INTENT STATEMENT

Proposed Intent Statement

The intent of the R-5 Moderate-High Residential District is to provide moderate to high density residential development on smaller lots with a compact and walkable development pattern. R-5 zoning allows a range of housing types and can be developed in conjunction with a non-residential district to create a mixed-use development pattern as well as serve as a transition between mixed-use or commercial development and low to moderate density residential development, such as R-7 and R-10 zoning.

Commentary:

- This district is intended to mirror Wilmington’s R-5 district, which applies to single-family residential development similar to the early “streetcar suburbs” near downtown Wilmington. The NHC version does not require the historic style and development pattern of these areas but allows the single family densities envisioned for community and urban mixed use places.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>5,000 sf detached single family</td>
</tr>
<tr>
<td></td>
<td>7,500 sf duplex</td>
</tr>
<tr>
<td></td>
<td>12,500 sf triplex (3-unit building)</td>
</tr>
<tr>
<td></td>
<td>17,500 sf quadruplex (4-unit building)</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50%</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>7 ft.</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10.5 ft.</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>35 ft.</td>
</tr>
</tbody>
</table>

Proposed NHC Requirements

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>5,000 sf detached single family</td>
</tr>
<tr>
<td></td>
<td>7,500 sf duplex</td>
</tr>
<tr>
<td></td>
<td>12,500 sf 3-unit attached single family</td>
</tr>
<tr>
<td></td>
<td>17,500 sf 4-unit attached single family</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Side, Interior Setback (minimum)</td>
<td>7 ft.</td>
</tr>
<tr>
<td>Side, Street Setback (minimum)</td>
<td>10.5 ft.</td>
</tr>
<tr>
<td>Performance Subdivision Lots (no minimum lot sizes, allows clustering)</td>
<td></td>
</tr>
<tr>
<td>Maximum Density</td>
<td>8 units/acre</td>
</tr>
<tr>
<td>Perimeter Setbacks</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Building Separation between detached single family</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Building Separation between detached single family and duplex</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Building Separation between 3+ unit attached and all other dwellings</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Structure Size (maximum)</td>
<td>Height</td>
</tr>
</tbody>
</table>

Commentary:

- Unlike the City of Wilmington, New Hanover County provides two subdivision options: conventional and performance. The City of Wilmington only allows conventional subdivisions. In this type of residential development, lots must meet specific size requirements, and structures must meet specific setbacks. Performance subdivisions do not have these standards—only a maximum density and building separation requirements—which allows for clustering, townhome-style development, and condominium ownership.
- The current City of Wilmington lot requirements will be the same for lots subdivided under the county’s conventional subdivision standards.
- Under the county’s performance standards, the R-5 district will allow a maximum density of 8 units per acre, the maximum density allowed in the city currently. The perimeter setback and building separation standards are common for all performance projects.
- Structure size requirements will be the same as the city’s current standards for this district.

After receiving feedback on initial profile sheets, the maximum lot coverage is not included in the proposed text amendment—NHC does not currently regulate residential site development in this way, relying on lot setback requirements and subdivision stormwater standards.
# USE PERMISSIONS

## Current City of Wilmington Permissions

### Uses Permitted by Right
- Single-family, detached
- Duplex, triplex, quadruplex
- Golf courses, public or private, with related services
- Parks and recreation areas, municipal
- Recreation, neighborhood

### Uses Permitted with/Additional Standards
- Bed and Breakfast (Hemenway Residential Area only)
- Government uses outside public rights-of-way, except offices
- Group home supportive, medium
- Libraries
- Religious institutions
- Telecommunication facility, unattended
- Single-family courtyard developments
- Utility stations and plants outside public rights-of-way
- Family care home
- Homestay lodging

### Uses Permitted with/Special Use Permit
- Community center
- Day care, adult or child
- Historic mixed-use buildings
- Recreation facility, private
- Planned unit development
- Schools, primary and secondary

### Permitted Accessory Uses & Structures
- Accessory apartment, detached
- Community boating facility
- Home occupation
- Kennel, private
- Swimming pool

## Proposed NHC Permissions

### Uses Permitted by Right
- Single Family Dwelling
- Single Family Dwelling-Attached*
- Duplex
- Golf Courses
- Parks & Recreation Area
- Amateur Radio Antennas (up to 90 ft.)
- Antenna & Towers less than 70 ft. in height
- Cellular & PCS Antenna
- Electric/Gas & Sanitary Services
- Home Occupation
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
- Government Offices and Buildings*
- Group Homes*
- Libraries*
- Churches*
- Residential Care*
- Family Child Care Home*
- Accessory Dwelling Unit*
- Agricultural Uses
- Telephone & Telegraph Facilities
- Private Residential Boating Facility
- Special Fundraising for Non-Profit Organizations*
- Evangelistic and Religious Assemblies not conducted at a church*
- Residential Private Pier
- Temporary Sign
- Temporary Relocation Housing*

### Uses Permitted with/Special Use Permit
- Community Center
- Adult Day Care
- Child Day Care
- Indoor Recreation Establishment
- Outdoor Recreation Establishment
- Elementary & Secondary Schools
- Electric Substation
- Other Communication Facilities including Towers
- Commercial Marina
- Cemeteries
- Community Boating Facility
- Nursing Home/Rehabilitation Center
- Recycling Facilities: Small Collection

## Commentary:
- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - Uses with an asterisk (*) will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with a ★ have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in this district.
    - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
    - This use is already allowed in the county under the performance subdivision option.
    - This use is permitted by the city but is not historically allowed in zoning districts of this type in the county’s jurisdiction. It will not be included in the county R-5 district.
    - While not included in the city’s R-5 district, these uses are generally allowed in county residential districts with these levels of permission. They will be allowed in the county’s R-5 district.
    - These uses generally have different permissions in the county than they do in the city. In the NHC districts, permissions will be in-line with those of similar districts.
INTENT STATEMENT

Proposed Intent Statement

The RMF-L District is established for moderate density single family and low density multi-family development of varying types and designs. It functions as an alternative housing type near or in direct relationship to single-family detached housing.

Commentary:

- This district is based on Wilmington’s MF-L district and is intended for community mixed use places and areas near city developments of similar type and density.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>5,000 sf</td>
<td>4,000 sf</td>
<td>3,000 sf</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>6 units/acre</td>
<td>4 units/acre</td>
<td>3 units/acre</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50 ft</td>
<td>40 ft</td>
<td>30 ft</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50%</td>
<td>40%</td>
<td>30%</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>15 ft</td>
<td>10 ft</td>
<td>5 ft</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft</td>
<td>10 ft</td>
<td>5 ft</td>
</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>5 ft</td>
<td>4 ft</td>
<td>3 ft</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10 ft</td>
<td>8 ft</td>
<td>6 ft</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>96 ft*</td>
<td>84 ft*</td>
<td>72 ft*</td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setbacks

Additional Setbacks for Buildings >35 ft. in Height

<table>
<thead>
<tr>
<th>Setback Type</th>
<th>Minimum Lot Size</th>
<th>Maximum Density</th>
<th>Minimum Lot Width</th>
<th>Maximum Lot Coverage</th>
<th>Front Setback (minimum)</th>
<th>Rear Setback (minimum)</th>
<th>Interior Side Setback (minimum)</th>
<th>Corner Side Setback (minimum)</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 10 ft. above 35 ft.</td>
<td>4 additional ft. for each 10 ft. increment, or portion thereof</td>
<td>4 additional ft. for each 10 ft. increment, or portion thereof</td>
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<td>4 additional ft. for each 10 ft. increment, or portion thereof</td>
<td>4 additional ft. for each 10 ft. increment, or portion thereof</td>
</tr>
<tr>
<td>30.1 to 35 ft. above 35 ft.</td>
<td>6 additional ft. for each 10 ft. increment, or portion thereof</td>
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<td>6 additional ft. for each 10 ft. increment, or portion thereof</td>
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<td>6 additional ft. for each 10 ft. increment, or portion thereof</td>
<td>6 additional ft. for each 10 ft. increment, or portion thereof</td>
</tr>
<tr>
<td>30.1 ft. or more above 35 ft.</td>
<td>8 additional ft. for each 10 ft. increment, or portion thereof</td>
<td>8 additional ft. for each 10 ft. increment, or portion thereof</td>
<td>8 additional ft. for each 10 ft. increment, or portion thereof</td>
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<td>8 additional ft. for each 10 ft. increment, or portion thereof</td>
</tr>
</tbody>
</table>

 Proposed NHC Requirements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>5,000 sf</td>
<td>4,000 sf</td>
<td>3,000 sf</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>6 units/acre</td>
<td>4 units/acre</td>
<td>3 units/acre</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50 ft</td>
<td>40 ft</td>
<td>30 ft</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50%</td>
<td>40%</td>
<td>30%</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>15 ft</td>
<td>10 ft</td>
<td>5 ft</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft</td>
<td>10 ft</td>
<td>5 ft</td>
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<td>3 ft</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10 ft</td>
<td>8 ft</td>
<td>6 ft</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>96 ft*</td>
<td>84 ft*</td>
<td>72 ft*</td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setback of 4 additional feet

Commentary:

- Unlike the City of Wilmington, New Hanover County provides two subdivision options: conventional and performance. The City of Wilmington only allows conventional subdivisions. In this type of residential development, lots must meet specific size requirements, and structures must meet specific setbacks. Performance subdivisions do not have these standards—only a maximum density and building separation requirements—which allows for clustering, townhome-style development, and condominium ownership.
- The majority of current City of Wilmington lot requirements will be the same for lots subdivided under the county’s conventional subdivision standards. However, lot size requirements consistent with the R-5 standards will be added for duplexes and 3 and 4-unit attached buildings for clarity, and only the maximum density of 10 units/acre is listed. The county does not outline maximum single family densities for conventional subdivisions, as that is generally determined by open space requirements and the types of roadway infrastructure provided.
- Under the county’s performance standards, the RMP-L district will allow a maximum density of 10 units per acre, the maximum density allowed in the city currently. The perimeter setback and building separation standards are common for all performance projects.
- While the city allows building heights up to 96 feet in this district, this is taller than recommended for community mixed use places in the 2016 Comprehensive Plan. It recommends that buildings in this type of place be no more than 3 stories in height. The 45 ft. maximum should allow for most building types and is based on the City of Raleigh code, which includes both story and maximum height requirements.

