



R-5 MODERATE-HIGH RESIDENTIAL DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S R-5 DISTRICT

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

Minimum Lot Size	5,000 sf detached single family 7,500 sf duplex 12,500 sf triplex (3-unit building) 17,500 sf quadraplex (4-unit building)
Minimum Lot Width	50 ft.
Maximum Lot Coverage	50%
Front Setback (minimum)	20 ft.
Rear Setback (minimum)	15 ft.
Interior Side Setback (minimum)	7 ft.
Corner Side Setback (minimum)	10.5 ft.
Maximum Height	35 ft.

Proposed NHC Requirements

Conventional Subdivision Lots	
Minimum Lot Size	5,000 sf detached single family 7,500 sf duplex 12,500 sf 3-unit attached single family 17,500 sf 4-unit attached single family
Minimum Lot Width	50 ft.
Front Setback (minimum)	20 ft.
Rear Setback (minimum)	15 ft.
Side, Interior Setback (minimum)	7 ft.
Side, Street Setback (minimum)	10.5 ft.
Performance Subdivision Lots (no minimum lot sizes, allows clustering)	
Maximum Density	8 units/acre
Perimeter Setbacks	20 ft.
Building Separation between detached single family	10 ft.
Building Separation between detached single family and duplex	20 ft.
Building Separation between 3+-unit attached and all other dwellings	20 ft.
Structure Size (maximum)	
Height	35 ft.

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, quadraplex
- Golf courses, public or private, with related services
- Parks and recreation areas, municipal
- Recreation, neighborhood

Uses Permitted w/Additional Standards

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

Uses Permitted w/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 w/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 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 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.



RMF-L RESIDENTIAL MULTI-FAMILY LOW-DENSITY DISTRICT ADAPTED FROM CITY OF WILMINGTON’S MF-L DISTRICT

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

Minimum Lot Size	5,000 sf detached single family 20,000 sf multi-family
Maximum Density	6 units/acre detached single family 10 units/acre multi-family
Minimum Lot Width	50 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 100 ft. multi-family
Maximum Lot Coverage	50% detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30% multi-family
Front Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 35 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 25 ft. multi-family
Interior Side Setback (minimum)	5 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 20 ft. multi-family
Corner Side Setback (minimum)	10 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Maximum Height	96 ft.*

\* 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
10.1 to 30 ft. above 35 ft.	6 ft. for each 10 ft. increment
30.1 ft. or more above 35 ft.	8 ft. for each 10 ft. increment

Proposed NHC Requirements

Conventional Subdivision Lots (specifies minimum lot sizes)	
Minimum Lot Size	5,000 sf detached single family 7,500 sf duplex 12,500 sf 3-unit attached single family 17,500 sf 4-unit attached single family 20,000 sf multi-family (5+ attached units)
Minimum Lot Width	50 ft. detached single family duplexes, 3-unit & 4 –unit attached 100 ft. multi-family
Front Setback (minimum)	20 ft. detached single family duplexes, 3-unit & 4 –unit attached 35 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 25 ft. multi-family
Side, Interior Setback (minimum)	5 ft. detached single family duplexes, 3-unit & 4 –unit attached 20 ft. multi-family
Side, Street Setback (minimum)	10 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Maximum Density	10 units/acre
Performance Subdivision Lots (no minimum lot sizes, allows clustering)	
Maximum Density	10 units/acre
Perimeter Setbacks	20 ft.
Building Separation between detached single family	10 ft.
Building Separation between detached single family and duplex	20 ft.
Building Separation between 3+-unit attached and all other dwellings	20 ft.
Structure Size (maximum)	
Height	3 stories, with a maximum of 45 ft.*

\* 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 RMF-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.



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\*
- 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\*

Allowed under Accessory Buildings or Uses

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.

