

## *Proposed Redlines*

### **Chapter 3, Section 3.26 Definitions**

Dwelling, Apartment - Residence that is rented and is part of a larger residential building.

Dwelling, Condominium – Residential complex with multiple units individually owned in a structure with shared facilities and amenities.

### **Chapter 7, Section 7.1, Note 5, Multi-Family, Mixed-Use, Apartment, ~~and Townhome/Condominium Dwellings.~~ Townhomes with 5 or more units, and Condominium Dwellings.**

(A) General. Applicable standards described in this note are required for multi-family, townhome developments with 5 or more units, ~~duplexes~~, condominiums, apartments, vertical mixed-use developments and conditional district plans as defined in § 3.26 of the Zoning Ordinance and apply to all of the following. If the requirements in this note are at variance with the requirements of any other lawfully adopted rules, regulations or ordinance, the more restrictive or higher standards shall govern-apply.

- (1) New construction, whether such construction constitutes a new development or an expansion of an existing development;
- (2) Multi-family dwelling units created by a change in use of a portion or all of an existing development to multi-family use; and
- (3) Renovation or replacement of a portion or all of an existing multi-family development when the costs of renovation or replacement trigger the requirements of Ch. 11 of this ordinance for compliance with this ordinance.
- (4) No phasing of construction is proposed or approved unless:
  - (a) The commercial portions of the development will be constructed as part of the initial phase; or
  - (b) If commercial and residential are proposed in the first phase, then no more than one-third of the total proposed residential units for the development can be part of the first phase.
- (5) The developer will be required to create and record a plat of the development to ensure that all approved requirements and conditions for development are met if public infrastructure and fee simple lots are proposed. Change in ownership of the development will not negate any approved requirements as recorded with the Gaston County Register of Deeds.
- (6) Any multi-family development may be required to develop a Transportation Impact Analysis (TIA) study based on the TIA Ordinance, which is an appendix to the Zoning Ordinance, Strategic Vision Plan and Subdivision and Land Development Ordinance.
  - (a) No multi-family development shall contain more than 20 dwelling units unless the development shall have frontage along and direct primary access on a major or minor thoroughfare as shown on the Gaston Urban Area Thoroughfare Plan or city-maintained thoroughfare unless the current roadway is capable of handling the capacity demand as reviewed by the city's TIA Ordinance.
  - (b) No multi-family development shall contain more than 60 dwelling units unless the development shall have frontage along and direct primary access on two major or minor thoroughfares or combination thereof as shown on the Gaston Urban Area Thoroughfare Plan or city-maintained thoroughfares unless the current roadway is capable of handling the capacity demand as reviewed by the city's TIA Ordinance.

(7) The off-street parking and circulation plan must assure safe, quick and convenient access for firefighting equipment, refuse collection and service and delivery vehicles. Interior streets may be public or private or a combination thereof as determined by the City of Mount Holly Technical Review Committee (TRC). The acceptance of a public street dedication must be approved by the City Council as required in the Subdivision Ordinance.

(8) The determination of whether interior streets will be public or private or a combination thereof will be based upon the following considerations, with recommendations from the TRC: adopted thoroughfare plan; neighborhood circulation needs; utility facilities; the size and shape of the tract to be developed; and the number of dwelling units to ultimately be constructed.

(9) All portions of every residential building will be located within 400 feet of a public or private street that furnishes direct access to the building.

(10) The design and construction of private streets will meet the standards established in the Mount Holly Subdivision and Land Development Guidelines.

(11) Public or private streets and parking areas will be no closer than 15 feet to any side of a residential building used for entry into the building and will be no closer than ten feet to any other face of the building.

(12) A screening device and parking lot landscaping shall be provided as set forth in Ch. 10, Landscaping and Tree Protection, in the Zoning Ordinance or any other prevailing ordinance requirement.

(13) All required sidewalks shall be installed. To promote pedestrian connectivity sidewalks within the parking and street network will be required as outlined in the Standard Details Manual for Development.

(14) On-site property management or an owners associated shall be required. ~~The owner of a duplex would qualify as the property manager.~~

(15) Recreation space:

(a) Each unit shall provide a minimum of 50 square feet as attached, private outdoor area in the form of a deck or patio. A breezeway would not qualify towards this requirement.

(b) A minimum of 10% of the parcel shall be provided as usable passive or active recreation space for residents.

(c) In general, required recreation space shall have a least dimension of 25 feet, an average dimension of 50 feet and a minimum area of 2,500 square feet. Smaller dimensions are acceptable if:

1. Less than 2,500 square feet of recreation area is required;
2. The recreation area is a suitably improved roof area or enclosed floor area; or
3. The anticipated needs of the residents require smaller facilities, such as tot lots or shuffle board courts.