After receiving feedback on initial profile sheets, the maximum lot coverage is not included in the proposed text amendment—NHC does not currently regulate residential site development in this way, relying on lot setback requirements and subdivision stormwater standards.
### Current City of Wilmington Permissions

#### Uses Permitted by Right
- Dwellings, attached (including townhouses)
- Dwellings, duplex, triplex, and quadruplex
- Dwellings, multifamily
- Dwellings, single-family detached
- Golf courses, public or private, with related services
- Parks and recreation areas, municipal
- Recreation facility, neighborhood
- Quad-unit apartment

#### Uses Permitted w/ Additional Standards
- Government uses outside public rights-of-way, except office uses, but including buildings occupied or operated by federal, state, county and/or municipal government on land owned or leased by a government body
- Group home supportive, small
- Group home supportive, medium
- Group home supportive, large
- Libraries
- Religious institutions
- Telecommunication facility, unattended
- Utility stations and plants outside public rights-of-way that don’t create excessive noise, odor, smoke, dust, and that do not possess other objectionable characteristics
- Property restricted real estate office
- Family care home
- Homestay lodging

#### Uses Permitted w/ Special Use Permit
- Community center
- Day care, adult or child
- Dormitory, private
- Fraternity and sorority houses
- Group day facility
- Planned unit development
- Recreation facility, private
- Schools, primary and secondary
- Assisted living residence

#### Permitted Accessory Uses & Structures
- Accessory apartment, detached
- Home occupation
- Kennel, private
- Swimming pool

### Proposed NHC Permissions

#### Uses Permitted by Right
- Single Family Dwelling
- Duplex
- Single Family Dwelling—Attached
- Golf Courses
- Parks & Recreation Area
- Home Occupation
- Government Offices and Buildings*
- Group Home*
- Libraries
- Churches*
- Residential Care*
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
  - Amateur Radio Antennas (up to 90 ft.)
  - Antenna & Towers less than 70 ft. in height & ancillary to principal use
  - Cellular & PCS Antenna*
  - Electric/Gas & Sanitary Services
  - Family Child Care Home*
  - Accessory Real Estate Office
  - Accessory Dwelling Unit
  - Agricultural Uses
  - Telephone & Telegraph Facilities
  - Private Residential Boating Facility
  - Special Fundraising for Non-Profit Organizations*
  - Evangelistic and Religious Assemblies not Conducted at a Church *
  - Residential Private Pier
  - Temporary Sign
  - Temporary Relocation Housing*

#### Uses Permitted w/ Special Use Permit
- Community Center
- Adult Day Care
- Child Day Care
- Fraternities/Sororities, Residential
- Elementary & Secondary Schools
- Indoor Recreation Establishment
- Outdoor Recreation Establishment
- Senior Living: Assisted Living or Personal Care Facility
- Electric Substation
- Other Communication Facilities including Towers
- Commercial Marina
- Nursing Home/Rehabilitation Center
- Cemeteries
- Community Boating Facility
- Recycling Facilities: Small Collection

### Commentary:
- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - Uses with an asterisk (*) will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with a ★ have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in the district.
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - This use is permitted by the city but is not historically allowed in zoning districts of this type in the county's jurisdiction. It will not be included in the county RMF-L district.
  - While not included in the city’s MF-L district, these uses are generally allowed in similar county districts with these levels of permission. They will be allowed in the county’s RMF-L district.
  - These uses generally have different permissions in the county than they do in the city. In the NHC districts, permissions will be in-line with those of similar districts.
  - This use will be added to the county’s list of uses.
INTENT STATEMENT

Proposed Intent Statement

The RMF-M district is established for moderate density single-family and multi-family development of varying types and designs. It functions as a transitional land use between intensive nonresidential uses or higher density residential areas and lower density residential areas. The district is designed to provide a reasonable range of choice, type, and location of housing units within the unincorporated county.

Commentary:
- This district is based on Wilmington’s MF-M district and is intended for community mixed use places and employment centers. It can also serve as a transition between nonresidential districts or higher density residential areas and lower density areas.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum Lot Size</th>
<th>Maximum Density</th>
<th>Minimum Lot Width</th>
<th>Maximum Lot Coverage</th>
<th>Front Setback (minimum)</th>
<th>Rear Setback (minimum)</th>
<th>Interior Side Setback (maximum)</th>
<th>Corner Side Setback (maximum)</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,000 sf</td>
<td>9 units/acre</td>
<td>50 ft.</td>
<td>50%</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>5 ft.</td>
<td>10 ft.</td>
<td>36 ft.</td>
</tr>
<tr>
<td></td>
<td>20,000 sf</td>
<td>detached single family</td>
<td>all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>multi-family</td>
<td>all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>35 ft.</td>
<td>multi-family</td>
<td>35 ft.</td>
<td>35 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>detached single family</td>
<td>multi-family</td>
<td>30%</td>
<td>front setback of 4 additional feet.</td>
<td>side, interior setback (minimum) 5 ft.</td>
<td>corner side setback (minimum) 10 ft.</td>
<td>maximum height 96 ft.*</td>
<td></td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setbacks

Additional Setbacks for Buildings >35 ft. in Height

<table>
<thead>
<tr>
<th>Height Range</th>
<th>Additional Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 10 ft. above 35 ft.</td>
<td>4 additional ft. for each 10 ft. increment, or portion thereof</td>
</tr>
<tr>
<td>10 ft. to 30 ft. above 35 ft.</td>
<td>6 ft. for each 10 ft. increment</td>
</tr>
<tr>
<td>30 ft. or more above 35 ft.</td>
<td>8 ft. for each 10 ft. increment</td>
</tr>
</tbody>
</table>

Proposed NHC Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Conventional Subdivision Lots (specifies minimum lot sizes)</th>
<th>Performance Subdivision Lots (no minimum lot sizes, allows clustering)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>Minimum Lot Size</td>
<td>Maximum Density</td>
</tr>
<tr>
<td></td>
<td>5,000 sf detached single family</td>
<td>17 units/acre</td>
</tr>
<tr>
<td></td>
<td>12,500 sf 3-unit attached single family</td>
<td></td>
</tr>
<tr>
<td></td>
<td>17,500 sf 4-unit attached single family</td>
<td></td>
</tr>
<tr>
<td></td>
<td>20,000 sf multi-family</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>Minimum Lot Width</td>
<td>Maximum Density</td>
</tr>
<tr>
<td></td>
<td>50 ft. detached single family</td>
<td>17 units/acre</td>
</tr>
<tr>
<td></td>
<td>all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 ft. multi-family</td>
<td></td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>Front Setback (minimum)</td>
<td>Maximum Density</td>
</tr>
<tr>
<td></td>
<td>20 ft. detached single family</td>
<td>17 units/acre</td>
</tr>
<tr>
<td></td>
<td>all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>35 ft. multi-family</td>
<td></td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>Rear Setback (minimum)</td>
<td>Maximum Density</td>
</tr>
<tr>
<td></td>
<td>15 ft. detached single family</td>
<td>17 units/acre</td>
</tr>
<tr>
<td></td>
<td>all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>25 ft. multi-family</td>
<td></td>
</tr>
<tr>
<td>Side, Interior Setback (minimum)</td>
<td>Side, Street Setback (minimum)</td>
<td>Maximum Density</td>
</tr>
<tr>
<td></td>
<td>Side, Street Setback (minimum)</td>
<td>17 units/acre</td>
</tr>
<tr>
<td></td>
<td>Maximum Density</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum Density</td>
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<tr>
<td></td>
<td>17 units/acre</td>
<td></td>
</tr>
<tr>
<td>Perimeter Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20 ft.</td>
<td></td>
</tr>
<tr>
<td>Building Separation between</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10 ft.</td>
<td></td>
</tr>
<tr>
<td>detached single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Separation between</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20 ft.</td>
<td></td>
</tr>
<tr>
<td>detached single family and duplex</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structure Size (maximum)</td>
<td>Structure Size (maximum)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Height</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 stories, with a maximum of 45 ft.*</td>
<td></td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setback of 4 additional feet.

Commentary:
- Unlike the City of Wilmington, New Hanover County provides two subdivision options: conventional and performance. The City of Wilmington only allows conventional subdivisions. In this type of residential development, lots must meet specific size requirements, and structures must meet specific setbacks. Performance subdivisions do not have these standards—only a maximum density and building separation requirements—which allows for clustering, townhome-style development, and condominium ownership.
- The majority of current City of Wilmington lot requirements will be the same for lots subdivided under the county’s conventional subdivision standards. However, lot size requirements consistent with the R-5 standards will be added for duplexes and 3 and 4-unit attached buildings for clarity, and only the maximum density of 17 units/acre is listed. The county does not outline maximum single family densities for conventional subdivisions, as that is generally determined by open space requirements and the types of roadway infrastructure provided.
- Under the county’s performance standards, the RMF-M district will allow a maximum density of 17 units per acre, the maximum density allowed in the city currently. The perimeter setback and building separation standards are common for all performance projects.
- While the city allows building heights up to 96 feet in this district, this is taller than recommended for community mixed use places in the 2016 Comprehensive Plan. It recommends that buildings in this type of place be no more than 3 stories in height. The 45 ft. maximum should allow for most building types and is based on the City of Raleigh code, which includes both story and maximum height requirements.