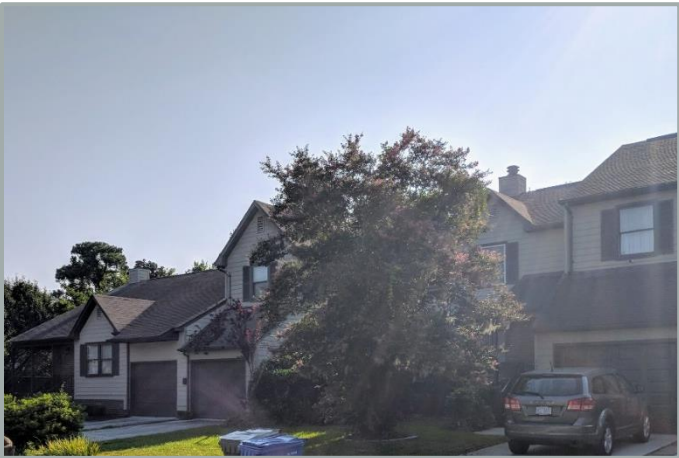
RMF-M RESIDENTIAL MULTI-FAMILY MODERATE DENSITY DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S MF-M DISTRICT

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

Minimum Lot Size	5,000 sf detached single family 20,000 sf multi-family
Maximum Density	9 units/acre detached single family 17 units/acre multi-family
Minimum Lot Width	50 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 100 ft. multi-family
Maximum Lot Coverage	50% detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30% multi-family
Front Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 35 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 25 ft. multi-family
Interior Side Setback (minimum)	5 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 20 ft. multi-family
Corner Side Setback (minimum)	10 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Maximum Height	96 ft.*

\* 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
10.1 to 30 ft. above 35 ft.	6 ft. for each 10 ft. increment
30.1 ft. or more above 35 ft.	8 ft. for each 10 ft. increment

Proposed NHC Requirements

Conventional Subdivision Lots (specifies minimum lot sizes)	
Minimum Lot Size	5,000 sf detached single family 7,500 sf duplex 12,500 sf 3-unit attached single family 17,500 sf 4-unit attached single family 20,000 sf multi-family (5+ attached units)
Minimum Lot Width	50 ft. detached single family duplexes, 3-unit & 4 –unit attached 100 ft. multi-family
Front Setback (minimum)	20 ft. detached single family duplexes, 3-unit & 4 –unit attached 35 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 25 ft. multi-family
Side, Interior Setback (minimum)	5 ft. detached single family duplexes, 3-unit & 4 –unit attached 20 ft. multi-family
Side, Street Setback (minimum)	10 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Maximum Density	17 units/acre
Performance Subdivision Lots (no minimum lot sizes, allows clustering)	
Maximum Density	17 units/acre
Perimeter Setbacks	20 ft.
Building Separation between detached single family	10 ft.
Building Separation between detached single family and duplex	20 ft.
Building Separation between 3+-unit attached and all other dwellings	20 ft.
Structure Size (maximum)	
Height	3 stories, with a maximum of 45 ft.*

\* 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 PERMISSIONS

Current City of Wilmington 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.)
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- 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\*

Allowed under Accessory Buildings or Uses

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:
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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-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.





# RMF-MH RESIDENTIAL MULTI-FAMILY MODERATE-HIGH DENSITY DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S MF-MH DISTRICT

## 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

Minimum Lot Size	4,000 sf detached single family 20,000 sf multi-family
Maximum Density	12 units/acre detached single family 25 units/acre multi-family
Minimum Lot Width	40 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 90 ft. multi-family
Maximum Lot Coverage	50% detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 35% multi-family
Front Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 25 ft. multi-family
Interior Side Setback (minimum)	5 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 20 ft. multi-family
Corner Side Setback (minimum)	10 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Maximum Height	96 ft.*

\* 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
10.1 to 30 ft. above 35 ft.	6 ft. for each 10 ft. increment
30.1 ft. or more above 35 ft.	8 ft. for each 10 ft. increment

### Proposed NHC Requirements

Conventional Subdivision Lots (specifies minimum lot sizes)	
Minimum Lot Size	4,000 sf detached single family 7,500 sf duplex 12,500 sf 3-unit attached single family 17,500 sf 4-unit attached single family 20,000 sf multi-family (5+ attached units)
Minimum Lot Width	40 ft. detached single family duplexes, 3-unit & 4 –unit attached 90 ft. multi-family
Front Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 25 ft. multi-family
Side, Interior Setback (minimum)	5 ft. detached single family duplexes, 3-unit & 4 –unit attached 20 ft. multi-family
Side, Street Setback (minimum)	10 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Maximum Density	25 units/acre
Performance Subdivision Lots (no minimum lot sizes, allows clustering)	
Maximum Density	25 units/acre
Perimeter Setbacks	20 ft.
Building Separation between detached single family	10 ft.
Building Separation between detached single family and duplex	20 ft.
Building Separation between 3+-unit attached and all other dwellings	20 ft.
Structure Size (maximum)	
Height	3 stories, with a maximum of 45 ft.*

\* 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 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.

