

2 DISTRICT STANDARDS

2.1 PURPOSE AND INTENT

For the purposes of this ordinance, the various districts have been categorized as either urban districts or rural/suburban districts. In general, standards and provisions for urban districts are designed to create walkable, mixed-use environments whereas the rural/suburban districts are more reflective of the existing, primarily automobile-dependent configuration. In order to implement the intent of this ordinance, there are hereby created several base districts with the designations and general purposes listed under each and the specifically permitted uses, special uses, dimensional standards and permitted building types included.

2.2 OFFICIAL ZONING MAP *[Revises Z-2.2-4]*

2.2.1 ZONING MAP

- A. **Zoning Districts:** The boundaries of each zoning district are shown on a map entitled "City of Wilson Official Zoning Map" which is hereby made a portion of this ordinance.
- B. **Overlay Districts:** Certain overlay districts such as the Historic District, Special Flood Hazard Districts, Watershed Protection Districts, etc. are hereby established and incorporated by reference.
- C. **Administration and Maintenance of Zoning Map:** The Official Zoning Map shall be maintained in the Wilson Planning and Development Services Department. The Administrator shall separately maintain the digital files that comprise the map. All map amendments will also be contained within these digital files.

2.2.2 INTERPRETATION OF BOUNDARIES

When uncertainty exists with respect to the boundaries or districts as shown on the Official Zoning Map, the following rules shall apply:

- A. District boundary lines are generally intended to be along or parallel to property lines, lot lines, the center line of street, alleys, railroads, easements, other rights-of-way, and creeks, streams, or other water channels.
- B. In the absence of specified distances on the map, dimensions or distances shall be determined by the scale of the Official Zoning Map.
- C. Where the Zoning Map shows a district boundary dividing a lot, each part of the lot shall conform to the standards established by this ordinance for the land development or overlay district in which that part is located.
- D. When the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, the Board of Adjustment shall interpret the district boundaries of this ordinance in accordance with Section 14.5.

2.3 RURAL AND SUBURBAN DISTRICTS [Revises Z-8.1-3 & Z-8.38-40]

In order to maintain existing auto-oriented commercial and industrial areas, and conventionally-developed residential subdivisions, there are hereby continued several base districts with the designations and general purposes listed under each and the specifically permitted uses, special uses, and dimensional standards included. It is expected that the expansion or enlargement of these districts will be minimal as more than sufficient area currently exists in accordance with the adopted 2030 Comprehensive Plan for such single-use categories. Each base district has a corresponding Conditional District designation which shall be administered in accordance with Section 2.9.

BASE DISTRICT	DESCRIPTION
<p>A. Rural/Agricultural District (R/A) <i>Previous District(s): A1</i></p>	<p>The Rural/Agricultural District is established as a district in which the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types, steep slopes, or for the protection of prime agricultural lands.</p>
<p>B. Open Space District (OS) <i>Previous District(s): A1</i></p>	<p>The Open Space District is established to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and properties that are already under public ownership and/or otherwise restricted for use for passive or active recreational use.</p>
<p>C. Mobile Home District (MHR) <i>Previous District(s): RA-MH, RA-M(S)</i></p>	<p>This district accommodates manufactured homes in a variety of settings, including mobile home parks, mobile home subdivisions, and a single-lot mobile home district.</p>
<p>D. Suburban Residential – Low Density (SR4) <i>Previous District(s): RA-15(S), RA-12(S)</i></p>	<p>The Suburban Residential-Low Density District is established to maintain previously developed or approved suburban residential subdivisions and their related recreational, religious and educational facilities at a density of approximately 4 dwelling units per acre. Intended to act as a transitional zoning district between rural development in the county and the urban development of the city, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.</p>
<p>E. Suburban Residential – Medium Density (SR6) <i>Previous District(s): RA-10(S), RA-8 (S)</i></p>	<p>The Suburban Residential-Medium Density District is established to maintain previously developed or approved suburban residential subdivisions and their related recreational, religious and educational facilities at a density of approximately 6 dwelling units per acre. Intended to act as a transitional zoning district between rural development in the county and the urban development of the city, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.</p>
<p>F. Neighborhood Commercial (NC) <i>Previous District(s): O3, O4</i></p>	<p>The Neighborhood Commercial District is generally located on thoroughfares and provides opportunities for the provision of offices and neighborhood services that serve as an acceptable transition to generally auto-dependent, suburban neighborhoods.</p>

BASE DISTRICT	DESCRIPTION
<p>G. General Commercial (GC) <i>Previous District(s): B3, B4/B4(A), B6</i></p>	<p>The General Commercial District is generally located on thoroughfares and provides opportunities for the provision of offices, services and retail goods in proximity to generally auto-dependent, suburban neighborhoods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.</p>
<p>H. Highway Commercial (HC) <i>Previous District(s): B4/B4(A), B5</i></p>	<p>The Highway Commercial District is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services and retail goods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time that transportation network is retrofitted to accommodate more urban development patterns.</p>
<p>I. Institutional Campus Development (ICD) <i>Previous District(s): O&R1, O&R2</i></p>	<p>This district is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities, where the campus or facility has a total development size greater than 10 acres. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential and historic areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.</p>
<p>J. Light Industrial (LI) <i>Previous District(s): I-1, I-A</i></p>	<p>The Light Industrial District is established for activities that can be operated in a relatively clean and quiet manner, and which will not be obnoxious to adjacent residential or business districts. This includes warehousing and wholesaling activities with limited contact with the general public. It is designed to prohibit most heavy industry, which should be properly segregated, and to prohibit any other use which would substantially interfere with the development of industrial establishments in the district. Limited opportunities for retail sales and services are also provided.</p>
<p>K. Heavy Industrial (HI) <i>Previous District(s): I-2</i></p>	<p>The Heavy Industrial District is established to accommodate those industrial, manufacturing, or large-scale utility operations that, by their nature, may create some nuisance and which are not properly associated with, nor compatible with, residential, commercial, and service establishments. Retailing of manufactured items may be permitted in certain instances when it is conducted on the same building site as the principal use.</p>

2.4 URBAN DISTRICTS [Revises Z-8.1-3 & Z-8.38-40]

A number of the key districts for the City of Wilson are ordered and classified according to the Rural-Urban Transect. The transect is a method of classifying the natural and built environments as a continuum of 6 conditions, ranging from rural to urban. The value of the transect is that it classifies development form with the appropriate land use and development context. For example, a rural street typically has no curbs or sidewalks and its buildings are often irregularly spaced. An urban street, depending on the intensity of urbanism, may have curbs and gutters, regularly placed street trees, sidewalks, and building forms that are more regular in form and spacing. These districts are also referred to as “form-based districts” because each has detailed provisions for the mix of uses, building type and design, density, height, street design, the design of parks and open space, parking, and other aspects of the urban form of the human environment. Each base district has a corresponding conditional district designation which shall be administered in accordance with Section 2.9. The transect zones that guide Wilson’s urban form-based districts are as follows:

**T1 & T2: Natural & Rural Zones**

The transect begins with two zones that are rural in character: the Natural Zone (or T-1), which is made up of lands protected in perpetuity as natural, recreational or agricultural areas; and the Rural Zone (T-2), which includes areas of high agricultural, scenic, or environmental value that should be protected.

