
PART II - CODE OF ORDINANCES

CHAPTER 30 – UNIFIED DEVELOPMENT ORDINANCE

Article 30-3: Zoning Districts

30-3.H. Overlay Zoning Districts

30-3.H.2. Hospital Area Overlay (HAO) District

a. Purpose

The purpose of this district is to protect the public health, safety, and welfare of residents in the vicinity of the Cape Fear Valley Hospital by lessening conflicts between residential and non-residential land uses and by promoting compatible quality development. Specifically, the requirements of the overlay are intended to:

1. Protect surrounding neighborhoods from being adversely affected by inappropriate or poor quality development;
2. Allow for compact development, while providing adequate room for parking, landscaping and buffering;
3. Create more attractive, pedestrian-friendly developments, less dominated by the automobile; and
4. Minimize traffic impacts through limitations on certain land uses, access management, traffic calming, street improvements, intersection improvements and other means.

b. Applicability and Permits Required

1. The provisions of this section shall apply to all new nonresidential development within the Hospital Area Overlay District (HAO) and any addition, remodeling, relocation or construction of nonresidential property requiring a zoning permit or a Building Permit.
2. No Building Permit may be issued until the City Manager determines that the proposal complies with all the standards of this overlay, as well as those of the underlying base zoning district.
3. A Special Use Permit (see Section 30-2.C.7) shall also be required for nonresidential development within 100 feet of a lot occupied by a single-family dwelling; except, that the following shall be exempt from the SUP requirement: (1) redevelopment (as defined in Section 30-9); or (2) complete demolition and reconstruction of a building on the same parcel.
4. In the case of conflict between these standards and other design standards of this Ordinance, the design standards of this overlay shall control.
5. The boundary of the Hospital Area Overlay (HAO) District is hereby established as shown on the map included on the Introduction page of Appendix 7.4 of the Hospital Area Plan as subsequently amended November 24, 2014, by zoning case P14-40F to remove the commercially developed area at the

northern end of Walter Read Road, and said amended map is incorporated by reference into this Ordinance. A copy of this amended map is on file in the office of the City Clerk.

c. Permitted Land Uses and General Requirements

All uses permitted in the underlying base zoning districts shall continue as a permitted use within the overlay district except as noted in paragraph (d) below. All area, yard, height regulations, and additional requirements for underlying base zoning districts shall continue to apply except as otherwise noted in this section.

d. Certain Streets Reserved for Offices and Single-Family Dwellings Only

1. Street Segments

While the OI district in this Ordinance allows for uses other than offices, the following street segments within the Overlay area zoned OI shall be reserved for the uses listed in (2) below:

- a. Boone Trail, West, from the existing nonresidential zoning near Owen Drive and Bordeaux Shopping Center to the intersection of Boone Trail and Fargo Drive.
- b. Owen Drive and Terry Circle, from one lot north of Player Avenue to the south entrance of Terry Circle; and
- c. Village Drive, from Conover Drive west to Roxie Avenue;

2. Allowable Uses

Only the following uses shall be allowed along the street segments identified in (1) above:

- a. Office, Sales.
- b. Office, Professional Services; and
- c. Office, Business Services;
- d. Medical Treatment Facility;
- e. Medical or Dental Lab;
- f. Medical or Dental Clinic;

3. Prohibited Uses

Other uses typically permitted in the OI district are prohibited in the identified street segments so as to protect nearby residential neighborhoods from encroachment by incompatible uses. The intent of this range of uses is to (a) allow existing residents to continue to live in and enjoy their homes, (b) provide for and encourage office and medical uses supportive of the economy of this sector of the City, and (c) provide for an appropriate transitional use between the hospital and nearby neighborhoods. The specific locations reserved for these uses are identified below and on the zoning map.

e. Numerical Performance Standards

1. Minimum Lot Size

The minimum lot size shall be 20,000 square feet. A reduction in the minimum lot size of up to ten percent may be approved through an Administrative Adjustment (Section 30-2.C.16, provided this reduction meets the purpose and other standards of the overlay.

