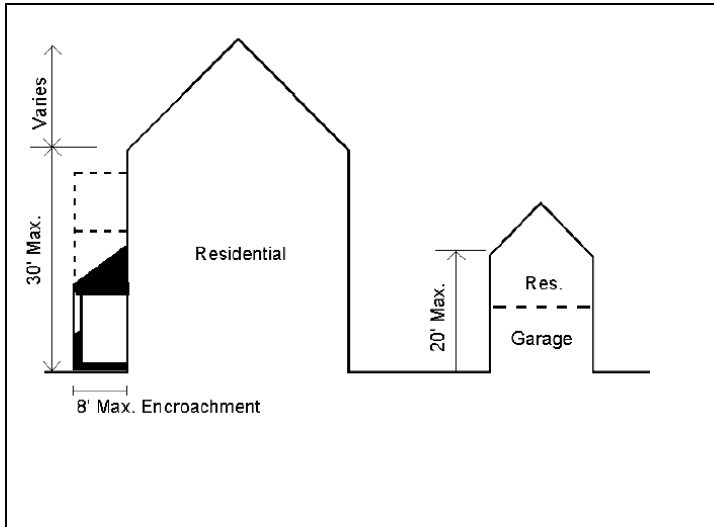
Techniques-

- A. ~~Overhanging eaves may expose rafters.~~
- B. ~~Flush eaves should be finished by profiled molding or gutters.~~

Under Article 4 Attached House Type, amend by deleting the Architectural as follows:

Building Type / Attached House

Permitted Height and Uses



1. Building height shall be measured as the vertical distance from the highest finished grade relative to the street frontage, up to the eaves.
2. Building height to ridge will vary depending upon the roof pitch.
3. Permitted uses are indicated above.
4. Maximum footprint for a building housing a detached accessory dwelling is 650 square feet.

Architectural Standards

Principles-

- ~~A. To perpetuate the unique building character of the town and its environs, and to re-establish its local identity, development shall **should** generally employ building types that are sympathetic to the historic architectural vocabulary of the area in their massing and external materials. Manufactured homes will not be permitted as part of any multi-unit residential development under this ordinance.~~
- ~~B. The front elevations facing the street, and the overall massing shall **should** communicate an emphasis on the human scale and the pedestrian environment.~~
- ~~C. Each building should be designed to form part of a larger composition of the area in which it is situated.~~
- ~~D. Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings.~~
- ~~E. Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall **they are recommended to** extend over at least 15% of the front facade. All porches should be constructed of materials in keeping with those of the main building.~~
- ~~F. Front loaded garages **and driveways**, if provided, shall meet the standards of section 8.16.~~

Configurations-

- ~~A. Main roofs on residential buildings shall **should** be symmetrical gables or hips with a pitch of between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are **should be** attached to the wall of the main building. No monopitch shall **should** be less than 4:12. All accessory buildings shall have roof pitches that conform to those of the main buildings.~~
- ~~B. Balconies should generally be simply supported by posts and beams. The support of cantilevered balconies should be assisted by visible brackets.~~
- ~~C. Two wall materials may be combined horizontally on one facade. The "heavier" material should be below.~~
- ~~D. Exterior chimneys should be finished in brick or stucco.~~

Techniques-

- ~~A. Overhanging eaves may expose rafters.~~
- ~~B. Flush eaves should be finished by profiled molding or gutters.~~

Under Article 8, Subsection 8.16:

8.16 Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts

- .1 Except as specifically provided in the Rural and Transitional districts, detached house types and two-unit attached house types shall be required to have a lot width greater than 60 50' feet. Developers shall have the option to provide lots widths 60 50' feet wide or less when alley access allowing on-site parking is provided for detached house types and two-unit attached house types. Further, developers shall also have the option to apply for a conditional district rezoning to create lot widths of 50 feet wide or less without an alley provided it can demonstrated the development can accommodate on-street parking, meet all the provisions of the zoning ordinance including installation of street trees, and demonstrate public services such as trash pick-up can be provided.

On lots greater than 60 feet in width, front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

~~Exception for single family detached dwellings with 1400 square feet or less of heated space:~~ single bay front loading garages may be built flush with, but may not project in front of, the primary plane of the front facade of the structure; double bay front loading garages shall be recessed at least 10 feet behind the primary plane of the front facade of the structure.

For the purpose of this section, primary plane shall be defined as the heated floor area or a porch extending across at least 55% of the total building width and a depth of at least 6 feet. In no case shall the garage be located less than 20 feet from the back of the public sidewalk.

