

## REVISED Text Amendment- Staff Report

### Proposed Changes to Townhouse Definition and Building Separation Requirements in TC-R District

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#### BACKGROUND AND SUMMARY OF REVISED REQUEST:

At the March 23 meeting of the Planning and Zoning Board, the Board unanimously recommended a denial of the proposed text amendment. One point of focus during the discussion related to concerns relayed from Fire Chief Simmons to a P&Z member about the increased risk of fire jumping from one unit to another when building separation is reduced. Staff has discussed the proposed amendment with the Fire Chief, and he will be present at the April 28 public hearing to comment on the request.

The P&Z Board also felt the language as originally proposed was too vague, and it was too difficult to distinguish between a detached single-family residence and a detached townhouse. The applicant and staff have since collaborated to propose amended language, which further clarifies the distinction and is presented below for the Board's consideration.

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On behalf of PJ Village Woods LLC, Chuck Truby has requested the following amendments to the Town of Oak Ridge Development Ordinance:

1. To amend the definition of *townhouse dwelling* to include detached townhouse units as well as attached townhouse units. This is the language proposed (additions to the existing definition highlighted in gray, deletions with a ~~strikethrough~~):

*Townhouse dwelling*: A building consisting of single family residences attached to one another, ~~or detached single family residences consisting of a single unit~~, in which each unit is located on an individually owned parcel, ~~generally~~ within a development consisting of multiple units containing private drives, walks, and open space in common area. ~~Townhouses, whether attached or detached, are typically units situated in a row separated by private open space between units. Units generally are more uniform in appearance than small lot detached homes.~~

The definition of a *townhouse lot* will remain the same:

*Townhouse lot*: A parcel of land intended as a unit for transfer of ownership, and lying underneath, or underneath and around, a townhouse, patio home, or unit in nonresidential group development.

2. To amend the building separation requirements from 20 feet to 15 feet, specifically for townhouse developments with buildings two stories or less.

The reduced building setback requirements help compensate for the extra space required when a three-unit townhouse building is separated into a two-unit building and single-unit building. Here is the proposed language (proposed changes found at the bottom of the table, located on the next page):

Sec. 30-351. - Agricultural and single-family districts.

The dimensional requirements for agricultural and single-family districts are found in the table below.

**AGRICULTURAL AND SINGLE-FAMILY DISTRICT  
DIMENSIONAL REQUIREMENTS**

	<b>AG</b>	<b>RS-40</b>	<b>RS-30</b>	<b>TC-R <sup>a</sup></b>
Minimum Lot Size (ft. <sup>2</sup> )	40,000	40,000	30,000	
Single-family				20,000
Two-family dwelling				40,000
Minimum Development Size, Multifamily, twin home, townhouse dwelling, (ft. <sup>2</sup> )				
First 3 dwelling units				60,000
Additional lot area per unit				20,000
Minimum Lot Width (ft.)				
Interior lot	150	150	100	80
Exterior lot	150	150	100	90
Minimum Street Frontage (ft.)	50	50	50	45
Minimum Street Setback (ft.) <sup>b</sup>				
Local, subcollector, collector - front	40/65	40/65	40/65	20
Local, subcollector, collector - side	40/65	40/65	20/45	20
Minor thoroughfare	45/80	45/80	45/80	30
Major thoroughfare	50/95	50/95	50/95	40

Minimum Interior Setbacks (ft.)				
Side yard	15	15	10	5
rear yard	30	30	30	15
Maximum Building Height (ft.) <sup>c</sup>	50	50	50	50
Maximum Building Coverage (% of lot)	30	30	30	
Minimum Building Separation				20 <sup>d</sup>

Notes:

<sup>a</sup> Overall density shall not exceed two dwelling units per acre.

<sup>b</sup> Setback from right-of-way line or property line/setback from street centerline, whichever is greater.

<sup>c</sup> No more than three full or partial stories entirely above grade.

<sup>d</sup> May be reduced to 15 feet in townhouse developments with buildings two stories or less.

1. A corner lot has two street setbacks. The setback of lower setback category shall be considered the side street. If both streets are of the same setback category, the property owner shall designate the side street for his lot.
2. A through lot has two street setbacks but no rear setback.
3. On a corner lot of record, the side street setback may be reduced, if necessary, to yield a buildable width equal to 60 percent of the lot width.
4. For any lot of record, the street setback and the rear setback may be reduced, if necessary, to yield a buildable depth equal to 40 percent of the lot depth. The rear setback shall be reduced first, but not below 15 feet and the street setback shall not be reduced by greater than ten feet.

(Ord. of 1-6-2000, § 4-4.1; Ord. of 5-6-2004, table 4-4-1; Ord. of 6-2-2016(1))

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On the following page, please see an aerial photograph with parcel lines contrasting a typical townhouse development with all attached units (on the left) with a townhouse development containing a combination of twin homes and single townhouse units (on the right).

Guilford County, NC



*Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.*

Map Scale  
**1 inch = 84 feet**  
3/20/2017

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#### PLANNING AND ZONING BOARD RECOMMENDATION:

Motion to Approve/Deny by:

Seconded by:

Vote \_\_\_\_ to \_\_\_\_ in favor of the motion.

#### VOTE:

Simpson	_____
Baker	_____
Gardner	_____
Leybourne	_____
Paslaru	_____
Stafford	_____
Stoudemire	_____

#### TOWN COUNCIL RECOMMENDATIONS:

Motion to Approve/Deny by:

Seconded by:

Vote \_\_\_\_ to \_\_\_\_ in favor of the motion.

#### VOTE:

Sullivan	_____
McClellan	_____
Kinneman	_____
Nodine	_____
Stone	_____