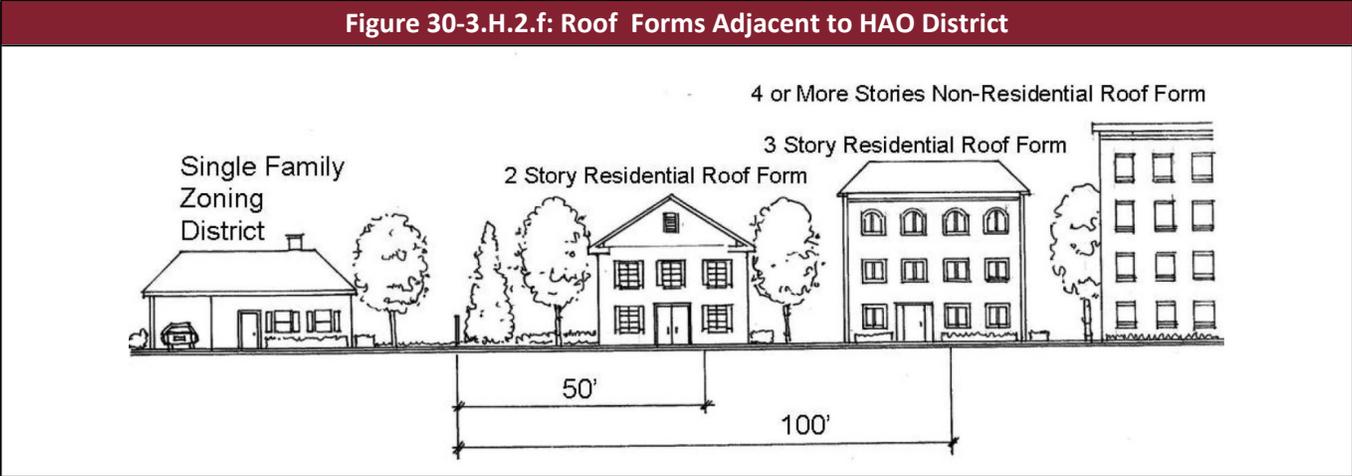
2. [Reserved.]

3. Front Yard "Build To" Line

The front facade of the principal building shall be located ten feet or less from the street right-of-way. A greater setback of up to 15 feet from the right-of-way edge may be approved in accordance with an Administrative Adjustment (see Section 30-2.C.16).

f. Building Heights and Roof Forms

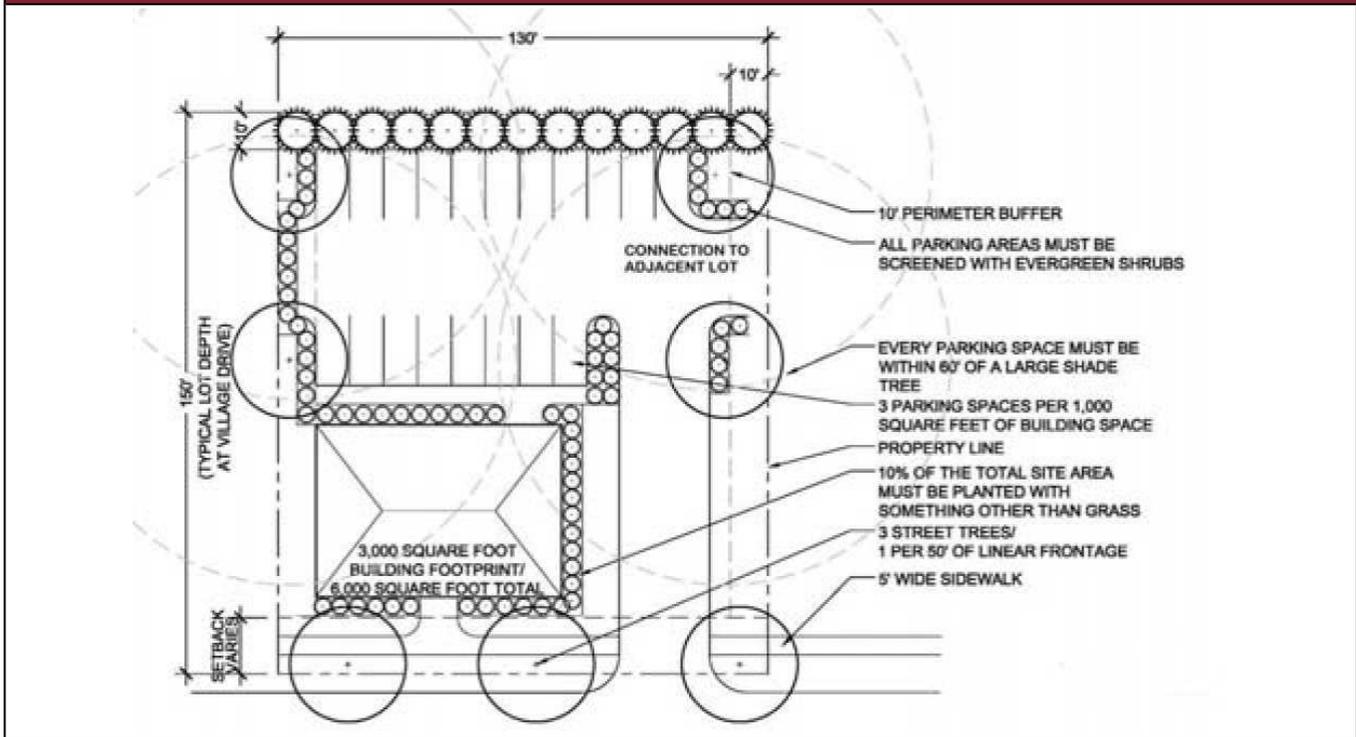
1. Any non-residential building located within 50 feet of a lot line shared with an existing single-family zoning district shall not exceed two stories or 35 feet in height, and shall have a pitched roof form (see Figure 30-3.H.2.f).
2. Any nonresidential building located between 50 and 100 feet of a lot line shared with an existing single-family zoning district shall not exceed three stories or 45 feet in height, and shall have a pitched roof form.
3. Any nonresidential building located over 100 feet from a lot line shared with an existing single-family zoning district may be four or more stories in height, and may have a flat or pitched roof form.
4. Buildings may have sections stepped in height so long as each section is built in compliance with the height/distance standards set forth under paragraphs (1), (2), and (3) above.