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\*
- 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\*

Allowed under Accessory Buildings or Uses

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-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.
  - This use will be added to the county's list of uses.





# RMF-H RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT

ADAPTED FROM CITY OF WILMINGTON'S MF-H DISTRICT

## INTENT STATEMENT

### 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

Minimum Lot Size	3,000 sf detached single family 15,000 sf multi-family
Maximum Density	15 units/acre detached single family 36 units/acre multi-family
Minimum Lot Width	40 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 80 ft. multi-family
Maximum Lot Coverage	50% detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 35% multi-family
Front Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 25 ft. multi-family
Interior Side Setback (minimum)	5 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 20 ft. multi-family
Corner Side Setback (minimum)	10 ft. detached single family all attached single family, (including duplexes, 3-unit, 4 –unit) 30 ft. multi-family
Maximum Height	96 ft.*

\* 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
10.1 to 30 ft. above 35 ft.	6 ft. for each 10 ft. increment
30.1 ft. or more above 35 ft.	8 ft. for each 10 ft. increment

### Proposed NHC Requirements

Conventional Subdivision Lots (specifies minimum lot sizes)	
Minimum Lot Size	3,000 sf detached single family 6,000 sf duplex 9,000 sf 3-unit attached single family 12,000 sf 4-unit attached single family 15,000 sf multi-family (5+ attached units)
Minimum Lot Width	40 ft. detached single family duplexes, 3-unit & 4 –unit attached 80 ft. multi-family
Front Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Rear Setback (minimum)	15 ft. detached single family duplexes, 3-unit & 4 –unit attached 25 ft. multi-family
Side, Interior Setback (minimum)	5 ft. detached single family duplexes, 3-unit & 4 –unit attached 20 ft. multi-family
Side, Street Setback (minimum)	10 ft. detached single family duplexes, 3-unit & 4 –unit attached 30 ft. multi-family
Maximum Density	36 units/acre
Performance Subdivision Lots (no minimum lot sizes, allows clustering)	
Maximum Density	36 units/acre
Perimeter Setbacks	20 ft.
Building Separation between detached single family	10 ft.
Building Separation between detached single family and duplex	20 ft.
Building Separation between 3+-unit attached and all other dwellings	20 ft.
Structure Size (maximum)	
Height	3 stories, with a maximum of 45 ft.*

\* 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—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\*
- 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\*

Allowed under Accessory Buildings or Uses

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-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.

CB COMMUNITY BUSINESS DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S CB DISTRICT

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

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

\* 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

Proposed NHC Requirements

Lot & Setback Requirements	
Minimum Lot Size	½ acre
Minimum Lot Width	80 ft.
Front Setback (minimum)	20 ft.
Rear Setback (minimum)	10 ft. generally 25 ft. when abutting residential district
Interior Side Setback (minimum)	0 ft. generally 20 ft. when abutting residential district
Corner Side Setback (minimum)	20 ft.
Structure Size (maximum)	
Height	3 stories, with a maximum of 45 ft.*
Floor Area per Development Site	100,000 ft²

\* 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 areas, 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
- Automobile parts and supply stores

Uses Permitted w/Additional Standards

- Automotive services, except repair and towing service
- Automobile renting and leasing
- Auxiliary uses and wares
- 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
- Religions 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
- Telecommunication 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
- Resort Hotel/Motel
- Eating and Drinking Places
- Retail Nurseries
- Veterinaries
- Community Center
- Outdoor Recreation Establishments
- Handcrafting Small Articles
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
- Artisan Manufacturing\*
- Automobile Service Station\*
- Automobile Rentals\*
- Government 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

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 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 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.

