

**PLANNING BOARD
REGULAR MEETING
MONDAY, DECEMBER 20, 2021
5:30 P.M.**

Yadkinville Town Hall
Commissioners Chambers
213 Van Buren Street, Yadkinville, NC 27055
AGENDA

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES

- June 21, 2021 – Regular Meeting Minutes

3. NEW BUSINESS

- ZTA-2021-01-4
 - Applicant: Abigaile Pittman, Planning Director

Request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding consideration of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related Ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining and restricting the use of storage containers as dwellings, buildings, or residential accessory structures.

4. OTHER BUSINESS

- Adoption of 2022 meeting schedule.

5. ADJOURNMENT - Next Scheduled Board Meeting is January 17, 2022

**PLANNING BOARD
REGULAR MEETING
MONDAY, JUNE 21, 2021
5:30 P.M.**

Yadkinville Town Hall
Commissioners Chambers
213 Van Buren Street, Yadkinville, NC 27055
MINUTES

**PLANNING BOARD MEMBERS
(PRESENT/ABSENT):**

Anna Logan Howe –Chair - Present
Rhyne Dowell – Vice Chair – Present
Virgil Dodson - Present
Mary Reavis - Present
R.J. Speaks - Present
Danny Coe – Present
Tony Snow - Absent

TOWN OFFICIALS PRESENT:

Mike Koser, Town Manager
Shelia Weathers, Asst. Manager
Abigaile Pittman, Planning Director

1. CALL MEETING TO ORDER

Ms. Anna Logan Howe, Chair called the meeting to order at 5:30 p.m. and determined that a quorum was present.

2. APPROVAL OF MINUTES

- April 19, 2021 – Regular Meeting Minutes

RJ Speaks moved to approve the April 19, 2021 Planning Board meeting Minutes. Virgil Dodson seconded the motion and it passed unanimously by a vote of 6-0.

3. NEW BUSINESS

- ZMA-2021-01
 - Applicant: Abigaile Pittman, Planning Director
 - Property Owner: Gray Garrison
 - Amendment: Request to rezone the property located at 748 N. State Street from the Residential High Density (RH) District to the Highway Business (HB) District. The property is further identified as property identification numbers (PIN)

58071686742 and comprises approximately .38 acre.

Planning Director Abigaile Pittman stated that staff recently discovered that the subject property is zoned Residential High Density (RH). The property has never been used for multifamily purposes, but rather for retail commercial uses. No history can be found to explain why this property is zoned RH, and the property owner also does not know. The property adjoins HB zoning to the east.

Ms. Pittman recommended approval of ZMA-2021-01. This recommendation is based on the request being consistent with the intent of the Highway Business (HB) District, the adjacent HB and LI zoning and land uses, and the Land Use & Growth Management Goal.

RJ Speaks made a motion to recommend approval of ZMA-2021-0, based on the request being consistent with the intent of the Highway Business (HB) District, the adjacent HB and LI zoning and land uses, and the Land Use & Growth Management Goal. Danny Coe seconded the motion and it passed unanimously by a vote of 6-0.

- Discussion Item - Providing input to staff and the Board of Commissioners regarding the development of Barndominium housing.

Planning Director Abigaile Pittman stated that she had recently received an inquiry from a citizen about constructing a barndominium. The Town's existing Temporary Moratorium Ordinance suspending the issuance of zoning permits for the development and construction of shipping container housing, tiny home housing and other types of alternative housing. At its meeting on May 3, 2021, the Board of Commissioners requested the Planning Board to provide input regarding the development of barndominiums.

Ms. Pittman stated that barndominiums are a recent trend in affordable housing. They are steel-framed buildings that typically function as a house, shop, shed, and barn, or a combination of all four. North Carolina allows the building of barndominiums as long as they are constructed according to state and county regulations for the foundation and building. In North Carolina, when you build a barndominium it's similar to building a regular home with footers, linings, and load-bearing walls. It can be built on a slab, crawl space, or basement foundation.

Ms. Pittman stated that the discussion of barndominiums has an underlying issue in common with shipping container housing and tiny home housing, and that is how North Carolina (NC) law may influence possible regulatory options.

Current NC law prohibits local governments from adopting regulations that require specific building design elements for single- and two- family dwelling unless certain conditions exist (for example, being in a designated historic district).

Ms. Pittman stated that it would be legal to allow a single family or two-family dwelling to be constructed with metal siding, unless there are private deed restrictions or homeowner association regulations in place on a property.

Ms. Pittman explained that the issue with barndominiums is that the typical mix of uses is not usually permitted in residential zoning districts, with the exception of a short list of limited and restricted home occupations uses. Ms. Pittman recommended that the Town does not need to take any further action on this item. The Development Ordinance would allow a metal sided residence but without the mix of uses typical of many barndominiums. It would not be legally possible to allow such a mix of uses in barndominiums without permitting a similar mix in all types of residences.

There was no further discussion of barndominiums by the Planning Board.

4. OTHER BUSINESS – There was no other business to discuss.

5. ADJOURNMENT - Next Scheduled Board Meeting is July 19, 2021

Virgil Dodson made a motion for the Planning Board to adjourn. RJ Speaks seconded the motion and the motion passed unanimously by a vote of 6-0.

Anna Logan Howe Chair

Date



TO: Planning Board Members

FROM: Abigaile Pittman, Planning Director

DATE: December 20, 2021

RE: ZTA-2021-04 - Request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding consideration of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related Ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining and restricting the use of storage containers as dwellings, buildings, or residential accessory structures.

BACKGROUND

Applicant: Abigaile Pittman, Planning Director

This text amendment (Ordinance 2021-07) includes:

- Creation of a definition for a floating zoning district;
- Creation of the administrative procedures for a floating zoning district application;
- The creation of the planned development floating districts, of which there are two types of planned developments: 1) Planned Development-Residential (PD-R) District; and 2) Planned Development-Mixed Use (PD-M) District; and the creation of a Tiny House Development (THD) District.
- The creation of a Tiny House Development (THD) District;
- Revisions related to restrictions that prohibit the use of storage containers as dwellings, buildings, or residential accessory structures.

Definition of a Floating Zoning District

A floating district is defined as is a zoning district that delineates conditions which must be met before that zoning district can be approved for an existing piece of land. Rather than being placed on the zoning map as traditional zones are, the floating zone is written as an amendment in the zoning regulations. Thus, the zoning district “floats” until a development application is approved, when the zone is then added to the official zoning map. Floating zones can be used to plan for future land uses that are anticipated or desired in the community, but are not confirmed, such as planned residential or mixed-use developments, and affordable housing developments.

In short, floating zoning districts are a use-based regulatory revision, and the master plan, together with everything shown on it and all amendments, development standards, and the approved statement of intent become the regulations for the site upon approval.

Administrative Procedures for a Floating Zoning District Application

The administrative procedures for a Floating Zoning District application is much the same as for any rezoning application: administrative review of the application; Planning Board review and recommendation; notice of public hearing; Town Board of Commissioners public hearing and decision; and additional follow-up approvals as required (e.g., preliminary plat, subdivision plan, site plan, zoning permit, building permit(s)). *The difference in the process is that the application for a Floating Zoning District includes the submission of a proposed master plan, statement of intent and delineated development standards (the base requirements for these are provided in the proposed text amendment, see pages 10-14 of Ordinance 2021-07).*

TINY HOUSE DEVELOPMENT (THD) DISTRICTS

Refer to pages 14-21 of Ordinance 2021-07

The Tiny House Development (THD) District is proposed to establish standards to facilitate the voluntary development of a group of very small single-family detached dwellings built in close proximity to one another on individual minimally sized lots and including common open space. The regulations of this district are intended to provide areas of the community for those persons desiring tiny houses with habitable space on a foundation and meeting a number of special requirements. For the purposes of this ordinance, a tiny house is defined as a permanent single family dwelling on a foundation with a maximum of 400 square foot of floor area, excluding lofts, and meeting the minimum construction requirements of the *North Carolina State Residential Code, 2018 edition*.