(d) The dedication of a greenway easement and construction maybe used to satisfy the requirements for recreational spaces.

(e) Outdoor recreation area for common use should be located 20 feet or more from any residential windows as the same general level.

(f) Recreation areas shall be maintained in a safe and sanitary manner.

(16) Each residential building shall meet the following standards.

(a) The maximum building height shall be three stories of occupied space, and in no case shall the building exceed 50 feet in total height including the roof or the maximum in the particular zoning district, whichever is less.

(b) Roof requirements.

1. If a pitched roof is proposed, the pitched roof area may be used as attic or storage space.

2. If a flat roof is proposed, then it is permissible to utilize all of that area for passive recreation space and could be counted towards the recreation requirements.

(c) The front entrance of each unit on the first floor must be at ground level to the greatest extent practicable.

(17) General dimensional requirements for the development shall be determined by the district in which the development is located.

(18) Every residential building must be separated by a distance of at least 20 feet from any other residential building in the development.

(B) Office & Institutional District (O&I).

(1) Townhome **with 5 or more units**, condominium.

(a) If the development has multi-family dwelling units in mixed-use buildings they must be constructed in compliance with the regulations of division (~~D~~ C) below.

(b) If the development has no mixed-use as part of the development of multi-family dwelling units they must be constructed in compliance with the regulations of the division (~~E~~ D) below.

(2) Apartment.

(a) The development must have multi-family dwelling units in mixed-use buildings and they must be constructed in compliance with the regulations of division (D) below.

(b) However, division (B)(1) above does not have to comply with architectural requirements unless multi-family dwelling units are part of a mixed-use building. Section 5.7 of this ordinance shall apply to divisions (B)(1)(a) and (B)(1)(b) above.

(C) Mount Holly Mixed-Use District (MHMU).

(1) Mixed-use development. If the development has multi-family dwelling units in mixed-use buildings they must be constructed in compliance with the regulations of division (D) below.

(2) Townhome **with 5 or more units**, condominium.

(a) If the development has multi-family dwelling units that are not in a mixed-use building they must be constructed in compliance with the regulations of division (E) below

(b) Section 5.13 of this ordinance shall also apply to divisions (C)(1) and (C)(2) above for Mount Holly Mixed-Use District requirements. Multi-family developments in the MHMU will be required to obtain a Special Use Permit through the Zoning Board of Adjustment.

(D) R-8 Multi-Family District (R-8 MF).

(1) Apartments. Must comply with the regulations found in division (E) below.

(2) Townhome **with 5 or more units**, condominium. No architectural requirements, but must meet all other requirements as outlined in the district regulations of § 5.6 and any other regulations in division (E) below.

(E) Central Business District (B-1).

(1) Mixed-use condominium and apartment. Multi-family residential uses, either as the result of new construction or conversion, are allowed in the Central Business District (B-1) only if the projects in which they are included meet all the following criteria:

(a) Each project shall provide primary street level commercial land uses (i.e., retail, office and restaurant) of at least 50% of the square footage of the footprint of each building on the primary street level. For developments located on lots which abut more than one public street in the Central Business District, each additional street level floor shall provide commercial uses of at least 30% of that level's square footage. For purposes of this division (E)(1), the **PRIMARY STREET** shall be determined according to the following order: Main Street; Central Avenue; Catawba Avenue; Highland Street; Charlotte Avenue; all other streets. For example, if a project is located on a lot that abuts both Main Street and Central, Main Street shall be considered the

“primary street” while for a project which abuts Catawba Avenue and Highland Street, Catawba Avenue shall be considered the “primary street” and so on.

(b) The entire frontage of the primary street level of the building abutting the street shall provide commercial uses. Required entrances for ingress and egress to secondary uses are permitted along said frontage so long as they are no larger than necessary to meet Building Code and safety requirements for ingress and egress. Commercial uses on the non-primary street level(s) shall front on the non-primary street.

(c) New projects shall be at least ~~two floors above the primary street level~~ **three stories**.

(d) Buildings facades shall be oriented to each public street and shall have a primary entrance door facing each abutting public sidewalk.

(e) A minimum of 60% of primary public street level facing building facade shall be comprised of transparent, non-reflective windows and 30% of non-primary street level facing building facades shall be comprised of transparent, non-reflective windows.

(f) Surface parking shall be located away from each public street to the extent possible and, if practical, to the rear of the principal building. Facades must comply with § 5.8 of this ordinance.

(g) Structured parking is permitted to the rear of the building or below the street level floor.