g. Parking

1. *Number of Parking Spaces*
 - a. *Office Uses*
All office uses shall maintain three off-street parking spaces for every 1,000 square feet of floor area. This requirement shall supersede the parking requirements for offices specified in Table 30-5.A.4.b or other sections of this Ordinance.
 - b. *All Other Nonresidential Uses*
All other nonresidential uses, other than offices, including health care facilities, shall comply with the off-street parking requirements of Table 30-5.A.4.B, Minimum Off-Street Parking Standards.
2. *Location of Parking*
New buildings shall have off-street parking spaces located behind the rear building face of the principal building on the lot. Up to 25 percent of parking spaces may be located to the side of the building behind the front building façade.

Figure 30-3.H.2.g: HAO Parking Lot Cross Access



3. Parking Lot Cross-Access

Cross-access between adjoining lots shall be provided in accordance with Figure 30-3.H.2.g, and Section 30-5.A.3.f. Parking Lot Cross-Access.

h. Landscaping Requirements

1. General

Ten percent of the total site area must be planted with something other than grass. Required planting materials shall correspond to the city's approved species list, unless alternative materials are proposed as part of an Alternative Landscape Plan (see Section 30-5.B.4.f).

2. Street Trees

There shall be an approved street tree located along both front and side streets, in accordance with Section 30-5.B.4.a, Street Trees.

3. Parking Lot Trees

No parking space shall be separated from the trunk of a canopy tree by more than 60 feet.

4. Parking Lot Perimeter Landscape Screen

The edge of all areas containing parking spaces shall be planted with a continuous evergreen landscape screen with a minimum height of 24 inches above grade at time of planting.

i. Buffering Requirements

1. Residential Buffer

Where a property line abuts another property zoned or used residentially, there shall be a ten foot wide Type D perimeter landscape buffer along that property line, in accordance with Figure 30-3.H.2.i.1, and the following:

a. *Fence or Wall*

The finished side of the fence or wall must face the residential lands and be a minimum of six feet in height.

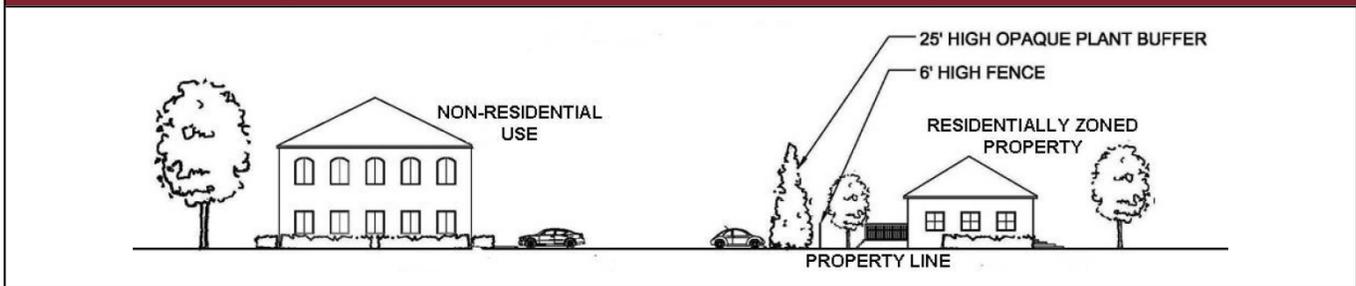
b. *Vegetation*

Approved vegetation must include evergreen plant material that will provide a completely opaque buffer greater than or equal to 25 feet in height within five years of building occupancy.

c. *Encroachments*

No buildings or parking areas may encroach into the buffer. Permitted encroachments (like walls or fences) are allowed as specified under Permitted Encroachments into Required Setbacks (see Section 30-9.B.1.f.2).

Figure 30-3.H.2.i.1: Perimeter Buffer Along Residentially-Zoned Lands



j. **Sidewalks**

Upon development activity reviewed under the requirements of this overlay, a sidewalk no less than five feet in width shall be provided along the street frontages of all nonresidentially zoned lands within the HAO district.

(Ord. No. S2011-014, § 2, 11-28-2011; Ord. No. S2012-016, §§ 2.1—2.3, 9-10-2012; Ord. No. S2014-020, § 2, 11/24/2014; Ord. No. S2020-011, § 4, 11/23/2020; Ord. No. S2023-017, § 1, 03/23/2023)

Effective on: 11/23/2020