After receiving feedback on initial profile sheets, the maximum lot coverage is not included in the proposed text amendment—NHC does not currently regulate residential site development in this way, relying on lot setback requirements and subdivision stormwater standards.
### USE PERMISIONS

#### Current City of Wilmington Permissions

<table>
<thead>
<tr>
<th>Uses Permitted by Right</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Dwellings, attached (including townhouses)</td>
</tr>
<tr>
<td>• Dwellings, duplex, triplex, and quadruplex</td>
</tr>
<tr>
<td>• Dwellings, multifamily</td>
</tr>
<tr>
<td>• Dwellings, single-family detached</td>
</tr>
<tr>
<td>• Golf courses, public or private, with related services</td>
</tr>
<tr>
<td>• Parks and recreation areas, municipal</td>
</tr>
<tr>
<td>• Recreation facility, neighborhood</td>
</tr>
<tr>
<td>• Quad-unit apartment</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses Permitted w/Additional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Government uses outside public rights-of-way, except office uses, but including buildings occupied or operated by federal, state, county and/or municipal government on land owned or leased by a government body</td>
</tr>
<tr>
<td>• Group home supportive, small</td>
</tr>
<tr>
<td>• Group home supportive, medium</td>
</tr>
<tr>
<td>• Group home supportive, large</td>
</tr>
<tr>
<td>• Libraries</td>
</tr>
<tr>
<td>• Religious institutions</td>
</tr>
<tr>
<td>• Telecommunication facility, unattended</td>
</tr>
<tr>
<td>• Utility stations and plants outside public rights-of-way that don’t create excessive noise, odor, smoke, dust, and that do not possess other objectionable characteristics</td>
</tr>
<tr>
<td>• Property restricted real estate office</td>
</tr>
<tr>
<td>• Family care home</td>
</tr>
<tr>
<td>• Homestay lodging</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses Permitted w/Special Use Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Community center</td>
</tr>
<tr>
<td>• Day care, adult or child</td>
</tr>
<tr>
<td>• Dormitory, private</td>
</tr>
<tr>
<td>• Fraternity and sorority houses</td>
</tr>
<tr>
<td>• Group day facility</td>
</tr>
<tr>
<td>• Planned unit development</td>
</tr>
<tr>
<td>• Recreation facility, private</td>
</tr>
<tr>
<td>• Schools, primary and secondary</td>
</tr>
<tr>
<td>• Assisted living residence</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permitted Accessory Uses &amp; Structures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Accessory apartment, detached</td>
</tr>
<tr>
<td>• Home occupation</td>
</tr>
<tr>
<td>• Kennel, private</td>
</tr>
<tr>
<td>• Swimming pool</td>
</tr>
</tbody>
</table>

#### Proposed NHC Permissions

<table>
<thead>
<tr>
<th>Uses Permitted by Right</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Single Family Dwelling</td>
</tr>
<tr>
<td>• Duplex</td>
</tr>
<tr>
<td>• Single Family Dwelling—Attached</td>
</tr>
<tr>
<td>• Golf Courses</td>
</tr>
<tr>
<td>• Parks &amp; Recreation Area</td>
</tr>
<tr>
<td>• Home Occupation</td>
</tr>
<tr>
<td>• Government Offices and Buildings*</td>
</tr>
<tr>
<td>• Group Home*</td>
</tr>
<tr>
<td>• Libraries</td>
</tr>
<tr>
<td>• Churches*</td>
</tr>
<tr>
<td>• Residential Care*</td>
</tr>
<tr>
<td>• Accessory Buildings or Uses, clearly incidental to the permitted use or building</td>
</tr>
<tr>
<td>• Amateur Radio Antennas (up to 90 ft.)</td>
</tr>
<tr>
<td>• Antenna &amp; Towers less than 70 ft. in height &amp; ancillary to principal use</td>
</tr>
<tr>
<td>• Cellular &amp; PCS Antenna*</td>
</tr>
<tr>
<td>• Electric/Gas &amp; Sanitary Services</td>
</tr>
<tr>
<td>• Family Child Care Home*</td>
</tr>
<tr>
<td>• Accessory Real Estate Office</td>
</tr>
<tr>
<td>• Accessory Dwelling Unit</td>
</tr>
<tr>
<td>• Agricultural Uses</td>
</tr>
<tr>
<td>• Telephone &amp; Telegraph Facilities</td>
</tr>
<tr>
<td>• Private Residential Boating Facility</td>
</tr>
<tr>
<td>• Special Fundraising for Non-Profit Organizations*</td>
</tr>
<tr>
<td>• Evangelistic and Religious Assemblies not Conducted at a Church*</td>
</tr>
<tr>
<td>• Residential Private Pier</td>
</tr>
<tr>
<td>• Temporary Sign</td>
</tr>
<tr>
<td>• Temporary Relocation Housing*</td>
</tr>
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</tr>
<tr>
<td>• Fraternities/Sororities, Residential</td>
</tr>
<tr>
<td>• Elementary &amp; Secondary Schools</td>
</tr>
<tr>
<td>• Indoor Recreation Establishment</td>
</tr>
<tr>
<td>• Outdoor Recreation Establishment</td>
</tr>
<tr>
<td>• Senior Living: Assisted Living or Personal Care Facility</td>
</tr>
<tr>
<td>• Electric Substation</td>
</tr>
<tr>
<td>• Other Communication Facilities including Towers</td>
</tr>
<tr>
<td>• Commercial Marina</td>
</tr>
<tr>
<td>• Nursing Home/Rehabilitation Center</td>
</tr>
<tr>
<td>• Cemeteries</td>
</tr>
<tr>
<td>• Community Boating Facility</td>
</tr>
<tr>
<td>• Recycling Facilities: Small Collection</td>
</tr>
</tbody>
</table>

**Commentary:**

- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - Uses with an asterisk (*) will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with a ★ have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in the district.
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - This use is permitted by the city but is not historically allowed in zoning districts of this type in the county’s jurisdiction. It will not be included in the county RMF-M district.
  - While not included in the city’s MF-M district, these uses are generally allowed in similar county districts with these levels of permission. They will be allowed in the county’s RMF-M district.
  - These uses generally have different permissions in the county than they do in the city. In the NHC districts, permissions will be in-line with those of similar districts.
  - This use will be added to the county’s list of uses.
INTENT STATEMENT

Proposed Intent Statement

The RMF-MH district is established for medium-high density residential development of varying types and designs, with emphasis on midrise structures. It functions as a transitional land use between intensive nonresidential uses and lower density residential areas. The district is designed to be located near suburban shopping centers and employment centers.

Commentary:

- This district is based on Wilmington’s MF-MH district and is intended for urban mixed use places.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum Lot Size</th>
<th>Maximum Density</th>
<th>Minimum Lot Width</th>
<th>Maximum Lot Coverage</th>
<th>Front Setback (minimum)</th>
<th>Rear Setback (minimum)</th>
<th>Interior Side Setback (minimum)</th>
<th>Corner Side Setback (minimum)</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>4,000 sf</td>
<td>12 units/acre</td>
<td>40 ft.</td>
<td>50%</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>5 ft.</td>
<td>10 ft.</td>
<td>36 ft. *</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>20,000 sf</td>
<td>3 units/acre</td>
<td>90 ft.</td>
<td>35%</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>20 ft.</td>
<td>30 ft.</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>25 units/acre</td>
<td>100%</td>
<td>20 ft.</td>
<td>50%</td>
<td>25 ft.</td>
<td>30 ft.</td>
<td>3 ft.</td>
<td>10 ft.</td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>0%</td>
<td>(minimum)</td>
<td>0 ft.</td>
<td>(minimum)</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td>0 ft.</td>
<td></td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setbacks

Additional Setbacks for Buildings >35 ft. in Height

- First 10 ft. above 35 ft.: 4 additional ft. for each 10 ft. increment, or portion thereof
- 10 ft. to 30 ft. above 35 ft.: 8 ft. for each 10 ft. increment
- 30 ft. or more above 35 ft.: 8 ft. for each 10 ft. increment

Proposed NHC Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Conventional Subdivision Lots</th>
<th>Performance Subdivision Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>4,000 sf detached single family</td>
<td>4,000 sf detached single family</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>12 units/acre detached single family</td>
<td>25 units/acre detached single family</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>40 ft. attached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>25 ft. multi-family</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50% detached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>(minimum) 5 ft. detached single family, 3-unit &amp; 4-unit attached multi-family</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>15 ft. attached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>10 ft. detached single family, 3-unit &amp; 4-unit attached multi-family</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft. attached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>30 ft. multi-family</td>
</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>5 ft. attached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>25 ft. multi-family</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10 ft. attached single family, all attached single family, (including duplexes, 3-unit, 4-unit)</td>
<td>30 ft. multi-family</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>5 ft.</td>
<td>3 stories, with a maximum of 45 ft. *</td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setback of 4 additional feet.

Commentary:

- Unlike the City of Wilmington, New Hanover County provides two subdivision options: conventional and performance. The City of Wilmington only allows conventional subdivisions. In this type of residential development, lots must meet specific size requirements, and structures must meet specific setbacks. Performance subdivisions do not have these standards—only a maximum density and building separation requirements—which allows for clustering, townhome-style development, and condominium ownership.
- The majority of current City of Wilmington lot requirements will be the same for lots subdivided under the county’s conventional subdivision standards. However, lot size requirements consistent with the R-S 5 standards will be added for duplexes and 3 and 4-unit attached buildings for clarity, and only the maximum density of 25 units/acre is listed. The county does not outline maximum single family densities for conventional subdivisions, as that is generally determined by open space requirements and the types of roadway infrastructure provided. Under the county’s performance standards, the RMF-MH district will allow a maximum density of 25 units per acre, the maximum density allowed in the city currently. The perimeter setback and building separation standards are common for all performance projects.
- While the city allows building heights up to 96 feet in this district, this is taller than recommended for community mixed use places in the 2016 Comprehensive Plan. It recommends that buildings in this type of place be no more than 3 stories in height. The 45 ft. maximum should allow for most building types and is based on the City of Raleigh code, which includes both story and maximum height requirements.

Changes from 03-07-2019
Profile Sheets indicated with a red star.