Highlights of the Development Standards for the THD Districts (refer to pages 17-21 of Ordinance 2021-07)

1. Town Limits - A THD District must be located within the Town's municipal limits (because the provision of full municipal services would be necessary);
2. Public Streets - A THD District development shall have access to a NCDOT public street system with at least 50 ft. of frontage (because the NCDOT can better assess traffic impacts and require necessary improvements);
3. Minimum and Maximum Acreage - A THD District can have a minimum of 2 acres and a maximum of 5 acres, subject to an approved modification of no more than 10 percent more (because it may be difficult to find a parcel exactly 5 acres);
4. Maximum Density - The maximum allowable density in a THD District is 10 units per acre for the development as a whole (because the lots and structures are very small);
5. Dimensional Standards - The dimensional standards for a THD development is a minimum lot size of 3,000 square feet and maximum lot size of 4,000 square feet, minimum lot width of 50 feet, minimum front and corner street setback of 15 feet, minimum side yard setback of 10 feet, minimum rear setback of 10 feet, and maximum structure height of 20 feet (because the structures are very small);

6. Prohibited Uses - Single family dwellings with a THD may not be used as tourist homes for rent or otherwise provide overnight lodging facilities to the general public for compensation (*because the intent is to create a stable tiny house neighborhood*);
7. Accessory Uses and Structures - Accessory uses and structures within a THD are limited to no more than one accessory structure of no more than 80 square feet, home occupations restricted to home offices with no outside employees and no signage, and a building for the purposes of common development storage or recreation, and other common area functions and improvements (*because the lots are very small and some open space on each lot is desirable*);
8. Landscaping and Screening Yards - Development perimeter landscaping and screening yards shall be required: 1) along any street or right-of-way, a setback of at least 50 feet from the edge of the street right-of-way shall be maintained and a Type 2 buffer shall be planted; and 2) adjacent to all non-street / non-right-of-way property lines, a setback of at least 30 feet shall be maintained and a Type 2 50-foot buffer shall be in place, as well as a six-foot fence or wall screening (*because this type of development is untested and the buffers and screening will help protect the character of surrounding development*);
9. Parking – Two on-site parking spaces shall be required for each tiny house lot. Additionally, a shared parking area for guest parking in the common area shall be installed in its entirety with the initial phase of multi-phase developments (*because there will not be enough room for additional vehicles on the tiny house lots*);
10. Community Building - A community building shall be provided to provide amenities such as laundry facilities, rentable storage areas, a community bulletin board, a group meeting room, a group events space with a kitchen, rest rooms, and shall not contain or be used as a dwelling unit. The common building shall be at least 1,500 square feet and shall be of sufficient square footage to serve the number of tiny houses approved for the development (*because a community gathering area will be needed for these activities since the houses are so small*).
11. Pedestrian Accommodations - Improved pedestrian walkways or sidewalks that access each dwelling are required, and may be installed incrementally with multi-phase developments (*because sidewalks and walkways encourage walking, and a tiny house development is intended to be a small community with common facilities and areas*);
12. Infrastructure Standards – A THD development shall comply with the infrastructure standards of the Development Ordinance (*streets, sidewalks and other walkways, lighting, stormwater standards, grading, fire protection*);
13. Solid Waste Collection - Solid waste collection for a tiny house development shall be provided by at least one (1) dumpster for every thirty (30) dwellings or fraction thereof (*because this is the most practical method of solid waste collection for a development of this type*); and
14. Homeowner's Association – A tiny house development shall have a homeowner's association that maintains control of all common area elements and is responsible for the maintenance of such elements within the development.

STORAGE CONTAINERS

Refer to pages 21-22 of Ordinance 2021-07

As a follow-up to the Town's recent moratorium on alternate forms of housing, the staff looked at a trend for shipping containers being used as houses and accessory structures. Staff is proposing to amend the Development Ordinance in order to restrict and prohibit the use of storage containers. These ordinance revisions define *container*; stating that the term "building" shall not mean nor be construed so as to include a container; and adding that a dwelling shall not include any container, and that shipping containers cannot be used as a permanent residential accessory structure.

PLANNED DEVELOPMENT (PD) DISTRICTS

Refer to pages 9-10 of Ordinance 2021-07

The Town previously had Planned Development (PD) districts prior to the adoption of current zoning regulations in October 2018. Staff has drafted regulations for two types of PD districts to be included in the current Development Ordinance:

1. The Planned Development-Residential (PD-R) District, which is intended to provide a harmonious variety of housing choices and densities, an appropriate level of amenities, optional compatible religious institutional use, and common area for open spaces, recreation and other activities typically related to residential uses:

Permitted uses for PD-R Districts between 5 and 10 acres include two of the following uses, and at least three of the following uses if the PD District is greater than 10 acres: single family residential; two-family residential; townhomes; multifamily residential; and one religious institutional use.

2. The Planned Development-Mixed (PD-M District, which encourages a well-balanced mix of higher intensity residential and lower intensity nonresidential uses such as office, service uses, and neighborhood business configured in a manner that supports pedestrian orientation.

Permitted uses for PD-M Districts between 5 and 10 acres include two of the following uses. and at least three of the following uses if the PD District is greater than 10 acres: Multifamily and/or townhome residential, institutional uses per the OI District, Office uses per the OI District; and commercial uses per the NB District.

Highlights of the Development Standards for the PD Districts (*refer to pages 12-14 of Ordinance 2021-07*)

1. Town Municipal Limits - A PD District must be located within the Town's municipal limits (*because the provision of full municipal services would be necessary*);
2. Public Streets - A PD District development shall have access to a NCDOT public street system with at least 50 ft. of frontage (*because the NCDOT can better access traffic impacts and require necessary improvements*);
3. Minimum Development Size - A PD District have a minimum of 5 acres, subject to an approved modification of no more than 10 percent less (*because the PD Districts require acreage for a mix of various types of land uses and/or densities*);

4. Potentially Modifiable Development Standards - Many PD District development standards would be subject to the current Development Ordinance, unless modified by the applicant's approved statement of intent and delineated development standards document (*including the mix of permitted uses, development size, density and dimensional standards, accessory uses and structures, parking requirements, signage regulations, additional requirements for particular types of permitted uses, and building design standards*); and
5. Non-Modifiable Development Standards - Other PD District development Standards that are subject to the current Development Ordinance cannot be modified by the applicant's approved statement of intent and delineated development standards document (*including location within Town limits, public street access requirement, environmental and open space requirements, landscaping buffers, fences and walls, infrastructure standards, subdivision standards, and homeowners association requirements*)

PLANNING DIRECTOR'S RECOMMENDATION

The Planning Director recommends approval of ZTA-2021-04, ORDINANCE 2021-07, a request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding consideration of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related Ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining, restricting and prohibiting the use of storage containers as dwellings, buildings, or residential accessory structures.

