

Members

Chair: Amy Hallman
Vice-Chair: Kathy Jones
Scott Harrington
Matthew Jones
Joseph Kluttz
Jake Palillo
Michael Pollard
Harrison Whittaker

Planning Board Member:
Scott Hensley



Town Staff (Non-Voting Members)

Alisia Bergsman
Town Commissioner

Brian Richards
Director
Planning Department

Tracy Barron
Executive Assistant
Planning Department

Emily Sloop
Town Attorney

AGENDA

Huntersville Ordinances Advisory Board Meeting

May 2, 2024 - 3:30 PM

TOWN HALL (101 Huntersville-Concord Road)

**Live Stream available via YouTube
@townofhuntersvillenc28078**

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes**
 - 2.A. Consider approval of the March 7, 2024, regular meeting minutes
- 3. Public Comments - Speakers are limited to 3 minutes. The Chairperson reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers**
- 4. Action Agenda**
 - 4.A. TA24-06: Proposed amendment to require farmhouse clusters to provide an 80-foot vegetative buffer and place open space and tree save outside of private buildable lots. *(Nathan Farber)*
 - 4.B. TA24-07: Proposed amendment to remove reference of family-only occupancy requirement for ADU's from the General Residential zoning district regulations to achieve consistency with the rules governing ADU's in other residential zoning districts. *(Patrick Patterson)*
 - 4.C. TA 24-08: Proposed amendment to update language to clarify where an existing Family Care Home's exclusive one-half mile radius limit is measured from. *(Patrick Patterson)*
 - 4.D. TA24-09: Proposed amendment to Article 8.10 "Building Separation" and Article 12, Section 12.2.1, to align with fire-separation distance as defined in the North Carolina State Building Code. *(Patrick Patterson)*

5. Other Business

6. Adjourn

GENERAL MEETING INFORMATION

Huntersville Ordinances Advisory Board:

The Huntersville Ordinances Advisory Board is established to: 1) Review, evaluate and recommend amendments to the Zoning and Subdivision Ordinances to the Planning Board and the Town Board 2) Review, evaluate and recommend amendments to Town planning processes and procedures to the Planning Board and Town Board 3) Other such related Zoning and Subdivision Ordinance as directed from the Town Board or Planning Board. For more information visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 3:30 p.m. on the first Thursday of each month (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Special Accommodations:

Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact Tracy Barron. She can be reached by phone or fax: 704-766-2215, email: tbarron@huntersville.org or at 105 Gilead Rd, 3rd Floor, Huntersville, NC 28078. We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, March 7, 2024.

Call to Order/Roll Call

Chairwoman Hallman called the meeting to order at 3:30 pm.

Voting Members Present: A. Hallman, K. Jones, M. Jones, S. Harrington, S. Hensley, and H. Whittaker

Voting Members Absent: J. Kluttz, M. Pollard & J. Palillo

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the January 4, 2024, Regular Meeting Minutes

Motion: M. Jones made a Motion to Approve the January 4, 2024, regular meeting minutes as amended. S. Harrington seconded the motion.

Vote: The motion passed unanimously (6-0).

Public Comments

G. Campbell, Huntersville

D. Boone, Huntersville

Action Agenda

4A. TA24-03: Conditional District. Proposed amendment to clarify the intent of the zoning districts and modify ordinance allowance considerations in the Conditional District (CD) rezoning process.

B. Priest, Assistant Planning Director reviewed the proposed text amendment.

K. Jones asked if there were examples of approved conditional rezonings that would have been handled differently had this text amendment been in place. Staff explained that there are no examples since the conditional rezoning process is entirely legislative the Town Board can negotiate the results. This amendment is an attempt to give some idea of what the results could be but does not seek to lock in one way or another what the results will be without the legislative process.

M. Jones commented that he likes the flexibility but it might be good to add some language to this to avoid creating liability for the Town as the flexibility is subject to N.C.G.S. 160D-702b. Staff clarified that it was intentional in the draft of this amendment to continue to allow Zoning Ordinance Article 11.4.7 to deal with the requirements and actual process of approving

conditional rezonings which highlights that all conditions must be voluntary and cannot violate 160D or make someone do something arbitrary. This amendment is to Article 3 which is the intent, the high-level vision and goals.