After receiving feedback on initial profile sheets, the maximum lot coverage is not included in the proposed text amendment—NHC does not currently regulate residential site development in this way, relying on lot setback requirements and subdivision stormwater standards.
## USE PERMISSIONS

### Current City of Wilmington Permissions

#### Uses Permitted by Right
- Dwellings, attached (including townhouses)
- Dwellings, duplex, triplex, and quadraplex
- Dwellings, multifamily
- Dwellings, single-family detached
- Golf courses, public or private, with related services
- Parks and recreation areas, municipal
- Recreation facility, neighborhood
- Quad unit apartment

#### Uses Permitted w/Additional Standards
- Government uses outside public rights-of-way, except office uses, but including buildings occupied or operated by federal, state, county and/or municipal government on land owned or leased by a government body
- Group home supportive, small
- Group home supportive, medium
- Group home supportive, large
- Libraries
- Religious institutions
- Telecommunication facility, unattended
- Utility stations and plants outside public rights-of-way that don’t create excessive noise, odor, smoke, dust, and that do not possess other objectionable characteristics
- Property restricted real estate office
- Family care home
- Homestay lodging

#### Uses Permitted w/Special Use Permit
- Community center
- Day care, adult or child
- Dormitory, private
- Fraternity and sorority houses
- Group day facility
- Planned unit development
- Recreation facility, private
- Schools, primary and secondary
- Assisted living residence

#### Permitted Accessory Uses & Structures
- Accessory apartment, detached
- Home occupation
- Kennel, private
- Swimming pool

### Proposed NHC Permissions

#### Uses Permitted by Right
- Single Family Dwelling
- Duplex
- Single Family Dwelling—Attached
- Golf Courses
- Parks & Recreation Area
- Home Occupation
- Government Offices and Buildings*
- Group Home*
- Libraries ★
- Churches*
- Residential Care*
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
- Amateur Radio Antennas (up to 90 ft.)
- Antenna & Towers less than 70 ft. in height & ancillary to principal use
- Cellular & PCS Antenna*
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- Accessory Dwelling Unit
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- Telephone & Telegraph Facilities
- Private Residential Boating Facility
- Special Fundraising for Non-Profit Organizations*
- Evangelical and Religious Assemblies not Conducted at a Church*
- Residential Private Pier
- Temporary Sign
- Temporary Relocation Housing*

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- Adult Day Care
- Child Day Care
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- Elementary & Secondary Schools
- Indoor Recreation Establishment
- Outdoor Recreation Establishment
- Senior Living: Assisted Living or Personal Care Facility
- Electric Substation
- Other Communication Facilities including Towers
- Commercial Marina
- Nursing Home/Rehabilitation Center
- Cemeteries
- Community Boating Facility
- Recycling Facilities: Small Collection

### Commentary:
- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
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  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - This use is permitted by the city but is not historically allowed in zoning districts of this type in the county’s jurisdiction. It will not be included in the county RMF-MH district.
  - While not included in the city’s MF-MH district, these uses are generally allowed in similar county districts with these levels of permission. They will be allowed in the county’s RMF-MH district.
  - These uses generally have different permissions in the county than they do in the city. In the NHC districts, permissions will be in-line with those of similar districts.
  
04-04-2019 Text Change Public Hearing Version
Proposed Intent Statement

The RMF-H district is established for high-density residential development of varying types and designs, with emphasis on midrise and high-rise structures. This district is designed to be located in close proximity to major population centers, areas identified for targeted growth, employment centers, and destination nodes.

Commentary:

- This district is based on Wilmington’s MF-H district and is intended for urban mixed use places, especially those identified as nodes for targeted growth and density.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>3,000 sf detached single family</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>15 units/acre detached single family</td>
</tr>
<tr>
<td>Minimum Lot Width (all attached single family)</td>
<td>40 ft. detached single family</td>
</tr>
<tr>
<td>Minimum Lot Width (including duplexes, 3-unit, 4-unit)</td>
<td>80 ft. multi-family</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>50% detached single family</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>15 ft. detached single family</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft. detached single family</td>
</tr>
<tr>
<td>Interior Side Setback (maximum)</td>
<td>5 ft. detached single family</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10 ft. detached single family</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>96 ft.*</td>
</tr>
</tbody>
</table>

Additional Setbacks for Buildings >35 ft. in Height

<table>
<thead>
<tr>
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<th>First 10 ft. above 35 ft.</th>
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<tr>
<td></td>
<td>10.1 to 30 ft. above 35 ft.</td>
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Proposed NHIC Requirements

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* Heights over 35 ft. subject to additional setbacks

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<td>Interior Side Setback (maximum)</td>
<td>5 ft. detached single family</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>10 ft. detached single family</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>96 ft.*</td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setback of 4 additional feet.

Commentary:

- Unlike the City of Wilmington, New Hanover County provides two subdivision options: conventional and performance. The City of Wilmington only allows conventional subdivisions. In this type of residential development, lots must meet specific size requirements, and structures must meet specific setbacks. Performance subdivisions do not have these standards—only a maximum density and building separation requirements—which allows for clustering, townhome-style development, and condominium ownership.
- The majority of current City of Wilmington lot requirements will be the same for lots subdivided under the county’s conventional subdivision standards. However, lot size requirements have been added for duplexes and 3 and 4-unit attached buildings for clarity (same as single family minimum lot size per unit), and only the maximum density of 36 units/acre is listed. The county does not outline maximum single family densities for conventional subdivisions, as that is generally determined by open space requirements and the types of roadway infrastructure provided.
- Under the county’s performance standards, the RMF-H district will allow a maximum density of 36 units per acre, the maximum density allowed in the city currently. The perimeter setback and building separation standards are common for all performance projects.
- While the city allows building heights up to 96 feet in this district, this is taller than recommended for community mixed use places in the 2016 Comprehensive Plan. It recommends that buildings in this type of place be no more than 3 stories in height. The 45 ft. maximum should allow for most building types and is based on the City of Raleigh code, which includes both story and maximum height requirements.

After receiving feedback on initial profile sheets, the maximum lot coverage is not included in the proposed text amendment—NHIC does not currently regulate residential site development in this way, relying on lot setback requirements and subdivision stormwater standards.
## USE PERMISSIONS

### Current City of Wilmington Permissions

#### Uses Permitted by Right
- Dwellings, attached (including townhouses)
- Dwellings, duplex, triplex, and quadraplex
- Dwellings, multifamily
- Dwellings, single-family detached
- Golf courses, public or private, with related services
- Parks and recreation areas, municipal
- Recreation facility, neighborhood
- Quad-unit apartment

#### Uses Permitted w/Additional Standards
- Government uses outside public rights-of-way, except office uses, but including buildings occupied or operated by federal, state, county and/or municipal government on land owned or leased by a government body
- Group home supportive, small
- Group home supportive, medium
- Group home supportive, large
- Libraries
- Religious institutions
- Telecommunication facility, unattended
- Utility stations and plants outside public rights-of-way that don’t create excessive noise, odor, smoke, dust, and that do not possess other objectionable characteristics
- Property restricted real estate office
- Family care home
- Homestay lodging

#### Uses Permitted w/Special Use Permit
- Community center
- Day care, adult or child
- Dormitory, private
- Fraternity and sorority houses
- Group day facility
- Planned unit development
- Recreation facility, private
- Schools, primary and secondary
- Assisted living residence

### Proposed NHC Permissions

#### Proposed NHC Permissions

#### Uses Permitted by Right
- Single Family Dwelling
- Duplex
- Single Family Dwelling—Attached
- Golf Courses
- Parks & Recreation Area
- Home Occupation
- Government Offices and Buildings*
- Group Home*
- Libraries
- Churches*
- Residential Care*
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
  - Amateur Radio Antennas (up to 90 ft.)
  - Antenna & Towers less than 70 ft. in height & ancillary to principal use
  - Cellular & PCS Antenna*
  - Electric/Gas & Sanitary Services
  - Electric Substation & Other Communication Facilities including Towers
  - Electric Substation
  - Other Communication Facilities including Towers
  - Commercial Marina
  - Nursing Home/Rehabilitation Center
  - Cemeteries
  - Community Boating Facility
  - Recycling Facilities: Small Collection

#### Uses Permitted w/Special Use Permit
- Community Center
- Adult Day Care
- Child Day Care
- Fraternities/Sororities, Residential
- Elementary & Secondary Schools
- Indoor Recreation Establishment
- Outdoor Recreation Establishment
- Senior Living: Assisted Living or Personal Care Facility
- Electric Substation
- Electric Substation & Other Communication Facilities including Towers
- Electric Substation
- Commercial Marina
- Nursing Home/Rehabilitation Center
- Cemeteries
- Community Boating Facility
- Recycling Facilities: Small Collection

### Commentary:
- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - Uses with an asterisk * will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with a ★ have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in the district.
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - This use is permitted by the city but is not historically allowed in zoning districts of this type in the county’s jurisdiction. It will not be included in the county RMF-H district.
  - While not included in the city’s MF-H district, these uses are generally allowed in similar county districts with these levels of permission. They will be allowed in the county’s RMF-H district.
  - These uses generally have different permissions in the county than they do in the city. In the NHC districts, permissions will be in-line with those of similar districts.
  - This use will be added to the county’s list of uses.

04-04-2019 Text Change Public Hearing Version
INTENT STATEMENT

Proposed Intent Statement

The intent of the Community Business district is to provide for the development, growth, and continued operation of businesses that serve surrounding single and multi-family residential neighborhoods with goods and services needed for a variety of daily and long-term purposes. Community Business districts should be designed in a format and scale that is accessible to both vehicles and pedestrians. Community Business should be located within New Hanover County at intersections and along streets that will allow multiple neighborhoods access to the district’s businesses. Community Business zoning can serve as a buffer between higher density/intensity development and moderate or low density multi-family and single family neighborhoods.

Commentary:
- The county currently has two business districts: B-1, which is intended for very small-scale uses at neighborhood nodes, and B-2, which is for auto-oriented uses that serve the region. This district is based on Wilmington’s CB district and would provide a designated zone for mid-level business uses that serve multiple neighborhoods and need to be located close to residential neighborhoods. This district would allow retail, offices, and services in stand-alone buildings no larger than 60,000 ft² in size (about the size of a grocery store).
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>½ acre</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>80 ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>10 ft. generally 25 ft. when abutting residential district</td>
</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>0 ft. generally 20 ft. when abutting residential district</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>45 ft. *</td>
</tr>
<tr>
<td>Maximum Number of Stories</td>
<td>3</td>
</tr>
<tr>
<td>Maximum Floor Area per Development Site</td>
<td>100,000 ft²</td>
</tr>
</tbody>
</table>

Proposed NHC Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
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</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>0 ft. generally 20 ft. when abutting residential district</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Height</td>
<td>3 stories, with a maximum of 45 ft.*</td>
</tr>
<tr>
<td>Floor Area per Development Site</td>
<td>100,000 ft²*</td>
</tr>
</tbody>
</table>

* For every foot of increased height of structures over 20 ft., interior side and rear setbacks shall be increased at a 1:1 ratio where abutting a residential district

* Heights over 35 ft. subject to additional setbacks and bufferyards of 4 ft.

