

### 3.2.6 TOWN CENTER DISTRICT (TC)

**Intent:** The Town Center District provides for revitalization, reuse, and infill development in Huntersville's traditional town center. A broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Town Center anchors the surrounding residential neighborhoods while also serving the broader community. The district is coded to accommodate the higher overall intensity of development required to support a rail transit station. It is to be expected that the Town Center District will be expanded over time through the zoning change process to an approximate ½ mile radius to meet growth in demand for downtown facilities and services.

*Place: "a piece of the whole environment that has been claimed by feelings"*

*Alan Gussow*

*Placeways: A Theory of the Human Environment (209)*

*"...begin with the place, with a sense of what it is, and then try to imagine a way of being public which would fit the place."*

*Daniel Kemmis*

*Community and the Politics of Place (41)*

#### a) Permitted Uses

##### Uses permitted by right

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the "civic" building type
- family care home
- government buildings
- hotels
- indoor amusement
- multi-family homes
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

##### Uses permitted with conditions

- automobile and/or motorcycle sales, automobile service and repair, up to 2 acres in size, with a principal building of at least 8,000 square feet, all damaged vehicles and auto parts to be screened opaque (9.25)
- cemeteries, (9.7)
- religious institutions, (9.8)
- essential services 1 and 2, (9.14)
- neighborhood gasoline stations, excluding major service and repair of motor vehicles (9.22)
- parking lot as principal use (9.28)
- parks, (9.29)
- schools, (9.35)

- temporary mobile food sales (9.37)
- temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales), (9.37)
- transit-oriented parking lots as a principal use, (9.49)
- transit shelters, (9.39)

##### Uses permitted with Special Use Permit

- solar energy facility free-standing, minor, non-residential, (9.54)
- solar energy facility, rooftop, minor non-residential that is noticeable on a roof slope facing a street, (9.54)
- solar energy facility, minor residential as follows; located on the façade elevation facing public street or common access; or located on the roof slope above the façade of the structure facing public street or common access, (9.54)
- wind energy facility, minor, accessory, (9.53)

**b) Permitted Building and Lot Types**

- apartment
- attached house
- civic
- detached house
- mixed use<sup>4</sup> up to 50,000 SF of first floor area; larger buildings may be permitted with a special use permit
- storefront up to 50,000 SF of first floor area; larger buildings may be permitted with a special use permit
- workplace up to 50,000 SF of first floor area; larger buildings may be permitted with a special use permit

**c) Permitted Accessory Uses**

- accessory dwelling, (9.1)
- day care home (small), (9.11)
- drive through windows, excluding those associated with restaurants, (9.12)
- home occupation, (9.19)
- solar facility, rooftop minor non-residential on a flat roof, a roof slope not facing a street and unnoticeable building integrated solar panels on roof slopes facing a street (9.54)
- solar energy facility, minor residential; located in the established rear or side yards or roof slopes, (9.54)
- stalls or merchandise stands for outdoor sale of goods at street front (encroachment onto sidewalk may be permitted by agreement with town); outdoor storage expressly prohibited<sup>5</sup>
- accessory uses permitted in all districts, (8.11)

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<sup>4</sup> The mixed use building duplicates the shopfront building type and has at least two occupiable stories; at least 50% of the habitable area of the building shall be in residential use, the remainder shall be in commercial use. However, when an existing residential building is redeveloped to a mixed-use, at least 40% of the habitable area shall be in residential use.

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<sup>5</sup> items for outdoor sales are returned to building at end of each business day; goods not brought in at close of business day are considered outdoor storage.

**d) General Requirements**

- 1) Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
  - New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
  - New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume. The definition of massing in Article 12 illustrates the application of design techniques to reduce the visual perception of size and integrate larger buildings with pre-existing smaller buildings.
  - Nothing in this subsection shall be interpreted to conflict with the building design element provision as found in GS 160A-381(h) for structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.
- 2) On new streets, allowable building and lot types will establish the development pattern.
- 3) In major subdivisions and planned developments, the aggregate number of dwelling units contained in attached houses, apartment buildings, and mixed use buildings shall not exceed 30 percent of the total number of dwelling units in a project.
- 4) Notwithstanding the limitations of 3), above, in any portion of a major subdivision located within ¼ mile of a designated rail transit station, the percentage of dwelling units contained in attached houses, apartment buildings, and mixed use buildings is not limited. Higher overall density is encouraged within ¼ mile of rail transit stations. Rail transit stations are those locations designated by resolution adopted by the Board of Commissioners of the Town of Huntersville.
- 5) New construction favors retail on first floor, office and/or residential on upper floors.
- 6) Every building lot shall have frontage upon a public street or urban open space.
- 7) Minimum Height. Mixed Use, Storefront and Workplace Buildings. New construction shall be a minimum of two stories for buildings fronting on the following roads:
  - Gilead Road- From Sherwood Drive to Old Statesville Road (NC 115)
  - Huntersville-Concord Road- From Old Statesville Road (NC 115) to Main Street
  - Old Statesville Road (NC 115) - From 400 feet north of the intersection of Gilead Road/Huntersville-Concord Road to Greenway Drive
  - Main Street- From Huntersville-Concord Road to Greenway Drive
- 8) See Section 8.16, Standards for Residential Lot Widths, Alleys, Garages and Parking in Residential Districts.