



DESIGN BURLINGTON

UNIFIED DEVELOPMENT ORDINANCE

Adopted: 7.16.19

Effective Date: 11.1.19

Last Amended: ~~5-16-19~~ 5-16-23

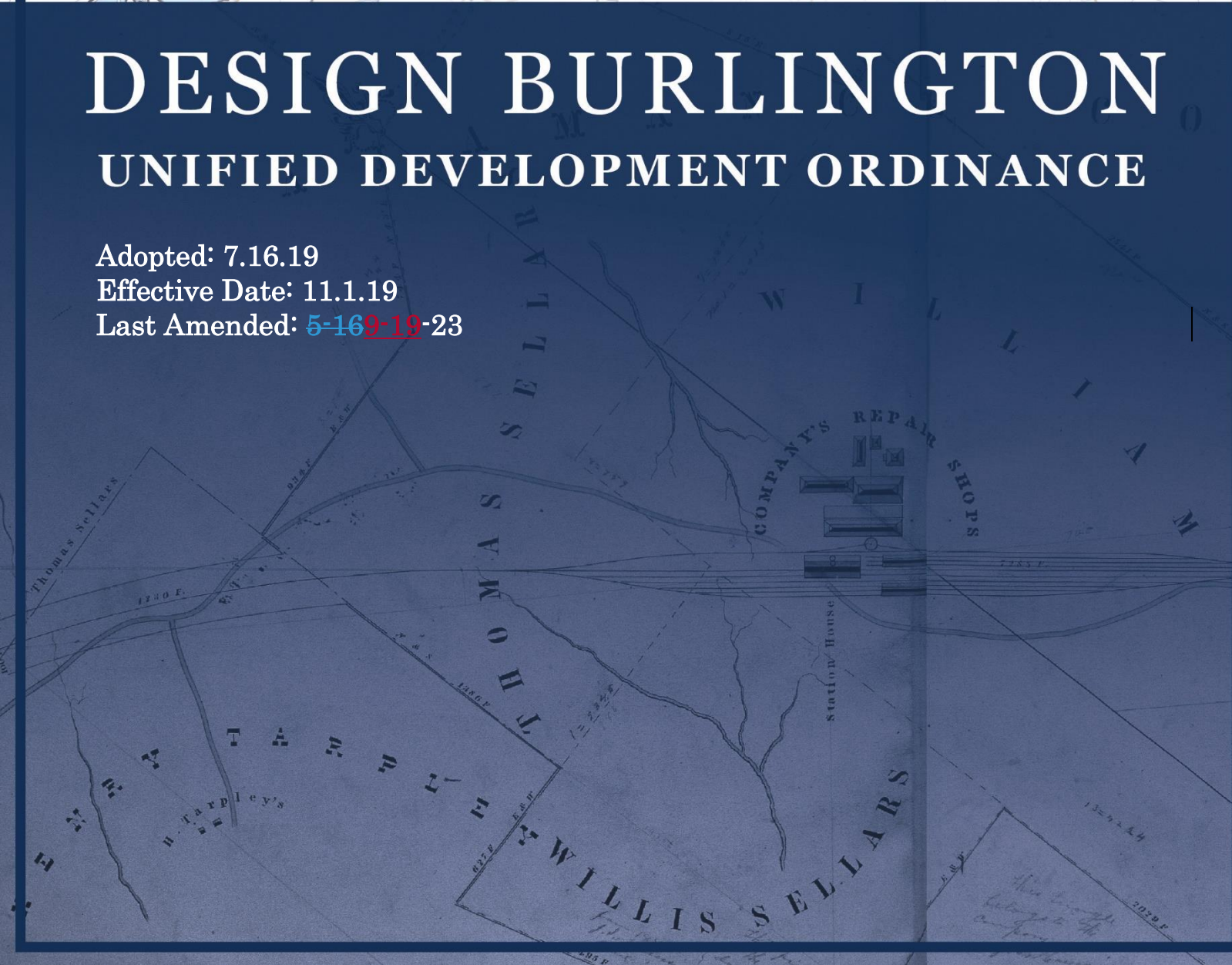


TABLE OF AMENDMENTS

UDO AMENDMENTS			
ORDINANCE NUMBER	ORDINANCE DATE	NAME	LOCATION
UDOTA-01-20	12.3.19	First round of amendments	Contact City of Burlington Planning 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	
UDOTA-04-22	10.18.22	Ninth round of amendments	
UDOTA-05-22	12.6.22	Tenth round of amendments	
UDOTA-01-23	5.16.23	Eleventh round of amendments	
UDOTA-02-23	9.19.23	Twelfth round of amendments	

3.11. MEDIUM INDUSTRIAL (MI) DISTRICT



A. DISTRICT PURPOSE AND INTENT

The Medium Industrial (MI) district is established to accommodate modern, technologically-based, clean industrial development that takes place in highly controlled environments. Typical activities taking place in the district include bio-engineering, pharmaceuticals, precision fabrication and assembly, and research and development. The district does not allow heavy industrial uses, residential uses, or retail, except as accessory uses. District standards are intended to prevent the establishment of any use types that would interrupt industrial operations. District standards require that no land or structure be used for any purpose that causes noxious or offensive odors, gas fumes, smoke, dust, vibration, or noise that substantially interferes with other nearby uses.

B. DISTRICT DIMENSIONAL STANDARDS

STANDARD		REQUIREMENT				
		Single-Family Detached	Single-Family Attached	Multi-Family	Mixed Use	Non-residential
A	Maximum Residential Density (units/acre)	N/A				
B	Minimum Lot Area (square feet)		N/A			43,560 [1]
C	Maximum Lot Coverage (% of lot area)		N/A			None ⁵⁰ [1]
D	Minimum Lot Width (linear feet)		N/A			200
E	Minimum Open Space Set Aside (% of lot area)		N/A			N/A
F	Minimum Street Setback (linear feet) [2]		N/A			40