CS COMMERCIAL SERVICES DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S CS DISTRICT

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

Minimum Lot Area	7,500 ft <sup>2</sup>
Minimum Lot Width	65 ft.
Maximum Lot Coverage	n/a
Front Setback (minimum)	35 ft.
Rear Setback (minimum)	15 ft. generally 25 ft. when abutting residential district
Interior Side Setback (minimum)	7 ft. generally 20 ft. when abutting residential district
Corner Side Setback (minimum)	35 ft.
Maximum Height	35 ft. *, **

\* 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.

Height of Building Above 35 ft.	Additional Side and Rear Yard
First 10 ft. above 35 ft.	4 ft. for each 10-foot increment, or portion thereof
10.1 to 30 ft. above 35 ft.	6 ft. for each 10-foot increment
30.1 or more above 35 ft.	8 ft. for each 10-foot increment

Proposed NHC Requirements

Lot Requirements	
Lot area, minimum	7,500 ft <sup>2</sup>
Lot width, minimum	65 ft.
Setbacks (minimum)—see Additional Yard Standards for building over 35 ft. in height	
Front	35 ft.
Side, street	25 ft. along highways & major thoroughfares 17.5 ft. along all other public highways or streets
Side, interior	7 ft. generally 30 ft. when abutting residential district
Rear	15 ft. generally 35 ft. when abutting residential district
Structure Size (maximum)	
Height	40 ft.*

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

Commentary:

- All current 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 constraint 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.

USE PERMISSIONS

Current City of Wilmington Permissions

Uses Permitted by Right

- Amusement and recreation services, indoor
- Artists, commercial including silk screening
- Assembly hall
- Automobile and truck dealers, new and used
- Automobile care center
- Automobile parts and supply store
- Automobile renting and leasing
- Automobile repair shops
- Automotive services, except repair and towing
- Banking services
- Building materials dealers
- Bus and taxi service
- Business services
- Carpet and upholstery cleaners (on customer’s premises)
- Chimney and furnace cleaning
- Clothing and other finished fabric products (SIC 23)
- Contractors, general or special trade, with no outdoor storage
- Community center
- Contractor’s equipment and supply dealers and service, with no outdoor storage
- Convenience food stores
- Divers, commercial
- Drive-in theater
- Electric motor repair shop
- Electrical and electronic machinery, equipment and supplies (SIC 3699)
- Exterminating services, dwellings and other buildings
- 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
- Fishing, commercial
- Funeral home and crematory
- Furniture and other home furnishings stores
- Gun sales, including repair
- Janitor services
- Launderers, industrial
- Leather and leather products, excluding tanning
- Liquor stores
- Lumber and wood products, except furniture (SIC 24)
- Manufactured housing dealers
- Marinas
- Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks (SIC 38)
- Motion pictures production and distribution
- Motorcycle dealers
- Movers, van lines and storage
- Movie theaters, except drive-in
- Nightclubs
- Offices, medical
- Offices, professional
- Package delivery services, commercial
- Parks and recreation areas, municipal
- Personal services
- Post office
- Railroad facilities, including passenger and freight stations outside of railroad rights-of-way
- Recreational vehicles and utility trailer dealers
- Repair shops
- Research and development laboratories
- Restaurant, fast-food carryout
- Restaurant, standard (sit-down)
- Retail sales establishments
- Sales office, off premises, not retail
- Schools, trade, correspondence, and vocational
- Ship chandlers
- Shipping brokers, freight and cargo, without storage
- Small engine repair, except automotive
- Upholstery and furniture repair
- Used merchandise store, except automotive goods
- Veterinary services with enclosed pens
- Veterinary services with open pens
- Water transportation
- Welding repair
- Recreational facility, private
- Candy and other confectionary products, manufacturing, and warehousing (SIC 206)
- Internal services facilities incidental to permitted uses

