

**AN ORDINANCE AMENDING THE CITY OF HIGH POINT DEVELOPMENT
ORDINANCE TO ADD REGULATIONS REGARDING TINY HOME
DEVELOPMENTS**

WHEREAS, the City Council of the City of High Point adopted the City of High Point Development Ordinance on May 16, 2016, with an effective date of January 1, 2017, and subsequently amended; and

WHEREAS, public hearings were held before the Planning and Zoning Commission on February 27, 2018 and before the City Council on March 19, 2018 regarding Text Amendment TA-18-02; and

WHEREAS, notice for the public hearings was published in the High Point Enterprise on February 18, 2018 for the Planning and Zoning Commission public hearing and on March 7, 2018 and March 14, 2018 for the City Council public hearing, pursuant to Chapter 160A-364 of the General Statutes of North Carolina;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1.

Section 5.14, entitled *Development Types*, is hereby amended as follows:

5.14.1. General

B. Development Types Distinguished

The following development types are hereby established:

- 1.** Conservation subdivision;
- 2.** Corner retail;
- 3.** Large retail;
- 4.** Multiple lot development; ~~and~~
- 5.** Pocket neighborhoods; ~~and~~
- 6.** Tiny home neighborhood.

SECTION 2.

Section 5.2.1, *Principal Buildings on a Zone Lot*, is hereby amended as follows:

B. Residential Group Development

Two or more principal buildings are permitted on a zone lot in a multi-family, ~~or~~ single family attached, **pocket neighborhood or tiny home neighborhood** development pursuant to a group development plan approved in accordance with Section 2.5.9, Group Development, and provided that access is maintained to each building for service and emergency vehicles.

SECTION 3.

A new Section 5.14.7. entitled *Tiny Home Neighborhood* is hereby added to the City of High Point Development Ordinance, which shall read as follows:

5.14.7. TINY HOME NEIGHBORHOOD

A. Purpose and Intent

The tiny home neighborhood development type is proposed to establish standards to facilitate the voluntary development of a group of very small single-family detached dwellings built in close proximity to one another on minimally sized lots and including common open space. This approach is well-suited to small, vacant, infill sites in established neighborhoods.

B. Applicability

The tiny home neighborhood development option is applicable only within the Core City area, in zoning districts that permit single-family detached dwellings.

C. Site Configuration

1. Development Size

It shall be located on a parcel of land at least one-fourth (1/4) of an acre and no greater than 2 acres in area, with at least 50 feet of frontage along a public street.

2. Allowable Uses

Only the following uses shall be allowed: single-family detached dwellings and incidental and subordinate accessory uses, along with a building for the purposes of common storage or recreation, and other common elements.

3. Number of Dwellings

It shall include at least 4 dwellings but no more than 12 dwellings.

4. Common Elements

(a) It shall include common elements that comprise at least 40 percent of the total site area that include open space, improved pedestrian walkways that access each dwelling and connect to the public sidewalk network, and a perimeter landscape yard that incorporates landscaping materials, existing vegetation or other features to buffer the tiny home neighborhood from adjacent development.

(b) It may include a shared parking area, a common building used for recreation and/or storage, a picnic area, community garden space, or other common amenity.

(c) If a common building is provided, it shall not be larger than 1,000 square feet and shall not be used as a permanent dwelling unit.

5. Perimeter Landscape Yard

(a) A tiny home neighborhood shall incorporate a Type C perimeter landscape yard, in accordance with Section 5.5, Landscaping Standards, where the neighborhood abuts lots with existing single-family detached dwellings. The perimeter landscape yard area shall be considered part of the common elements.

(b) No individual lot or dwelling unit shall encroach into the perimeter landscape yard.

6. Lot Frontage

The lots in tiny home neighborhoods are exempt from the minimum street frontage requirement for platted lots in Section 7.1.6.B.9, Minimum Street Frontage.

