1.4.3
When new institutional uses are permitted in residential neighborhoods, they should be designed and operated in a way that is sensitive to neighborhood issues, maintains quality of life, and enhances the services provided to the neighborhood.

1.4.1
Quality design and site planning should be promoted so that new development infill and redevelopment is implemented with minimal adverse impacts on desired character of the existing built environment.

1.4.2
New commercial development should be properly managed through the use of development regulations, the development review process, and other tools. The intent is to avoid unreasonable impacts, such as traffic, parking, litter, shadow, light, view obstruction, odor, noise, and/or vibration impacts on nearby residential areas.

1.2.1
Development should create places, streets, and spaces that are visually attractive, safe, accessible, functional, inclusive, have their own distinct identities, and maintain or improve desired character.
1.6.4
Within commercial districts, development should be designed at a height, mass, scale, and form that is appropriate and provides a suitable transition to the surrounding areas.

1.7.9
Infill development should enhance or improve the existing physical development pattern of the area. The development of lots that have been historically difficult to infill or redevelop should be facilitated.

1.11.1
Land development regulations, technical standards, and development review procedures should facilitate and encourage infill and redevelopment.
```
BUILD A BETTER | WILMINGTON

Land Development Code Article 2, Zoning Districts

“Foster development that enhances quality of life, minimizes traffic impacts, and creates safe, attractive, inclusive development for all citizens.” - Create Wilmington Comprehensive Plan

What is Changing:
• Certain districts become “legacy districts”
  - these districts may remain on the zoning map and properties may stay in that zoning district, but there would be no new rezonings to those districts
  • R-20, Residential
  • MX, Mixed Use
  • AI, Airport Industrial
  • UMX, Urban Mixed Use
  • MF-MH, Multi-Family Medium-High Density
  • MF-H, Multi-Family High Density
• Elimination of certain districts and overlays
  • SHOD, Special Highway Overlay District
  • PUD, Planned Use Development
  • NB, Neighborhood Business District
  • O&I2, Office and Institutional District
  • RFMU, Riverfront Mixed Use
  • MSMU, Mainstreet Mixed Use
  • Dawson-Wooster Overlay
• Encourage missing middle housing
• Reduction in the number of special use permits, additional conditional uses
• Improved dimensional and site design standards for some districts
• Residential compatibility standards for developments adjacent to R zones
• Changes to the way streets are zoned
• Universal use table

What is NOT Changing:
• General categories of zoning districts, including residential (R, M, MH districts), mixed-use districts (UMX, RO), commercial districts (CB, RB, CS, O&I), historic districts (HDR, HD, HDMU) and industrial (LI, IND)
• No significant changes proposed for the historic districts

Formatting Improvements
• Illustrations, diagrams, charts and photos to improve understanding
• Landscape orientation
• Two columns and frequent subheadings to improve readability

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BUILD A BETTER | WILMINGTON

Land Development Code Article 2, Zoning Districts

“What fosters development that enhances quality of life, minimizes traffic impacts, and creates safe, attractive, inclusive development for all citizens.” – Create Wilmington Comprehensive Plan

What is Changing:
- Certain districts become “legacy districts” – these districts may remain on the zoning map and properties may stay in that zoning district, but there would be no new rezonings to those districts
  - R-20, Residential
  - N-X, Mixed Use
  - A-I, Airport Industrial
  - U-MX, Urban Mixed Use
  - M-F-MH, Multifamily Medium-high Density
  - M-F-H, Multifamily High Density
- Elimination of certain districts and overlays
  - SHOD, Special Highway Overlay District
  - PUD, Planned Use Development
  - NB, Neighborhood Business District
  - O-I2, Office and Institutional District
  - R-MU, Riverfront Mixed Use
  - M-SMU, Mainstreet Mixed Use
  - Drewsont-Wooster Overlay

What is NOT Changing:
- General categories of zoning districts, including residential (R, R-M, R-MH districts), mixed-use districts (UMX, RO), commercial districts (CB, RB, CS, O-I), historic districts (HDR, HD, HDMI) and industrial (I, IND)
- No significant changes proposed for the historic districts

Formatting Improvements