H. Whittaker asked what the Town would gain from this versus what we currently have. A. Hallman also asked about why this type of change is needed. Staff commented that the goal is to gain more flexibility in what we can negotiate on with the applicant. The proposed amendment could allow staff when meeting with the applicant to have more flexibility to share with them the 2040 Plan goals and vision to try to get better design and better development.

S. Hensley described the proposed amendment as lowering the guardrails and asked if there are still guardrails in place within the proposed amendment to ensure that the legislative process is properly executed. Staff responded that the Town Board would really be the guardrails, the proposed amendment and the 2040 Plan wording are to increase flexibility. There are many unique designs and projects that the Ordinance, written in 1996, does not envision. The statement within the Zoning Ordinance that a project be within the spirit of the ordinance can be limiting.

Motion: K. Jones made a motion to recommend Approval of TA24-03, a request by Huntersville Planning Department for a text amendment. S. Hensley seconded the motion.

A. Hallman commented that the legislative process seems to grant full flexibility already so she doesn't see how this would help one way or another. Staff provided an example of downtown parking and that there is no flexibility that staff can support at this time, but some projects and parcels could really benefit from requesting a condition to have parking requirements waived.

Vote: The motion passed (5-1) with A. Hallman opposed.

4B. TA24-04: Proposed amendment to remove reference to Ordinance Advisory Board from Zoning Ordinance Article 11.4.3(a) and Subdivision Ordinance Article 5.000

B. Richards, Planning Director reviewed the proposed text amendment as a result of the adoption of the updated Ordinance Advisory Board Rules of Procedure on Monday, March 4, 2024, by the Town Board.

M. Jones requested that it be noted in the minutes that the updated rules of procedure have not been signed by the mayor and therefore the Board is not yet subject to the updated rules of procedure. Additionally, the agenda was changed without the consent of the Board Chair. Staff stated that the rules of procedure have been signed by the mayor and the email was just sent to the Board members.

Motion: K. Jones made a motion to Approve TA24-04, proposed amendment to remove reference to Ordinance Advisory Board from Zoning Ordinance Article 11.4.3(a) and Subdivision Ordinance Article 5.000. S. Harrington seconded the motion.

H. Whittaker asked what the purpose of his volunteering for this Board was with these changes. The Chair responded that with these changes the Board will serve the purpose of hearing and discussing only what staff presents to them.

K. Jones stated that it was explained to her by the previous Planning Director that her role was to look at ordinances and offer suggestions to Staff for text amendments, not to write or submit something for a text amendment. She then asked when the intent of the Board changed. Staff responded that the evolution of the Ordinance and Board are an on going process and subject to change.

S. Hensley commented that he was not in support of the changing of the bylaws but it has been done and now this text amendment falls within the scope of what the Ordinance Advisory Board is tasked to complete. Given the change to the bylaws he will support the motion but he would have preferred no action on this item.

A. Hallman commented that she understands that the bylaws have passed but she disagrees with this change. She does not believe that this is in the public interest and she understands that the vote of this board does not matter, the item will move forward.

Vote: The motion failed (1-4-1) with A. Hallman, M. Jones, S. Harrington, K. Jones opposed and H. Whittaker abstaining.

Motion: A. Hallman made a motion to Deny TA24-04, proposed amendment to remove reference to Ordinance Advisory Board from Zoning Ordinance Article 11.4.3(a) and Subdivision Ordinance Article 5.000. M. Jones seconded the motion.

Vote: The motion passed (5-0-1) with S. Hensley abstaining.

Other Business

5A. Follow up discussion related to street stubs.

B. Richards, Planning Director reviewed the connectivity goals as outlined in the 2040 Long Range Community Plan. Staff stated that the Engineering Standards guide does review curb cuts and sidewalks and there are existing developments that were approved prior to the current standards which were adopted in 2018. S. Trott, Director of Engineering provided examples around Town of the variety of curb cuts, sidewalks, cul-de-sac that exist in the Town.