PLANNING COMMISSION'S RECOMMENDED MOTION

Motion to Approve – I recommend approval of ZTA-2021-04, ORDINANCE 2021-07, a request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, regarding consideration of adding regulations for floating zoning districts pertaining to planned development districts and tiny house districts, and to add related Ordinance definitions for a floating zoning district and a tiny house; and to add regulations defining, restricting and prohibiting the use of storage containers as dwellings, buildings, or residential accessory structures.

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2. The Planned Development-Mixed (PD-M District, which encourages a well-balanced mix of higher intensity residential and lower intensity nonresidential uses such as office, service uses, and neighborhood business configured in a manner that supports pedestrian orientation.

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Highlights of the Development Standards for the PD Districts (*refer to pages 12-14 of Ordinance 2021-07*)

1. Town Municipal Limits - A PD District must be located within the Town's municipal limits (*because the provision of full municipal services would be necessary*);
2. Public Streets - A PD District development shall have access to a NCDOT public street system with at least 50 ft. of frontage (*because the NCDOT can better require and access traffic impacts and require necessary improvements*);

**APPROVED BY THE BOARD OF COMMISSIONERS JANUARY 3, 2022
TEXT AMENDMENT ZTA-2021-04; ORDINANCE #2021-07
AN ORDINANCE AMENDING THE TOWN OF YADKINVILLE DEVELOPMENT ORDINANCE**

WHEREAS, the Town of Yadkinville adopted the “Town of Yadkinville Development Ordinance” on October 1, 2018, with an effective date of October 2, 2018, and subsequently amended; and

WHEREAS, public meeting was held before the Planning Commission on December 20, 2021 and a public hearing was held before the Board of Commissioners on January 3, 2021 regarding Zoning Text Amendment 2021-04; and

WHEREAS, notice of the public hearing was published in the Ripple on December 16, 2021 and April 23, 2021 for the Board of Commissioners public hearing pursuant to Chapter 160A-264 of the General Statutes of North Carolina.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF YADKINVILLE BOARD OF COMMISSIONERS OF THE TOWN OF YADKINVILLE, NORTH CAROLINA:

SECTION 1

That proposed amendments shall designate deletions in ~~red-crossed-through font~~ and shall designate additions in blue underlined font.

SECTION 2

That Appendix A.6 DEFINITIONS of the Development Ordinance is hereby amended by adding the following definitions.

FLOATING ZONING DISTRICT. A floating zone is a zoning district that delineates conditions which must be met before that zoning district can be approved for an existing piece of land. Rather than being placed on the zoning map as traditional zones are, the floating zone is written as an amendment in the zoning regulations. Thus, the zoning district “floats” until a development application is approved, when the zone is then added to the official zoning map. Floating zones can be used to plan for future land uses that are anticipated or desired in the community, but are not confirmed, such as planned residential or mixed-use developments, and affordable housing developments.

TINY HOUSE. A tiny house is a permanent single family dwelling with a maximum 400 square feet of floor area, excluding lofts, and meeting the minimum construction requirements of the North Carolina State Residential Code, 2018 Edition, Section 101.3.2.10 NC Administrative Code.

SECTION 3

That a new ARTICLE 2 ADMINISTRATIVE PROCEDURES AND ENFORCEMENT, Section 2.2.11 FLOATING ZONING DISTRICTS is created as follows, and that the existing Section 2.2.11 in its entirety is renumbered to become Section 2.2.12.

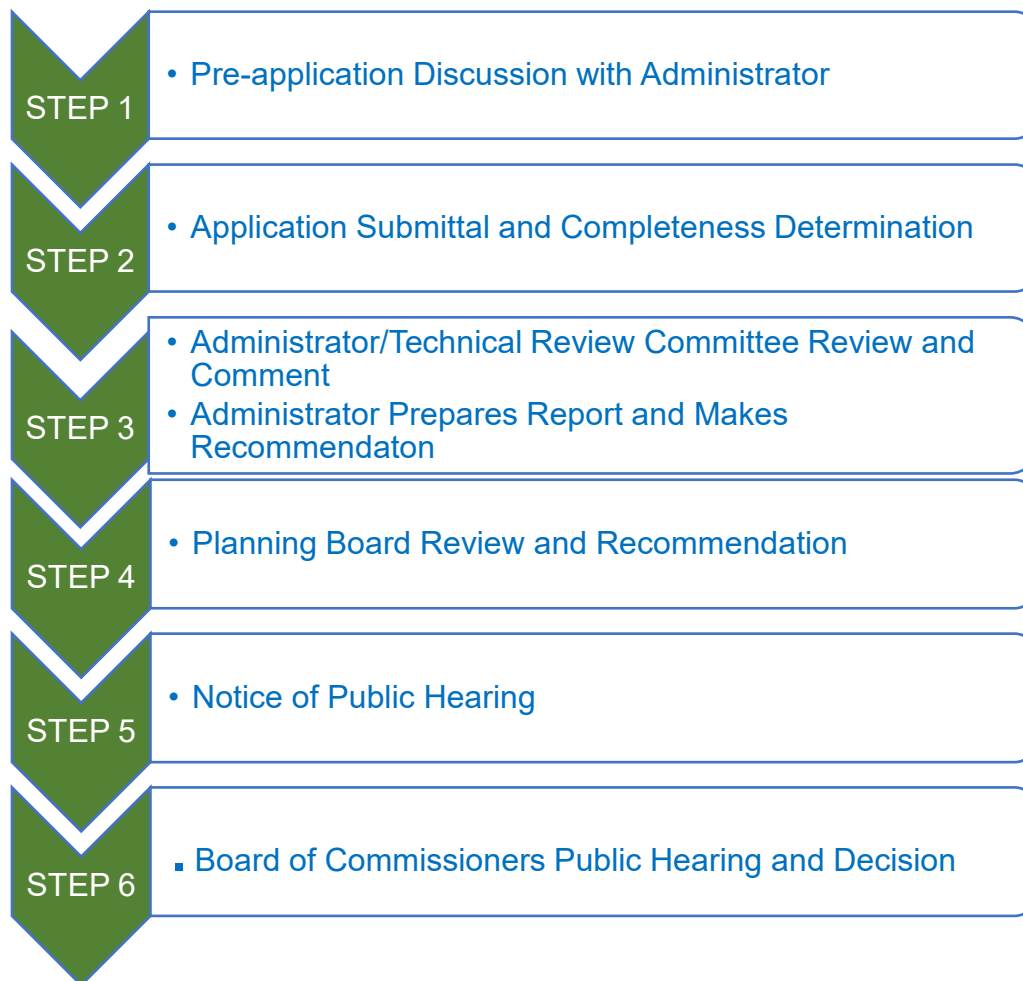
2.2.11 FLOATING ZONING DISTRICTS

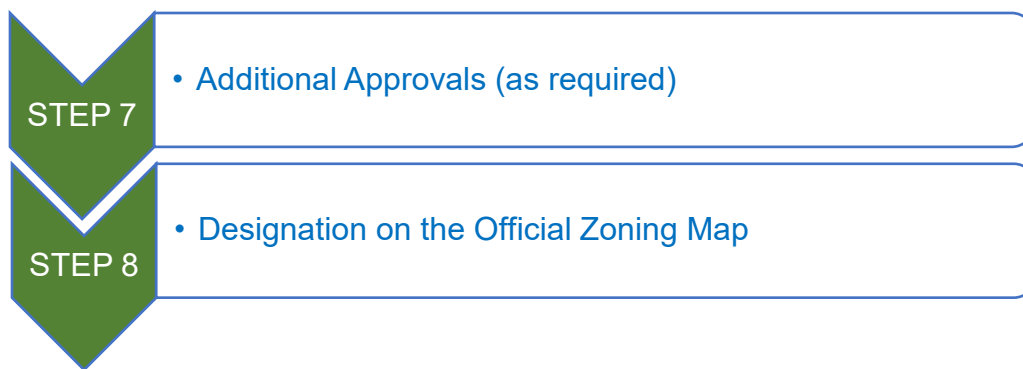
The Town Board of Commissioners may amend the Zoning Map to create floating zoning districts in accordance with this section and NCGS 160D-601.