Commentary:
- Most of the current City of Wilmington lot size, setback, and structure size requirements will be the same for the county’s CB district. The maximum lot coverage standard is not included—NHC does not currently regulate site development in this way, relying instead on setback, landscaping, and buffering requirements.

After receiving feedback on initial profile sheets, the additional setback requirement for CB properties adjacent to residential lots is changed in the proposed text amendment. Unlike in the City of Wilmington, CB zoning in the county is likely to be applied for individual lots rather than large districts, increasing the chance that the district will be immediately adjacent to residential properties. The 1:1 setback increase would constrain new development under a CB designation, though this district is intended to provide for commercial uses appropriate—and desirable—adjacent to residential neighborhoods. The proposed setbacks—typical for multi-family and lower-intensity commercial districts in the city—will increase the likelihood of CB development but not sacrifice quality of life for nearby homes.
### USE PERMISSIONS

#### Current City of Wilmington Permissions

**Uses Permitted by Right**
- Amusement and recreation services, indoor
- Assembly hall
- Banking services
- Contractor, general or special trade with no outdoor storage
- Convenience food stores
- Funeral home and crematory
- Gun sales, including repair
- Laboratories, testing
- Limited price variety stores less than 10,000 ft²
- Liquor stores
- Marinas
- Motels and hotels
- Movie theaters
- Offices, medical
- Offices, professional
- Parks and recreation area, municipal
- Personal services
- Post office
- Residential hotels
- Restaurants, standard
- Restaurants, fast-food carry-out
- Retail sales establishments
- Schools, trade, correspondence and vocational
- Spas and health clubs
- Upholstery and furniture repair
- Veterinary services with enclosed pens
- Community Center
- Recreation facility, private
- Artists, commercial including silk screening
- Furniture stores
- Automotive parts and supply stores

**Uses Permitted w/Additional Standards**
- Automotive services, except repair and towing service
- Automobile renting and leasing
- Auxiliary uses and warehouses
- Bowling alleys and pool halls
- Commercial parking lots
- Governmental uses outside public rights-of-way, except offices
- Group home supportive, large
- Libraries
- Mini-warehousing
- Historic mixed-use buildings
- Motion pictures production and distribution
- Religious institutions
- Residential uses as allowed in Commercial District Mixed Use
- Residential unit contained within principal use
- Service stations
- Shopping centers
- Skating rink, ice or roller
- Telecommunications facilities, unattended
- Tire dealers and service
- Utility stations and plants outside public rights-of-way
- Kennels, commercial boarders and breeders
- Electronic gaming establishments
- Day care, adult or child
- Breweries, microbreweries
- Artisan food and beverage producers
- Homestay lodging
- Whole-house lodging

**Uses Permitted w/Special Use Permit**
- Assisted living residence
- Group day facility
- Group home supportive, small
- Group home residential
- Nursing homes
- Communication facilities

**Permitted Accessory Uses & Structures**
- Internal services facilities incidental to permitted uses
- Shipping containers, permanent off-chassis

#### Proposed NHC Permissions

**Uses Permitted by Right**
- Indoor Theater
- Lodges, Fraternal, & Social Organizations
- Banks, Credit Agencies, Savings & Loans
- Business Services, including Printing
- Special Trade & General Contractors with no Outside Storage
- Convenience Food Store
- Funeral Home
- Laboratories, Testing
- Commercial Marina
- Hotels & Motels
- Offices for Private Business & Professional Activities
- Parks & Recreation Area
- Barber/Beauty Shop
- Personal Services
- Watch, Clock, Jewelry Repair
- Post Offices
- Retail Hotel/Motel
- Eating and Drinking Places
- Retail Nurseries
- Veterinaries
- Community Center
- Outdoor Recreation Establishments
- Handicrafting Small Articles
- Accessory Buildings or uses, clearly incidental to the permitted use or building
- Artisan Manufacturing*
- Automobile Service Station*
- Automobile Rental*
- Governmental Offices and Buildings*
- Libraries*
- Motion Pictures Production and Distribution
- Churches*
- Electrical Substation*
- Kennels*
- Electronic Gaming Operations*
- Adult Day Care*
- Child Care Center
- Indoor Recreation Establishments
- Commercial Parking Lot
- Landscaping Service*
- General Merchandise Store*
- Apparel & Accessory Store*
- Drug Store*
- Food Stores*
- Furniture, Home Furnishing, & Equipment*
- Hardware*
- Neighborhood Drug Store*
- Miscellaneous Retail*
- Retail Nurseries*
- Amateur Radio Antennas (up to 90 ft.)
- Antenna & Towers less than 70 ft. in height & ancillary to principal use
- Cellular & PCS Antennas*
- Electric/Gas & Sanitary Services
- Agricultural Uses
- Telephone & Telegraph Facilities
- Wholesale Nurseries & Greenhouses
- Museums
- Christmas Tree Sales*
- Special Fundraising for Non-Profit Organizations*
- Evangelistic and Religious Assemblies not Conducted in a Church*
- Pumpkin Sales*
- Recycling Facilities: Small collection*
- Temporary Signs
- Temporary Relocation Housing*

**Uses Permitted w/Special Use Permit**
- Dwelling Unit Contained within Principal Unit
- Senior Living: Assisted Living or Personal Care Facility
- Group Home
- Nursing Home/Rehabilitation Center
- Family Child Care Home
- Other Communication Facilities including Towers

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**Commentary:**

- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - This use will be added to the county’s list of uses. (Commercial Parking Lot was accidentally left of Proposed NHC Permissions list on initial profile sheet.)
  - These uses generally have different permissions in the county than they do in the city. In the NHC district, permissions will be in-line with those of similar districts.
  - This use is permitted by the city but will not be included in the county CB district. (Due to concerns regarding potential impacts of Motion Pictures Production & Distribution, this use is not included in the county CB district.)
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - This use is already allowed in the county but is not listed as a specific use.
  - Uses with an asterisk* will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with an asterisk* have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in the district.
  - These uses are intended to have size requirements in order to meet intent of this district to provide for community-scaled businesses (no larger than 60,000 ft²). Grocery stores would be allowed, but large format stores would be limited.
INTENT STATEMENT

Proposed Intent Statement

The Commercial Services district is established to accommodate a mixture of light manufacturing, wholesale, storage, commercial service and repair, and distributive business type uses. It functions as a support district to nearby intensive industrial and commercial uses. The district is designed to be act as a transitional land use between intensive industrial and commercial development and less intensive commercial, office, and institutional uses.

Commentary:

- This district is modeled on the City of Wilmington’s Commercial Services district. It would provide a clear place for the necessary businesses that aren’t optimally located near residential neighborhoods, sometimes referred to as “heavy commercial.” The uses in this district generally serve other businesses, such as contractors or fleet services, and may require outside storage of materials and parking for fleet vehicles or equipment. Currently, these types of uses are allowed in the B-2 district, which has limited its usefulness in the areas of the county with many residential neighborhoods. Providing a district specifically for these uses could help transition the B-2 district into more of a regional business zone by providing an optional zoning designation for these uses in areas not as visible or highly travelled as major roadway corridors.
- The proposed intent statement is the same as the draft intent statement presented at the Summer 2018 Planning Board Work Session, except that it clarifies that the primary intent of the district is to locate heavy commercial uses in areas other than major commercial corridors like Market St. and S. Carolina Beach Rd.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>7,500 ft²</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>55 ft</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>N/A</td>
</tr>
<tr>
<td>Front Setback (minimum)</td>
<td>35 ft</td>
</tr>
<tr>
<td>Rear Setback (minimum)</td>
<td>15 ft generally</td>
</tr>
<tr>
<td>Interior Side Setback (minimum)</td>
<td>7 ft generally</td>
</tr>
<tr>
<td>Corner Side Setback (minimum)</td>
<td>15 ft generally</td>
</tr>
<tr>
<td>Maximum Height</td>
<td>35 ft * **</td>
</tr>
</tbody>
</table>

* For every foot of increased height of structures over 20 ft., interior side and rear setbacks shall be increased at a 1:1 ratio where abutting a residential district

** Building height may be increased when additional side and rear yards are provided in accordance with the following standards. The maximum height of any building shall be 96 ft.

<table>
<thead>
<tr>
<th>Height of Building Above 35 ft.</th>
<th>Additional Side and Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 10 ft. above 35 ft.</td>
<td>4 ft. for each 10-foot increment, or portion thereof</td>
</tr>
<tr>
<td>10.1 to 30 ft. above 35 ft.</td>
<td>6 ft. for each 10-foot increment</td>
</tr>
<tr>
<td>30.1 or more above 35 ft.</td>
<td>8 ft. for each 10-foot increment</td>
</tr>
</tbody>
</table>

Proposed NHC Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Requirements</td>
<td></td>
</tr>
<tr>
<td>Lot area, minimum</td>
<td>7,500 ft²</td>
</tr>
<tr>
<td>Lot width, minimum</td>
<td>65 ft</td>
</tr>
<tr>
<td>Setbacks (minimum)—see Additional Yard Standards for building over 35 ft. in height</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>35 ft</td>
</tr>
<tr>
<td>Side, street</td>
<td>17.5 ft along all other public highways or streets</td>
</tr>
<tr>
<td>Side, interior</td>
<td>30 ft when abutting residential district</td>
</tr>
<tr>
<td>Rear</td>
<td>15 ft generally</td>
</tr>
<tr>
<td>Structure Size (maximum)</td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>40 ft.*</td>
</tr>
</tbody>
</table>

* Heights over 35 ft. subject to additional setback and bufferyard of 4 ft.