G	Minimum Side Setback (linear feet) <small>(AMENDED 12.3.19 UDOTA-01-20)</small>		N/A			5 [3]
H	Minimum Rear Setback (linear feet) <small>(AMENDED 12.3.19 UDOTA-01-20)</small>		N/A			30
I	Minimum Perimeter Setback in a Multi-building Development (linear feet)		N/A			N/A
J	Minimum Spacing Between Buildings in a Multi-building Development (linear feet) <small>(AMENDED 12.3.19 UDOTA-01-20)</small>		N/A			[4]
K	Maximum Building Height (feet/stories) <small>(AMENDED 12.3.19 UDOTA-01-20)</small>		N/A			None [5]

NOTES:

(AMENDED 12.3.19 UDOTA-01-20)

[1] Development within the WPO is subject to the built-upon limits in Section 3.20.F, Water Supply Watershed Protection Overlay (WPO) District.

[2] On corner lots of record, the street setback may be reduced by 50 percent on the long side of the lot.

[3] When the lot abuts a residential or OI zoning district, the setback shall be at least 15 feet.

[4] In accordance with the North Carolina Building Code.

[5] Development in the AHO is subject to the maximum building heights in Section 3.20.B, Airport Height Overlay (AHO) District.

a. Allowable Uses**i. Agriculture**

- a) Agricultural uses shall be permitted in the WPO, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990.
- b) All agricultural activities conducted after January 1, 1993 shall maintain a ten-foot vegetative buffer (or equivalent as determined by the Soil and Water Conservation Commission) along the banks of all perennial streams located within the WPO.
- c) Animal operations permitted under 15A NCAC 211.02171 are allowed, as authorized by the Soil and Water Conservation Commission.

ii. Residential

All residential uses identified in Table 4.2.C, Principal Use Table, are permitted within the WPO.

iii. Non-residential

Except for the uses listed in Section 3.20.F.8.b, Prohibited Uses, all non-residential uses (including institutional uses) shall be permitted in the WPO.