7. Off-Street Parking

(a) Tiny home neighborhoods are exempt from the parking standards in Table 5.4.4.B, Table of Minimum Parking Standards.

(b) If provided, off-street parking areas shall meet the standards in Table 5.4.7.E, Dimensional Standards for Parking Spaces and Aisles, and shall meet the paving and maintenance requirement for a private drive accessing a public street (Section 5.4.7.K.3).

8. Private Drives

Vehicular entryways into a tiny home neighborhood and accessways serving off-street parking areas shall be configured as private drives.

9. Fences

Fences are permitted only within the perimeter landscape yard and to protect community garden areas, and shall meet the standards of Section 5.11, Fences, except that fences around community garden areas shall be 4 feet or less in height.

D. Individual Lot Configuration

Each individual lot in a tiny home neighborhood shall contain only 1 dwelling unit. Table 5.14.7.D, Tiny Home Neighborhood Lots sets out the dimensional requirements for individual lots.

TABLE 5.14.7.D: TINY HOME NEIGHBORHOOD LOTS	
FEATURE	REQUIREMENT
Minimum lot area (sq.ft.)	None
Minimum lot width (ft)	None
Minimum front setback (ft)	5 from common elements; or

	zoning district minimum street setback [1]
Minimum side & rear setback (ft)	3
Minimum separation between dwelling units (ft)	10
NOTES: [1] Porch steps, ramps, fences and walkways may encroach into the front setback in accordance with Section 10.2, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback.	

E. Dwelling Unit Configuration**1. Maximum Height**

A tiny home dwelling unit shall not exceed 18 feet above grade.

2. Dwelling Size

A tiny home dwelling unit shall have less than 600 square feet of gross floor area.

3. Dwelling Orientation

A tiny home dwelling shall face interior common open space or a street. No dwelling shall face a perimeter landscape yard.

F. Homeowner's Association

A tiny home neighborhood shall have a homeowner's or property owner's association that maintains control of all common elements and is responsible for the maintenance of such elements within the neighborhood. Association documents shall be reviewed by the City prior to approval of the development, and recorded with the development.

SECTION 4.

Section 5.14.6. entitled *Pocket Neighborhood* is hereby amended as follows:

Part A.

Section 5.14.6.B, *Applicability*, is amended as follows:

B. Applicability

The pocket neighborhood development option is applicable only within the Core City area, in zoning districts that permit single-family detached dwellings.

Part B.

Section 5.14.6.C, *Site Configuration*, is amended as follows:

C. Site Configuration

1. Development sSize

It shall be located on a parcel of land at least one-third (1/3) of an acre and no greater than 4 acres in area, with at least 50 feet of frontage along a public street.

2. Allowable Uses

Only the following uses It shall be allowed ~~only the following uses: detached~~ single-family detached dwellings and ~~commonly associated incidental and subordinate~~ accessory uses, along with a building ~~Accessory uses may include common open space, a common building~~ for the purposes of common storage or recreation, ~~outdoor recreational features, and garages and~~ other common elements.

3. Number of Dwellings

(text is unchanged)

4. Common ~~Open Space~~ Elements

- (a) It shall include common ~~open space elements~~ that comprises at least 40 percent of the total site and includes open space, improved pedestrian walkways that provide pedestrian access to each dwelling and connect to the public sidewalk network, a shared parking area(s), ~~common buildings, and the public sidewalk network.~~ ~~The common open space shall include a central green, lawn, or garden area fronting the dwellings, a shared, centrally located off-street parking area,~~ and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the pocket neighborhood from adjacent development.
- (b) The common open space shall include a central green, lawn, or garden area fronting the dwellings, containing ~~The central green or lawn area shall~~ include at least 375 square feet of area for each dwelling in the development.
- (c) ~~A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building exceed 1,500 square feet or serve as a permanent dwelling unit. If~~ a common building is provided, it shall not be larger than 1,500 square feet and shall not be used as a permanent dwelling unit.

