



DESIGN BURLINGTON UNIFIED DEVELOPMENT ORDINANCE

Adopted: 7.16.19

Effective Date: 11.1.19

Last Amended ~~6.21.22~~10.18.22



TABLE OF AMENDMENTS

UDO AMENDMENTS			
ORDINANCE NUMBER	ORDINANCE DATE	NAME	LOCATION
UDOTA-01-20	12.3.19	First round of amendments	Contact City of Burlington Planning and Community Development Department at 336.222.5110 for copies of text amendments
UDOTA-02-20	3.17.20	Second round of amendments	
UDOTA-03-20	10.20.20	Third round of amendments	
UDOTA-01-21	3.4.21	Fourth round of amendments	
UDOTA-02-21	5.4.21	Fifth round of amendments	
UDOTA-01-22	1.4.22	Sixth round of amendments	
UDOTA-02-22	3.15.22	Seventh round of amendments	
UDOTA-03-22	6.21.22	Eighth round of amendments	
<u>UDOTA-04-22</u>	<u>10-18-22</u>	<u>Ninth round of amendments</u>	

CHAPTER 4 USE STANDARDS

Section 4.2 Principal Uses

TABLE 4.2.C: PRINCIPAL USE TABLE [1]

"A" = Allowed if included in master plan or terms and conditions document
 "C" = Permitted, subject to Section 2.4.P, Rezoning, applicable use-specific standards, and identified in conditions of approval
 "P" = Permitted, subject to applicable use-specific standards
 "S" = Permitted subject to Section 2.4.T, Special Use Permit, and applicable use-specific standards
 "" (blank cell) = Prohibited or no use-specific standard

USE TYPE [2]	PC	RESIDENTIAL				COMMERCIAL					INDUST.			CONDITIONAL AND PLANNED DEVELOPMENT					USE SPECIFIC STANDARDS	
		RMH	LDR	MDR	HDR	MX	OI	NB	GB	CBD	LI	MI	HI	CR	COI	CB	CI	PD & PDD		
Post Office						P	P	P	P	P	P	P						A		
Psychiatric Treatment Facility							P		P		P							A		
Religious Institution		P	P	P	P	P	P	P	P	P	P							A	4.4.B.13	
School, Elementary				S	S	P	P	P	P	P								A		
School, High/Middle				S	S	P	P	P	P									A	4.4.B.14	
School, Vocational						P	P	P	P		P	P	P					A	4.4.B.15	
Small Wireless Facility		P	P	P	P	P	P	P	P	P	P	P						A	4.4.B.16	
Telecommunications Tower, Major													S			C	C	A	4.4.B.17	
Telecommunications Tower, Minor or Concealed		P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	A	4.4.B.17	
Urgent Care						P	P	P	P		P							A		
COMMERCIAL USE CLASSIFICATION																				
Adult Bookstore, Video Store									P		P					C	C		4.4.C.1	
Adult Cabaret									P		P					C	C		4.4.C.1	
Adult Motel									P		P					C	C		4.4.C.1	
Adult Use, Other									P		P					C	C		4.4.C.1	
Aircraft Parts, Sales, and Maintenance									P		P	P	P						A	
Animal Day Care						P		P	P		P		P						A	4.4.C.2
Animal Grooming						P			P	P						C	C	A	4.4.C.3	
Animal Shelter																C	C		4.4.C.4	
Automobile Repair and Servicing (without painting/bodywork)									P		P	P	P						A	4.4.C.5
Automobile Sales or Rentals									P		P	P							A	4.4.C.6
Automotive Painting/Body Shop									P		P		P						A	4.4.C.7
Automotive Parts and Accessory Sales									P	P	P	P							A	
Automotive Towing and Storage Lot (AMENDED 3.17.20 UDOTA-02-20)									P		P	P	P						A	4.4.C.8
Bar, Cocktail Lounge, or Private Club						P			P	P	P								A	4.4.C.9
Bed and Breakfast			P	P	P	P	P	P	P										A	4.4.C.10
Boat and Marine Rental, Sales, and Service									P		P	P							A	
Bottle Shop (with on premise consumption)						P		S	P	P	P								A	4.4.C.11

TABLE 4.5.E: COMMON ACCESSORY USE TABLE [1]

(AMENDED 3.17.20 UDOTA-02-20)

"A" = Allowed if included in planned development master plan or terms and conditions statement
 "C" = Permitted, subject to Section 2.4.P, Rezoning, applicable accessory use-specific standards, and identified in the conditions of approval
 "P" = Permitted, subject to applicable accessory use-specific standards
 "S" = Permitted subject to Section 2.4.T, Special Use Permit, and accessory use-specific standards
 " " (blank cell) = Not allowed or no additional accessory use-specific standards