- .2 Alley access for on-site parking is strongly encouraged for three-unit or more attached house types. On lots 60 feet or less in width, alley access is required if on-site parking is provided except as provided below.

- .3 Driveway width shall not occupy more than 30% of the public street front of a lot as measured along the public street right-of-way for a detached house and two-unit attached house type, and 50% of the public street front for a three or more unit attached house type. For lots 60 feet wide or less, driveways shall be no more than 12 feet wide as measured along the public street right-of-way for a detached house and two-unit attached house type. For lots wider than 60 feet, driveways shall be no more than 20 feet wide as measured along the public street right-of-way for a detached house and two-unit attached house type. For three or more unit attached house types, driveway width shall not occupy more than 50% of the public street front of a lot as measured along the public street right-of-way.

- .4 When front entry garages are used, it is recommended to minimize emphasis on front loaded garages by having a building feature projecting from or flush with the garage, have a column to separate a two-car garage or any other technique as determined by the owner to be appropriate.

- ~~.2 On lots 60 feet or less in width, attached and detached single family homes may be permitted to have front or side entry garages, if the following conditions are met:~~

- ~~(a) The arrangement of permanent structural elements of the unit must provide side view screening of a single or double bay front loading garage. Examples of permanent structural screening would be: an elevated porch or stoop with steps to ground.~~
- ~~(b) The finished floor elevation must meet or exceed a height of 36" above grade to qualify under this paragraph. However, this requirement may be waived on projects with an average block cross-slope greater than 5% as measured from the existing ground elevation at the proposed street centerline to the existing ground elevation at the proposed rear lot line.~~
- ~~(c) For attached single family homes, the garages may not abut one another.~~
- ~~(d) Single or double bay side loading garages shall be permitted for the end unit of an attached single family home provided the garage is recessed at least 2 feet behind the primary plane of the structure and the finished floor elevation of the dwelling unit is a minimum of 15 inches above the floor elevation of the garage.~~

- (e) ~~A double bay front loaded garage will be permitted only if the average block cross slope is greater than 5% as defined in item B and the garage is recessed at least 10 feet behind the front façade of the dwelling unit, the garage has two single bay width doors, and the garage width must be less than the width of the remaining portion of the front façade of the dwelling.~~
- .5 ~~In no case shall on-site residential parking extend into the public right-of-way, or into an easement for a public sidewalk on private property.~~ **Driveways shall extend at least twenty (20) feet from a public right-of-way and public sidewalk easement to prevent on-site residential parking from encroaching into the public right-of-way or easement for a public sidewalk.**
- .6 On-street parking at lot front, when specifically provided, may be counted toward all or part of the parking requirement of a dwelling unit.
- .7 Detached garages may only be placed in the established rear yard. Garages for more than two cars must be detached and located in the established rear yard or be attached side or rear loading,
- .8 Lots in subdivisions approved prior to the effective date of this ordinance, are exempt from the limitations of .1 through .2 ~~3~~, above.
- .9 Vehicles used primarily for commercial purposes and with more than two axles are prohibited from parking on streets, in driveways, or on private property in residential districts. This shall not be construed as preventing the temporary parking of delivery trucks, moving vans, and similar vehicles which deliver goods or services.
- .10 Provisions for parking unlicensed vehicles in residentially zoned districts shall be as follows:
- (a) No more than two (2) motor vehicles that do not have a current, valid license plate and are not fully enclosed in a permanent structure shall be permitted outside on any premises, provided such vehicles are registered to the occupant of the premises or immediate family member of the occupant as the record title of the vehicle.
 - (b) No unlicensed motor vehicle if not registered to the occupant of the premises or immediate family member of the occupant as the record title owner of the vehicle shall be permitted outside of any premises.
 - (c) Vehicles described in paragraphs (a) and (b) are not permitted to be located within any established setback or any established side yards which abut a street or any required side yards contained in these regulations or any street right-of-way. If stored in the rear yard, it must be a minimum of five (5) feet off the rear property line.
 - (d) Vehicles described in paragraphs (a) and (b) are not permitted on vacant or undeveloped parcels.

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: December 21, 2015

PLANNING BOARD MEETING: February 23, 2016

PLANNING BOARD RECOMMENDATION: **On 2-23-16 by a vote of 4 in favor and 5 opposed, the Planning Board did not recommend approval but instead recommended approval of the original staff proposal with a modification (attachment 2)**

TOWN BOARD DECISION: TBD on March 7, 2016