iv. Utilities

Utility uses, including subsurface septic tanks and the extension of public sewer lines, are permitted in the WPO.

b. Prohibited Uses

The following uses shall be prohibited within the WPO regardless of whether the use is allowed in the underlying general or conditional zoning district:

- i. Sites for land application of residuals or petroleum contaminated soils;
- ii. Landfills, incinerators, and waste processors;
- iii. Commercial uses that sell, store, or distribute motor fuel or other hazardous materials;
- iv. Solid waste management facilities;
- v. Airports;
- vi. ~~Light or h~~Heavy manufacturing uses;
- vii. Metal salvage facilities, including junkyards;
- viii. Manufacturing, use, or storage of ~~any hazardous production material (HPM) or highly toxic material (HTM)~~ or any material or substance determined by the City Council to be injurious to the public's health, safety, or welfare due to the explosive, flammable, or toxic characteristics of the materials which may include hazardous production material (HPM) or highly toxic material (HTM);
- ix. Package treatment plants and community sewage facilities unless the public health department with jurisdiction over the area determines that a public health problem can be alleviated by constructing such facilities; ~~and~~
- ~~x.~~ Underground fuel or chemical storage tanks;
- ~~xi.~~ Cemetery, Columbarium, or Mausoleum;
- ~~xii.~~ Automotive towing and storage lot;
- ~~xiii.~~ Laundry and cleaning service;
- ~~xiv.~~ Contractor service yard;
- ~~xv.~~ Extractive Industry
- ~~xvi.~~ Fuel oil / bottled gas distributor;
- ~~xvii.~~ Truck or freight terminal;
- ~~xviii.~~ Outdoor storage; and
- ~~xix.~~ Any primary or accessory use that has uncovered, outdoor storage of processed material or chemicals utilized by an allowed use, covers shall be provided by a permanent structure and not susceptible to exposure of natural elements.

c. Hazardous Materials

The City's jurisdiction shall be included in the Alamance County Watershed Management Plan, and an inventory of hazardous materials applicable to the Alamance County Watershed Management Plan shall be maintained in the offices of the Planning Department.

9. Development Standards Applied to Lands in the WCA

The standards in this subsection shall apply to all new development constructed after March 5, 1996 on lands located within the WCA portion of the WPO.

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	
Theatre						P			P	P	P	P						A		
Truck Stop									P		P	P	P					A	4.4.C.43	
Veterinary Clinic									P	P	P	P	P					C	4.4.C.44	
INDUSTRIAL USE CLASSIFICATION																				
Asphalt or Concrete Plant <small>(AMENDED 1.4.22 UDOTA-1-22)</small>												P						C	4.4.D.1	
Contractor Services/Yard <small>(AMENDED 6.21.22 UDOTA-3-22)</small>									P		P	P	P					C	A	4.4.D.2
Electrical or Plumbing Fabrication											P	P	P						A	
Extractive Industry																		C	4.4.D.3	
Flex Space											P	P	P						A	4.4.D.4
Fuel Oil/Bottled Gas Distributor									S		P	P	P						A	4.4.D.5
Gas Energy Conversion											S	S	S					C		
General Industrial Services											P	P	P						A	
Landfill																		C	4.4.D.6	
Makerspace						P		P	P	P	P	P	P						A	4.4.D.7
Manufacturing, Heavy											S	P							A	4.4.D.8.a
Manufacturing, Medium											P	P							A	
Manufacturing, Light									P	P	P	P	P						A	4.4.D.8.b
Metal Fabrication											P	P	P							
Public Convenience Center/Transfer Station																		C	4.4.D.9	
Recycling Center																		C	4.4.D.10	
Research and Development <small>(AMENDED 6.21.22 UDOTA-3-22) (AMENDED 05.16.23 UDOTA-01-23)</small>							P		P	P	P	P	P						A	
Salvage or Junkyard																		C	4.4.D.11	
Solar Farm											P	P	P						A	4.4.D.12
Truck or Freight Terminal <small>(AMENDED 05.16.23 UDOTA-01-23)</small>											P	P	P						A	4.4.D.13
Utility, Major																		C	A	4.4.D.14
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P						A	4.4.D.14
Warehouse, Distribution									P		P	P	P						A	4.4.D.15
Warehouse, Storage									P		P	P	P							4.4.D.15
Waste Composting																		C		
Wholesale Sales									P		P	P	P						A	4.4.D.16