The steps in the flow chart which follows correspond with a detailed description of each step of the process provided in this section. This section provides a uniform means for reviewing and deciding amendments to the Official Zoning Map to establish a floating zoning district. This Ordinance establishes two basic types of floating zoning districts:

1. Planned unit development districts, of which there are two types:
 - a. Planned Development-Residential (PD-R) District; and
 - b. Planned Development-Mixed Use (PD-M) District
2. Tiny House Development (THD) District.

Floating Zoning Districts Process





Step 1. Pre-application Discussion with Administrator

- A. The purpose of a pre-application conference is to provide an opportunity for the applicant to learn about the submittal requirements, procedures, and standards applicable to a floating zoning district development application. A pre-application conference is also an opportunity for town staff to become familiar with, and offer preliminary comments about, the scope, features, and impacts of the proposed development, as it relates to the standards in this Ordinance.
- B. As a follow-up to the initial pre-application conference, and at least two (2) weeks prior to submittal of the official application, a sketch Master Plan and draft Statement of Intent and Development Standards document based on the requirements of Section 3.3 shall be submitted for Administrator review and comment.

Step 2. Application Submittal and Acceptance

- A. Floating zoning district applications may only be initiated by the applicant as well as all landowner(s) of the land subject to the application.
- B. When required, a traffic impact analysis shall be submitted for review with the submittal of an application for a floating zoning district.
- C. The applicant shall submit the application, fee and any other information pertinent to the proposed floating zoning district map amendment. All applications for floating zoning district map amendments shall contain a master plan map and a statement of intent and development standards completed in accordance with Section 3.3.
- D. The Administrator shall ensure that the application contains all the required information as specified in this Section and Section 3.3. Applications and submittals which are not complete, or otherwise do not comply with the provisions of this Section shall not be scheduled but shall be returned to the applicant with a notation of the deficiencies in the application.

- E. An applicant may change the standards associated with a floating zoning district application until 22 days prior to the initial review by the Planning Board. After that time, the applicant may only propose changes in accordance with the following:
1. Changes shall be made in writing to the Planning Director during or after the meeting conducted by the Planning Board when the changes are in response to comments or recommendations made by the Planning Board, but no closer than two (2) business days prior to final action by the Board of Commissioners on the floating zoning district application;
 2. Proposed changes shall be signed by all landowners or those authorized to submit the application, and the applicant; and
 3. Proposed changes shall be recommended by the Planning Board, or approved by the Board of Commissioners, depending upon the time the changes were submitted by the applicant.

Step 3. Administrator/Technical Review Committee (TRC) Review and Comment

- A. After the application has been received the Technical Review Committee (TRC) shall review the floating zoning district map amendment application and comment on how the request will affect utilities, roads, and other infrastructure or Town services.
- B. After the application has been received, and following review by the TRC, the Administrator shall review the floating zoning district map amendment application, prepare and prepare a staff report with an assessment of how the application relates to the Comprehensive Plan and surrounding zoning and land uses. Staff shall also include all TRC comments in the report. The Administrator shall provide a recommendation to the Planning Board and the Board of Commissioners.

Step 4. Planning Board Review and Recommendation

- A. The Planning Board shall review the proposed floating zoning district map amendment and shall either recommend approval or denial of an amendment by simple majority vote of those present and voting.
- B. The Planning Board shall include with its recommendation a written statement regarding the consistency of the request with the Comprehensive Plan and other adopted Town plans and policies, and the surrounding area.
- C. During its review of the application, the Planning Board may suggest revisions to the proposed development standards (including the master plan map). Only those revisions agreed to by the applicant shall be incorporated into the application.
- D. A tie vote by the Planning Board shall be considered to be a recommendation for denial for such amendment. If the Planning Board should fail to act on any proposed

amendment within 35 days after it is presented to the Board such failure to act shall be considered to be a favorable recommendation for the purposes of the procedure.

- E. The Planning Board's recommendation shall be forwarded to the Town Board of Commissioners prior it's public hearing on the application.

Step 5. Notice of Public Hearing

In accordance with NCGS 160D-601, the following notices shall be provided prior to the public hearing.

- A. A notice shall be published in a newspaper have general circulation in the Town of Yadkinville once a week for two (2) consecutive weeks provided that the first notice is published not less than 10 days nor more than 24 days prior to the date scheduled for the public hearing.
- B. A notice of the public hearing shall also be sent by first class mail by the Administrator or designee to the affected property and to owners of all parcels of land abutting the affected property, including properties separated by a street, railroad, or other transportation corridor. The notice shall be mailed to the last addresses listed for property owners on the county tax abstracts. The notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing. Pursuant to NC GS 160D-602(b), a mailed notice shall not be required if a rezoning (map amendment) directly affects more than 50 properties owned by a total of at least 50 different property owners. Instead, the Town may elect to use expanded published notice not less than one-half (1/2) of the newspaper page in size. However, property owners whose addresses are not within the general circulation area of the newspaper shall still receive a notice of public hearing by first class mail.
- C. The Town shall conspicuously post a notice of public hearing at the site proposed for the zoning amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the public hearing, at least 10 but not more than 25 days prior to the date of the hearing. When multiple parcels are included within a proposed map amendment, a posting on each individual parcel is not required, but the Town shall post sufficient notices to provide reasonable notice to interested persons. The notice shall be removed only after the public hearing has been held.

Step 6. Town Board of Commissioners Public Hearing and Decision

- A. The Town Board of Commissioners shall take action on floating zoning district map amendments after a public hearing has been held.
- B. Specific additional conditions applicable to the floating zoning district map amendment may be proposed by the applicant or the Town, but only those conditions mutually approved by the Town and the applicant may be incorporated into the approval.

Conditions and site-specific standards imposed shall be limited to those that address the conformance of the development and use of the site to the Development Ordinance and Comprehensive Plan and those that address the impacts reasonably expected to be generated by the development or use of the site.

- C. When adopting or rejecting any floating zoning district map amendment, the Town Board of Commissioners shall adopt one of the following statements which shall not be subject to judicial review:
1. A statement approving the amendment and describing whether its action is consistent with the adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest; or
 2. A statement rejecting the amendment and describing its inconsistency with the adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest; or
 3. A statement approving the floating zoning district map amendment and containing at least all of the following:
 - A declaration that the approval is also deemed an amendment to the Comprehensive Plan. The Town Board shall not require any additional request or application for amendment to the Comprehensive Plan.
 - An explanation of the development conditions the Town Board of Commissioners took into account in amending the Zoning Map to meet the development needs of the community.
 - Whether and the extent to which the proposed floating zoning district is appropriate for its proposed location, and its consistent with the Town's adopted policy guidance.
 - Why a decision to approve the proposed floating zoning district would be reasonable and in the public interest.
 - Whether the proposed floating zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses. Where there are issues of compatibility, how the proposed floating zoning district provides for the appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development. Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of services areas, or other aspects that may be identified by the Town Board of Commissioners.

