

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO
AMEND VARIOUS SECTIONS OF THE CITY CODE CHAPTER 30, TO MODIFY
RESIDENTIAL DENSITIES IN NC NEIGHBORHOOD BUSINESS DISTRICT (Section 3
of draft ordinance hearing 5/22/2017)**

WHEREAS, the City of Fayetteville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on December 13, 2010, and is codified in Chapter 30 of the Fayetteville City Code (herein "Unified Development Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on July 25, 2011, and are on file and maintained in the offices of the Fayetteville Development Services Department (herein "Official Zoning Maps"); and

WHEREAS, the Fayetteville City Council held a public hearing on May 22, 2017, to consider amending certain provisions of the Unified Development Ordinance in Chapter 30-3.H Overlay Zoning Districts; and

WHEREAS, following the public hearing, the Fayetteville City Council determined that the proposed amendment is in the interest of the public health, safety and welfare; it is supported by adopted plans; and it is consistent with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE THAT:

Be it ordained by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and as subsequently amended, be amended as follows:

Section 1. Modify the table for Section 30-3.E.3 Neighborhood commercial (NC) District to increase the gross residential density allowed for All Other Residential Uses from 6 to 12 units per acre.

30-3.E.3. Neighborhood Commercial (NC) District

DIMENSIONAL STANDARDS					
DIMENSIONAL STANDARD	NONRESIDENTIAL	MIXED-USE	SINGLE-FAMILY DWELLINGS	ALL OTHER RESIDENTIAL USES	ACCESSORY STRUCTURES

Lot area, min. (sq ft) [1]	10,000	8,000	5,000 per unit	15,000 per site	n/a
Lot width, min. (ft)	45			60	n/a
Gross residential density, max. (dwelling units/acre) (4)[new]	24	24	8	612	n/a

(4)[new] **A maximum density of 30 is allowed in priority redevelopment areas as may be designated by City Council.**

Explanation: "All other residential uses" include attached residential uses which logically occur at a density somewhat higher than single family development but usually not as intense as mixed use or pure multi-family. The other measures were increased with approval of Ord. 2014-003 but this change was overlooked.

Section 2. The City Clerk is hereby authorized to revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the material terms of this Development Ordinance.

Section 3. 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 of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the 26 day of June , 2017.

City of Fayetteville, NC

Nat Robertson, Mayor

ATTEST:

Pamela J. Megill, City Clerk