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BUILD A BETTER | WILMINGTON

Land Development Code Article 2, Zoning Districts

"Faster development that enhances quality of life, minimizes traffic impacts, and creates safe, attractive, inclusive development for all citizens." – Create Wilmington Comprehensive Plan

What is Changing:
- Several categories of zoning districts, including residential (R, M, MH districts), mixed-use districts (UMX, RO), commercial districts (CB, BB, CG, OA), historic districts (HDH, HD, HDMU) and industrial (IL, IND)
- No significant changes proposed for the historic districts

What is NOT Changing:
- Certain districts become "legacy districts" – these districts may remain on the zoning map and properties may stay in that zoning district, but there would be no new rezonings to those districts
  - R-20, Residential
  - MX, Mixed Use
  - AI, Airport Industrial
  - UMX, Urban Mixed Use
  - MF-MH, Multi-family Medium-high Density
  - MF-H, Multi-family High Density
  - Elimination of certain districts and overlays
  - SHOO, Special Highway Overlay District
  - PUD, Planned Use Development
  - NB, Neighborhood Business District
  - C-612, Office and Institutional District
  - IFMU, Riverfront Mixed Use
  - MSMU, Mainstreet Mixed Use
  - OMX/OMU, Office/Mixed Use

*Encourage missing middle housing*

- Permits, additional conditional uses
- Improved dimensional and site design standards for some districts
- Residential compatibility standards for developments adjacent to R zones
- Changes to the way streets are zoned
- Universal use table

Formatting Improvements
- Illustrations, diagrams, charts and photos to improve understanding
- Landscape orientation
- Two columns and frequent subheadings to improve readability

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**Table 18-xx: Use Table for Commercial Districts**

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*Reduction in the number of special use permits, additional conditional uses.*
BUILD A BETTER | WILMINGTON

Land Development Code Article 2, Zoning Districts

"Foster development that enhances quality of life, minimizes traffic impacts, and creates safe, attractive, inclusive development for all citizens." - Create Wilmington Comprehensive Plan

What is Changing:
- Certain districts become “legacy districts”
  - these districts may remain on the zoning map and properties may stay in that zoning district, but there would be no new rezonings to those districts
  - R-20, Residential
  - M, Mixed Use
  - A, Airport Industrial
  - UMX, Urban Mixed Use
  - MF-MH, Multi-family Medium-high Density
  - MF-H, Multi-family High Density
- Elimination of certain districts and overlays
  - SHOD, Special Highway Overlay District
  - PUD, Planned Use Development
  - NB, Neighborhood Business District
  - O&I, Office and Institutional District
  - RMX, Riverfront Mixed Use
  - MSMU, Mainstreet Mixed Use
  - Dawson-Wooster Overlay
- Encourage missing middle housing
- Reduction in the number of special use permits, additional conditional uses

What is NOT Changing:
- General categories of zoning districts, including residential (R, M, MH districts), mixed-use districts (UMX, RO), commercial districts (CB, BB, CS, O&I), historic districts (HDR, HD, HDMU) and industrial (LI, IND)
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Formatting Improvements
- Illustrations, diagrams, charts and photos to improve understanding
- Landscape orientation
- Two columns and frequent subheadings to improve readability

- Improved dimensional and site design standards for some districts
  - Changes to the way streets are zoned
  - Universal use table

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BUILD A BETTER | WILMINGTON

Land Development Code Article 2, Zoning Districts

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BUILD A BETTER | WILMINGTON

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### Universal use table

- **Development of the Office and Institutional Districts**
  - **Purpose:** The purpose of the Office and Institutional Districts shall be to provide areas that are conducive to the establishment and operation of institutional, office, and limited commercial activities not involving the sale of merchandise, except as provided herein. Standards are designed so that these districts, in some instances, may serve as transitions between residential districts and other commercial districts. The principal users of ingress and egress for uses in the district shall be along collector roads, minor arterials, and/or major arterials as designated on the city’s transportation plans.