Commentary:

- All receiving City of Wilmington lot size requirements will be the same for the county’s CS district.
- After receiving feedback on initial profile sheets, the requirements for street side setbacks is changed in the proposed text amendment. Unlike in the City of Wilmington, CS zoning in the county is likely to be applied to individual lots rather than large districts, and the 35 ft. corner (or street) side setback may constrain lots’ development potential to the point where the usefulness of a CS designation is limited. Instead, the current street side setbacks of the B-2 district are proposed, as they have worked successfully in the county’s jurisdiction for uses similar to those allowed in this district.
- The height of structures in the county district will be limited to 40 ft. This is the current height limit for the county’s B-2 and Light Industrial districts, which allow many of the same uses intended for the CS district.
- After receiving feedback on initial profile sheets, the additional setback requirement for CS properties adjacent to residential lots is changed in the proposed text amendment. A 1:1 setback increase could constrain new development under a CS designation, but due to the uses allowed in this district, the city’s base setbacks could be increased to reduce potential effects on adjacent residential properties. The same setback minimums currently required in B-2, where many of the uses proposed for CS currently are located, with the additional setback and bufferyard proposed for CB districts required for taller buildings.

04-04-2019 Text Amendment Public Hearing Version
## USE PERMISSIONS

### Current City of Wilmington Permissions

<table>
<thead>
<tr>
<th>Uses Permitted by Right</th>
<th>Proposed NHC Permissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement and recreation services, indoor</td>
<td>Indoor Recreation Establishment ★</td>
</tr>
<tr>
<td>Artists, commercial including silk screening</td>
<td>Handicrafting Small Articles</td>
</tr>
<tr>
<td>Assembly hall</td>
<td>Indoor Theater</td>
</tr>
<tr>
<td>Automobile and truck dealers, new and used</td>
<td>Lodges, Fraternal, &amp; Social Organizations</td>
</tr>
<tr>
<td>Automobile care center</td>
<td>Automobile Dealers &amp; Truck Sales</td>
</tr>
<tr>
<td>Automobile parts and supply store</td>
<td>Automobile Service Station</td>
</tr>
<tr>
<td>Automobile rental and leasing</td>
<td>Automobile Rentals</td>
</tr>
<tr>
<td>Automobile repair shops</td>
<td>Automobile/Boat Repair Sales</td>
</tr>
<tr>
<td>Automotive services, except repair and towing</td>
<td>Banks, Credit Agencies, Savings &amp; Loans</td>
</tr>
<tr>
<td>Banking services</td>
<td>Business Services, including Printing</td>
</tr>
<tr>
<td>Building materials dealers</td>
<td>Building Material and Garden Supplies</td>
</tr>
<tr>
<td>Bus and taxi service</td>
<td>Bus &amp; Taxi Terminals</td>
</tr>
<tr>
<td>Business services</td>
<td>Special Trade Contractors*</td>
</tr>
<tr>
<td>Carpet and upholstery cleaners (on customer’s premises)</td>
<td>Cut and Sew Apparel Manufacturing (NAICS 3152)</td>
</tr>
<tr>
<td>Chemistry and furnace cleaning</td>
<td>Apparel Accessories and Other Apparel Manufacturing (NAICS 3159)</td>
</tr>
<tr>
<td>Clothing and other finished fabric products (SIC 23)</td>
<td>Special Trade &amp; General Contractors with no Outside Storage</td>
</tr>
<tr>
<td>Contractors, general or special trade, with no outdoor storage</td>
<td>Community Center</td>
</tr>
<tr>
<td>Community center</td>
<td>Equipment Rental &amp; Leasing*</td>
</tr>
<tr>
<td>Contractor’s equipment and supply dealers and service, with no outdoor storage</td>
<td>Convenience Food Store</td>
</tr>
<tr>
<td>Convenience food stores</td>
<td>Drive-In Theater</td>
</tr>
<tr>
<td>Divers, commercial</td>
<td>Commercial and Service Industry Machinery Manufacturing (NAICS 3333)</td>
</tr>
<tr>
<td>Drive-in theater</td>
<td>Engine, Turbine, and Power Transmission Equipment Manufacturing (NAICS 3336)</td>
</tr>
<tr>
<td>Electric motor repair shop</td>
<td>Other General Purpose Machinery Manufacturing (NAICS 3339)</td>
</tr>
<tr>
<td>Electrical and electronic machinery, equipment and supplies (SIC 3699)</td>
<td>Electric Lighting Equipment Manufacturing (NAICS 3335)</td>
</tr>
<tr>
<td>Exterminating services, dwellings and other buildings</td>
<td>Other Electrical Equipment and Component Manufacturing (NAICS 3329)</td>
</tr>
<tr>
<td>Fabricated metal products, except boiler shops, machinery and transportation products; metal coating, engraving and allied services; metal forgings screw machine products; steel, wire, and pip structural metal products; and ordnance</td>
<td>Other Fabricated Metal Product Manufacturing (NAICS 3332)*</td>
</tr>
<tr>
<td>Fishing, commercial</td>
<td>Nautical Construction and Views Manufacturing (NAICS 3334)*</td>
</tr>
<tr>
<td>Funeral home and crematory</td>
<td>Nautical, Marine, and Commercial Refrigeration Equipment Manufacturing (NAICS 3335)*</td>
</tr>
<tr>
<td>Furniture and other home furnishings stores</td>
<td>Navigational, Measuring, Electromedical, and Control Instruments Manufacturing (NAICS 3345)</td>
</tr>
<tr>
<td>Gun sales, including repair</td>
<td>Medical Equipment and Supplies Manufacturing (NAICS 3391)</td>
</tr>
<tr>
<td>Janitor services</td>
<td>Other Miscellaneous Manufacturing (NAICS 3399)</td>
</tr>
<tr>
<td>Launder, industrial</td>
<td>Motion Pictures Production and Distribution</td>
</tr>
<tr>
<td>Leather and leather products, excluding tanning</td>
<td>Motor Freight Transportation Warehousing</td>
</tr>
<tr>
<td>Liquor stores</td>
<td>Entertainment Establishments, Bars, Cabarets, in a Shopping Center</td>
</tr>
<tr>
<td>Lumber and wood products, except furniture (SIC 24)</td>
<td>Offices for Private Business &amp; Professional Activities</td>
</tr>
<tr>
<td>Manufactured housing dealers</td>
<td>Parks &amp; Recreation Areas</td>
</tr>
<tr>
<td>Marinas</td>
<td>Barber/Beauty Shop</td>
</tr>
<tr>
<td>Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks (SIC 38)</td>
<td>Personal Services</td>
</tr>
<tr>
<td>Motion pictures production and distribution</td>
<td>Watch, Clock, Jewelry Repair</td>
</tr>
<tr>
<td>Motorcycle dealers</td>
<td>Post Offices</td>
</tr>
<tr>
<td>Movers, van lines and storage</td>
<td>Railroad Transportation</td>
</tr>
<tr>
<td>Movie theaters, except drive-in</td>
<td>Research Facilities</td>
</tr>
<tr>
<td>Nightclubs</td>
<td>Eating and Drinking Places</td>
</tr>
<tr>
<td>Offices, medical</td>
<td>Apparel &amp; Accessory Store</td>
</tr>
<tr>
<td>Offices, professional</td>
<td>Drug Store</td>
</tr>
<tr>
<td>Package delivery services, commercial</td>
<td>Food Stores</td>
</tr>
<tr>
<td>Parks and recreation areas, municipal</td>
<td>General Merchandise Stores</td>
</tr>
<tr>
<td>Personal services</td>
<td>Hardware</td>
</tr>
<tr>
<td>Post office</td>
<td>Miscellaneous Retail</td>
</tr>
<tr>
<td>Railroad facilities, including passenger and freight stations outside of railroad rights-of-way</td>
<td>Neighborhood Drug Store</td>
</tr>
<tr>
<td>Recreational vehicles and utility trailer dealers</td>
<td>Retail Nurseries</td>
</tr>
<tr>
<td>Repair shops</td>
<td>Colleges, Universities, Professional Schools, &amp; Technical Institutions</td>
</tr>
<tr>
<td>Repair shops</td>
<td>Repair Shop</td>
</tr>
<tr>
<td>Research and development laboratories</td>
<td>Veterinarians*</td>
</tr>
<tr>
<td>Restaurant, fast-food carryout</td>
<td>Water Transportation Facilities</td>
</tr>
<tr>
<td>Restaurant, standard (sit-down)</td>
<td>Outdoor Recreation Establishments</td>
</tr>
<tr>
<td>Retail sales establishments</td>
<td>Sugar and Confectionary Product Manufacturing (NAICS 3113)</td>
</tr>
<tr>
<td>Sales office, off premises, not retail</td>
<td>Accessory Buildings or Uses, clearly incidental to the Permitted Use or Building</td>
</tr>
<tr>
<td>Schools, trade, correspondence, and vocational</td>
<td>Commercial Parking Lot</td>
</tr>
<tr>
<td>Ship chandlers</td>
<td>Amateur Radio Antennas (up to 90 ft.)</td>
</tr>
<tr>
<td>Shipping brokers, freight and cargo, without storage</td>
<td>Antenna &amp; Towers less than 70 ft. in height</td>
</tr>
<tr>
<td>Small engine repair, except automotive</td>
<td>Cellular &amp; PCS Antennas*</td>
</tr>
<tr>
<td>Upholstery and furniture repair</td>
<td>General Building Contractor*</td>
</tr>
<tr>
<td>Used merchandise store, except automotive goods</td>
<td>General Contractors Other than Building*</td>
</tr>
<tr>
<td>Veterinary services with enclosed pens</td>
<td>Landscape Contractors*</td>
</tr>
<tr>
<td>Veterinary services with open pens</td>
<td>Special Trade Contractors*</td>
</tr>
<tr>
<td>Water transportation</td>
<td>Mini-Warehouse★</td>
</tr>
<tr>
<td>Welding repair</td>
<td>Churches*</td>
</tr>
<tr>
<td>Recreational facility, private</td>
<td>Dwelling Unit Contained within Principal Use*</td>
</tr>
<tr>
<td>Candy and other confectionary products, manufacturing, and warehousing (SIC 206)</td>
<td>Warehouse*</td>
</tr>
<tr>
<td>Internal services facilities incidental to permitted uses</td>
<td>Wholesaling*</td>
</tr>
<tr>
<td></td>
<td>Wholesaling with No Outdoor Storage</td>
</tr>
<tr>
<td></td>
<td>Electronic Gaming Operations*</td>
</tr>
</tbody>
</table>
| Commentary: | |}

- **Current City of Wilmington Permissions**
- **Proposed NHC Permissions**

**Commentary:**

- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not the exactly the same. As a result, some anticipated changes to permissions include:
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - Uses with an asterisk* will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice. Uses with a ★ have additional standards in the city and were shown with an asterisk on the initial district profile sheet. The applicable standards are covered by general site design standards in the county and will be permitted without supplemental standards in the district.