T3: Suburban Zone

The transition zone between countryside and town is called the Suburban Zone (T-3). The T-3 area consists primarily of single family homes. Although the T-3 area is primarily a residential zone, it may have other development types, such as schools and other civic uses.

T4: General Urban Zone

T-4 development is primarily residential, but more urban in character, having a higher density with a mix of housing types and a greater mix of uses, including neighborhood-serving commercial uses.

T5: Urban Center Zone

At the more urban end of the spectrum is the Urban Center Zone, or T-5. This can be a small neighborhood center or a larger Village center, the latter serving more than one neighborhood.

T6: Urban Core Zone

The Urban Core or Center City (T-6) serves not only adjacent neighborhoods, but the entire city and the region. It is typically the central business district where the greatest mix of uses occurs.

BASE DISTRICT DESCRIPTION

A. General Residential – Medium Density (GR6) (T3)

Previous District(s): RA-15, RA-12, RA-8

The General Residential-Medium Density District is established as a predominately residential district in which a primarily single family detached housing is configured on a network of pedestrian-friendly-streets in walking/biking distance from mixed-use centers.



B. Urban Residential (UR) (T4a)

Previous District(s): RA-6(S), RA-6I, RA-6

The Urban Residential District is established to accommodate a variety of housing types in a neighborhood setting. The regulations of this district are intended to provide areas of the community for those persons desiring urban-sized lots and multifamily structures in relatively high density neighborhoods within walking or biking distance from mixed-use centers.



C. Residential Mixed-Use (RMX) (T4b)

Previous District(s): O&R-1, O&R-2, O3

This district is intended to provide for mixed-use transitional areas immediately adjacent to or in close proximity of mixed-use centers that permit some limited commercial uses and a wide variety of housing types in a pedestrian-scaled, residential-style structures.



BASE DISTRICT DESCRIPTION

D. Neighborhood Mixed-Use (NMX) (T5)

Previous District(s): MX-1, B2, B3, B4(A), R-C

The Neighborhood Mixed-Use District is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.



E. Industrial Mixed-Use (IMX) (T5)

Previous District(s): Portions of I-1 near Center City

The Industrial Mixed-Use District is established to promote the development of mixed-use environment supported by artists, craftsman and cultural activities in transitional areas previously occupied by industrial development. These areas will accommodate limited commercial and institutional uses, some light industrial uses, and a wide variety of residential uses in order to encourage the redevelopment of existing warehouses and the development of a pedestrian-oriented neighborhood.



F. Center City Mixed-Use (CCMX) (T6)

Previous District(s): B1

The Center City District accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories.



2.5 DISTRICT DEVELOPMENT STANDARDS

The following tables outline the primary development standards for each base zoning district in Wilson. For development on infill lots and additions to existing development, the standards in Section 4.3.4 shall also apply.

2.5.1 RURAL AND SUBURBAN DISTRICT DEVELOPMENT STANDARDS

Standard	Rural/ Agricultural (R/A)*	Open Space (OS)	Mobile Home District (MHR)	Suburban Residential – Low (SR4)	Suburban Residential – Medium (SR6)
1. DEVELOPMENT STANDARDS					
A. District/Development Area (min)	n/a	n/a	n/a	n/a	n/a
B. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	n/a	n/a
C. Density (max)	1 unit/acre OR 3 units/acre*	n/a	8 units/acre	4 units/acre	6 units/acre
D. Open Space (min) per CH 7	Exempt OR 40%*	n/a	5%	10%	10%
E. Park Space (min) per CH 7	Exempt	n/a	5%	5%	5%
F. Building Floor Area (Max)	n/a	n/a	n/a	n/a	n/a
G. Development Floor Area (Max)	n/a	n/a	n/a	n/a	n/a
2. LOT STANDARDS					
A. Lot Area (min)	1 acre OR 8,000 sq ft*	n/a	4,000 sq ft**	6,000 sq ft	4,000 sq ft
B. Lot Width at Front Setback (min)	60 ft	n/a	40 ft**	70 ft OR 50 ft***	70 ft OR 50 ft***
C. Pervious Surface (min)	n/a	n/a	n/a	n/a	n/a
3. PRINCIPAL BUILDING					
A. Principal Front Setback (min)	50 ft OR 25 ft*	n/a	30 ft**	20 ft	20 ft
B. Street Side/Secondary Front Setback (min)	50 ft OR 25 ft*	n/a	10 ft**	15 ft OR 10 ft***	15 ft OR 10 ft***
C. Side (from adjacent lot) Setback (min)	20 ft OR 10 ft*	n/a	10 ft**	12 ft OR 6 ft***	8 ft OR 5 ft***
D. Rear Setback (min)	50 ft OR 25 ft*	n/a	10 ft**	20 ft	20 ft
4. ACCESSORY STRUCTURE					
A. Side Setback	5 ft	n/a	5 ft**	5 ft	5 ft
B. Rear Setback	5 ft	n/a	5 ft**	5 ft	5 ft
C. Other Standards	See Section 4.5	n/a	See Section 4.5	See Section 4.5	See Section 4.5
5. PARKING CONFIGURATION					
A. Parking Location (per Section 9.3)	Type IV - Unrestricted	Type IV - Unrestricted	Type IV - Unrestricted	Type IV - Unrestricted	Type IV - Unrestricted
B. Parking in Exterior Setback (ICD, LI, HI)	n/a	n/a	n/a	n/a	n/a
6. BUILDING HEIGHT					
A. Principal Building (max)	35 ft	35 ft	35 ft	3 stories	3 stories
B. Accessory Structure (max)	35 ft	35 ft	35 ft	2 stories	2 stories
C. Additional Height Permitted w/Additional Setback	n/a	n/a	n/a	n/a	n/a

* Any development/subdivision in the R/A District which is connected to both public water and sewer shall utilize the alternate dimensional standards for cluster development given in the table.

** In Manufactured/Mobile Home Parks these standards apply to each designated manufactured/mobile home space.

*** Lot widths and setbacks may be decreased to the alternate minimums indicated in the table if the lot and building comply with the off-street parking access requirements in Section 5.3.2.B.4.