S. Harrington commented that he is satisfied knowing that the standards are in place to ensure that pedestrians and persons in wheelchairs have a safe and accessible way to cross the street. In his opinion, the goal has never been to go back and mitigate developments prior to 2018.

S. Hensley asked staff if they were comfortable with the current process, or if they feel that any changes should be made to address this further. Staff stated that they are comfortable with the current process.

Adjourn

Motion: H. Whittaker made a Motion to Adjourn. M. Jones seconded the motion.

Vote: The motion passed unanimously (6-0).

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary

AN ORDINANCE TO AMEND ARTICLE 3.2.1 and 3.2.2, 80' Vegetative Buffer for Farmhouse Clusters

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.1 and 3.2.2, section (e) Special Requirements: Farmhouse Cluster Developments of the Zoning Ordinance is hereby amended as follows:

Special Requirements: Farmhouse Cluster Developments. A **Farmhouse Cluster** permits the subdivision of land for up to six house lots accessed by way of a shared private drive when the following conditions have been met:

1. Minimum project size and frontage on public road: 10 acres with a minimum of 30 feet of frontage on a public road either by fee simple ownership or by exclusive easement.
2. There shall be no more than two farmhouse cluster developments permitted per tract.
3. Private drives shall be paved in accordance with the Town of Huntersville construction standards. The private street right-of-way or easement shall be of sufficient width to accommodate drainage/water quality treatment associated with the private drive. Further, the recorded easement shall have at least 30' of frontage on a public street. In the event two farmhouse clusters are established, the private drive serving those farmhouse clusters may be connected provided:
 - a) The subdivision plat and associated deeds shall clearly state such drive shall remain private and will not be taken over by a public entity in the future unless such street complies with the construction standards of that public entity.
 - b) Where feasible, there shall be two means of ingress and egress into the combined farmhouse cluster development. Only in the event the original tract does not have the adequate frontage on a public road to obtain two driveway permits would one private drive be allowed to serve the combined farmhouse cluster development;
4. An association of all property owners shall be established for maintenance of all commonly held spaces, if any. Where there are no commonly held spaces except for a shared driveway or private street, a legally binding shared driveway and/or private street use and maintenance agreement shall be filed at the Register of Deeds of Mecklenburg County. Furthermore, the shared driveway or private road shall be shown, along with all appropriate and necessary easements, on a recorded plat and a note shall be attached thereto stipulating the use and maintenance of the driveway and referencing the recorded agreement(s).
5. The location of building sites shall be determined through a site analysis which identifies features to be preserved as open space;

TA XX-YY: SHORT DESCRIPTION

6. No minimum lot size or width is required, so long as the project meets all other standards of the district. Detached garages in farmhouse clusters shall be placed in the side or rear yard of home lots. Farmhouse clusters must include an opaque vegetative buffer from the public street for the placement of detached garages in the side yard of home lots.
7. At least 50% of the tract shall be designated as open space. Open space preservation shall be irrevocable. A metes and bounds description of the space to be preserved and limits on use shall be recorded on the subdivision plat and on individual deeds when open space lands are not held entirely in common. Open space lands may be part of a deeded lot so long as it reflects an irrevocable conservation or open space easement requiring such portions of individual lots to remain and be used as open space as provided in this section.
8. Permitted uses of open space lands to be preserved shall correspond generally to physical conditions at the time of subdivision approval. Restrictive covenants shall limit uses to the continuation of certain agricultural activities (pastureland, crop cultivation) or recreation uses that preserve the view from public streets of rural heritage features to be preserved. For example, fields or pasture land preserved as required open space may continue to support cultivation or grazing; however existing woodlands may not be clear-cut. In order to ensure septic tanks are located on the most suitable soils, septic fields may be located in the common open space provided a maintenance easement is established for access.
9. The project shall maintain a generally rural appearance from public road(s) **by providing an 80 foot visually opaque landscaped buffer of native vegetation along property frontage.**
10. Where a farmhouse cluster would eliminate a planned street connection or a street connection indicated on a plan adopted by the Town of Huntsville or the Charlotte-Mecklenburg Thoroughfare Plan, and no alternate alignment can reasonably provide the connection, the design of the farmhouse cluster shall provide for said connection by the dedication of right-of-way for streets less than 70 feet in width and by the reservation of right-of-way for streets 70 feet or wider.
11. A Farmhouse Cluster requires an approved **Farmhouse Cluster subdivision plan**, according to the requirements of the Huntersville Subdivision Ordinance including approval by the Planning Staff and shall meet all other requirements for review and approval, which may include preliminary plan approval prior to approval of a final plat.

