

Appendix B: Zoning Ordinance and Map Amendments

This Plan provides a foundation for future development within the Downtown Huntersville. As with all planning efforts, development activity may occur overnight. In some cases, project build-out may reach fifteen (15) to twenty (20) years based largely on market forces.

Patience and continued commitment toward improving this area will be warranted as a number of factors must be in place in order for the development types recommended in this report to be realized. Yet, as evidenced through this plan, the Town of Huntersville is committed to advocating responsible growth and development throughout the area; therefore, this master planning effort is recognized as the first step in the process.

This Master Plan is thus primarily implemented using two tools, strategic public investments (noted in the next Section) and the Zoning Ordinance. The Zoning Ordinance authorizes development on a by-right basis. In other words, if an applicant submits an application that shows compliance with all the required standards of the Ordinance, it should be approved.

The Zoning Ordinance applied to this area should be intended to maintain a high level of quality for all new development for this area thereby ensuring a predictable product for residents and neighbors. In addition, by clearly stating design expectations in a comprehensive and concise format, the Zoning Ordinance is further intended to ensure predictability for developers. As a component of this, it is highly recommended that the development process be streamlined to the most extent practical as an incentive for development consistent with the Master Plan.

The following map and text changes are recommended for implementation of this plan.

Zoning Ordinance Text Amendments

Amend 3.2.4 (a) Uses Permitted with Conditions

Commercial Use, including office, in a Detached House building when located on a thoroughfare, or at the intersection of a neighborhood street and a larger capacity street.

Strike 3.2.13 (b) Note 16

Amend 3.2.6 (b)

Amend "up to ~~15,000~~ 50,000 SF first floor area" from mixed-use, storefront, and workplace building types. Larger buildings may be permitted subject to the issuance of a Special Use Permit.

Add to 3.2.6 (d)

7) Minimum Height:

Mixed Use, Storefront, and Workplace Buildings shall be a minimum of 2 stories at the following locations:

*Gilead Road - from Sherwood Drive to Old Statesville Road (NC 115)
Huntersville-Concord Road - from Old Statesville Road (NC 115) to Main Street
Old Statesville Road (NC 115) - from 400 feet north of the intersection of Gilead Road/Huntersville-Concord Road to Greenway Drive
Main Street - from Huntersville-Concord Road to Greenway Drive*

Amend 3.2.13 (a)

Under Uses Permitted with a Special Use Permit increase the threshold for non-residential use first floor area to 30,000 square feet.

Delete Article 4/Shopfront Building/Permitted Heights and Uses

5. Where an existing residential building converts to a mixed-use building, at least 40% of the habitable floor area shall be residential.

Amend Article 4/Detached House by adding the following:

Mixed-Use Standards:

- 1. Parking shall be located in the side or rear yards only. If provided in the side yards, the parking area shall not exceed 25 of the frontage line and shall not be in the yards adjacent to a street.*
- 2. Parking areas on adjacent mixed-use lots shall be connected whenever practical.*
- 3. Trash containers shall be located in the rear yard. If adjacent to existing single family residential uses, trash containers shall be limited to residential rollout containers only (no dumpsters).*
- 4. Mechanical equipment at ground level shall be placed on the parking lot side of the building away from buildings on adjacent sites and shall be screened from view by an opaque screen.*

Add to 8.14 General Standards for Driveway Permitting

.5 In accordance with the Downtown Master Plan the following standards for access management shall be adhered to:

- a. Access to Gilead Road for properties on the south side shall be taken from the existing side streets (Marguerite, Pinewood, and Hillcrest) using a public alley to be constructed as a part of the development process on a lot by lot basis. For lots without access to the existing side streets by an alley, a temporary driveway permit may be granted along Gilead Road provided that driveway shall be removed when access is possible from an alley connecting to a side street. As part of the permitting process, the alley shall be built and an access easement for properties along that block fronting Gilead Road shall be provided and recorded in the Register of Deeds. The recorded instrument will also acknowledge the temporary nature of the initial access.*
- b. The unimproved right-of-way between Pinewood and Hillcrest should be constructed as a public street connection to Holbrook (with ultimate connection to Hillcrest) when adjacent development occurs.*
- c. Development on the north side of Gilead Road should take access at locations in alignment with opposing street access south of Gilead Road.*

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- d. *Primary access to Old Statesville Road should be taken from the existing side streets where reasonably feasible (Dellwood, Gibson Park, and any newly constructed side street constructed in accordance with the Downtown Huntersville Master Plan).*
- e. *Street connections represented in the Downtown Huntersville Master Plan (between Old Statesville Road and Main Street) should be implemented as development occurs with the intent of providing primary access. For lots without access to the existing side streets by an alley, a temporary driveway permit may be granted along Old Statesville Road (NC 115) provided that driveway shall be removed when access is possible from an alley or the side street. As part of the permitting process, the connecting street or alley shall be built and an access easement for properties along that block fronting Old Statesville shall be provided and recorded in the Register of Deeds. The recorded instrument will also acknowledge the temporary nature of the initial access.*
- f. *Development on the west side of Old Statesville Road should take access at locations in alignment with opposing street access south of Gilead Road.*

Zoning Map Amendments

A number of Map Amendments are recommended to encourage redevelopment and development consistent with this Plan. Because this Plan recommends a specific transit station area to be incorporated into the Major Infrastructure Study (MIS) being completed by the Charlotte Area Transit System, the triggering mechanism for the application of the TOD-R requirements will have been met.

The proposed Map Amendments are identified on the map on the following page.

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