  - **Oversight:** The following uses are permitted provided that they meet all requirements of this section and all other applicable requirements established in these regulations.
  - **1.** Arts, commercial including silk screening.
  - **2.** Assembly hall.
  - **3.** Banking services.
  - **4.** Business services.
  - **5.** Funeral home and crematory.
  - **6.** Golf course, public or private.
  - **7.** Hospital, except animal hospital.
  - **8.** Medical supply stores, retail.
  - **9.** Offices, medical.
  - **10.** Offices, professional.
  - **11.** Parks and recreation areas, municipal.
  - **12.** Personal services.
  - **13.** Post office.
  - **14.** Recreation facility, private.
  - **15.** Restaurants: standard and fast food.
  - **16.** Retail services, including employment offices or contractors.
  - **17.** Spas and health clubs.
  - **18.** Veterinary services with enclosed pens.
  - **19.** Schools, college and universities.
  - **20.** Schools, primary and secondary.

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**Land Development Code Article 2, Zoning Districts**

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  - **R-20, Residential**
  - **MX, Mixed Use**
  - **A1, Airport Industrial**
  - **UMX, Urban Mixed Use**
  - **MF-M, Multi-Family Medium Density**
  - **MF-H, Multi-Family High Density**

### What is NOT Changing:
- General categories of zoning districts, including residential (R, R1-R4 districts), mixed-use districts (UMX, B1), commercial districts (CB, BB, CS, O&B), historic districts (HDR, HD, HOMU) and industrial (IL, IND)
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**Formatting Improvements**
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<td>Civic club or lodge, private</td>
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<td>Public parks, playgrounds, boat ramps</td>
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General categories of zoning districts, including residential (R, M, MH districts), mixed-use districts (UMX, RO), commercial districts (CB, RB, CS, O&I), historic districts (HDR, HD, HDMU) and industrial (LI, IND).
BUILD A BETTER | WILMINGTON
Land Development Code Article 2, Zoning Districts

“Faster development that enhances quality of life, minimizes traffic impacts, and creates safe, attractive, inclusive development for all citizens.” – Create Wilmington Comprehensive Plan

What is Changing:
- Certain districts become “legacy districts” – these districts may remain on the zoning map and properties may stay in that zoning district, but there would be no new rezonings to those districts
  - R-2D, Residential
  - MX, Mixed Use
  - AI, Airport Industrial
  - UMX, Urban Mixed Use
  - MF-MH, Multifamily Medium-high Density
  - MF-H, Multifamily High Density
- Elimination of certain districts and overlays
  - SHOD, Special Highway Overlay District
  - PUD, Planned Use Development
  - NB, Neighborhood Business District
  - O&I, Office and Institutional District
  - R/FMU, Riverfront Mixed Use
  - MSMU, Mainstreet Mixed Use
  - Dawson-Wooster Overlay
- Encourage missing middle housing
- Reduction in the number of special use permits, additional conditional uses
- Improved dimensional and site design standards for some districts
- Residential compatibility standards for developments adjacent to R zones
- Changes to the way streets are zoned
- Universal use table

What is NOT Changing:
- General categories of zoning districts, including residential (R, M, MH districts), mixed-use districts (UMX, K0), commercial districts (CB, RB, CS, O&I), historic districts (HDR, HD, HDMU) and industrial (I, IND)
- No significant changes proposed for the historic districts

• No significant changes proposed for the historic districts

Illustrations, diagrams, charts and photos to improve understanding
- Landscape orientation
- Two columns and frequent subheadings to improve readability

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Central Business District Regulations

- Will come forward at future date
- Tweaks to make more form based
- Full form-based districts will require considerable, focused public input
DIVISION II - DISTRICT REGULATIONS

Sec. 18-173. - Introduction.

