

**AN ORDINANCE TO AMEND THE TOWN OF CORNELIUS
LAND DEVELOPMENT CODE**

WHEREAS, the Town Board of Commissioners on October 7, 1996 adopted an ordinance which regulates the classification and use of property within its zoning jurisdiction, including its extra-territorial jurisdiction; and,

WHEREAS, proper statutory notice of public hearing on the issue of amending the Cornelius Land Development Code has been provided through advertisement in a newspaper of general circulation in the Town; and,

WHEREAS, the Planning Board of the Town of Cornelius has recommended that the Town Board of Commissioners amend the Cornelius Land Development Code; and

WHEREAS, a public hearing on the amendment has been held by the Town Board of Commissioners on _____.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Cornelius, North Carolina that the following chapters of the Land Development Code be amended:

1. AMEND Chapter 3 and ADD Section 3.9: Fences, Garden Walls and Retaining Walls (See Exhibit A)
2. DELETE Chapter 4, Sections 4.6.2: Residential Buildings (All Districts), and 4.6.8: Fences, Garden Walls, and Retaining Walls (See Exhibit A)
3. AMEND Chapter 4, Section 4.6.3 to ADD requirements for multi-family buildings (See Exhibit A)

Adopted this _____ day of _____, 2015.

Charles L. Travis, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk
Town Clerk

William L. Brown, Town Attorney

TA 06-15 ARCHITECTURAL CHANGES (CHAPTERS 3 and 4)

AMEND Chapter 3, and **ADD** the following:

SECTION 3.9: FENCES, GARDEN WALLS & RETAINING WALLS

- A. Front yard fences and garden walls shall not exceed four (4) feet in height. Side and rear yard fences and garden walls shall not exceed eight (8) feet in height.
- B. Fence and garden wall height shall be measured at grade.
- C. Fences may be placed on the property line, but cannot be within any required utility easement.
- D. Temporary fencing for construction sites or a similar purpose shall not exceed eight (8) feet in height and are prohibited in the front yard.
- E. A zoning permit is required for all retaining walls except for single-family or two-family (duplex) dwellings residential use retaining walls in the side yard or rear yard.
- F. Customary fencing provided as part of a permitted recreational facility shall be exempt from the height restrictions of this section.
- G. No portion of a retaining wall (including grid structure) shall be within any landscape buffer area, as defined in Chapter 9.
- H. Garden walls shall be constructed a minimum of one (1) foot from the property line.
- I. Signage may be placed on retaining walls in keeping with the intent and provisions of Chapter 10 – Signs.

DELETE Chapter 4, Section 4.6.2: Residential Building Requirements

DELETE Chapter 4, Section 4.6.8: Fences, Garden Walls and Retaining Walls

AMEND Chapter 4, Section 4.6.4 as follows:

SECTION 4.6.4 COMMERCIAL, MIXED USE, AND MULTI-FAMILY BUILDINGS

- A. Materials
 - 1. Building walls shall be brick, cast concrete, stucco, stone, marble, or other materials similar in appearance and durability. Regular or decorative concrete block, and siding (non-vinyl) materials may be used on building walls not visible from a public street or as an accent material only. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
 - 2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.

3. Flat roofs shall incorporate parapet walls to conceal the flat portions of the roof that are visible on the front and side elevations from any public street. When used on the side elevation, parapets shall be terraced.
4. Signs on the inside of glazed openings may be neon.

B. Configurations

1. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
2. Sky-lights shall be flat (non-bubble).
3. For commercial buildings, at least 70% of the street level frontages shall be in windows or doorways. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
4. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
5. Each exterior door that provides access to an individual unit or any shared door shall contain a porch, stoop, or awning that forms as the predominant aspect of the building design. Porches shall constitute at least 15% of the front façade of apartment units.
6. For buildings greater than 100-feet in width, there shall be no uninterrupted wall length exceeding 75-feet. An interruption may consist of a change in place or a change in texture/masonry patterns.
7. For buildings less than seventy-five (75) feet, one interruption is required within thirty (30) feet on either side of the center of the building
8. At least one (1) ground entrance to every dwelling shall be located within a walking distance of one-hundred feet to the parking area within the development designated to serve that dwelling.
9. Garage doors are not permitted on the front elevation of any multi-family dwelling.
10. Detached garages or garage buildings shall be located in the side or rear yard only
11. Two car garages visible from the street shall be designed with two single doors for consistency of visual proportion. All garages with more than two bays shall be turned such that the bays are not visible from the street. Exception: Corner lots may have garage access (side loaded) from the non-fronting street.

C. Techniques

1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.