Proposed NHC Permissions

Uses Permitted by Right

- Indoor Recreation Establishment ★
- Handcrafting Small Articles
- Indoor Theater
- Lodges, Fraternal, & Social Organizations
- Automobile Dealers & Truck Sales
- Automobile Service Station
- Automobile Rentals
- Automobile/Boat Repair Sales
- Banks, Credit Agencies, Savings & Loans
- Business Services, including Printing
- Building Material and Garden Supplies
- Bus & Taxi Terminals
- Special Trade Contractors\*
- Cut and Sew Apparel Manufacturing (NAICS 3152)
- Apparel Accessories and Other Apparel Manufacturing (NAICS 3159)
- Special Trade & General Contractors with no Outside Storage
- Community Center
- Equipment Rental & Leasing\*
- Convenience Food Store
- Drive-In Theater
- Commercial and Service Industry Machinery Manufacturing (NAICS 3333)
- Engine, Turbine, and Power Transmission Equipment Manufacturing (NAICS 3336)
- Other General Purpose Machinery Manufacturing (NAICS 3339)
- Electric Lighting Equipment Manufacturing (NAICS 3351)
- Other Electrical Equipment and Component Manufacturing (NAICS 3359)
- Other Fabricated Metal Product Manufacturing (NAICS 3329) ★ On next page—requires Special Use Permit
- Funeral Home
- Furniture, Home Furnishing, & Equipment
- Dry Cleaning/Laundry Plan
- Footwear Manufacturing (NAICS 3162)
- Other Leather and Allied Product Manufacturing (NAICS 3169)
- Mobile Home Dealers & Prefabricated Buildings
- Commercial Marina\*
- Industrial Machinery Manufacturing (NAICS 3332)
- Ventilation, Heating, Air Conditioning, and Commercial Refrigeration Equipment Manufacturing (NAICS 3334) ★ On next page—requires Special Use Permit
- Navigational, Measuring, Electromedical, and Control Instruments Manufacturing (NAICS 3345)
- Medical Equipment and Supplies Manufacturing (NAICS 3391)
- Other Miscellaneous Manufacturing (NAICS 3399)
- Motion Pictures Production and Distribution
- Motor Freight Transportation Warehousing
- Entertainment Establishments, Bars, Cabarets, Discos
- Entertainment Establishments, Bars, Cabarets, in a Shopping Center
- Offices for Private Business & Professional Activities
- Parks & Recreation Areas
- Barber/Beauty Shop
- Personal Services
- Watch, Clock, Jewelry Repair
- Post Offices
- Railroad Transportation
- Research Facilities
- Eating and Drinking Places
- Apparel & Accessory Store
- Drug Store
- Food Stores
- General Merchandise Stores
- Hardware
- Miscellaneous Retail
- Neighborhood Drug Store
- Retail Nurseries
- Colleges, Universities, Professional Schools, & Technical Institutions
- Repair Shop
- Veterinaries
- Kennels\*
- Water Transportation Facilities
- Outdoor Recreation Establishments
- Sugar and Confectionary Product Manufacturing (NAICS 3113)
- Accessory Buildings or Uses, clearly incidental to the Permitted Use or Building
- Commercial Parking Lot
- Amateur Radio Antennas (up to 90 ft.)
- Antenna & Towers less than 70 ft. in height
- Cellular & PCS Antennas\*
- General Building Contractor\*
- General Contractors Other than Building\*
- Landscaping Contractors\*
- Special Trade Contractors\*
- Mini-Warehouses ★
- Churches\*
- Dwelling Unit Contained within Principal Use\*
- Warehousing\*
- Wholesaling\*
- Wholesaling with No Outdoor Storage
- Electronic Gaming Operations\*
- Artisan Manufacturing ★

(continued on next page)

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:
  - 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.



Current City of Wilmington Permissions

Uses Permitted w/Additional Standards

- Auxiliary uses and wares
- Bowling alleys and pool halls
- Commercial parking lots
- Communication facilities
- Contractor’s storage yard
- Contractors, general or special trade with outdoor storage
- Governmental uses outside public rights-of-way
- Group home supportive, large
- Group home supportive, medium
- Kennel, commercial boarders and breeders
- Mini-warehousing
- Historic mixed-use buildings
- Religious institutions
- Residential unit contained within a primary use
- Service stations
- Shopping center
- Skating rink, roller and ice
- Telecommunication facility, unattended
- Tire dealers and service
- Utility stations and plants outside public rights-of-way (public and private) including lift stations, substations, pump stations, etc.
- Warehousing, general
- Wholesale trade
- Electronic gaming establishments
- Brewers, small regional and microbreweries
- Artisan food and beverage producers (defined as confectionaries, coffee roasteries, etc.)