9. 5. Perimeter Landscape Yard

- (a) A pocket neighborhood shall incorporate a Type ~~B~~ C perimeter landscape yard, in accordance with Section 5.5, Landscaping Standards, along all lot lines shared where the neighborhood abuts lots with existing single-family detached dwellings. The perimeter landscape yard shall be considered part of the common elements.
- (b) No individual lot or dwelling unit shall encroach into the perimeter landscape yard.

5. 6. Lot Frontage

~~(a)~~ **The lots in pocket neighborhoods are exempt from the minimum street frontage requirement for platted lots in Section 7.1.6.B.9, Minimum Street Frontage.**

~~(a)(b)~~ At least 60 percent of the individual building lots shall front the common open space area, not a street or alley.

~~(b)~~ **Up to 40 percent of the lots may front a street.**

6. 7. Surface Off-Street Parking

(a) Pocket neighborhoods are exempt from the parking standards in Table 5.4.4.B, Table of Minimum Parking Standards.

(b) The pocket neighborhood shall include a shared parking area that accommodates resident and guest parking.

(c) **Surface Off-street** parking areas shall include at least 1 parking space for each dwelling unit plus 1 designated guest parking space for every four dwelling units.

(d) Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.

(e) In no instance shall **a parking areas space** be more than 300 linear feet from the dwelling it serves.

10. 8. Private Drives

Vehicular entryways into pocket neighborhoods and accessways serving off-street parking areas and individual dwelling lots shall be configured as private drives.

7. 9. Detached Shared Garages

(text is unchanged)

8. 10. Storage Space

(text is unchanged)

Part C.

Section 5.14.6.D, *Individual Lot Configuration* is amended as follows:

D. Individual Lot Configuration

- 1. Each individual lot in a pocket neighborhood shall contain only 1 dwelling unit.** Table 5.14.6.D, Pocket Neighborhood Lots, sets out the dimensional requirements for individual lots.

TABLE 5.14.6.D: POCKET NEIGHBORHOOD LOTS	
FEATURE	REQUIREMENT
Minimum lot size (sq ft)	None
Maximum lot coverage (%)	75
Minimum lot width (ft)	20
Minimum front setback (ft)	10 from open space common elements ; zoning district requirement from street [1]
Minimum side setback (ft)	3 one side; 15 other side [1]
Minimum rear setback (ft)	None [2]
NOTES:	
[1] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with Section 10.2, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback.	
[2] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.	

- 1. 2. Use Easement**
(text is unchanged)

FIGURE 5.14.6.D1, USE EASEMENT

(figure is unchanged)

E. 2. Dwelling Unit Configuration

1. (a) Maximum Height

A dwelling unit shall not exceed ~~1-1/2 stories, or~~ 24 feet above grade.

2. (b) Dwelling Size

(a 1) A **pocket neighborhood** dwelling unit shall ~~be~~ **have** at least 600 square feet **in of gross** floor area, but not more than 2,000 square feet **in of gross** floor area.

(b 2) *(text is unchanged)*

3. (c) Fences

(a 1) *(text is unchanged)*

(b 2) *(text is unchanged)*

(c 3) *(text is unchanged)*

FIGURE 5.14.6.02E EXAMPLES OF DWELLING UNIT CONFIGURATION

(figure shall be removed from previous location and inserted here)

F. (d) Homeowner's Association

A pocket neighborhood shall ~~include~~ **have** a homeowner's ~~(s)~~ or property owner's ~~(s)~~ association that maintains control of **all** common ~~areas~~ **elements** and ~~takes responsibility~~ **is responsible** for **the** maintenance of ~~common features~~ **such elements within in** the neighborhood. Association documents shall be ~~submitted to and~~ reviewed by the City prior to approval of the development, **and recorded with the development.**

SECTION 5.

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6.

TEXT AMENDMENT 18-02

Ordinance # 7399/18-28

APPLICANT: City of High Point

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The **19th** day of **March, 2018**

Lisa B. Vierling, City Clerk