(h) Building facades may be no further than zero feet to zero inches from the established street setback line, except where necessary to provide landscaped courtyards, plazas, pocket parks, other pedestrian-oriented amenities or when there would be interference with public utilities.

(i) Pedestrian weather protection such as awnings or canopies are encouraged along the public street, but may be placed only in accordance with an encroachment agreement authorized by the City Council.

(j) Where an existing building is renovated to permit residential and for new construction which is to be partially non-residential, the dimensional requirements of the B-1 District shall apply and there shall be no limitation of density of dwelling units. In such instances, however, the floor area devoted to residential use shall not exceed two times the floor area used for non-residential purposes.

(k) **Existing buildings being converted into mixed use condominium and apartment development must have ground level commercial uses on the entirety of the first floor.**

(2) Additionally. Section 5.8 of this ordinance shall also apply. ~~for division (A) above.~~

(F) Residential Downtown District (RD). For townhome **with 5 or more units**, condominium, each new multi-family development shall meet the following standards.

(1) A townhouse style design and a mixture of unit configuration and sizes per development shall be encouraged. However, no more than 25% of the units shall be one bedroom. The city would request that developers support the type of dwelling units being proposed with market analysis information unless the total number of units is four or less for the entire development.

(2) Parking shall be required at two spaces per unit and a clearly designated parking area for visitors. Parking spaces per unit ratio may be increased due to site conditions specific to each development at the discretion of the Planning and Development Department. Justification of requests will be documented.

(a) The square footage of the parking designated for visitors may not exceed 20% of the total parking area. A minimum of 25% of units shall have a garage or carport.

(b) If freestanding, garages and carports shall be architecturally integrated with the development. To the greatest extent practicable, parking shall be located behind or underneath proposed buildings.

(3) Section 5.14 of this ordinance shall also apply. ~~to division (E)(1) above.~~

## **Chapter 6, Table 6.1**

Use Types	Note	R-A	R-20	R-12	R-10	R-8 SF	R-8MF	RD	MHMU	O&I	B-1	B-2	B-3	L-I	H-I
Dwelling, townhome; condominium	5						X	X	S	X	X				
Dwelling, Apartment	5						X		S	X	X				
Dwelling, Condominium	5						X	X	S	X	X				
Dwelling, Duplex	40						X	X							
Dwelling, Townhome	5, 39						X	X	S	X	X				

**Chapter 6, Table 6.6**

Use Types	Note	R-A	R-20	R-12	R-10	R-8 SF	R-8MF	RD	MHMU	O&I	B-1	B-2	B-3	L-I	H-I
Utility equipment and storage yards	41												X	X	X

**Chapter 7, Section 7.1, Note 39, Townhomes with 4 or less units.**

Townhomes in the B-1 district will have to meet the standards laid out in note 5(E).

Townhomes with 4 or less units should meet the requirements of the underlying zones and the following:

- (1) All required sidewalks shall be installed. To promote pedestrian connectivity sidewalks within the parking and street network will be required as outlined in the Subdivision and Land Development Ordinance.
- (2) The developer will be required to create and record a plat of the development to ensure that all approved requirements and conditions for development are met if public infrastructure and fee simple lots are proposed. Change in ownership of the development will not negate any approved requirements as recorded with the Gaston County Register of Deeds.
- (3) Must meet access requirements based on the State Fire Code. The City reserves the right to apply fire safety standards to the development.
- (4) The off-street parking and circulation plan must assure safe, quick and convenient access for firefighting equipment, refuse collection and service and delivery vehicles. Interior streets may be public or private or a combination thereof as determined by the City of Mount Holly Technical Review Committee (TRC).
- (5) The design and construction of private streets will meet the standards established in the Mount Holly Subdivision and Land Development Guidelines.
- (6) Each unit shall provide a minimum of 50 square feet as attached, private outdoor area in the form of a deck or patio. A breezeway would not qualify towards this requirement.
- (7) The front entrance of each unit on the first floor must be at ground level to the greatest extent practicable.

**Chapter 7, Section 7.1, Note 40, Duplex Requirements**

Duplexes should meet the requirements of the underlying zones and the following:

- (1) The owner of a duplex would qualify as the property manager.
- (2) Each unit shall provide a minimum of 50 square feet as attached, private outdoor area in the form of a deck or patio. A breezeway would not qualify towards this requirement.

**Chapter 7, Section 7.1, Note 41, Utility Equipment and Storage Yards**

Must construct a 6 ft opaque fence surrounded by a 10-foot-wide landscaping buffer that includes 5 small maturing trees of the type listed in Chapter 10 Section 10.4(A) and 30 shrubs of the type listed Chapter 10 Section 10.4(D) for every 100 linear feet of property line.