Uses Permitted w/Special Use Permit

- Group day facility
- Group home residential
- Group home supportive, small

Permitted Accessory Uses & Structures

- Internal services facilities incidental to permitted uses
- Shipping containers, permanent off-chassis

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.
  - This use will be added to the county’s list use as part of this amendment.
  - 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 generally require a special use permit in similar county districts but not in the city. In the county’s CS district, they will require an SUP. ★ (Other Communication Facilities including Towers and Other Fabricated Metal Product Manufacturing were accidentally left off the initial profile sheet.)
  - These uses are generally allowed in similar county districts with these permit requirements. ★ (Electric/Gas & Sanitary Services and Electric Substations were accidentally left off the initial profile sheet.)

Proposed NHC Permissions

Proposed NHC Uses Permitted by Right continued

- Laboratories, testing
- Agricultural Uses
- Wholesale Nurseries & Greenhouses
- Dry Stack Storage of Boats as a stand-alone warehouse
- Dry Stack Storage of Boats as accessory to a marina
- Recreational Vehicle and Boat Trailer Storage Lots
- ★ Electric/Gas & Sanitary Services
- ★ Electric Substations
- Telephone & Telegraph Facilities
- TV & Radio Broadcasting
- Boat Dealers
- Farm Implement Sales
- Landscaping Service
- Electrical Repair Shop
- Septic Tank Vacuum Service
- Christmas Tree Sales\*
- Circuses, Carnivals, Fairs & Side Shows of No More than 30 Days Duration per Year
- Evangelistic and Religious Assemblies not Conducted in a Church\*
- Government Offices and Buildings
- Pumpkin Sales\*
- Principal Use Sign
- Special Fundraising for Non-Profit Organizations\*
- Temporary Sign
- Recycling Facilities: Small Collection
- Recycling Facilities: Large Collection
- Temporary Relocation Housing\*

Uses Permitted w/Special Use Permit

- Group Home
- ★ Other Communication Facilities Including Towers
- Textile Furnishings Mills (NAICS 3141)
- Other Textile Product Mills (NAICS 3149)
- Apparel Knitting Mills (NAICS 3151)
- Sawmill and Wood Preservation (NAICS 3211)
- Veneer, Plywood, and Engineered Wood Product Manufacturing (NAICS 3212)
- Other Wood Product Manufacturing (NAICS 3219)
- ★ Other Fabricated Metal Product Manufacturing (NAICS 3329)
- Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing (NAICS 3334)
- Recycling Facilities: Processing
- Recycling Facilities: Large Collection with Processing
- Animal Food Manufacturing (NAICS 3111)
- Grain and Oilseed Milling (NAICS 3112)
- Fruit and Vegetable Preserving and Specialty Food Manufacturing (NAICS 3114)
- Dairy Product Manufacturing (NAICS 3115)
- Seafood Product Preparation and Packaging (NAICS 3117)
- Bakeries and Tortilla Manufacturing (NAICS 3118)
- Other Food Manufacturing (NAICS 3119)
- Beverage Manufacturing (NAICS 3121)
- Printing and Related Support Activities (NAICS 3231)
- Cutlery and Handtool Manufacturing (NAICS 3322)
- Hardware Manufacturing (NAICS 3325)
- Spring and Wire Product Manufacturing (NAICS 3326)
- Agriculture, Construction, and Mining Machinery Manufacturing (NAICS 3331)
- Metalworking Machinery Manufacturing (NAICS 3335)
- Computer and Peripheral Equipment Manufacturing (NAICS 3341)
- Communications Equipment Manufacturing (NAICS 3342)
- Audio and Video Equipment Manufacturing (NAICS 3343)
- Semiconductor and Other Electronic Component Manufacturing (NAICS 3344)
- Manufacturing and Reproducing Magnetic and Optical Media (NAICS 3346)
- Household Appliance Manufacturing (NAICS 3352)
- Electrical Equipment Manufacturing (NAICS 3353)
- Household and Institutional Furniture and Kitchen Cabinet Manufacturing (NAICS 3371)
- Office Furniture (including Fixtures) Manufacturing (NAICS 3372)
- Other Furniture Related Product Manufacturing (NAICS 3379)

DISTRICT SPECIFIC REQUIREMENTS

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.

