

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Subsection 30-3.E.7., Downtown (DT) District, of Section 30-3.E., Business Base Zoning Districts, is amended by deleting the same in its entirety.

Section 2. Section 30-3.E., Business Base Zoning Districts, is amended by adding a new Subsection 30-3.E.10., Downtown 1 (DT-1) District, as follows:

30-3.E.10. Downtown 1 (DT-1) District

DT-1 DOWNTOWN 1 DISTRICT	PURPOSE	
	The Downtown 1 (DT-1) District is established and intended to encourage the urban form and architectural character found in the traditional downtown area as well as promote redevelopment that will make the downtown area a more diverse and vibrant mixed-use urban center. The district encompasses much of the same area as the Downtown Municipal Service District and the downtown historic districts. The district is intended to stimulate ballpark-area investment, accommodate a well-balanced mix of uses (including more high-density residential development), promote a stronger pedestrian-oriented environment (with a reduced need for parking), and preserve and protect the downtown's historical and architectural scale and character. Uses that will add activity in the downtown after 5:00 p.m. are encouraged. The district is subject to flexible and incentive-based standards intended to foster such urban development and redevelopment.	
DIMENSIONAL STANDARDS		
DIMENSIONAL STANDARD	PRINCIPAL USES	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	None	n/a
Lot width, min. (ft.)	None	n/a
Gross residential density, max. (dwelling units/acre)	None	n/a
Lot coverage, max. (% of lot area)	100	[1]
Height, min. (ft.)	24	n/a
Height, max. (ft.) [2]	90; may be increased up to 150 for buildings with street-level restaurants or retail	40; 15 where abutting a single-family zoning district
Front setback, min. (ft.)	None for first 4 stories; 10 for stories 5-8; 20 for stories 9+	

Front setback, max. (ft.)[3]	5 for the first 4 stories unless buildings on either side have deeper front setbacks, then the average setback of both	Not allowed in front, side, or corner side yard areas
Side setback, min. (ft.)	None; 10 where abutting a single-family zoning district	
Corner side setback, min. (ft.)	Min. required for vehicular visibility	
Rear setback, min (ft.)	None; 20 where abutting an alley or single-family zoning district or use	3 abutting an alley, otherwise none
Spacing between buildings, min. (ft.)	None	None
Percentage of primary frontage occupied by building wall (min. %)	100 for interior lots; 80 for corner lots [3]	n/a
Glazing - fenestration minimum for walls abutting the street	<p>Non residential uses: Minimum of forty percent (40%) of the first floor and twenty percent (20%) of the upper floors on the front facade shall have window/door fenestration. Tinted or mirrored glass is prohibited on the front facade. Side elevations which can be seen from the public view shall have a minimum of twenty percent (20%) window/door fenestration.</p> <p>Residential uses: Minimum of 30% of elevations which can be seen from the public view. Tinted or mirrored glass is prohibited on the front facade.</p>	50% of first floor when abutting a street
<p>NOTES:</p> <p>[1] Accessory structures/use areas shall not exceed the lesser of: 1,500 square feet in size or 30 percent of the allowable lot coverage.</p> <p>[2] Maximum height may be increased through provision of sustainable development features in accordance with Section 30-5.N, Incentives for Sustainable Development Practices.</p> <p>[3] Entrances to parking garages, surface parking behind buildings, pedestrian pass-throughs, plazas, and gathering spaces are exempt. Government offices. Community services such as museums, passenger terminals, and religious institutions are exempt from the maximum setback requirements provided that the setback area is landscaped or hardscaped and accommodates pedestrian congregation.</p>		

Section 3. Section 30-3.E., Business Base Zoning Districts, is amended by adding a new

Section 30-3.E.11., Downtown 2 (DT-2) District, as follows:

30-3.E.11. Downtown 2 (DT-2) District

DT-2 Downtown 2 DISTRICT	PURPOSE		
	The Downtown 2 (DT-2) District is established and intended to encourage the urban form and character found in the traditional downtown area as well as promote redevelopment that will make the downtown area a more diverse and vibrant mixed- use urban center. The district is intended to create a downtown district by expanding the Hay Street experience. Establish downtown’s identity at its gateways. Foster downtown living by promoting residential development to create a pedestrian-oriented downtown neighborhood. Strategically locate cultural venues to maximize their contribution to downtown’s vitality. Improve Mobility and Streetscapes by promoting a well-connected and beautiful downtown, improving walkability and bikeability, managing parking, and enhancing streets-capes and public spaces. Enhance Parks and Trail Connections, improve stormwater management. The district is subject to flexible and incentive-based standards intended to foster such urban development and redevelopment.		
DIMENSIONAL STANDARDS			
DIMENSIONAL STANDARD	NONRESIDENTIAL, MULTI-FAMILY, & MIXED-USE	SINGLE-FAMILY ATTACHED & DETACHED & TWO TO FOUR FAMILY	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	None	5,000 for 1st unit, then 4,000	n/a
Lot width, min. (ft.)	45		n/a
Gross residential density, max. (dwelling units/acre)	20 (24 when retail is on first floor)	20	n/a
Lot coverage, max. (% of lot area)	75		[2]
Height, max. (ft.)	SF Residential 35; 75 for others (can be increased to 130 feet for buildings with street-level restaurants or retail)		25; 15 where abutting a single- family district or use with setback less than 10 feet
Front and corner setback, max.	The greater of 20 ft. or 40 ft. from centerline of private streets		Not allowed in front. side. or corner side vard areas
Side setback, min. (ft.)	3; 10 when abutting single-family zoning or use	10	
Rear setback, min. (ft.)	3; 20 where abutting an alley or single-family zoning district or use		
Spacing between buildings, min. (ft.)	10		
Zero lot line	Zero lot line development shall comply with the applicable maximum gross residential density standards. Setbacks and lot area for lots abutting the perimeter of the development shall meet the district minimums; otherwise no setbacks, lot area, lot coverage, or building spacing requirements shall apply.		
Glazing - fenestration minimum for walls abutting the street	Minimum of forty percent (40%) of the first floor and twenty percent (20%) of the upper floors on the front facade shall have window/door fenestration. Tinted or mirrored glass is prohibited on the front facade. Side elevations which can be seen from the public view shall have a minimum of twenty percent (20%) window/door fenestration. These requirements shall not apply to residential uses.		

NOTES:

[1] [Reserved.]

[2] Accessory structures/use areas shall not exceed the lesser of: 1,200 square feet in size or 25 percent of the allowable lot coverage.

[3] Zero lot line development is subject to standards in Section 30-3.B.2 and, on a tract or site of three acres in area or less may require approval of a Neighborhood Compatibility Permit (see Section 30-2.C.21 Neighborhood Compatibility Permit).

Section 4. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the _____ day of _____, 2022.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk