

ORDINANCE NO. 13-25

AN ORDINANCE AMENDING ARTICLES 8 PUBLIC FACILITIES REQUIREMENTS, SECTION 8.06, STREETS, SIDEWALKS, AND GREENWAY PATHS; ARTICLE 3 ZONING; SECTION 3.04 ZONING DISTRICT REGULATIONS; I. R-8MF – MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT; 6. MULTI-FAMILY DEVELOPMENT; AND L. R-5MF – HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT; 6. MULTI-FAMILY DEVELOPMENT.

TA24-05

WHEREAS, The City of Statesville is requesting an amendment to the text of the Unified Development Code (UDC), addressing Section 8.06, Public Facilities Requirements; Section 3.04 Zoning District Regulations; and

WHEREAS, the City of Statesville Planning Department in regard to townhomes is receiving requests to reduce the amount of open space; and

WHEREAS, these requests can provide a more reasonable approach to townhome developments, especially for smaller townhome projects;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Statesville that the Unified Development Code (UDC) be amended as follows:

Amend Section 8.06 B. 5. d. and B. 6. as follows:

Dead End Streets. If the adjacent property is undeveloped and the street must temporarily be a dead-end street, the right-of-way shall be extended to the property line. A temporary cul-de-sac shall be provided on all temporary dead-end streets greater than one hundred fifty (150) feet in length, with the notation on the subdivision plat that the land outside the normal street right-of-way shall revert to abutters whenever the street is continued. Temporary dead-end streets, one hundred fifty (150) feet or less are not required to provide a cul-de-sac and may not have any driveway connections. Permanent dead-end streets, of any length, shall provide a cul-de-sac in accordance with Appendix A, Section 8.06, Streets, B. Street Design, 6, Cul-de-sac Street." **"Hammerheads" may be used in lieu of cul-de-sacs if there are topographic, environmental, or property shape constraints that warrant this consideration. Approval for "hammerheads" must be given by City Engineer, Fire Marshall, and Planning Director.**

Section 8.06 (B)(6)

"Cul-de-sac **and Hammerhead Street(s)**: See the City of Statesville's Street Construction Specifications and Details manual." **"Hammerheads" may be used in lieu of cul-de-sacs if there are topographic, environmental, or property shape constraints that warrant this consideration. Approval for "hammerheads" must be given by City Engineer, Fire Marshall, and Planning Director.**

Amend Section 3.04 L. 6. b. ii. 2. and Section 3.04 I. 6. b. ii. 2. as follows:

Lot size may be reduced if difference is put into common open space; **without limiting the number of lots where the lot size may be reduced, the amount put into common open space shall not be required to exceed twenty percent 20% (10% of this shall be active open space), of the gross acreage of the project site.** Under no circumstance may a townhome lot be reduced below two thousand (2,000) square feet in area. Open space area shall be owned in common by all property owners comprising the development through the establishment of a homeowners of property owners association.

Amend Section 3.04 L. 6. b. ii. 4. and Section 3.04 I. 6. b. ii. 4. as follows:

Setbacks from external property lines shall comply with the provisions of this section for end units. **The minimum front yard setback for multi-family developments is ten (10) feet.** Zero-lot line setbacks shall be permitted for interior units.

This ordinance was introduced for first reading by Council member Allison, seconded by Council member Hudson, and unanimously carried on the 16th day of December, 2024.

AYES: Allison, Wasson, Jones, J. Johnson, Lawton, Pearson, s. Johnson, Hudson

NAYS:

The second and final reading of this ordinance was heard on the 13th day of January, 2025, and upon motion of Council member Allison, seconded by Council member Jones, and unanimously carried, was adopted.

AYES: Allison, Wasson, Jones, J. Johnson, Lawton, Pearson, s. Johnson, Hudson

NAYS:

This ordinance is to be in full force and effect from and after the 13th day of January, 2025.

CITY OF STATESVILLE

Constantine H. Kutteh
Constantine H. Kutteh, Mayor

APPROVED AS TO FORM

Leah Gaines-Messick
Leah Gaines-Messick, City Attorney

ATTEST:

Emily Kurfees
Emily Kurfees, City Clerk