NOTE: Other revisions (height standards, mix of use requirements, density calculations, density bonus structure, etc.) proposed at the August 2018 Planning Board Work Session will be considered during the next phase of revisions.

No changes from 03-07-2019 Profile Sheet

INTENT STATEMENT

Proposed Intent Statement

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) 40 ft. (residential, commercial, and office and institutional structures located elsewhere)
District Periphery Building Setback	20’ from district 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 Interior 100’ residential uses, rights-of-way, stormwater utilities, and active recreation areas
Maximum Building Height	35 ft.
Setback	[Building Height] X 2.75 or 25 ft. (whichever is greater)

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) 40 ft. (residential, commercial, and office and institutional structures located elsewhere)
District Periphery Building Setback	20’ from district boundary for residential uses Industrial uses must meet I-1 setbacks 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

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.



# UMXZ URBAN MIXED USE ZONING DISTRICT

ADAPTED FROM CITY OF WILMINGTON’S UMX DISTRICT

## 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 promote 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)

Minimum District Size	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 alleyways; 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 n/a 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

### Proposed NHC Requirements

Size Requirements	
Minimum District Size	5 acres
Setbacks	
Minimum from single-family residential zoning districts	35 ft. for buildings ≤ 35 ft. in height 45 ft. for buildings > 35 ft. in height
Maximum from any street	10 ft. (front setbacks are not required along alleyways; TRC may waive strict adherence to requirement where an existing easement or significant natural feature exists)
Height (maximum)	
Along arterial streets	4 stories or 45 ft. by-right 75 ft. with Additional Height Allowance special use permit
Along residential & collector streets	2 stories or 35 ft.
Along arterial & collector streets	5 stories or 55 ft. if structured parking is provided within project
Density (maximum dwelling units/acre)	
Single Family Residential	15
Multi-Family Residential	25
Vertically integrated mixed-use building	36

### 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.



USE PERMISSIONS

NOTE: THE CITY’S UMX DISTRICT PERMITS ALL USES, UNLESS SPECIFICALLY PROHIBITED OR LISTED AS A SPECIAL USE. WHILE THE COUNTY USES A TABLE OF PERMITTED USES. AS A RESULT, THE USES LISTED BELOW ARE ORGANIZED DIFFERENTLY.

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/Additional 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 UMXZ 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.

Proposed NHC Permissions

Uses Permitted by Right

- Agricultural Uses
- Kennels\*
- Veterinaries
- Wholesale Nurseries & Greenhouses
- Special Trade & General Contractors with no Outside Storage
- Air Transportation
- Bus & Taxi Terminals
- Commercial Marina\*
- Dry Stack Storage of Boats as a stand-alone warehouse
- Dry Stack Storage of Boats as accessory to a marina
- Mini-Warehouses
- Post Offices
- Railroad Transportation
- TV & Radio Broadcasting
- Warehousing
- Water Transportation Facilities
- Wholesaling with No Outside Storage
- Apparel & Accessory Store
- Building Material & Garden Supplies
- Convenience Food Store
- Drug Store
- Neighborhood Drug Store
- Eating and Drinking Places
- Farm Implement Sales
- Food Stores
- Fruit & Vegetable Stand Produced on Same Parcel as Offered for Sale
- Furniture, Home Furnishing, & Equipment
- General Merchandise Stores
- Handcrafting Small Articles
- Hardware
- Landscaping Service
- Miscellaneous Retail
- Retail Nurseries
- Banks, Credit Agencies, Savings & Loans
- Barber/Beauty Shop
- Bed and Breakfast Inn
- Business Services including Printing
- Drive-In Theater
- Golf Courses
- Hotels & Motels
- Indoor Recreation Establishments
- Outdoor Recreation Establishments
- Indoor Theater
- Parks & Recreation Areas
- Personal Services
- Resort Hotel/Motel
- Watch, Clock, Jewelry Repair
- Adult Day Care\*
- Child Care Center
- Community Center
- Family Child Care Home\*
- Hospitals
- Nursing Home/Rehabilitation Center
- Residential Care
- Colleges, Universities, Professional Schools, & Technical Institutions
- Elementary & Secondary Schools
- Libraries
- Museums
- Churches
- Labor Organizations
- Lodges, Fraternal & Social Organizations
- Fraternities/Sororities, Residential
- Private Residential Boating Facility
- Duplexes
- Dwelling Unit Contained within Principal Use\*
- Government Offices & Buildings
- Home Occupation
- Offices for Private Business & Professional Activities
- Research Facilities
- Residential Private Pier
- Senior Living: Active adult retirement community or Independent Living
- Senior Living: Assisted Living or Personal Care Facility
- Senior Living: Continuing Care Retirement Community or Life Care Community
- Single Family Dwelling
- Single Family Dwelling-Attached
- Recycling Facilities: Small Collection\*
- Temporary Relocation Housing\*
- Antenna & Towers less than 70 ft. in height and ancillary to the principal use
- Cellular & PCS Antennas\*
- Amateur Radio Antennas (up to 90 ft.)
- Group Home \*
- Electric/Gas & Sanitary Services\*
- Electric Substations\*
- Telephone & Telegraph Facilities
- Artisan Manufacturing (includes small-scale breweries)\*
- Laboratories, testing
- Commercial Parking Lots
- Research Laboratories★ Use not added to list at this time.
- Motion Pictures Production and Distribution
- Accessory Buildings or Uses, clearly incidental to the permitted use or building
- Christmas Tree Sales\*
- Circuses, Carnivals, Fairs & Side Shows of no more than 30 days duration per year
- Evangelistic and Religious Assemblies not Conducted at a Church\*
- Special Fund Raising for Non-Profit Organization\*
- Temporary Sign