This division contains the specific use and area regulations for each zoning district found in the city. The material has been divided into the following sections:

(a) Purpose. The intended application for each district guiding its placement in relation to existing or proposed developments.

(b) Uses permitted by right. The listing of land uses permitted by right in each district.

(c) Uses permitted under prescribed conditions. Those uses allowed in a district when meeting the criteria set forth in the appropriate prescribed conditions and all other applicable requirements established in these regulations.

(d) Permitted by special use permit. Uses permitted in a district subject to the issuance of a special use permit as set forth in Article 3, Division II of this Code.

(e) Permitted accessory uses and structures. Accessory uses and structures clearly incidental and subordinate to the principal use of the land and which uses, if permitted, would not violate all requirements of this section, the requirements of Article 4 of this chapter and all other applicable requirements established in these regulations.

(f) Development standards. The dimensional standards, buffering requirements and other design standards for each district. The use of the various provisions for each district does not relieve any person from complying with all the requirements for the same district.

(g) Interpretation of permitted uses. Because the list of permissible uses set forth in this article cannot be all inclusive, those uses that are liberally to include other uses that have similar impacts to the listed uses. Notwithstanding the foregoing sentence, all uses that are given the liberal interpretation mandated by this subsection, are prohibited. This article shall not be interpreted to allow a use in an area in question is more closely related to another specified use that is permissible in another zoning districts. If a specific use is listed in one section 18-174 (excluding the MX District), it shall be excluded from the general use categories of business services, personal residential, and retail sales establishments.

Sec. 18-174. - Exceptions to area and height standards.

(a) In general. The following requirements or regulations qualify or supplement, as the case may be, the district regulations or requirements chapter.

1. Hospitals, schools, and religious institutions (excluding accessory uses) where permitted in a district, may be erected to a height not (150) feet, except for the Central Business District.

2. The following structures and features shall be exempt from the height requirements of this chapter:
   a. Radios and television receiving antennas and support structures, provided that they shall not be erected to a height greater than

3. The sole use of the premises.

b. The following shall not be considered a change of use and no new zoning permit shall be required:
   i. Commercial use to a group home or single-dwelling use and
   ii. Any permitted use as a part of a strip mall or multi-tenant commercial development.

E. Use Permitted in Multiple Districts with Different Standards

Uses must comply with the standards for the zoning district in which they are located.

F. Use of Dwelling Units

Where residential uses are permitted, they shall be within a dwelling unit or mobile home, as defined in this chapter and permitted within the applicable zoning district. Any group living uses, as defined in this chapter, and nonresidential uses permitted within dwelling units shall be distinguished as uses by the definitions found in Sec. 18-xx. Definitions and shall be regulated by the applicable standards.

G. Use Interpretations

The purpose of the use interpretation procedures is to provide a process for an applicant to request documentation regarding the meaning of the language in this article, the boundaries of the official zoning map, or conditions of an approval.

1. Interpretation Types
   a. Formal interpretations shall be in writing and prepared in accordance with this section. Only formal interpretations are subject to appeal as an administrative decision.

   b. Any oral or written interpretations that do not meet the requirements of this section are considered advisory interpretations, which shall not have any binding effect and are not considered administrative decisions subject to appeal.

   c. Uses shall not be interpreted to be within more than one use category.

2. Interpretation Procedure

The interpretation procedure is illustrated in Figure 18-xx, Interpretation Procedure.

City of Wilmington Land Development Code Draft 2.17.2020 2-3
Division 1. Zoning Districts, Maps, and Uses
Current Article 5, Zoning Districts
Draft of Proposed Article 2, Zoning Districts
Next Steps

www.wilmingtonnc.gov/LDC

Planning Commission work session – April