Standard	Neighborhood Commercial (NC)	General Commercial (GC)	Highway Commercial (HC)	Institutional Campus Development (ICD)	Light Industrial (LI)	Heavy Industrial (HI)
1. DEVELOPMENT STANDARDS						
A. District/Development Area (min)	n/a	n/a	n/a	10 acres	20 acres	40 acres
B. Development/District Exterior Setback/Buffer	n/a	n/a	n/a	30 ft setback from adjacent R/A, OS, MHR, SR4, SR6 and GR6 Districts. 10 ft setback from all other adjacent properties and adjacent streets.	25 ft setback from adjacent HC and GC Districts. 50 ft setback from all other adjacent properties and adjacent streets.**	75 ft setback from adjacent HC and GC Districts. 150 ft setback from all other adjacent properties and adjacent streets.**
C. Density (max)	n/a	n/a	n/a	n/a	n/a	n/a
D. Open Space (min) per CH 7	n/a	n/a	n/a	25%	n/a	n/a
E. Park Space (min) per CH 7	n/a	n/a	n/a	n/a	n/a	n/a
F. Building Floor Area (Max)	20,000 sf *	40,000 sf *	80,000 sf *	n/a	n/a	n/a
G. Development Floor Area (Max)	40,000 sf *	80,000 sf *	160,000 sf *	n/a	n/a	n/a
2. LOT STANDARDS						
A. Lot Area (min)	12,000 sf	n/a	n/a	n/a	n/a	n/a
B. Lot Width at Front Setback (min)	100 ft	100 ft	100 ft	n/a	n/a	n/a
C. Pervious Surface (min)	24%	24%	24%	n/a	n/a	n/a
3. PRINCIPAL BUILDING						
A. Principal Front Setback (min)	40 ft	30 ft	30 ft	n/a	n/a	n/a
B. Street Side/Secondary Front Setback (min)	30 ft	30 ft	30 ft	n/a	n/a	n/a
C. Side (from adjacent lot) Setback (min)	10 ft	10 ft	10 ft	n/a	n/a	n/a
D. Rear Setback (min)	30 ft	30 ft	30 ft	n/a	n/a	n/a
4. ACCESSORY STRUCTURE						
A. Side Setback	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
B. Rear Setback	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
C. Other Standards	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5	See Section 4.5
5. PARKING CONFIGURATION						
A. Parking Location (Section 9.3)	Per building type (Parking in first 10 ft of front yard setback not permitted)	Per building type (Parking in first 10 ft of front yard setback not permitted)	Per building type (Parking in first 20 ft of front yard setback not permitted)	Per building type	Per building type	Per building type
B. Parking in Exterior Setback/Buffer (ICD, LI, HI)	n/a	n/a	n/a	Not permitted except as part of an approved CD plan	Not permitted	Not permitted
6. BUILDING HEIGHT						
A. Principal Building (max)	35 ft or 3 stories (whichever is greater)	35 ft or 3 stories (whichever is greater)	50 ft	50 ft	50 ft	50 ft
B. Accessory Structure (max)	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
C. Additional Height Permitted w/Additional Setback	n/a	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback	1 ft additional height permitted with each 2 ft horizontal setback

* May exceed maximum as part of a Conditional District. See Section 15.15 for provisions related to Conditional District (CD) approval.

** The Development/District Exterior Setback/Buffer shall not apply between adjacent HI and LI districts. A waiver of these requirements may be granted by the Administrator for LI and HI lots existing at the adoption date of this ordinance which do not meet the specified minimum District/Development Area. In such instances the building setback standards for the R/A District shall apply. A waiver of these requirements may also be granted by the Administrator in order to permit access to an adjacent railroad right of way.

2.5.2 URBAN DISTRICT DEVELOPMENT STANDARDS



Image by Duany Plater-Zyberk & Company

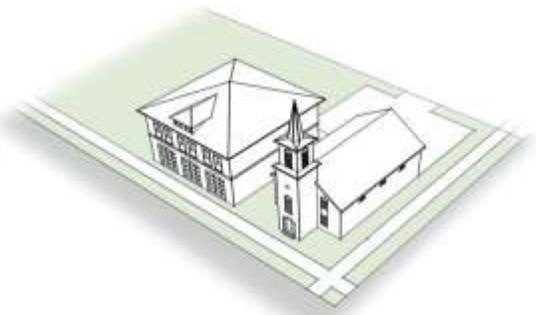
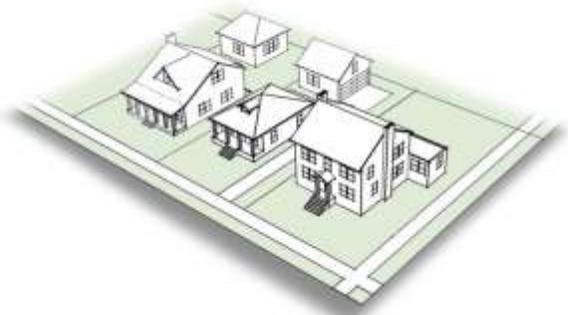
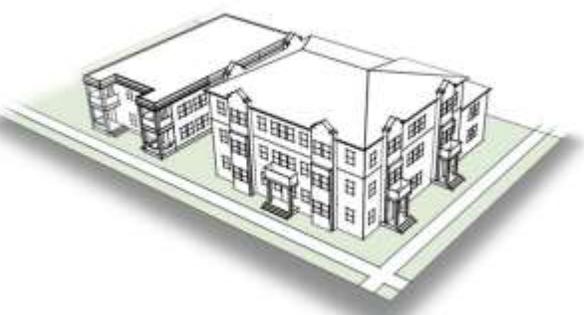
Base Districts	GR6	UR RMX	IMX NMX	CCMX
1. BUILDING TYPE (Section 2.5.3)	Civic/Institutional Detached House	Civic/Institutional Detached House Townhouse Apartment Commercial Mixed-Use	Civic/Institutional Townhouse Apartment Commercial Mixed-Use	Civic/Institutional Townhouse Apartment Mixed-Use
2. PRIVATE FRONTAGE (Section 2.5.4)				
A. Common Lawn	Permitted	Permitted	Prohibited	Prohibited
B. Porch & Fence	Permitted	Permitted	Prohibited	Prohibited
C. Terrace or Light Court	Prohibited	Permitted	Permitted	Permitted
D. Forecourt	Prohibited	Permitted	Permitted	Permitted
E. Stoop	Prohibited	Permitted	Permitted	Permitted
F. Shopfront/Awning	Prohibited	Permitted	Permitted	Permitted
G. Gallery	Prohibited	Prohibited	Permitted	Permitted
H. Arcade	Prohibited	Prohibited	Permitted	Permitted
3. DEVELOPMENT STANDARDS				
A. Max. Density (Units/Acre)	6 dua	UR – 9 dua* RMX – 24 dua*	n/a	n/a
B. Maximum Development Size if not in TND	120 acres	60 acres	n/a	n/a
C. Building Floor Area (Max)	n/a	20,000 sf	20,000 sf (NMX)**	n/a
4. PRINCIPAL BUILDING				
A. Principal Front Setback	20 ft min.	6 ft min. 25 ft max.***	0 ft min. 12 ft max (NMX)*** 5 ft max. (IMX)***	0 ft min. 6 ft max.***
B. Street Side/Secondary Front Setback	10 ft min.	6 ft min.	0 ft min. 12 ft max.***	0 ft min. 6 ft max.***
C. Side (from adjacent lot) Setback	5 ft min.	0 ft (5 ft if detached)	0 ft	0 ft
D. Rear Setback	20 ft min.	3 ft	0 ft	0 ft
E. Frontage Buildout	n/a	n/a	60%	80%
5. ACCESSORY STRUCTURE				
A. Side Setback	5 ft min.	0 ft (5 ft if detached)	0 ft (5 ft if detached)	n/a
B. Rear Setback	5 ft min.	5 ft	5 ft	n/a
C. Garage Setback from Alley	15 ft from face of garage to centerline of alley			
D. Other Standards	20 ft min. behind building frontage line		Rear Yard Only	
6. PARKING CONFIGURATION				
A. Parking Location	By building type - See Section 9.3			
7. HEIGHT				
A. Min. Height	None	None	16 ft	2 stories
B. Max. Height	3 stories	UR-3 stories RMX-4 stories	4 stories	none

* Infill projects less than 2 acres are exempt from this maximum density requirement.