ACCESSORY USE TYPE	PC	RESIDENTIAL [2]					[2]	COMMERCIAL [2]					IND. [2]			PD & PDD	ACC. USE-SPECIFIC STANDARDS
		RMH	LDR	MDR	HDR	MX		OI	NB	GB	CBD	LI	MI	HI			
Outdoor Storage									P	P	P	P	P			4.5.F.18	
Parking of Heavy Trucks or Trailers (AMENDED 3.17.20 UDOTA-02-20)										P		P	P	P	A	4.5.F.19	
Parking of Recreational Vehicles (AMENDED 3.17.20 UDOTA-02-20)		P	P	P	P	P	P	P	P	P	P	P	P	A	4.5.F.20		
Play Equipment	P	P	P	P	P	P	P	P	P	P				A	4.5.F.21		
Produce Stand		P	P	P	P	P	P	P	P	P	P			A	4.5.F.22		
Solar Energy Systems		P	P	P	P	P	P	P	P	P	P	P	P	A	4.5.F.23		
Stable (horses)		P	P	P	P	P					P			A	4.5.F.24		
Storage of Unlicensed or Inoperable Vehicles or Trailers (AMENDED 3.17.20 UDOTA-02-20)			P	P	P		P								4.5.F.25		
Swimming Pool/Hot Tub (AMENDED 10.20.20 UDOTA-03-20)		P	P	P	P	P	P	P	P	P	P	P	P	A	4.5.F.26		
Tire Storage, Outdoor (AMENDED 12.3.19 UDOTA-01-20)									P		P		P		4.5.F.27		
Tool/Storage Shed		P	P	P	P	P	P	P	P	P	P	P	P	A			
Underground Storage Tank						P		P	P	P	P	P	P	A	4.5.F.28		

NOTES:

(AMENDED 1.4.22 UDOTA-1-22)

[1] Unlisted accessory uses may be permitted in accordance Section 4.5.C, Procedure For Establishment.

[2] Includes limited use zoning districts in Table 3.1.C, Zoning Districts Established.

F. SPECIFIC STANDARDS FOR SELECTED ACCESSORY USES

Standards for a specific accessory use or structure shall apply to the particular individual accessory use or structure regardless of the zoning district in which it is located or the review procedure by which it is approved, unless otherwise specified in this Ordinance. This section sets forth and consolidates the standards for all accessory uses and structures for which a reference to this section is provided in the "Acc. Use-Specific Standards" column of Section 4.5.E, Common Accessory Use Table. These standards may be modified by other applicable standards or requirements in this Ordinance.

1. Accessory Dwelling Unit (ADU)

An accessory dwelling unit (ADU) is permitted as accessory to a single-family detached dwelling, and shall comply with the following standards:

- a. No more than one ADU shall be located on a lot with a single-family detached dwelling;
- b. An ADU shall not exceed ~~35~~ 50 ¹¹ percent of the total amount of finished floor area in the principal structure;

¹¹ UDOTA4-22TF#27

- b. If an ATM is designed for use by customers in their vehicles, it shall comply with the accessory use standards (including districts where permitted) in Section 4.5.F.8, Drive Through.
- c. The overall character of an automated teller machine in terms of materials, colors, and architectural character shall be compatible with that of the principal structure.

5. Bus Shelter

(AMENDED 10.20.20 UDOTA-03-20)

Nothing shall limit the placement of a bus shelter within a required yard or setback, provided it shall:

- a. Maintain a maximum size or floor area of 100 square feet or less;
- b. A height of 15 feet or less;
- c. Be located outside any required sight distance triangles; and
- d. Maintain a minimum distance of five feet from the edge of the street paving.

6. Child Care, Incidental

An incidental child care or home day care for three or more children is permitted as an accessory use to an occupied residential dwelling unit if it complies with Article 7 of Chapter 110 of the North Carolina General Statutes, and the Summary of North Carolina Child Care Laws and Rules pamphlet prepared by the NC Department of Health and Human Services.

7. Cluster Box Unit

Cluster box units shall comply with the standards of the United States Postal Service and the relevant standards in the City's Standard Details and Specifications.

8. Drive Through

Drive-through facilities shall comply with the following standards:

- a. Outdoor speakers associated with a drive-through shall be at least 50 feet from any ~~lot with~~ ~~abutting~~ residential ~~zoning district designation~~ dwelling on the same or different lot;
- ~~a.b.~~ In cases where a use with a drive through that includes an outdoor speaker abuts a residential zoning district, the perimeter buffer located between the outdoor speaker and the residential lot shall include a fence or wall, regardless of the type of perimeter buffer required;¹⁴
- ~~b.c.~~ Drive-through windows, menus, or order boxes shall not be located on the front façade of the building they serve;
- ~~c.d.~~ Drive-through facilities shall be designed so as not to obstruct the movement of pedestrians along sidewalks, through areas intended for public use, or between the building entrance and customer parking spaces; and
- ~~d.e.~~ Canopies or other features installed over a drive through window shall maintain common roof lines and materials with the principal structure.

9. Electric Vehicle (EV) Charging Station

- a. Electric vehicle (EV) charging station spaces shall be reserved for the charging of electric vehicles only and shall be posted with signage identifying the spaces as reserved only for the charging of electric vehicles, amperage and voltage levels, any enforceable time limits or tow away provisions, and contact information for reporting non-operating equipment or other problems.
- b. A required accessible parking space may also serve as an EV charging station space, provided the charging station and its controls meet ADA standards for accessibility to persons with physical disabilities.
- c. EV charging station equipment shall be located so as not to interfere with vehicle, bicycle, or pedestrian access and circulation, or with required landscaping.
- d. Transformers and similar equipment shall be screened in accordance with Section 5.4, Screening.

10. Family Health Care Structure

(AMENDED 10.20.20 UDOTA-03-20)

One family health care structure is permitted on a lot with a single-family detached dwelling, in accordance with the standards in Section 160D-915 of the North Carolina General Statutes, and the following standards:

a. Structure

A family health care structure is one that:

¹⁴ UDOTA4-22TFR#16 – adjust standards to simplify menu box compatibility