



Town of Siler City

AN ORDINANCE AMENDING ARTICLE X (PERMISSIBLE USES), ARTICLE XI (SUPPLEMENTARY USE REGULATIONS), ARTICLE XII (DENSITY & DIMENSIONAL REGULATIONS), AND ARTICLE XVIII (PARKING AND DRIVEWAYS) OF THE TOWN OF SILER CITY UNIFIED DEVELOPMENT ORDINANCE (UDO).

THE BOARD OF COMMISSIONERS FOR THE TOWN OF SILER CITY HEREBY ORDAINS AS FOLLOWS:

Section 1. §147 of the UDO is amended, only for 1.21 (primary residence with accessory apartment) classification in the table, to read as follows:

§147 Table of Permissible Uses

1.0	RESIDENTIAL														
1.2	Two Family Residences (see §148)	A-R	R-20	R-10	R-6	R-3	R-MH	C-C	B-1	O-I	G-C	H-C	L-I	H-I	LF-1
1.21	Primary residence with accessory apartment (see §148)	P	P	P	P	P		P	P	P					

Section 2. §148(e) of the UDO is amended to read as follows:

§148 Residential Uses

(e) Primary Residence with Accessory Apartment

- (1) Shall meet the setback requirements of the district.
- (2) Shall not be located more forward than the front/street façade of the primary residence.
- (3) Only one accessory apartment shall be allowed per primary residence.
- (4) One off-street parking space shall be required in addition to what is required for the primary residence.
- (5) May be detached from or attached to the primary residence.
- (6) Shall be located on the same lot as the primary residence.
- (7) The owner of the property shall occupy either the primary residence or the accessory apartment.
- (8) The accessory apartment shall be subordinate, incidental, and accessory to that of the primary residence.
- (9) The primary residence shall only be a detached single family residential, one dwelling per lot.
- (10) The residence occupied by the tenant shall be occupied by longer term resident(s) (at least month-to-month tenants).
- (11) The accessory apartment shall comprise not more than fifty (50) percent of the gross floor area of the primary residence nor more than a total of one thousand (1,000) square feet.

Section 3. §168 of the UDO is amended to read as follows:

§168 Residential Density

- (a) Subject to Article VIII, §168(b), and the provisions of §173 (Cluster Subdivisions) every lot developed for residential purposes shall have the number of square feet per dwelling unit indicated in the following table. In determining the number of dwelling units permissible on a tract of land, fractions shall be rounded to the nearest whole number.

Zone	Minimum Square Feet Per Dwelling Unit
C-C	0
R-3, G-C	3,000
B-1	5,000
R-6, R-MH	6,000
O-I	7,000
R-10	10,000
R-20	20,000
A-R	40,000

- (b) Two family attached residences shall be allowed as a permitted use by the administrator in the R-3, R-6, R-10, A-R, C-C, B-1, and O-I districts with a minimum lot area of 150 percent of the minimum square feet requirement for the respective district. The 150 percent requirement stated above does not apply to primary residence with accessory apartment, whether attached or detached.

Zone	Minimum Square Feet Per Dwelling Unit
C-C	0
R-3	4,500
B-1	7,500
R-6	9,000
O-I	10,500
R-10	15,000
A-R	60,000

- (c) With respect to multi-family development with three or more dwelling units, the minimum lot size shall be determined by adding an additional 50% of the required minimum square footage for each additional dwelling unit. The density for multi-family developments shall be determined by calculating the total lot area included in the development and subtracting any area located within road and railroad right-of-ways.

Example 1: Twenty-unit multi-family complex in R-10 zone

$$10,000 + (19 \times 5,000 \text{ square feet} = 95,000) = 105,000 \text{ square feet required}$$

Section 4. §286 of the UDO is amended to read as follows:

§286 Satellite Parking

- (a) If the number of off-street parking spaces required by this ordinance cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as satellite parking spaces.
- (b) All such satellite parking spaces must be located within six hundred (600) feet of a public entrance of a principal building housing the use associated with such parking, or within six hundred (600) feet of the lot on which the use associated with such parking is located if the use is not housed within any principal building.
- (1) Exceptions.
- (a) Satellite parking spaces intended for employee use may be located within any reasonable distance.
- (b) Satellite parking spaces may be located more than six hundred (600) feet if remote parking shuttle bus service is provided.

(2) Exclusions.

- (a) Satellite parking spaces may not be separated from the use served by a street right-of-way with a width of more than eighty (80) feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or remote parking shuttle bus service is provided (developments located within the C-C zoning district shall not be restricted by the width of right-of-way).
- (b) Satellite parking may not be used to satisfy the off-street parking standards for:
 - (1) residential uses, except for:
 - (a) guest parking; and
 - (b) developments in the C-C zoning district if off-street parking spaces required cannot be reasonably provided on the same or adjacent lot on which the principal use is located, such space may be provided on any land within six hundred (600) feet. A clearly designated or marked paved pedestrian path shall connect the principal use to the satellite parking lot.
 - (2) convenience stores; or
 - (3) other convenience-oriented uses.

(c) **Agreement for Satellite Parking.**

- (1) The developer wishing to take advantage of the provisions to this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces.
 - (2) The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces.
 - (3) No use shall be continued if the parking is removed unless substitute parking facilities are provided, and the zoning administrator shall be notified at least sixty (60) days prior to the termination of a lease for satellite parking.
- (d) Persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article.

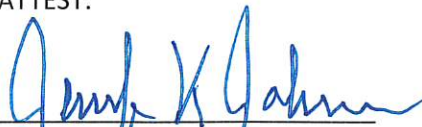
Section 5. All provisions of the Siler City UDO inconsistent with the language herein adopted are hereby repealed.

Section 6. This Ordinance shall become effective Wednesday, March 17, 2021 (after the 24-hour comment period due to electronic board attendance). This the 15th day of March, 2021.

Ayes: 7 Noes: 0


Cindy B. Bray, Mayor Pro Tempore

ATTEST:


Jennifer K. Johnson, Town Clerk