- Whether the applicant's proposed floating zoning district, including master plan, development standards, and statement of intent will satisfactorily:
 - Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
 - Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.;
 - Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and waste facilities, parks, police and fire.; and
 - Minimize or effectively mitigate any identified adverse effect on this use, enjoyment or value of adjacent lands.
 - Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed floating zoning district that support the application.
 - Whether and the extent to which the proposed floating zoning district will result in development that promotes a logical, preferred, and orderly development pattern.
- D. Approval of a floating zoning district map amendment shall require a simple majority of the Town Board of Commissioners.
- E. No application for the same floating zoning district map amendment applicable to the same property or any part thereof shall be filed until the expiration of one (1) year from the date of final determination by the Town Board of Commissioners.
- F. Fees submitted for withdrawn cases shall not be refunded once the proposal has been advertised.

Step 7. Additional Approvals (as required)

- A. Following the approval of a floating zoning district map amendment by the Town Board of Commissioners, the applicant may need to obtain additional approvals which may include but not be limited to a preliminary plat, group development plan, site plan, zoning permit approval and building permit approval (from Yadkin County) before any work may begin, and approvals from the State for driveways, grading, and/or stormwater, etc.
- B. If no zoning permit has been issued or development plan has been approved within one (1) year of the date of approval, or if a zoning permit or building permit has expired, then the Town Board of Commissioners may vote to rescind the floating zoning district

after having held a public hearing, and the floating zoning district shall revert to the district in place prior to the approval of the floating zoning district.

- C. When requested by the landowner and applicant, the Administrator may administratively approve a Minor Modification to the conditions associated with an approved floating zoning district. No proposal for a Minor Modification shall be considered within three (3) months of the date of the original approval or within three (3) months of hearing any previous proposal for a Minor Modification of the floating zoning district. A Minor Modification includes modifications in floating district standards or associated master plan, statement of intention, or development standards that do not involve a change in uses permitted or the density of overall development permitted, which will result in equal or better performance, and that do not alter the objectives and purposes of the approved floating zoning district.
- D. When requested by the landowner and applicant, the Town Board of Commissioners may grant a Major Modification to the conditions associated with an approved floating zoning district, after a public hearing and subject to the same consideration as provided for in the original approval. No proposal for a Major Modification shall be considered within three (3) months of the date of the original approval or within three (3) months of hearing any previous proposal for a Major Modification of the floating zoning district. A Major Modification is a modification including changes to floating district standards or the associated master plan, statement of intention, or development standards of an approved floating zoning district that involve a change in uses permitted or the density of overall development permitted, which will result in equal or better performance of the conditions but do not alter the objectives and purpose of the floating zoning district. In granting a Major Modification, the Town Board of Commissioners may require such conditions as will address the objectives of the requirements or conditions changed.

Step 8. Designation on the Official Zoning Map

- A. The Planning Director shall have the floating zoning district classification placed on the Official Zoning Map promptly after approval by the Board of Commissioners.

SECTION 4

That a new Section 3.3 is created as follows, and existing Sections 3.3 and 3.4 are renumbered in their entirety as Sections 3.4 and 3.5.

3.3 FLOATING ZONING DISTRICTS

In order that the purposes of the Development Ordinance may be accomplished, there are hereby established within the Town's corporate limits the following planned development and tiny house development floating zoning districts. Floating zoning districts are established by application only, for which a master plan, statement of intent and delineated development standards are required. Floating zoning districts are a use-based regulatory revision, and the master plan, together with everything shown on it and all amendments, development standards, and the approved statement of intent shall become the regulations for the site.

3.3.1 Planned Development (PD) Districts

3.3.1.1 General Purpose and Intent

Planned Development (PD) Districts are established to allow development under unified control to occur utilizing more flexible standards and procedures than would otherwise result from a strict application of general district and development standards. A Planned Unit Development is intended to encourage innovative land planning and site design concepts that will produce a high quality, unified project that will provide common area benefits and will not negatively impact adjacent land. More specifically, the purpose and intent of the PD district is to:

- Promote quality design and reduce or diminish the inflexibility of design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;
- Provide options in selecting the means of providing common passive and active open space and/or recreational area(s) such as a picnic area, community garden, walking trail, tennis court, etc., and hardscape design amenities;
- Allow greater options in providing a mix of housing types, lot sizes, and densities (in residential PD districts); and a well-integrated mix of residential and non-residential uses in the same development (in mixed use PD districts);
- Provide for the efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs;
- Promote environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, slopes in excess of 25 percent, special flood hazard areas, etc.

3.3.1.2 Specific Purpose and Intent of Planned Development- Residential (PD-R) and Planned Development-Mixed (PD-M) Use Districts

- A. The PD-R District is established to facilitate development of areas designated for residential use by permitting greater flexibility and, consequently, more creative and imaginative designs for development of such residential areas than generally is possible under conventional zoning or subdivision regulations. These regulations are further intended to promote more efficient flexible use of the land while providing a harmonious variety of housing choices and densities, an appropriate level of amenities, an optional compatible religious institutional use, and common area for open spaces, recreation and other activities typically related to residential uses.
- B. The PD-M District is established to provide a flexible means of accommodating higher density mixed-use development with a more urban character in areas designated for

higher intensity development. The district encourages a well-balanced mix of higher intensity residential and lower intensity nonresidential uses such as office, service uses, and neighborhood business configured in a manner that supports pedestrian orientation. It promotes attractive streetscapes and high-quality design. These types of projects may be developed as approved subdivisions, as group development projects, or in combinations of subdivisions and group developments.

3.3.1.3 General Provisions

- A. Classification of Planned Development Districts – Land shall be classified as a planned development flexible zoning district in accordance with the procedures and requirements set forth in Article 2 Administration, Procedures and Enforcement Section 2.2.11, and this Section 3.3.1.
- B. Organization of Planned Development District Regulations – Section 3.3.1.4 sets out standards applicable to all planned development districts with Subsections A and B setting out the requirements for the Master Plan and Statement of Intent and Development Standards document applicable to a PD district. Development standards for a PD district are provided in Subsection C. Between the general standards in Section 3.3.1.4 and the standards in a planned development district, the more restrictive requirements shall control.