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 4/4/2024

PUBLIC HEARING DATE: DATE

PLANNING BOARD MEETING: DATE

TOWN BOARD DECISION: DATE

Memo: TA24-06

The purpose of this text amendment is to require farmhouse clusters to provide an 80' vegetative buffer along the street frontage and to require open space and tree save to be located outside of private buildable lots. The 2040 Community Plan specifically calls for preserving rural character, significant tree stands, and provide quality open space. The purpose of Farmhouse clusters is to provide subdivisions that sensitively integrate with the rural environment. Farmhouse Clusters are currently only allowed within the Rural and Transitional Residential zoning districts.

An 80' vegetative buffer along the frontage ensures that the character of scenic country roads remains. This requirement is already required for all major subdivisions within the Rural and Transitional Residential zoning districts. This change builds upon the current subjective text that states "The project shall maintain a generally rural appearance from public road(s)" by providing further clarification on what is required to ensure "a generally rural appearance from public roads".

Requiring open space and tree save outside of private buildable lots ensures that quality natural features are kept and preserved once the lot is developed. Often, Open Space and Tree save within private lots are disturbed by private owners who do not realize these items exist or are willing to take the risk of disturbing them. This move also ensures that homeowners do not have to worry about what they do on their property.

**AN ORDINANCE TO AMEND THE HUNTERSVILLE ZONING ORDINANCE TO
REMOVE RELATED PERSON(S) REQUIREMENTS FROM THE GENERAL
RESIDENTIAL ZONING DISTRICT**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 3.2.3(c), Zoning Ordinance is hereby amended as follows:

(c) Permitted Accessory Uses.

- accessory dwellings ~~for use by related person(s)~~, (9.1)
- day care home (small), (9.11)
- home occupations, (9.19)
- marinas, (9.42)
- solar facility, minor non-residential (9.54)
- solar energy facility, minor residential (9.54)
- accessory uses permitted in all districts (8.11)

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:



Memorandum

To: Huntersville Ordinance Advisory Board

From: Huntersville Planning Department

Re: TA 24-07 ADU GR Reference

Accessory Dwelling Units (ADUs) are conditionally permitted in every residential district of the Town of Huntersville. Notably, in our General Residential (GR) zoning district, ADUs are currently restricted for use exclusively by family members (related person(s)). This restriction does not apply to other residential districts, where there is no requirement for occupants of ADUs to be related. Planning staff proposes eliminating this family-only occupancy requirement from the GR district regulations to achieve consistency with the rules governing ADUs in other residential zones.

Below is the current language in the General Residential (GR) zoning district with regards to accessory dwellings;

Permitted Accessory Uses

- accessory dwellings for use by related person(s), (9.1)

Below is the proposed language;

Permitted Accessory Uses

- accessory dwellings ~~for use by related person(s), (9.1)~~



Text Amendment Application

Date of Application 4/19/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ordinance Article(s): **See Attached** Section(s): **See Attached**

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed Change

To update the General Residential (GR) zoning district ADU restrictions to be consistent with all other residential zoning districts

Applicant

Printed Name Town of Huntersville Planning Department Staff

Corporation Limited Liability Company Trust Partnership Other: _____

Signature  Date 2/22/21

Title Planning Director Email brichard@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