** May exceed building floor area maximum as part of a Conditional District. See Section 15.15 for provisions related to Conditional District (CD) approval.

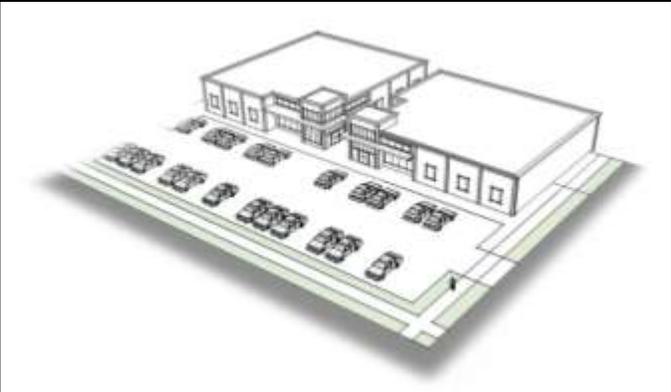
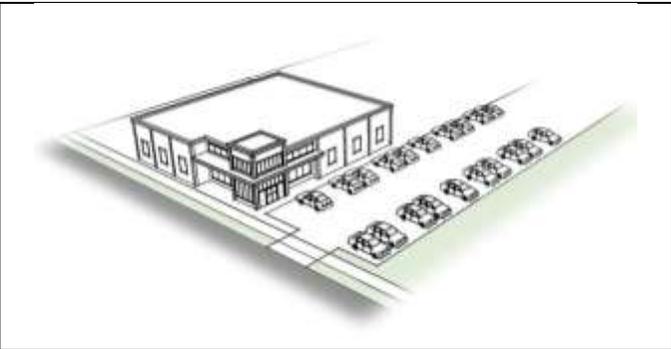
*** A portion, or portions, of the building may exceed the maximum setback when using the "Forecourt" or "Terrace or Light Court" frontage types as outlined in Section 2.5.4.

2.5.3 DESCRIPTION OF BUILDING TYPES

<p>A. CIVIC/INSTITUTIONAL BUILDING Civic/Institutional Buildings serve as landmarks and public gathering spaces. The use of this designation is limited to public buildings (e.g., schools, fire stations, and town halls), and semi-public buildings (e.g., hospitals and religious institutions). Civic/Institutional Buildings evoke a sense of prominence and are visually distinct from surrounding development.</p> <p>Typological Variants: Churches Homeowner’s Association Buildings Schools Neighborhood Clubs Museums Country Clubs Hospitals Civic Association Buildings Town Hall</p>	
<p>B. DETACHED HOUSE This building type is flexible in use accommodating primarily residential uses, home occupations, professional offices, and limited retail uses based on the zoning district in which it is located. In general, within a block, building types should be uniform in their use of driveways or alleys..</p> <p>Typological Variants: Dwelling-Single family Dwelling-Duplex Commercial Conversion Bed and Breakfast</p>	
<p>C. TOWNHOUSE The Townhouse is a building with two or more residential units that share a common wall. The Townhouse typically has one yard (rear) through variations including a small front setback to provide some landscaping and semi-public space.</p> <p>Typological Variants: Dwelling-Multifamily Live-Work Units</p>	
<p>D. APARTMENT The Apartment building is a multiple-unit building with dwelling units vertically arranged (generally) and with parking located below or behind the buildings. Units may be for rental or for sale in condominium ownership, or may be designed as continuing care facilities or dormitories. The Apartment Building typically has one yard (rear) though variations include a small front and side setbacks to provide some landscaping.</p> <p>Typological Variants: Dwelling-Multifamily Fraternity/Sorority House Dormitory</p>	

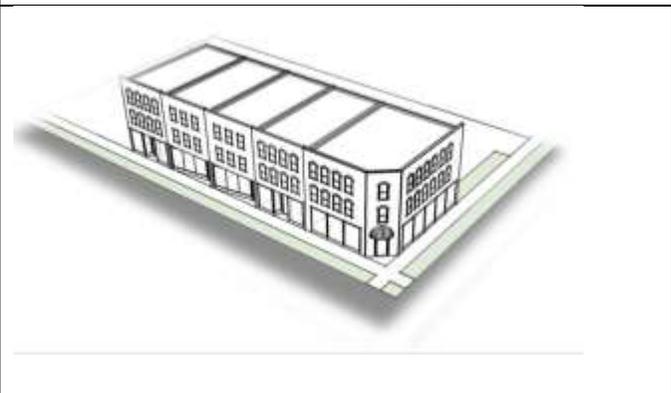
E. COMMERCIAL BUILDINGS
 The Commercial Building accommodates office and retail uses in a structure with a high percentage of its ground level façade in transparent fenestration (windows and doors) to encourage pedestrian activity along its frontage. Commercial Buildings can have several different yard arrangements (front, side or rear) depending on site access, parking needs and district regulations.

Typological Variants
 Neighborhood Commercial, *top image*
 Highway Commercial, *bottom image*



F. MIXED-USE BUILDINGS
 Mixed-use buildings accommodate both commercial and multifamily residential functions within the same building, typically with residential apartments located on floors above retail and/or office space. Mixed-use buildings typically have one yard (rear) though variations include a small front plaza or courtyard to provide public space for outdoor seating as well as buildings with complete lot coverage where parking is handled in a manner other than on-site surface parking.

Typological Variants
 Main Street Buildings
 Live-Work Units
 Commercial Conversion
 Warehouse Loft/Flex-Space Conversion



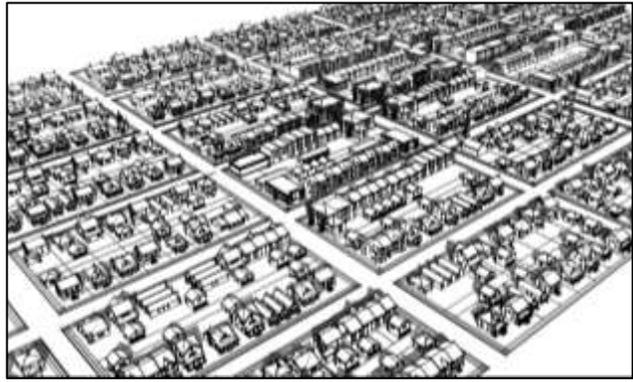
2.5.4 DESCRIPTION OF FRONTAGE TYPES

	SECTION	PLAN
	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE
<p>a. Common Yard: a frontage wherein the facade is set back substantially from the frontage line. The front yard created is visually continuous with adjacent yards, supporting a common landscape.</p>		
<p>b. Porch & Fence: a frontage wherein the facade is set back from the frontage line with an attached porch permitted to encroach into the front yard. A fence, low wall or hedge at the frontage line maintains the demarcation of the yard.</p>		
<p>c. Terrace or Light Court: a frontage wherein the facade is set back from the frontage line by an elevated terrace or a sunken light court. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes.</p>		
<p>d. Forecourt: a frontage wherein a portion of the facade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.</p>		
<p>e. Stoop: a frontage wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>		
<p>f. Shopfront and Awning: a frontage wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.</p>		
<p>g. Gallery: a frontage wherein the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery may overlap the sidewalk to within 2 feet of the curb subject to Town right-of-way encroachment policy.</p>		
<p>h. Arcade: a frontage wherein the facade is a colonnade that overlaps the sidewalk, while the facade at sidewalk level remains at the frontage line. This type is conventional for retail use. The arcade may overlap the sidewalk to within 2 feet of the curb subject to Town right-of-way encroachment policy.</p>		