3.3.1.4 Standards Applied to Planned Development Districts

Before approving a planned development district, the Board of Commissioners shall determine that the application, as well as the master plan map, the statement of intent and development standards document, and the signage plan comply with the following standards, unless expressly stated otherwise:

- A. Planned Development Master Plan Map – A master plan map shall be included with the application and shall be a part of the planned development district application and approval. It shall:
 - 1. Identify the general location and acreage of individual development areas by land use(s) and/or development density or intensity;
 - 2. Identify the general sequence or phases in which development of the district is proposed to occur;
 - 3. Provide information about lower density residential development standards, multifamily and townhome development standards; and any nonresidential development standards;
 - 4. Identify the general location of the on-site transportation network, driveways and/or street intersections, parking, loading areas is applicable, and how they will connect with existing and planned (if any) transportation network(s);

5. Identify landscaping buffers, building landscaping, other screening such as fencing, screening for on-site dumpsters, and provide information about minimum planting standards;
 6. Identify the general location, amount, and type (active or passive) of open space or common area;
 7. Identify the general location of on-site pedestrian facilities (sidewalks, trails, greenways, etc.)
 8. Identify the general location of on-site potable water, sanitary sewer, and stormwater management facilities and how they will connect to Town systems;
 9. Provide information about fire protection standards including the location of hydrants, the size of water mains, proposed fire systems, the fire flow information required by the Yadkin County Fire Marshal, and any other relevant information requested by the Fire Marshal or by the Town Planning Director.
 10. Identify the general location of solid waste management, and any other on-site private or public solid waste facilities serving the development;
 11. Identify and provide information about development signage;
 12. Provide information about the location of exterior lighting and lighting standards;
 13. Provide information about topography, grading and stormwater runoff.
 14. Provide information about any environmental features such as steep slopes, streams, FEMA flood zones, and any required stormwater devices, etc.;
- B. Planned Development Statement of Intent and Development Standards Document – The statement of intent and development standards document shall incorporate by reference or include, but not be limited to:
1. A written statement of intent for the development, including a description of planning objectives and overall vision for the development at build-out;
 2. A listing of all permitted and accessory uses;
 3. Residential and non-residential dimensional standards which includes at a minimum, lot area, lot width, setbacks, building height, and setbacks from adjoining development or zoning districts;
 4. Identify the proposed parking standards for all permitted and accessory uses, and loading areas if applicable;

5. For the entire planned development district and each development area and/or phase, the acreage, types, and mix of land uses (including common area or open space), number of residential units (by use type), non-residential acreage (by use type), residential development density, and non-residential intensity standards.
6. Identification of all areas where a modification from the otherwise required development standards is proposed, description of the proposed modification, and explanation of why it is needed;
7. Specific development standards related to the planned development district's approval, including any standards and conditions offered related to the form and design of the development shown on the master plan map;
8. Provisions addressing how transportation, potable water, sanitary sewer, stormwater management and other infrastructure will be provided to accommodate the proposed development;
9. Provisions related to environmental protection and monitoring, as applicable;
10. A phasing narrative, including how residential and non-residential development will be timed, how infrastructure, transportation improvements, and common area or open space will be timed, and how the development will be coordinated with any planned Town capital improvements;
11. An overview of the Owners Association and its responsibilities, and
12. Any other provisions the Board of Commissioners determines are relevant and necessary to the development of the planned development district in accordance with applicable standards and regulations.

C. Development Standards Applied to All Planned Development (PD) Districts

1. Location Within Town Limits – PD Districts shall be located within the Town limits. This requirement shall not be modified.
2. Public Street Access - The planned development district shall have internal access to public streets and shall provide ingress and egress from the subdivision to an existing NCDOT public street system complying with the current standards being required by the infrastructure regulations in Article 4. The development shall have at least 50 feet of frontage along the existing NCDOT public street system. These requirements shall not be modified.
3. Development Size – a PD District shall be a minimum of five (5) acres and may be developed as one phase or have multiple phases or sections. This development size requirement shall be subject to modification of no more than 10 percent less

as part of unless modified by the approved Statement of Intent and Standards document.

4. Density and Dimensional Standards – Density and dimensional standards in a PD District shall comply with the requirements of Section 4.2 of the Development Ordinance, unless modified by the approved Statement of Intent and Standards document.
5. Environmental and Open Space – All development within a PD District shall comply with the standards in Section 4.3.3, Environmental and Open Space Standards and Section 4.3.4, Open Space Standards, which shall not be modified as part of the approval of a PD District.
6. Landscaping, Buffers, Fences and Walls – Landscaping, buffers, fences and walls within a PD District shall comply with the standards in Section 4.4. Landscaping and Screening Standards, and shall not be modified.
7. Permitted Principal Uses – Every PD District shall establish permitted uses by use category and use types as appropriate from those listed in the Development Ordinance, Table 3.1 Permitted Uses Table.
 - a. Unless exempted by the Board of Commissioners, a PD-R District shall include at least two (2) of the following principal use types from the following use classifications if the development is between five (5) acres and ten (10) acres; and at least three (3) of the following principal use types from the following use classifications if the development is greater than ten (10) acres:
 - i. Single family residential;
 - ii. Two-family residential;
 - iii. Townhomes;
 - iv. Multifamily residential; and
 - v. One religious institution
 - b. Unless exempted by the Board of Commissioners, a PD-M District shall include at least two (2) of the following principal use types from the following use classifications if the development is between five (5) acres and ten (10) acres; and at least three (3) of the following principal use types from the following use classifications if the development is greater than ten (10) acres:
 - i. Multifamily and/or townhome residential;
 - ii. Institutional uses that are permitted in the OI District;
 - iii. Office uses that are permitted in the OI District; and
 - iv. Commercial uses that are permitted in the NB Districts.

- c. Proposed uses shall be consistent with the purpose of the particular type of PD district, and are subject to any additional requirements for the particular type of PD district.
 - d. Uses are subject to all applicable use standards for the use type in Section 3.4 Special Requirements for Certain Uses, unless modified by the approved Statement of Intent and Standards document.
8. Permitted Accessory Uses and Structures – Accessory Uses and Structures shall be permitted in accordance with the Development Ordinance, unless modified by the approved Statement of Intent and Standards document.
 9. Subdivision Standards – A PD District shall comply with, and not modify the subdivision standards in Section 2.2.4 of the Development Ordinance.
 10. Infrastructure Standards – A PD District shall comply with the infrastructure standards of Section 4.6 of the Development Ordinance, which shall not be modified as part of the approval of a PD District.
 11. Parking – Parking in a PD District shall meet the requirements of Section 4.4 of the Development Ordinance, unless modified by the approved Statement of Intent and Standards document.
 12. Signage - All development signage in a PD District shall meet the requirements of Article 6 Sign Standards of the Development Ordinance, unless modified by the approved Statement of Intent and Standards document.
 13. Building Design Standards – Buildings within a PD District shall comply with the building design standards of Article 5 of the Development Ordinance, unless modified by the approved Statement of Intent and Standards document.
 14. Homeowner's Association – A PD District shall have a homeowner's association that maintains control of all common elements and is responsible for the maintenance of such elements within the development. Common areas shall be indicated on the Master Plan, and on a preliminary and/or final subdivision plat. Association documents shall be reviewed by the Town prior to approval of the development and recorded with the development, and be in accordance with Section 4.3.4.7 of the Development Ordinance.

3.3.2 Tiny House Development (THD) District

3.3.2.1 Purpose and Intent

The Tiny House Development District is proposed to establish standards to facilitate the voluntary development of a group of very small single-family detached dwellings built in close proximity to one another on individual minimally sized lots and including common

open space. The regulations of this district are intended to provide areas of the community for those persons desiring tiny houses with habitable space on a foundation meeting the Special Requirements of Section 3.3.2.

3.3.2.2 General Provisions

- C. Classification of Tiny House Development Districts – Land shall be classified as a tiny house development flexible zoning district in accordance with the procedures and requirements set forth in Article 2 Administration, Procedures and Enforcement Section 2.2.11, and this Section 3.3.2.
- D. Organization of Tiny House Development District Regulations – Section 3.3.2.3 sets out standards applicable to all tiny house development districts with Subsections A and B setting out the requirements for the Master Plan and Statement of Intent and Development Standards document applicable to a tiny house development district. Development standards for a tiny house development are provided in Subsection C. Between the general standards in Section 3.3.2.3 and the standards in a tiny house development, the more restrictive requirements shall control.