- This use will be added to the county’s list of uses as part of this amendment.
ICT SPECIFIC REQUIREMENTS

Commentary:
In no case shall lighting for new construction be located or installed so as to shine directly onto residential premises.

Lighting: All new construction where exterior site lighting is provided shall observe the following limitations as to height:

A. Unrestricted lighting: 10 ft.
B. Ninety-degree cutoff lighting: 15 ft.

In no case shall lighting for new construction be located or installed so as to shine directly onto residential premises.

Commentary:
This is the same site lighting standard required in the city’s CS district.

04-04-2019 Text Amendment Public Hearing Version
The Planned Development district is established to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development under an integrated development plan that would otherwise not be possible under general district requirements. It is designed to:

1. Create new planned development districts for specialized purposes where tracts are suitable in location, area, and character for development on a unified basis;
2. Promote economical and efficient patterns of land use that are sensitive to natural features;
3. Reduce automotive traffic congestion by a reasonably close relationship between origins and destinations of persons living, working, or visiting in such development; and
4. Encourage unified developments consistent with the goals of the county’s Comprehensive Plan and compatible with surrounding land uses.

Commentary:
- At the August 2018 Planning Board work session, staff proposed amending the intent statement for the PD district to emphasize that the district allows design flexibility not available in other districts and to remove language regarding district requirements for the provision of urban services and approval of a master land use plan. This intent statement reflects those changes, and the requirements removed are included in the district standards.

### DIMENSIONAL REQUIREMENTS

#### Current Requirements

- **Minimum District Size**: 100 gross contiguous acres (common ownership or joint petition)
- **Maximum Building Height**: 80 ft. (buildings located in Urban Mixed Use, Community Mixed Use, or Employment Center place types or along collector, minor arterial, or principal arterials)
  - Interior 40 ft.
  - Exterior 40 ft.
- **District Periphery Building Setback**: 20’ from boundary
- **Setback from Pedestrian & Bicycle Paths**: 10 ft.
- **Setback along US and NC Numbered Highways and Major Thoroughfares**: 50 ft.
- **Building Encroachment into Proposed Thoroughfare Rights-of-Way**: 0 ft.
- **Single-Family Residential Building Separation (including accessory structures) from Other Residences**: 10 ft.
- **Multi-Family Residential Building Separation (including accessory structures) from Any Other Building**: 20 ft.
- **Land Use Mixture**: 30% non-residential maximum
- **Fringe Use Area Requirements**
  - **Fringe Use Area Width**: 200 ft. when adjacent to residential uses and/or platted residential lots
  - **Use Restrictions**: Exterior 100’ residential uses only
  - **Maximum Building Height**: 35 ft.

#### Proposed Requirements

- **Minimum District Size**: 10 gross contiguous acres (common ownership or joint petition)
- **Maximum Building Height**: 80 ft. (buildings located in Urban Mixed Use, Community Mixed Use, or Employment Center place types or along collector, minor arterial, or principal arterials)
  - Interior 40 ft.
  - Exterior 40 ft.
- **District Periphery Building Setback**: 20’ from boundary for residential uses
  - 20’ from boundary for industrial uses
  - Commercial and office uses must meet CB setbacks
- **Setback from Pedestrian & Bicycle Paths**: 10 ft.
- **Setback along US and NC Numbered Highways and Major Thoroughfares**: 50 ft.
- **Building Encroachment into Proposed Thoroughfare Rights-of-Way**: 0 ft.
- **Single-Family Residential Building Separation (including accessory structures) from Other Residences**: 10 ft.
- **Multi-Family Residential Building Separation (including accessory structures) from Any Other Building**: 20 ft.
- **Land Use Mixture**: 30% non-residential maximum
- **Fringe Use Area Requirements**
  - **Fringe Use Area Width**: 200 ft. when adjacent to residential uses and/or platted residential lots
  - **Use Restrictions**: Exterior 100’ residential uses only
  - **Maximum Building Height**: (Building Height) X 2.75 or 25 ft. (whichever is greater)

Commentary:
- At the August 2018 Planning Board work session, staff proposed reducing the minimum district size and fringe use area requirements.
  - Reducing the size of the district minimum to 10 acres could increase the likelihood that PD will be used to create the types of mixed use developments envisioned in the Comprehensive Plan. Given the limited amount of large vacant tracts remaining in the county, the current 100 acre minimum limits the usefulness of the district.
  - The fringe use area requirement reduces the amount of a PD that can be used and is likely not needed. The same separation between commercial uses and residential uses required in other districts would provide adequate buffers in this district as well.
INTENT STATEMENT

Proposed Intent Statement

The UMXZ district is established to meet the following five primary objectives in the areas of New Hanover County in proximity to the City of Wilmington and those intended for urban- or community-scale mixed use development:

1. To encourage the efficient mixed use development pattern envisioned in the comprehensive plan;
2. To result in quality design and a variety of built forms of lasting value that result in a pedestrian scale;
3. To provide a mix of housing options;
4. To provide and enhance transportation options, particularly those that are pedestrian-oriented, while reducing demand for automobile trips; and
5. To encourage a mix of uses to foster a sense of community.

The district regulations include design elements intended to enhance the urban form, increase neighborhood safety, and add flexibility for small lots. Integrated mix of uses on development sites and within individual buildings is encouraged. UMXZ zoning is intended to promote mixed-use developments on sites large enough to create a mix of uses within the existing suburban environment. Typically, these developments will include creative development and redevelopment solutions.

Commentary:

- Each of New Hanover County’s current mixed use districts—Riverfront Mixed Use, Exceptional Design Zoning (EDZD), and Planned Development—are intended for very specific types of development. Riverfront Mixed Use projects are only allowed on properties along the Cape Fear River, EDZD allows a mix of uses in return for more stringent development siting and design requirements, and Planned Development is intended for large, undeveloped parcels under common ownership. The county does not have a zoning district where the mixing of uses is allowed and encouraged on smaller infill lots or as part of a redevelopment. However, this type of development is a major goal of the 2016 Comprehensive Plan. The City of Wilmington’s UMX district was originally developed to allow complementary infill and redevelopment of the city’s South Side and was later applied to other properties throughout the city. Its focus on development form and consistency with plan-envisioned development patterns could assist in creating the urban mixed use and community mixed use places depicted in the county’s Future Land Use Map.

- This district was not presented at the August 2018 Planning Board work session. Its inclusion in the recommended code changes is the result of continuing conversations with community stakeholders.

To clarify that this district may be appropriate for properties not directly adjacent to City of Wilmington, the words “in proximity” replace the word “adjacent” used on the initial profile sheet presented in April 2019.

DIMENSIONAL REQUIREMENTS

Current City of Wilmington Requirements (outside of 1945 corporate limits) | Proposed NHC Requirements
--- | ---
**Minimum District Size** | 5 acres | 5 acres

**Maximum Building Height**
- Along arterial streets, 4 stories or 45 ft.*
- Along residential & collector streets, 2 stories or 35 ft.
- Along arterial or internal collector streets, 5 stories or 55 ft. if structured parking is provided within the project

**Minimum Setback from Single-Family Zoning Districts**
- 35 ft. for buildings ≤ 35 ft. in height
- 45 ft. for buildings 36-45 ft. in height
- 45 ft. for buildings 46-55 ft. in height**
- 45 ft. for buildings 56-75 ft. in height**

**Maximum Setbacks**
- 10 ft. (front setbacks are not required along alleys; TRC may waive strict adherence to requirement where an existing easement or significant natural feature exists)

**Maximum Dwelling Units per Acre**
- 15 single family
- 25 multi-family
- 30 vertically integrated mixed-use building

*May be increased 75 ft. with the issuance of a special use permit or entry into a development agreement
** Only applicable for properties along arterial or internal collector streets and when structured parking is provided

Commentary:

- All current City of Wilmington standards will be the same for the county’s UMXZ district, except that the density is capped at 36 units/acre for vertically integrated mixed-use buildings. This will ensure that projects remain consistent with the maximum density allowed in other county zoning districts. The development agreement provision is also not provided, as it is not set up in the county’s zoning code.

- As a note, this district can only be applied to a property as a conditional zoning district or with a conceptual plan. This will allow the Board of Commissioners to determine whether the project is at an appropriate scale. Projects in community mixed use areas or with lower current development intensities would not necessarily reach the height or density maximums allowed for within this district. It would be decided on a case-by-case basis.
Uses Permitted w/Addition Standards

- Auxiliary uses and wares
- Communications facilities
- Freestanding structured parking decks
- Group home supportive, small, medium, large
- Industrial uses in existing building
- Utility stations and plants outside public rights-of-way, including lift stations, substations, pump stations, etc.
- Breweries, small regional and microbreweries
- Artisan food and beverage producers

Commentary:

- Because the city lists prohibited uses instead of permitted uses, it can be difficult to compare the permissions. In general, the uses prohibited by the city are also prohibited by the county, but some differences in terms apply:
  - The uses prohibited by the city and county include:
    - Adult Entertainment Establishments
    - Electronic Gaming Operations
    - Mobile Home Dealers & Prefabricated Buildings
    - Motor Freight Transportation Warehousing
    - Entertainment Establishments, Bars, Cabarets, Discos
    - Entertainment Establishments, Bars, Cabarets, in a Shopping Center
  - Additional uses will not be allowed in the county UMX district since it is not intended to apply primarily to previously developed industrial or heavy commercial areas, like the city’s district. In general, these uses are ones only currently allowed in industrial districts or that are not appropriate in a more dense, urban or community setting:
    - Solar Power Farms
    - Junk Yards, Scrap Processing
    - Livestock Sales
    - Wholesaling (with outside storage)
    - Dry Cleaning/Laundry Plant
    - Electrical Repair Shop
    - Funeral Home
    - Demolition-Landscape Landfill
    - Camping, Travel Trailer Parks
    - Outdoor Shooting Ranges
    - Stables
    - Septic Tank Vacuum Service
    - Outdoor Advertising
    - Principal Use Sign
    - Automobile/Boat Repair Sales
    - Automobile Dealers & Truck Sales
    - Boat Dealers
    - Recreational Vehicles and Boat Trailer Storage Lots
    - Commercial Marina with Floating Structures
    - High Density Development (special use permit to allow greater residential density)
    - Manufactured Home
    - Manufactured Home, Doublewide
    - Manufactured Home Park
    - Manufactured Home Subdivision
    - Septage, Sludge Disposal
    - Recycling Facilities: Large Collection
    - Recycling Facilities: Processing
    - Recycling Facilities: Large Collection & Processing
    - All Manufacturing uses, except Artisan Manufacturing
    - All intensive Manufacturing uses

- The way the city’s and county’s terms are written require that these uses be included as permitted or special uses in the county’s district.