Corporation Limited Liability Company Trust Partnership Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND THE HUNTERSVILLE ZONING ORDINANCE, ARTICLE
12, SECTION 12.2.1**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12, Section 12.2.1 of the Zoning Ordinance is hereby amended by modifying Article 12, Section 12.2.1 “Family Care Home” as follows:

A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities. Persons with disabilities shall mean a person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, ~~mental retardation~~ an intellectual or other developmental disability, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments but not including ~~mentally ill~~ persons with a mental illness who are dangerous to others as defined in G.S. 122C-3(11)(b). Family care homes are permitted in any district which allows residential use, however, no new family care home is permitted within a one-half mile radius of an existing family care home, measured from the nearest property lines.

Section 2. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:



Memorandum

To: Huntersville Ordinance Advisory Board

From: Huntersville Planning Department

Re: TA 24-08 Family Care Home Distance Requirement

Family Care Homes are allowed in all residential districts, with certain conditions attached to the use. One of the conditions is a distance requirement in between Family Care Homes. The definition of Family Care Home defines the distance (.5 mile) between existing Family Care Homes, but does not state where the permitted distance is measured from. Staff is looking to update the language to specify where a Family Care Home's on-half mile radius distance is measured from.



Text Amendment Application

Date of Application 4/19/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ordinance Article(s): **12** Section(s): **12.2.1**

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed Change

Staff is looking to update the language to specify where a Family Care Home's on-half mile radius distance is measured from.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department Staff

Corporation Limited Liability Company Trust Partnership Other: _____

Signature  Date _____

Title Planning Director Email brichod@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

Corporation Limited Liability Company Trust Partnership Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition **MUST** be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an **INVALID APPLICATION**. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

**Town of Huntersville
Planning Department**
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____



Text Amendment Application

Date of Application 4/19/2024

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Ordinance Article(s): **See Attached** Section(s): **See Attached**

Current Ordinance

See Attached

Proposed Text

See Attached

Reason for Proposed Change

Amend building separation distance to match building code standards

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department Staff

Corporation Limited Liability Company Trust Partnership Other: _____

Signature  Date 11/22/24

Title Planning Director Email b.scheidt@huntersville.org

Address of Applicant _____

Property Owner (if different than applicant)

* Printed Name _____

Corporation Limited Liability Company Trust Partnership Other: _____

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

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Date Received By Planning Department: _____

Staff Initials: _____

**AN ORDINANCE TO AMEND ARTICLE 8, SECTION 10 “BUILDING SEPARATION”
AND ARTICLE 12, SECTION 12.2.1**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 8, Section 10 of the Zoning Ordinance is hereby amended as follows:

8.10 ~~Building Separation~~ Fire Separation Distance

All ~~detached principal and accessory structures and buildings~~ in all districts shall preserve a minimum building separation ~~of 10 feet~~ compliant with North Carolina State Building Code requirements. ~~The requirement of the district to conform to an existing pattern of building spacing along a street may require a greater separation or the provision of specified side yards.~~ All ~~detached accessory structures in all districts shall maintain a minimum building separation of 4 feet, as measured from the overhang.~~

Section 2: Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 12, Section 12.2.1 of the Zoning Ordinance is hereby amended as follows:

Fire Separation Distance. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or public way.
3. To an imaginary line between two buildings on the lot.

The distance shall be measured at a right angle from the face of the wall.

Section 3: This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 5/2/24

PUBLIC HEARING DATE:

PLANNING BOARD MEETING:

TOWN BOARD DECISION:



Memorandum

To: Huntersville Ordinance Advisory Board

From: Huntersville Planning Department

Re: TA 24-09 Building Separation

Article 8.10 in the Huntersville Zoning Ordinance contains information regarding building separation for principal and accessory structures. Staff is looking to remove the reference of numbers and simply refer to fire-distance separation for building separation. This will simplify our ordinance by referring to fire-separation requirements. Staff will also add the definition of Fire Separation Distance, taken directly from the North Carolina Building Code, to the zoning ordinance.