3.3.2.3 Standards Applied to All Tiny House Development Districts

Before approving a tiny house development district, the Board of Commissioners shall determine that the application, as well as the master plan map, the statement of intent and development standards document, and a common signage plan if included as part of the application, comply with the following standards, unless expressly stated otherwise:

- A. Tiny House Development Master Plan Map – A master plan map shall be included with the application and shall be a part of the tiny house development district application and approval. It shall:
1. Identify the general location, configuration, and acreage of individual development area(s) by land use(s) and development density or intensity, and the general sequence or phases in which the development of the THD district is proposed to occur;
 2. Provide information in note form about the definition of a tiny house;
 3. Provide information about tiny house development standards;
 4. Identify landscaping buffers and other planting areas or screening devices such as fencing, screening for on-site dumpsters, and provide information about minimum planting standards;
 5. Identify the general location, amount, and type (active or passive) of open space or common area;

6. Identify and provide information about development signage;
7. Identify the general location of on-site pedestrian facilities (sidewalks, trails, greenways, etc.)
8. Identify the general location of the on-site transportation network, driveways and/or street intersections, parking, and how they will connect with existing and planned (if any) transportation network(s);
9. Provide information about the site's environmental features such as topography, grading, impervious surfaces and stormwater runoff and management facilities.
10. Identify the location of on-site public potable water, public sanitary sewer, hydrants, and how they will connect to Town systems;
11. Provide information about topography, grading and stormwater runoff;
12. Provide information about any environmental features such as steep slopes, streams, FEMA flood zones, required stormwater devices, etc.;
13. Provide information about the location of on-site solid waste container(s), and any other on-site private or public solid waste facilities serving the development;
14. Provide information about the location of exterior lighting and lighting standards;
15. Provide information about fire protection standards including the location of hydrants, the size of water mains, proposed fire systems, the fire flow information required by the Yadkin County Fire Marshal, and any other relevant information requested by the Fire Marshal or by the Town Planning Director.

B. Tiny House Development Statement of Intent and Development Standards Document – The statement of intent and development standards document shall incorporate by reference or include, but not be limited to:

1. A written statement of intent for the development, including a description of planning objectives and overall vision for the development at build-out;
2. A listing of all permitted and accessory uses;
3. Tiny house residential and accessory use dimensional standards which includes at a minimum, lot area, lot width, setbacks, building height, and setbacks from adjoining residential development or residential zoning districts;
4. Identify the proposed parking standards for all permitted and accessory uses;

5. For the entire tiny house development and each development area and/or phase, the acreage, types and mix of land uses (for example, tiny houses, common area or open space), number of tiny house residential units, and residential development density.
6. Identification of all areas where a modification from the otherwise required development standards is proposed, description of the proposed modification, and explanation of why it is needed;
7. Specific development standards related to the tiny house development district's approval, including any standards and conditions offered related to the form and design of the development shown on the master plan map;
8. A phasing narrative, including how development will be timed, how infrastructure, transportation improvements and common area or open space will be provided and timed to accommodate the proposed development, and how the development will be coordinated with any planned Town capital improvements;
9. Provisions related to environmental protection and monitoring, as applicable.
10. An overview of the Homeowners Association and its responsibilities; and
11. Any other provisions the Board of Commissioners determines are relevant and necessary to the development of the tiny house development in accordance with applicable standards and regulations.

C. Development Standards Applied to All Tiny Houses Development (THD) Districts

1. Location Within Town Limits – THD Districts shall be located within the Town limits.
15. Development Size - A tiny house development shall be a minimum of two (2) acres and shall be a maximum of five (5) acres and may be developed as one phase or have multiple phases or sections. This development size requirement shall be subject to modification of no more than 10 percent more, but not less, than the maximum as part of unless modified by the approved Statement of Intent and Standards document.
2. Maximum Allowable Density – Tiny house dwelling units with a THD District may be concentrated or evenly distributed throughout the development, provided the maximum density of 10 units per acre for the development as a whole is not exceeded.
3. Dimensional Standards - The minimum dimensional standards for an approved tiny house development district are as follows:

Minimum Lot Size (square feet)	Maximum Lot Size (square feet)	Minimum Lot Width (feet)	Front & Corner Setback (feet)	Side Setback (feet)	Rear Setback (feet)	Maximum Structure Height (feet)
3,000	4,000	50	15	10	10	20

4. Permitted Principal Use - Single family dwellings within a tiny house development shall be restricted to tiny houses as defined in Appendix A.6 DEFINITIONS, and as regulated by Section 3.3.2 of the Development Ordinance.
5. Prohibited Uses - Tiny houses within an approved THD district may not be used as tourist homes for rent or otherwise provide overnight lodging facilities to the general public for compensation.
6. Permitted Accessory Uses and Structures – The following incidental and subordinate accessory uses are permitted in a Tiny Home District:
 - Accessory structures in accordance with Section 3.4.2.2 of the Development Ordinance, except that no residential lot shall have more than one (1) accessory structure (excluding swimming pools) which shall be restricted to no more than eighty (80) square feet, shall be located in the rear yard only.
 - Home occupations as regulated by Section 3.4.2.7 of the Development Ordinance, are further restricted to home offices within the primary dwelling unit with no other persons other than those residing in the dwelling, and no signage.
 - A building for the purposes of common storage or recreation, and other common area functions and improvements for residents of the tiny home development is permitted in accordance with Section 3.3.2.3 C. 8. below.
7. Common Elements
 - a. A tiny house development shall include the following common elements:
 - i. A development perimeter landscape and screening yard as described below in this subsection that incorporates landscaping materials, fencing, existing vegetation or other features to buffer the tiny house development from adjacent development, which shall be installed in its entirety with the initial phase of multi-phase developments, as set forth below.
 - The tiny house development district shall be subject to the landscaping and screening requirements of Section 4.4 of the Development Ordinance and the more restrictive standards listed in this subsection.
 - Fences and walls shall comply with Section 4.4.9 and be the same as for residential districts.

- Along any street or right-of-way, a setback of at least 50 feet from the edge of the street right-of-way shall be maintained and a Type 2 50-foot buffer shall be in place, in accordance with Section 4.4.3 Table 4.5.
 - Adjacent to all non-street or non-right-of-way property lines, a setback of at least 30 feet shall be maintained and a Type 1 50-foot buffer shall be in place, as well as a six-foot fence or wall screening in accordance with Sections 4.4.3, Table 4.4, 4.4.9.1, 4.4.9.2, 4.4.9.3., 4.4.9.10, 4.4.9.11, and 4.4.9.12.
 - Common landscaped buffer areas and utility easements, where both are required along roadways, shall be in a shared easement area. The landscaping buffers materials shall be adapted with regard to size and type so as to not conflict with the proposed utility.
 - The common landscaped buffer areas shall not be included within individual lot areas of residential use.
- ii. Environmental and open space land pursuant to the standards of Section 4.3 of the Development Ordinance, but may include all common elements listed in this Subsection 3.3.2.3 C. 8, and shall not be modified as part of the approval of a Tiny House District.
- iii. Improved pedestrian walkways or sidewalks that access each dwelling which may be installed incrementally with multi-phase developments.
- iv. A shared parking area for guest parking, which shall be installed in its entirety with the initial phase of multi-phase developments.
- v. A community building with related common parking shall be provided to provide amenities such as laundry facilities, rentable storage areas, a community bulletin board, a group meeting room, a group events space with a kitchen, rest rooms, and shall not contain or be used as a dwelling unit. The common building shall be at least 1,500 square feet and shall be of sufficient square footage to serve the number of tiny houses approved for the development.
- vi. Solid waste collection for a tiny house development shall be provided by at least one (1) dumpster for every thirty (30) dwellings or fraction thereof. The dumpsters shall be:
- Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way;