TABLE 5.1.D.9: MINIMUM OFF-STREET PARKING SPACES REQUIRED

USE TYPE	MINIMUM NUMBER OF REQUIRED OFF-STREET PARKING SPACES [1] [2]
Landfill	2+ 1 per employee on largest shift
Makerspace	1 per every 400 sf
Manufacturing, Heavy	2 per every 3 employees on largest shift
<u>Manufacturing, Medium</u>	<u>2 per every 3 employees on largest shift</u>
Manufacturing, Light	2 per every 3 employees on largest shift
Metal Fabrication	2 per every 3 employees on major shift
Public Convenience Center/Transfer Station	10 + 1 per employee on the largest shift
Recycling Center	1 per every 1,000 sf (min. of 2 spaces)
Research and Development	1 per every 300 sf of office area + 1 per every 500 sf of other floor area
Salvage or Junkyard	3+ 1 per employee on the largest shift
Solar Farm	None
Truck or Freight Terminal	2 per every 3 employees on largest shift
Utility, Major	1 per every 1,500 sf
Utility, Minor	None
Warehouse, Distribution	2 per every 3 employees on largest shift
Warehouse, Storage	2 per every 3 employees on largest shift
Waste Composting	1 per employee on the largest shift
Wholesale Sales	1 per every 900 sf
Wind Energy Conversion	None
AGRICULTURAL USE CLASSIFICATION [4]	
Agriculture and Horticulture	1 per every 1,500 sf of principal building floor area
Agriculture Support Services	1 per every 800 sf of principal building floor area
Animal Husbandry	1 per every 2,000 sf of principal building floor area
Farmer’s Market <small>(AMENDED 12.6.22 UDOTA-05-22)</small>	1 per every 600sf
<p>NOTES:</p> <p>[1] See Section 8.3.K, Parking Space Computation, for details on how required parking spaces are computed.</p> <p>[2] “sf” means square feet.</p> <p>[3] Does not include long-term parking for travelers.</p> <p>[4] Excludes bona fide farm uses.</p> <p>[5] In the event seating associated with on-site consumption is permanently removed from the premises, the off-street parking standard shall convert to 2 + 1 per employee on the largest shift.</p>	