- Uses with an asterisk (*) will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice.

- These uses will be added to the county’s list of uses as part of this amendment.

Current City of Wilmington Permissions

Prohibited Uses

- Adult establishments
- Electronic gaming
- Garbage collection, private
- Gas companies
- Manufactured home sales
- Motor freight companies
- Movers, van lines, and storage
- Nightclubs

Uses Permitted w/Addition Standards

- Auxiliary uses and wares
- Communications facilities
- Freestanding structured parking decks
- Group home supportive, small, medium, large
- Industrial uses in existing building
- Utility stations and plants outside public rights-of-way, including lift stations, substations, pump stations, etc.
- Breweries, small regional and microbreweries
- Artisan food and beverage producers

Commentary:

- Because the city lists prohibited uses instead of permitted uses, it can be difficult to compare the permissions. In general, the uses prohibited by the city are also prohibited by the county, but some differences in terms apply:
  - The uses prohibited by the city and county include:
    - Adult Entertainment Establishments
    - Electronic Gaming Operations
    - Mobile Home Dealers & Prefabricated Buildings
    - Motor Freight Transportation Warehousing
    - Entertainment Establishments, Bars, Cabarets, Discos
    - Entertainment Establishments, Bars, Cabarets, in a Shopping Center
  - Additional uses will not be allowed in the county UMX district since it is not intended to apply primarily to previously developed industrial or heavy commercial areas, like the city’s district. In general, these uses are ones only currently allowed in industrial districts or that are not appropriate in a more dense, urban or community setting:
    - Solar Power Farms
    - Junk Yards, Scrap Processing
    - Livestock Sales
    - Wholesaling (with outside storage)
    - Dry Cleaning/Laundry Plant
    - Electrical Repair Shop
    - Funeral Home
    - Demolition-Landscape Landfill
    - Camping, Travel Trailer Parks
    - Outdoor Shooting Ranges
    - Stables
    - Septic Tank Vacuum Service
    - Outdoor Advertising
    - Principal Use Sign
    - Automobile/Boat Repair Sales
    - Automobile Dealers & Truck Sales
    - Boat Dealers
    - Recreational Vehicles and Boat Trailer Storage Lots
    - Commercial Marina with Floating Structures
    - High Density Development (special use permit to allow greater residential density)
    - Manufactured Home
    - Manufactured Home, Doublewide
    - Manufactured Home Park
    - Manufactured Home Subdivision
    - Septage, Sludge Disposal
    - Recycling Facilities: Large Collection
    - Recycling Facilities: Processing
    - Recycling Facilities: Large Collection & Processing
    - All Manufacturing uses, except Artisan Manufacturing
    - All intensive Manufacturing uses

- The way the city’s and county’s terms are written require that these uses be included as permitted or special uses in the county’s district.

- Uses with an asterisk (*) will be shown as permitted on the NHC Table of Permitted Uses, but they have supplemental standards in this district. The reference for the supplemental standards will be provided on the table, which is the county’s current practice.

- These uses will be added to the county’s list of uses as part of this amendment.
Current City of Wilmington Permissions

Uses Permitted w/Special Use Permit
- Automobile renting and leasing
- Automotive services and towing services
- Communication facilities
- Contractor equipment or supply dealers and service
- Contractor storage yard
- Dormitories, private
- Drive-through services
- Group day facility
- Industrial and manufacturing uses greater than 10,000 square feet
- Motor vehicle dealers, including automobiles, boat dealers, motorcycles, recreational vehicles, and utility trailers
- Tire dealers and service
- Group home residential

Proposed NHC Permissions

Uses Permitted w/Special Use Permit
- Automobile Rentals
- Automobile Service Station
- Other Communication Facilities including Towers
- Equipment Rental & Leasing
- General Building Contractor
- General Contractors other than Building
- Landscaping Contractors
- Special Trade Contractors
- Cemeteries
- Community Boating Facility

Commentary:
- Because the city and county do not have the same list of uses, the city’s permissions have been translated as closely as possible to the closest county term. In addition, the authorities and historic use permissions of the city and the county are not exactly the same. As a result, some anticipated changes to permissions include:
  - This use is permitted by the city but will not be included in the county CB district.
  - These uses and/or permissions are specific to the city code and are not proposed to be added to the county’s list of uses.
  - These uses are generally allowed in non-industrial county districts with these permit requirements.
### District Specific Requirements

#### Review Process
- Processed as a condition district subject to a conceptual site plan review
- **Commentary:** The city allows the UMX district to be processed either as a conditional district or a general rezoning subject to a conceptual site plan. To clarify how this would work given current county processes, the UMXZ district is set up to process as a conditional district, but explicit conceptual site plan requirements are outlined to ensure too much specificity is not required at the rezoning stage. This will allow the boards the ability to review the mix or uses, heights, etc. of projects during consideration of the rezoning while supporting some flexibility.

#### Mix of Uses
- A mix of both residential and nonresidential uses is required, but no specific percentage formula is outlined. The mix for each project could be different and would be reviewed at the rezoning phase.
- **Commentary:** This is the city’s current requirement for UMX projects outside the 1945 corporate limits.

#### Utility and Equipment Screening
- Equipment and fire escapes not allowed on building façades with street frontage.
- Through-wall mechanical units allowed on any façade if design and condensation drip system standards met.
- Equipment that can’t be located out-of-sight must be screened.
- TRC may approve alterations if criteria met.
- **Commentary:** These are the city’s current requirements, but specific criteria is provided to guide TRC decisions.

#### Site Lighting
- Lighting must be located, shielded, etc. so no direct light is cast on adjacent properties and off-site backlighting and up-lighting is minimized.
- Light posts shall be no taller than 12 ft.
- **Commentary:** These are the city’s current requirements.

#### Parking and Driveway Requirements
- Parking shall be provided in accordance with code’s general parking standards, though shared parking is allowed subject to a parking study.
- Surface parking lots must be located to side or rear of buildings and screened if visible from public right-of-way.
- TRC waivers are provided for in cases where this is not consistent with existing corridor frontage pattern in 04-04-2019 draft.
- Parking should be accessed via alleys wherever possible.
- Above grade parking structures should be designed to relate to context of the area.
- Pervious pavement materials, vegetated bio-infiltration parking lot islands, or infiltration systems must be used to minimize run-off to the extent that soil permeability, depth to groundwater, or site constraints allow.
- **Commentary:** The majority of the city’s current parking design standards will be included in the county’s UMXZ district. However, district-specific parking minimums will not be outlined, including bicycle parking. Parking minimums and other lot design standards will be considered during the targeted code updates that will be addressed in the next phases of this project.

#### General Site Design
- Multi-modal transportation opportunities such as defined pedestrian circulation, sidewalks, bicycle and pedestrian connectivity to adjacent developments or existing or funded bike/ped facilities, and internal grid with 400 ft. maximum blocks are required (though TRC may waive based on pre-defined criteria).
- Street trees at the rate of 1 tree per 30 ft. frontage will be required. NCDOT approval will be required for public rights-of-way.
- A minimum buffer of at least 20 ft. in width will be required adjacent to single-family residential zoning districts.
- Other buffering and streetyard requirements can be exempted upon approval of TRC when contextual design constraints dictate or when other design and/or landscaping features meet the needs of the buffering or streetyard requirements.
- Trash containment areas shall be located within a building if possible or placed to rear and side and screened with an opaque fence.
- Open wire fencing is prohibited, and front yard fences can be no taller than 4 feet.
- **Commentary:** The majority of site design standards in the county’s UMXZ district are the same as the city’s UMX standards outside the 1945 corporate limits. Some clarifying the need for TRC amendments and off-site bicycle and pedestrian facilities that must be connected to is provided. In addition, encroachment agreements for balconies and door swings are not specifically required, as interior sidewalks and pedestrian ways within the county are unlikely to be publicly owned and/or maintained.

#### Building Design
- Primary entrances should be distinct and oriented toward sidewalks along primary street frontages.
- Large expanses of flat, unadorned walls are prohibited, and façades must incorporate architectural details and periodic transitions.
- Building façades exceeding 30 ft. in width along rights-of-way shall be divided into distinct areas utilizing methods such as offsets, pilasters, change in materials, fenestration, etc. Transitions shall be no further apart than 2/3 of the height of the façade.
- New building shall front onto sidewalks to reinforce pedestrian activity along streets and pedestrian ways.
- Exterior burglar bars, fastened “riot shutters,” or similar security devices shall not be visible from the public right-of-way.
- Exterior building materials for all new nonresidential or multi-family structures shall be of quality finish materials. Structural metal panels or unparged or non-architectural, non-decorative concrete block shall be prohibited on façades visible from the public right-of-way.
- **Commentary:** The majority of building design standards in the county’s UMXZ district are the same as the city’s UMX standards outside of historic districts. The language of some standards is amended slightly to reflect that not all sidewalks and streets will likely be publicly owned and/or maintained and that UMXZ developments may not be located in already developed areas with a common architectural context.