- Shall be located in common area(s);
 - Screened in accordance with Section 4.4.7 of the Development Ordinance; and
 - Indicated on each Master Plan and following plan(s) for development approval.
- vii. All development signage in a Tiny House District shall meet the requirements of Article 6 Sign Standards, except as otherwise provided by this subsection, and unless modified by the approved Statement of Intent and Standards document.
- Permanent signage standards for a Tiny House District, such as development entrance signage, and common area signage shall be no less strictive than those in Section 6.4 of the Development, for residential districts;
 - Directional signs pointing the way to specific named sections of a tiny house development may be permitted along interior streets, provided: 1) signs shall be not more than 12 square feet in area and 6 feet in height; 2) the number of signs and their location shall be shown and approved with the master plan; and 3) sign illumination shall be by indirect methods only and shall be concealed from view and oriented away from adjacent properties and roadways.
 - Exterior lighting for a tiny house development shall comply with the standards in Section 4.6.5 of the Development Ordinance.
- b. A tiny house development may also include the following common elements:
- i. A picnic area;
 - ii. A community garden area; or
 - iii. Other common amenity as approved by the Board of Commissioners.
8. Homeowner's Association – A tiny house development shall have a homeowner's association that maintains control of all common area elements and is responsible for the maintenance of such elements within the development. Common areas shall be indicated on the Master Plan, and on a preliminary and/or final subdivision plat. Association documents shall be reviewed by the Town prior to approval of the development and recorded with the development, and be in accordance with Section 4.3.4.7 of the Development Ordinance.

9. Infrastructure Standards – The Tiny House District shall comply with the infrastructure standards in Section 4.6 of the Development Ordinance except as otherwise provided by this subsection, which shall not be modified as part of the approval of a Tiny House District.
8. Public Street Access - The tiny house development shall have internal access to public streets and shall provide ingress and egress from the subdivision to an existing NCDOT public street system complying with the current standards being required by the infrastructure regulations in Article 4. The development shall have at least 50 feet of frontage along the existing NCDOT public street system.
9. Dwelling Orientation – A tiny house dwelling unit shall face a street or interior common area. No dwelling shall face a perimeter landscape or buffer yard.
10. Compliance with NC State Residential Code - The tiny house unit and foundation must both comply with the North Carolina State Residential Code, 2018 Edition – Section 101.3.2.10 NC Administrative Code.
11. Modular Construction Option - If the tiny home is constructed through the NC Modular Construction Program, the unit must also meet the roof pitch, eave projection, exterior wall, siding and roofing materials, and foundations minimum construction and design standards for modular homes – NC General Statute GS Section 143-139.1.
12. Utility Metering - Each tiny house unit shall be individually metered for all utilities.
13. Parking Standards – All on-site parking not in a common area in a Tiny House development shall meet the requirements of Section 4.5 of the Development Ordinance.

SECTION 5

That Appendix A.6 DEFINITIONS be amended as follows.

BUILDING. A temporary or permanent structure having a roof and walls, and which can be used for the shelter, housing, or enclosure of persons, animals, or goods, provided that, however, the term "building" shall not mean nor be construed so as to include a container.

CONTAINER. For the purposes of this Ordinance, container shall mean any portable storage container, or a standardized shipping container used for intermodal freight transport. A standardized shipping container is also known as a cargo or freight container, International Standards Organization (ISO) container, intermodal container, shipping container, or sea or ocean container which sometimes called a Conex container or box.

DWELLING. Any building, structure, manufactured home or mobile home, or part thereof used and occupied for human habitation or intended to be so used, and includes any

outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that for purposes of Article 12 of NC GS 160D (Minimum Housing Codes) it does not include any manufactured home, mobile home or recreational vehicle if used solely for a seasonal vacation purpose, and shall not include any container.

SECTION 6

That Section 3.4. Accessory Structures Uses be amended as follows.

3.4.2.2 Accessory Structures

J. Prohibitions

1. No accessory structure shall be permitted that involves or requires any external features which are not primarily residential in nature or character.
2. Under no circumstances may a vehicle, tractor trailer, manufactured home, recreational vehicle, or similar container be used as an accessory structure, except that a portable storage container may be used as a temporary accessory structure in accordance with Section 3.4.2.2 H.3.

3.4.8.1 Nonresidential Accessory Structures

B. Prohibitions/Exceptions

1. Vehicles, trailers, ~~portable storage containers~~ or similar containers shall not be used as accessory structures, except in the LI and HI zoning districts, and except for portable storage containers as set forth in Section 3.4.8.1.B.2 below. This type of storage containers may only be used in the LI and HI zoning districts if located in the rear yard and screened from view from adjacent properties and any public right-of-way.
2. In zoning districts other than LI and HI, a portable storage container may only be used as a temporary accessory structure for up to 30 days in duration, except when the container is used in association with construction on the same site, in which case the container may remain for the duration of the construction project and shall be removed upon completion. No more than two (2) portable storage containers may be located on a lot. A portable storage container is not subject to the location and setback requirements of Section 3.4.2.2; however, it must be located on the lot and outside any street right-of-way.

SECTION 7

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9

This ordinance shall become effective upon adoption by the Board of Commissioners of the Town of Yadkinville, North Carolina.

The 10th day of January, 2021.

By: _____
Eddie Norman, Mayor

ATTEST:

Alex Potts, Town Clerk



**Town of Yadkinville
Planning Board
2022 Scheduled Meetings
Regular Meeting Scheduled 5:30 p.m.**

- **January 24, 2021 – Due to M.L. King, Jr. Holiday**
- **February 21, 2021**
- **March 21, 2021**
- **April 18, 2021**
- **May 16, 2021**
- **June 20, 2021**
- **July 18, 2021**
- **August 15, 2021**
- **September 19, 2021**
- **October 17, 2021**
- **November 21, 2021**
- **December 19, 2021**

Note: Public meetings will be scheduled as needed in each prior meeting. Time will be set at that time.

Approved by Planning Board on December 20, 2021

**BOARD OF ADJUSTMENT BOARD
REGULAR MEETING
MONDAY, DECEMBER 20, 2021
6:00 P.M.
Yadkinville Town Hall
Commissioners Chambers
213 Van Buren Street, Yadkinville, NC 27055
AGENDA**

- 1. CALL MEETING TO ORDER**
2. Adoption of 2022 meeting schedule.
- 3. ADJOURNMENT - Next Scheduled Board Meeting is January 17, 2022**



**Town of Yadkinville
Board of Adjustment
2022 Scheduled Meetings
Regular Meeting Scheduled 6:00 p.m.**

- **January 24, 2021 – Due to M.L. King, Jr. Holiday**
- **February 21, 2021**
- **March 21, 2021**
- **April 18, 2021**
- **May 16, 2021**
- **June 20, 2021**
- **July 18, 2021**
- **August 15, 2021**
- **September 19, 2021**
- **October 17, 2021**
- **November 21, 2021**
- **December 19, 2021**

Note: Public meetings will be scheduled as needed in each prior meeting. Time will be set at that time.

Approved by Board of Adjustment on December 20, 2021