2.6 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

Traditional Neighborhood District (TND) *Previous District(s): PRD-4, PRD-7*

The Traditional Neighborhood is established to allow for the development of fully integrated, mixed-use, pedestrian oriented neighborhoods in order to minimize traffic congestion, suburban sprawl, infrastructure costs and environmental degradation. This district is a planned development district in that it is created through the combination of other form-based districts as sub-districts under the umbrella of the TND.



2.6.1 GENERAL DEVELOPMENT PRINCIPLES

Traditional Neighborhoods adhere to the following principles:

- All neighborhoods have identifiable centers and edges
- All lots are within walking distance to retail and/or recreation opportunities (a distance not greater than ¼ mile)
- Uses and housing types are mixed and in close proximity to one another
- Street networks are interconnected and blocks are small
- Civic buildings are given prominent sites throughout the neighborhood

2.6.2 MASTER PLAN REQUIRED

No use or development of any property located in any Traditional Neighborhood Development District (TND) shall be permitted until a Master Plan showing the proposed use and development of the property has been approved by the Planning Board. The Master Plan, in addition to the requirements for a master plan stated in Section 15.4.3, shall provide a map that details the location and area of the sub-districts/transsect zones. Following the Master Plan approval, the design of specific land uses and developments within the TND shall observe the requirements of the site plan and subdivision review process, whichever is applicable.

The Planning Board, in granting approval for a TND Master Plan shall adopt the following findings of fact:

- A. The plan is in compliance with the specifications of this ordinance.
- B. The plan conforms to the adopted plans (as applicable) for the physical development of the city.
- C. The impacts to adjacent property of higher-intensity, non-residential uses are adequately mitigated.
- D. The impacts of traffic generated by the TND on the existing road network are mitigated.

2.6.3 TND DISTRICT PATTERNS AND APPLICABILITY

The TND District is a unique zoning category in that its application on the zoning map may either be officially mapped or can be applied as a floating district anywhere where public water and sewer facilities are available and in accordance to the criteria set forth

below. To accommodate TNDs as the preferred development pattern, this development alternative is hereby established subject to the requirements below:

- A. **Minimum Development Size (subject to rezoning):** 60 acres
- B. **Minimum Development Size (permitted by right):** 100 acres
- C. **Maximum Development Size:** Projects in excess of 250 acres shall be developed as multiple Traditional Neighborhoods, each individually subject to all such provisions.
- D. **Permitted Location & Densities:** TND District shall not be applied in areas zoned LI or HI. In all other districts the following standards for density (dwelling units per acres) shall apply.

	Maximum Density By Right (dwelling units per acre)	Maximum Density as a Conditional District
SR4	4	6
SR6	8	10
GR6	12	16
All Other Districts (except LI and HI)	Not Restricted	Not Restricted

- E. **Land Allocation by Transect Zone:** When composing the TND, the form-based districts in Section 2.4 shall be used as sub-districts and so designated on the zoning map within the ranges noted below (ranges are noted in % of gross land area).
 - 1. **T3 (GR6):** 10-30%
 - 2. **T4 (UR, RMX):** 30-50%
 - 3. **T5 (NMX):** 10-30%

2.6.4 SPECIFIC DEVELOPMENT STANDARDS

- A. **Neighborhood Design:** The entire land area of the TND shall be divided into blocks, streets, lots and open space areas.
- B. **Land Use Relationships:** Similar land use categories shall generally front across streets. Dissimilar categories shall abut at rear lot lines. Corner lots which front on streets of dissimilar use shall be set back the same as the adjacent use with the lesser setback.
- C. **Terminating Vistas:** The long axis of streets exceeding 500 feet in length shall have appropriate termination with either a public monument, specifically designed building façade, park, open space, or a gateway to the ensuing space.
- D. **Open Space:** No portion of the TND shall be further than (1/4 mile) from a public recreational open space as defined in Chapter 7, including recreational open space outside of the TND boundaries. Open Space shall be provided in accordance with the requirements of Chapter 7.
- E. **Dimensional Standards and Building Types:** The Dimensional Standards and Building Types shall be established in accordance with the neighborhood design, but within 200 feet of all adjacent property boundaries (not across streets) the lot widths and depths and building types shall be generally consistent with the adjacent zoning district(s) of a lower development intensity/density.

2.7 USES PERMITTED [Revises Z-8.1-3]

2.7.1 USE CATEGORIES

All uses permitted in this ordinance have been divided into 10 general categories and are generally defined as follows:

- A. Residential:** Premises available for long-term human habitation by means of ownership and rental, but excluding short-term leasing or rental of less than a month's duration.
- B. Lodging:** Premises available for short-term human habitation, including daily and weekly rental. These are measured in terms of lodging units: a lodging unit is a furnished room of a minimum 200 square feet that includes sanitary facilities, and that may include limited kitchen facilities.
- C. Office/Service:** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component (less than 50% of the gross square footage)
- D. Commercial/Entertainment:** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
- E. Civic:** Premises available for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly.
- F. Educational/Institutional:** Uses and premises dedicated to education, social service, health care, and other similar functions.
- G. Automotive:** Uses and premises accessed predominately by or dedicated to the sale, maintenance, servicing and/or storage of automobiles or similar vehicles.
- H. Manufacturing/Wholesale/Storage:** Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.
- I. Agricultural:** Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions.
- J. Infrastructure:** Uses and structures dedicated to transportation, communication, information, and utilities.

2.7.2 INTERPRETATION OF USE MATRICES

- A. Permitted/Prohibited Uses:** Uses not listed as permitted (P); permitted with additional standards (PS); or requiring a special use permit (SUP) are prohibited (-) from the applicable zoning district.
- B. Uses Not Listed:** In the event that a particular use is not listed in the Use Matrix, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the Administrator shall determine whether a materially similar use exists in this chapter. Should the Administrator determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Administrator's decision shall be recorded in writing. Should the Administrator determine that a materially similar use does not exist, this chapter may be amended to establish a specific listing for the use in question through the text amendment process established in Section 15.14.
- C. Materially Similar Uses:** The Administrator may determine that a use is materially similar if a permitted use is similarly classified by one or more of the following use classification systems:

1. American Planning Association Land-Based Classification Standards (LBCS)
2. North American Industrial Classification System (NAICS)
3. Institute of Transportation Engineers (ITS) Trip Generation Guide

2.7.3 USE TABLE – SEE ATTACHED SHEET

(For detailed Use Definitions see Chapter 17)

2.8 OVERLAY DISTRICTS

For purposes of managing certain environmentally sensitive or visually important geographic areas, certain overlay districts have been established to impose design, use, or other standards in addition to the requirements of the underlying base district.