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	<p>Processed as a condition district subject to a conceptual site plan review</p> <p><b>Commentary:</b> 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.</p>
Mix of Uses	<p>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.</p> <p><b>Commentary:</b> This is the city’s current requirement for UMX projects outside the 1945 corporate limits.</p>
Utility and Equipment Screening	<p>-Equipment and fire escapes not allowed on building façades with street frontage.</p> <p>-Through-wall mechanical units allowed on any façade if design and condensation drip system standards met.</p> <p>-Equipment that can’t be located out-of-sight must be screened.</p> <p>-TRC may approve alterations if criteria met.</p> <p><b>Commentary:</b> These are the city’s current requirements, but specific criteria is provided to guide TRC decisions.</p>
Site Lighting	<p>-Lighting must be located, shielded, etc. so no direct light is cast on adjacent properties and off-site backlighting and up-lighting is minimized</p> <p>-Light posts shall be no taller than 12 ft.</p> <p><b>Commentary:</b> These are the city’s current requirements.</p>
Parking and Driveway Requirements	<p>-Parking shall be provided in accordance with code’s general parking standards, though shared parking is allowed subject to a parking study.</p> <p>-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.</p> <p>-Parking should be accessed via alleyways wherever possible.</p> <p>-Above-grade parking structures should be designed to relate to context of the area.</p> <p>-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.</p> <p><b>Commentary:</b> 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.</p>
General Site Design	<p>-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).</p> <p>-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.</p> <p>-A minimum buffer of at least 20 ft. in width will be required adjacent to single-family residential zoning districts.</p> <p>-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.</p> <p>-Trash containment areas shall be located within a building if possible or placed to rear and side and screened with an opaque fence.</p> <p>-Open wire fencing is prohibited, and front yard fences can be no taller than 4 feet.</p> <p><b>Commentary:</b> 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 clarity regarding the criteria 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 publically owned and/or maintained.</p>
Building Design	<p>-Primary entrances should be distinct and oriented toward sidewalks along primary street frontages.</p> <p>-Large expanses of flat, unadorned walls are prohibited, and façades must incorporate architectural details and periodic transitions.</p> <p>-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.</p> <p>-New building shall front onto sidewalks to reinforce pedestrian activity along streets and pedestrian ways.</p> <p>-Exterior burglar bars, fixed “riot shutters,” or similar security devices shall not be visible from the public right-of-way.</p> <p>-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.</p> <p><b>Commentary:</b> 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 publically owned and/or maintained and that UMXZ developments may not be located in already developed areas with a common architectural context.</p>