

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-4, USE STANDARDS, 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 30-4.B.1., General, of Section 30-4.B., Use Classifications, Use Categories, and Use Types, is amended by deleting Subsection e., Adaptive Reuse, in its entirety and substituting with the following:

e. Adaptive Reuse

1. *General description.* Adaptive reuse is intended to promote infill development, community compatibility, and economic development by allowing and providing incentives for adaptively reusing valuable existing buildings after public review through the Neighborhood Compatibility Permit process. Fayetteville has a stock of fine older buildings that greatly contribute to the City's quality of life and urban character. Due to design, location and/or condition, these buildings may become physically or functionally obsolete for use under their current zoning. Adaptive reuse permits a wider range of land uses to be available to these existing buildings for the purpose of extending their useful life.
2. *Permitted Uses.* Those uses allowed as permitted uses under the underlying zoning district. Additionally:
 - a. In single-family residential districts, the following are permitted uses as noted below and subject to the development and design standards provided in this section and any conditions established in the Neighborhood Compatibility Permit process:
 1. Multi-family residential uses, not subject to the density limitations of the underlying zoning district(s).
 2. Community Services; community center, library, senior center, cultural facilities.
 3. Education (all).
 4. Institutional (assisted living, nursing home, religious institution - large).
 - b. In multi-family residential districts, the following are permitted uses as noted below and subject to the development and design standards

provided in this section and any conditions established in the Neighborhood Compatibility Permit process.

1. All uses listed in (a) above.
 2. Professional office uses.
- c. In the case of a conversion of a building from a hotel/motel use to multi-family residential use, the structure is subject to the development and design standards provided in this section and condition established in the Neighborhood Compatibility Permit as well as the conditions and design standards identified for multi-family residential developments.
1. Hotel/motel conversions allowed in the Multi-Family Residential 5 (MR-5), Office/Institution (OI), Limited Commercial (LC), Community Commercial (CC), Mixed Use (MU), Downtown 1 (DT-1), Downtown 2 (DT-2), and Business Park (BP) zoning districts.
 2. Conversion is only allowed for hotel/motels that have been in operation for over ten (10) years or are currently not operating but have operated in the past ten (10) years as a hotel/motel.
3. *Development and design standards.*
- a. *Application.* The provisions of adaptive reuse shall be limited to the reuse of existing principal and accessory structures and shall not apply to new construction of principal or accessory structures except as provided herein. Adaptive reuse structures shall have unique characteristics that promote neighborhood or community character, are essential for economic development, or otherwise contribute to the surrounding area such that their preservation is justified under the provisions of this section.
 - b. *Multistory structures.* For multistory structures in single-family and multi-family zoning districts, at least one story shall be devoted to residential use.
 - c. *Reduction of required off-street parking.* The Planning Commission may allow up to a 25-percent reduction in the minimum amount of required off-street parking for adaptive reuse projects.
 - d. *Location of off-street parking.* Parking shall be located in the rear of the site and shall be screened with vegetation from adjacent single-family uses. The vegetative screening shall consist of the planting required for a Type A buffer unless a more extensive buffer is required by the Planning Commission. On-street parking or parking in the front or side of the lot may be approved by the Planning Commission provided that any off-street parking area can be adequately screened from adjacent residential uses and:

- The topography of the site or the placement of the principal structure makes it impractical to access the rear of the property; or
 - The majority of the residentially-zoned properties on both sides of the street on the block on which the proposed use is to be constructed have a similar amount or area of parking located in the front or side.
- e. *Maintenance of architectural character.* The architectural character of principal and accessory structures, including fenestration (i.e., door and window openings), shall be maintained with regard to any façade that faces a street or is prominently visible from adjoining properties.
- f. *Expansion.* The gross floor area of principal and accessory structures may be increased by up to 25 percent provided that such expansion maintains the architectural character of the structure(s) pursuant to subsection 3.e. above.
- Hotels converting to multi-family residential can exceed the maximum multi-family residential density allowed for the zoning district by 50 percent provided that the amount of required parking for the multi-family use meets or exceeds the minimum amount identified in subsection 3.c. above.
- g. *Compliance with building and life safety codes.* The structure(s) shall comply with all applicable building and life safety codes.
- h. *Buffer and landscaping requirements.* The Planning Commission may reduce or waive buffer and landscaping requirements to maintain consistency in appearance with the surrounding neighborhood.
- i. *Compatibility.* The Planning Commission may establish conditions regarding lighting, landscaping, hours of operation, signage, and other operational and site design features necessary to maintain compatibility with surrounding properties.

For existing hotel structures converting to multi-family residential uses, please refer to Section 30-5.H.4., Multi-Family Design Standards, of this Unified Development Ordinance.

Section 2. 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