2.8.1 OVERLAY DISTRICT DESCRIPTIONS

OVERLAY DISTRICT	DESCRIPTION
A. Historic Overlay (H-O)	In order to establish a process in designated historic districts for the review of development applications and the maintenance of historic features in the community, the Historic Overlay District is hereby created.
B. Airport Overlay (A-O) <i>Previous District(s): APD</i>	This district is established to prohibit land uses that are hazardous to the safe operation of aircraft.
C. Required Shopfront (-S)	In order to implement vibrant, pedestrian-friendly areas in Form-based Districts, the Required Shopfront Overlay District has been created to ensure that the ground floor of buildings in designated blocks are designed using either Shopfront & Awning, Gallery, or Arcade private frontage.
D. Watershed Area III Overlay (WS3-P and WS3-C)	The Watershed Area III Protection regulations are established as an overlay district to preserve water quality in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents.
E. Watershed Area IV Overlay (WS4-P and WS4-C)	The Watershed Area IV Protection regulations are established as an overlay district to preserve water quality in order to provide safe drinking water. The intent of this district is to establish regulations which ensure the availability of public water supplies at an acceptable level of water quality for present and future residents.
F. Flood Hazard Area Overlay (FHA-O & FHCA-O)	The Flood Damage Prevention regulations are established as an overlay district to protect public health safety and general welfare in the areas of Wilson that are prone to periodic flooding. Two districts are hereby created: the Flood Hazard Area Overlay (FHA-O) and the Flood Hazard Conservation Area Overlay (FHCA-O).
G. Redevelopment Zone (RD-#)	This district establishes specific project areas designed to promote the redevelopment of deteriorated neighborhoods or areas within the city.

2.8.2 HISTORIC OVERLAY (H-O) DISTRICT

- A. Purpose:** The Historic Overlay District (H-O) is a zoning overlay district established pursuant to N.C.G.S. §160A-400 and created with the purpose of implementing a design review process for properties and structures located within locally designated Historic Districts and individual Historic Landmarks in accordance with the City of Wilson’s adopted “Design Guidelines for Local Historic Districts and Local Landmarks.”
- B. Applicability:** All locally designated Historic Districts and Historic Landmarks shall be a part of the Historic Overlay District.

C. Procedures:

- Designation of Historic Landmarks/Districts – 15.11.1
- Certificates of Appropriateness-Minor – 15.11.2
- Certificates of Appropriateness-Major – 15.11.3

D. Certificate of Appropriateness (COA)

1. **Certificate Required:** No exterior feature of any building or other structure in an H-O (including masonry walls, fences, light fixtures, utility structures, steps, pavement, signs, landscape and application of color or other appurtenant features), shall be erected, altered, restored, moved or demolished until after an application for a Certificate of Appropriateness has been submitted to and approved by the Historic Preservation Commission (HPC). A Certificate of Appropriateness is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures and their environs. Any building permit or such other permit not issued in conformity with this section shall be invalid. A Certificate of Appropriateness shall be required whether or not a building or other permit is required. The City of Wilson shall be required to obtain a Certificate of Appropriateness prior to any changes in the character of public facilities, city-provided utilities, or public buildings in the Historic Overlay District.
2. **Conditions of Approval:** In approving a Certificate of Appropriateness, the Commission may attach reasonable conditions necessary to carry out the purposes of this ordinance.
3. **Exterior Features:** For purposes of this ordinance, "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building or other structure, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures, as well as historic signs, significant landscape, archaeological and natural features of the area. Regulation of "exterior features" shall be limited to the "Areas of Visual Concern" as described in the City of Wilson "Design Guidelines for Local Historic Districts and Local Landmarks." In the case of outdoor advertising signs, "exterior features" shall mean the style, material, size, and location of all such signs.
4. **Limitation on Review of Interior Features:** Notwithstanding this ordinance, jurisdiction of the Commission over interior spaces shall be limited to specific interior features of architectural, artistic, or historical significant in publicly-owned landmarks, and of privately-owned historic landmarks for which consent for interior review has been given by the owner. If an owner's consent for interior review has been filed in the office of the Wilson County Register of Deeds and indexed according to the name of the owner of the property in the grantee and grantor indexes, such consent shall bind future owners and/or successors in title. The ordinance establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the Commission 's jurisdiction over those features.
5. **Normal Maintenance and Repair/Certain Changes Not Prohibited:** Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or property located within a district that does not involve a change in

design or material. Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making any use of their property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance of or, in the event of an emergency, immediate restoration of any existing above-ground utility structure without approval by the Commission.

6. **Use of Guidelines:** The Commission shall adopt and utilize guidelines not inconsistent with Part 3B Article 19 of Chapter 160A of the N. C. General Statutes for appraising the altering, restoring, moving, or demolition of property designated as historic or located within any local historic district. It is the intention of these guidelines to ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the special character of the landmark or historic district.
 7. **Administrative Approval for Minor Works Allowed:** The Administrator may issue a Certificate of Appropriateness for minor works as listed in the Commission's Review Guidelines, or as otherwise directed by the Commission. Minor works shall include and are defined as those exterior changes that do not involve substantial alterations, additions, or removals that could impair the integrity of the property and/or district as a whole. No application for a minor works Certificate of Appropriateness may be denied without formal action by the Commission.
 8. **Delay in Demolition of Designated Properties:** Any application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of a building or structure within a H-O District may not be denied. However, the effective date of such a Certificate of Appropriateness may be delayed for a period of up to 365 days for historic landmarks or 180 days for all other structures from the date of approval of the Certificate of Appropriateness. The City of Wilson shall also have the authority to delay the demolition of state and nationally-designated historic properties not in a H-O District pursuant to the provisions of NC Session Law 2008-58 according to the provisions of this section. The Commission may reduce the period of delay where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the Commission may negotiate with the property owner and any other parties in an effort to find a means of preserving the building, structure or site.
 9. **Properties of Statewide Significance:** The Commission may deny an application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office to have statewide significance, as defined in the criteria of the National Register of Historic Places, unless the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
 10. **Permitted Uses:** All uses permitted in the applicable land development district underlying a historic overlay district are permitted in the H-O.
- E. **Demolition by Neglect:** Owners of historic properties and structures shall have the responsibility to preserve those properties and structures against decay,

deterioration, and structural defects and to correct conditions that would compromise their long-term integrity. The failure to properly maintain any designated historic landmark or property located within a district, whether intentionally or not, such that it falls into disrepair and is no longer habitable shall constitute a demolition by neglect of such property or structure and shall be a violation of this ordinance. The City of Wilson may take appropriate actions to prevent and/or cure a demolition by neglect violation according to the provisions outlined in Chapter 16 of this ordinance.

2.8.3 AIRPORT OVERLAY (A-O) [Revises Z-8.44-45]

- A. Purpose:** The Airport Overlay district is established for the purpose of regulating height and land uses which may be hazardous to the safe operation of aircraft. As an overlay district, the Airport Overlay District regulations further restrict development in any underlying district.
- B. Required Notification:** Any person who proposes construction or alteration in the vicinity of Wilson Industrial Air Center shall notify the regional director of the Federal Aviation Administration or the appropriate airports district office of any construction or alteration of greater height than an imaginary surface extending outward and upward at the following slope: 100 feet out to 1 foot up for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of Wilson Industrial Air Center.
- C. General Provisions:** The following limitations shall apply to all uses within the Airport Overlay Districts:
1. No use or activity shall take place within this district in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility, or otherwise create a hazard which may in any way endanger the landing, take-off, or maneuvering of aircraft using the airport.
 2. No glare-producing materials shall be used on the exterior of any building or structure located within the district.
 3. The requirements of this section shall not be construed to require a property owner to remove, lower, or make other changes or alterations of any structure that legally existed prior to the effective date of this ordinance. However, such structure shall be considered nonconforming if such structure is in conflict with these regulations.
 4. Pulsating, flashing, oscillating, or other types of attention-getting devices are prohibited. Lighting devices such as floodlights and spotlights shall be so arranged or shielded as not to cast illumination in an upward direction above an imaginary line extended from a light source parallel to the ground.
- D. Runway Zones:** There are hereby created and established certain zones within the Airport Overlay District which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Wilson Industrial Air Center. The Airport Obstructions Map as developed by is hereby adopted, and the various zones are hereby established and displayed on this map. The zones are defined as follows:
1. **Utility Runway Visual Approach Zone:** The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. This approach zone expands outward uniformly to a width of 1,250 feet at a

horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

2. **Runway Larger than Utility with a Visibility Minimum Greater Than $\frac{3}{4}$ Mile Non-Precision Instrument Approach Zone:** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 3. **Transitional Zones:** The transitional zones are the areas beneath the transitional surfaces.
 4. **Horizontal Zone:** The horizontal zone is established by swinging arcs 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the centerline of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 5. **Conical Zone:** The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.
- E. **Height Limitations:** Except as otherwise provided in this ordinance, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any zone created by this ordinance to a height in excess of the applicable height herein established for such zone. A property located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The height limitations for each of the zones in the Airport Overlay District are as follows:
1. **Utility Runway Visual Approach Zone:** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 2. **Runway Larger than Utility with a Visibility Minimum Greater Than $\frac{3}{4}$ Mile Non-Precision Instrument Approach Zone:** Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 3. **Transitional Zones:** Slopes 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 160.7 feet above mean sea level.
 4. **Horizontal Zone:** Established at 150 feet above the airport elevation or at a height of 310.7 feet above mean sea level.
 5. **Conical Zone:** Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

- F. Special Requirements: Any use that generates a hazard, as listed in the table below, is subject to the following requirements:

Hazards Generated	Applicable Requirements and/or Standards
Dirt, dust, fly ash, and particulate matter	Environmental Protection Agency (EPA) emission levels. Federal Aviation and Administration (FAA) visual hazards.
Glare and heat	Activities shall be within an enclosure and shall be imperceptible beyond the property without instruments.
Noise	EPA decibel levels. Occupational Health and Safety Administration standards.
Odor	EPA standards.
Radio and electronic emissions	Federal Communications Commission (FCC) license or authority for operation. FCC and FAA requirements apply to use.
Toxic gases	EPA emission levels.
Radiation	Federal Radiation Council standards.

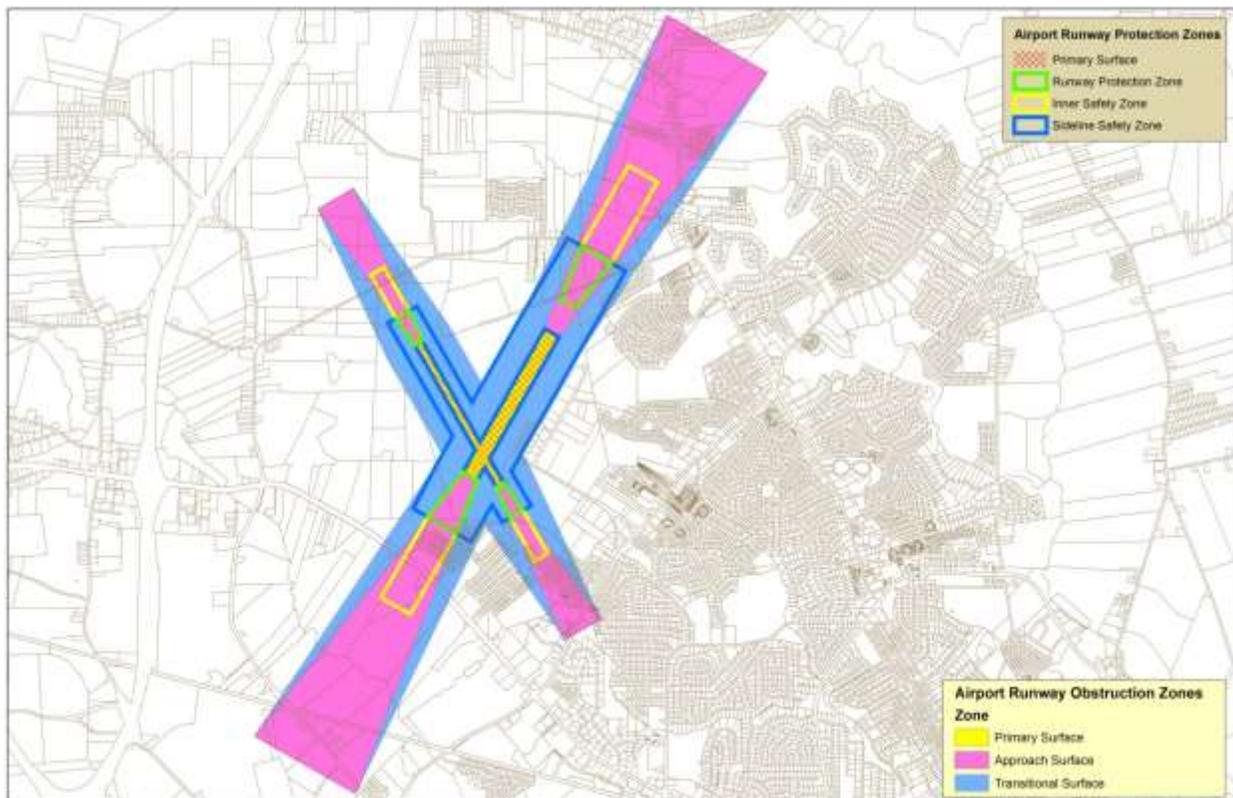
- G. **Prohibited Uses:** The following uses are prohibited in the Airport Overlay Districts:

1. Any residential development in excess of 7 units per acre
2. Bed and Breakfast Home (Up to 8 Rooms)
3. Bed and Breakfast Inn (Up to 12 Rooms)
4. Boarding or Rooming House
5. Child/Adult Day Care Home (8 or less persons)
6. Child/Adult Day Care Center (More than 8 persons)
7. Circus or Carnival
8. Civic Meeting Facility
9. College/University
10. Cultural or Community Facility
11. Dormitory
12. Fraternity/Sorority House
13. Funeral Homes/Crematoria
14. Halfway Home
15. Hospital
16. Hotel/Motel
17. Industry, Heavy
18. Medical Clinic
19. Private Recreation Facilities
20. Public Recreation Facilities
21. Religious Institution (except that existing Religious Institutions may renovate and expand within this district, but not within or into the runway approach zones defined in Sections 2.8.3.D.1 and 2.8.3.D.2)
22. Residential Care Facilities (more than 6 residents)
23. Restaurant
24. Residential/Family Care Home (6 or fewer residents)

- 25. Schools – Elementary & Secondary
- 26. Schools – Vocational/Technical
- 27. Shooting Range, Outdoor
- 28. Sports Arena/Stadium (4,000 or more seats)
- 29. Theater, Drive-In
- 30. Theater, Indoor Movie or Live Performance
- 31. Theater, Outdoor

H. Additional Restrictions in FAA-Recommended Runway Protection Zones

- 1. Runway Protection Zones are established as a part of the Airport Overlay District to protect the areas around runways and their neighbors in accordance with FAA recommendations from the September 1999 report entitled “Land Use Compatibility and Airports: A Guide for Effective Land Use Planning.” Runway Protection Zones are identified on the City of Wilson Zoning Map.
- 2. In addition to the use restrictions given in 2.8.3.G above, all residential dwelling units are prohibited within the FAA-recommended runway protection zones, inner safety zones and sideline safety zones as identified on the City of Wilson Zoning Map and in the map below.
- 3. For guidance on existing uses that are nonconforming under the regulations of this ordinance see Chapter 13.



2.8.4 REQUIRED SHOPFRONT (-S)

- A.** If a block face is designated on the Zoning Map as “Required Shopfront,” then all new development along that designated street frontage must provide one of the following Private Frontages (per Section 5.3) at sidewalk level along the entire length of the frontage:
1. Shopfront & Awning,
 2. Gallery, or
 3. Arcade.
- B.** While retail/restaurant uses are not required uses, the intent of this requirement is to provide a building frontage that would not preclude those uses at some point in the future through the depth of the first and second layer.

2.8.5 WATERSHED PROTECTION OVERLAYS (STATE-DESIGNATED WATERSHED AREA III AND AREA IV)

Development standards for the following state-designated watershed protection areas are outlined in Section 12.8:

- A.** Watershed Area III: Toisnot Reservoir/Swamp and Lake Wilson Critical and Protected Areas (WS3-C and WS3-P Districts)
- B.** Watershed Area IV: Wiggins Lake and Contentnea Creek Critical and Protected Areas (WS4-C and WS4-P Districts)

2.8.6 FLOOD HAZARD AREA OVERLAYS (FHA-O AND FHCA-O)

Development standards for the Flood Hazard Area (FHA-O) and Flood Hazard Conservation Area (FHCA-O) Overlay Districts are outlined in Section 12.4.

2.8.7 REDEVELOPMENT ZONE OVERLAY (RD-#) [Revises 8.36]

- A. Purpose:** To assure that within a designated redevelopment project area, all development conforms to the policies and objectives contained within an adopted redevelopment plan. As an overlay district, the Redevelopment Zone imposes design and use standards in addition to the requirements of the underlying base district. It is the purpose of this ordinance to promote the public health, safety, morals and general welfare and to protect public and private investment in the redevelopment of deteriorated neighborhoods by setting forth provisions designed to:
1. Restrict uses which conflict with the provisions of an adopted redevelopment plan.
 2. Assure that adequate public facilities, such as streets, water lines, utilities, fire protection and recreation space and facilities are available to support the level of development proposed in the redevelopment plan.
- B. Redevelopment Plan:** This section is intended to permit only that development within the redevelopment project area which is appropriate in light of the goals and objectives contained in an adopted redevelopment plan, and which presents an acceptable social and economic use of land in relation to the objectives of neighborhood revitalization. The objectives of adopted redevelopment plans are:
1. To eliminate those factors contributing to blight, through the revitalization of deteriorating neighborhoods;

2. To assure the provision of adequate services for existing and future development;
 3. To promote the efficient utilization of federal, state and local resources in the rehabilitation process;
 4. To help ensure the maintenance of a stable tax base by providing for the sound use and development of redevelopment project areas in such a manner so as to minimize future deterioration and blight; and
 5. To prevent speculative ventures for private gain in contravention to the public purposes of a redevelopment project by, for example, substantially varying from the proposed land uses contemplated under the redevelopment plan, overburdening or interfering with existing or proposed public facilities, or otherwise detrimentally affecting the public purposes of the redevelopment plan.
- C. Designation of Redevelopment Zone:** Redevelopment zones may be established, amended, or abolished by City Council action upon the adoption of a corresponding redevelopment plan and the recommendations of the Planning Board. Such zones shall be shown on the official zoning map and referred to by the letters RD (redevelopment) followed by a suffix number identifying the specific redevelopment area.
- D. Permitted Uses:** Any use permitted by the underlying district regulations shall be permitted in these zones only upon meeting the additional conditions and requirements as prescribed in the corresponding redevelopment plan. Depending on the character of the redevelopment project area and the goals and objectives of the redevelopment plan, certain uses shall be allowed by right, as established by the City Council in the approved redevelopment plan. Any use not permitted by the underlying district regulations shall not be permitted within the redevelopment project area.

2.9 CONDITIONAL DISTRICTS (CD)

Conditional Districts are districts with conditions voluntarily added by the applicant and approved in a legislative procedure by the City Council in accordance with G.S. 160A-382. Conditional Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Because Conditional District developments are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from other surrounding blocks or neighborhoods. This Conditional District may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure.

2.9.1 STANDARDS FOR CONDITIONAL DISTRICTS

Within a Conditional District (CD), petitioners may place additional requirements or standards onto themselves and their property or ask that certain uses identified in the specific zoning category or provisions in Chapters 2-12 be decreased. It shall be the City Council's final decision to grant approval or denial of the CD zoning amendment in light of the revised development standards presented in accordance with the procedures of Section 15.15. If no specific request is made by the petitioner to the change in the development standards or if the petition is silent on the point, it shall be understood that the underlying zoning district guidelines and standards shall apply.

In addition the modification of specific district provisions (except use), the various provisions detailed in Chapters 2-12 may be varied if specifically requested by the petitioner as part of a Conditional District application:

CH	Title	Exception to modifications:
2	District Provisions	Uses permitted may not be added unless the use proposed is not currently defined or contemplated by the Code. Permitted uses may be removed from the petition.
3	Supplemental Use Standards	
4	General Provisions for All Districts	
5	Development Types & Design Standards	
6	Infrastructure Standards	
7	Parks & Open Space	May substitute required open space for payment-in-lieu. Amount required may not be reduced.
8	Tree Protection, Landscaping & Screening	No further modifications permitted. See Alternate Methods of Compliance.
9	Parking	
10	Lighting	
11	Signs	No further modifications permitted. See Alternate Methods of Compliance.
12	Stormwater	No further modifications permitted. See Alternate Methods of Compliance.