DEFINITIONS

MANUFACTURED DWELLING PARK	A commercial use where land is divided into individual leaseholds but not individual lots owned in fee simple that are intended for occupation by individual manufactured homes. Manufactured dwelling parks may include shared or individual accessways, recreation facilities, and other shared accessory uses like laundries, storage, or refuse collection areas.
MANUFACTURED HOME PARK OR SUBDIVISION <small>(AMENDED 3.17.20 UDOTA-02-20)</small>	As used in Section 3.20.C, Flood Hazard Overlay (FHO) District, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
MANUFACTURING, HEAVY	Uses that tend to require large amounts of bulk or unrefined materials which are typically processed and stored outdoors on the site. These uses require a significant amount of energy for the processing of raw materials, and are likely to generate significant noise, vibration, dust, glare, heat, odor, smoke, truck traffic, in the immediate vicinity of the use. Heavy manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants.
MANUFACTURING, MEDIUM	<u>Uses that involve indoor processing or assembly of bulk, unrefined, or raw materials. Processing and storage activities of any raw materials shall take place solely within enclosed buildings to minimize (but not completely prevent) the creation or emission of noise, vibration, dust, glare, heat, odor and smoke outdoors. Outdoor storage of natural materials is permitted. Examples of these uses could include, but are not limited to: packaging of products being manufactured on site, ceramic, clay, glass, and pottery products, food and beverages, candy and other confectionary products, computer hardware, products made from glass, rubber, plastic, or resin, converted paper and cardboard, fabricated metal products made from semi-finished metals.</u>
MANUFACTURING, LIGHT	Uses that involve indoor processing or assembly of finished or partially finished goods and do not require large stockpiles of raw material. Processing and storage activities take place solely within enclosed buildings, which helps limit (but does not completely prevent) the creation of noise, vibration, dust, glare, heat, odor, and smoke. Examples include, but are not limited to: production or repair of small machines or electronic parts and equipment; woodworking and cabinet building; publishing and lithography; computer design and development; research, development, testing facilities and laboratories; apparel production; sign making; assembly of pre-fabricated parts, manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of food products, cosmetics, and manufacturing of components, jewelry, clothing, trimming decorations, and any similar item.
MAP AMENDMENT	See "Rezoning."
MARKET VALUE	For the purposes of the FHO, the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal, replacement cost depreciated for age of building and quality of construction (actual cash value), or adjusted tax assessed values.

DEFINITIONS	
TEMPORARY USE PERMIT	A permit authorizing the operation of a temporary use or special event.
TEMPORARY WIRELESS FACILITY	A portable, self-contained wireless facility that provides wireless telecommunications services on a temporary or emergency basis. A temporary wireless facility may include a generator to provide power to the facility.
TEN-YEAR STORM	As used in Section 7.5, Soil Erosion and Sedimentation, the storm water runoff resulting from precipitation of an intensity expected to be equaled or exceeded, on the average, once in ten years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.
TERRACE	A level, surfaced area or platform next to a building used as a gathering area.
TERTIARY BUILDING WALL	See "Wall, Tertiary."
TEXT AMENDMENT	An amendment to the language of this Ordinance.
THEATRE	A building, or part thereof, which contains an assembly hall with or without stage which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures, performances, spectacles, and similar forms of entertainment. Theatres that also serve meals at tables prior to or during a performance are specialty eating establishments.
THROUGH LOT	"See Lot, Through."
TINY HOME, MANUFACTURED <small>(AMENDED 12.6.22 UDOTA-05-22)</small>	A form of manufactured single family detached dwelling that meets all applicable State and federal requirements for manufactured housing, but is typically smaller and more narrow than a traditional manufactured or mobile home.
TINE HOME, MOVABLE <small>(AMENDED 12.6.22 UDOTA-05-22)</small>	A form of single-family detached dwelling that is built on a frame with wheels and a towing apparatus that is built in accordance with all applicable Department of Transportation requirements. For the purposes of this Ordinance, a movable tiny home shall also be subject to the standards applicable to a recreational vehicle or travel trailer.
TINY HOME SITE-BUILT <small>(AMENDED 12.6.22 UDOTA-05-22)</small>	A form of single-family detached dwelling meeting the applicable requirements for residential uses in the State Building Code that is built on site and placed on a permanent foundation. Tiny homes typically include less floor area than a traditional single-family detached dwelling. A tiny home that is located on the same lot as a principal dwelling unit is an accessory structure.
TILT-UP CONCRETE PANEL	A reinforced concrete panel used to form the exterior walls of a building.
TOOL/STORAGE SHED	An accessory structure with or without electricity used for the keeping of tools and equipment or general storage purposes.
TOXIC POLLUTANT	As used in Section 7.4, Stormwater, any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act.
TOXIC SUBSTANCE	Any substance or combination of substances (including disease-causing agents), that after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their off-spring or other adverse health effects.
TRACT	As used in Section 7.5, Soil Erosion and Sedimentation, and Section 3.20.F, Water Supply Watershed Protection Overlay (WPO) District , all contiguous land and bodies of water being disturbed developed and/or to be disturbed as a unit, regardless of ownership.