

**AN ORDINANCE AMENDING ARTICLE 2 DEFINITIONS; SUBDIVISION, MINOR OF THE SUBDIVISION  
ORDINANCE**

**Section 1.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 2 “Definitions: Subdivision, Minor” of the Subdivision Ordinance be amended as follows:

*Subdivision, Minor.* A subdivision that is **five (5) lots or less**, not otherwise exempt from the provisions of this ordinance and that is not a “Major Subdivision” as that term is defined in this Ordinance.

For purposes of these regulations, **notwithstanding the preceding definition of minor subdivisions** Farmhouse Cluster developments are considered a minor subdivision, except as provided below. Farmhouse Cluster developments do not require a Sketch Plan, except as specifically set out hereinbelow. A Farmhouse Cluster Plan shall demonstrate compliance with requirements of the Zoning Ordinance and include the following: an “Existing Features (Site Analysis) Plan” as detailed in Section 6.300 (1)(1-14), (2), and (3) of this Ordinance; a Four-Step Process as detailed in Section 6.300 (3) of this Ordinance; and a Preliminary Plan as detailed in Section 6.400 of this Ordinance.

**Section 2.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 7.5 “Buffer Yards” of the Zoning Ordinance be amended as follows:

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Description	Condition where Buffer required	Width	Trees <sup>1</sup>	Shrubs <sup>1</sup>
I-77 Buffer	Any property abutting I-77 right-of-way	50 feet, greater if required by the district	5 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen	8 shrubs per 1000 sq/ft 75% evergreen
CI, CB and SP	Any property zoned CI, CB, or SP <sup>2</sup>	80 feet abutting street right-of-way and property lines <sup>2</sup>	4 trees per 1000 sq/ft of buffer area; 75% large maturing; 50% evergreen; 25% small maturing	5 shrubs per 1000 sq/ft 75% evergreen
Non-residential uses not otherwise listed	Any developing non-residential use abutting a lesser intense use and/or district when not internal to a planned development <sup>3,5</sup>	30 feet <sup>6</sup>	4 trees per 1000 sq/ft of buffer area; 50% large maturing; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen
Civic Uses <ul style="list-style-type: none"> <li>• schools</li> <li>• religious institutions</li> <li>• gov'n't bldgs.</li> <li>• libraries</li> </ul>	Any civic use abutting a property zoned residential or current use is residential <sup>3,5</sup>	30 feet <sup>6</sup>	4 trees per 1000 sq/ft of buffer area; 50% large maturing ; 25% small maturing; 50% evergreen	7 shrubs per 1000 sq/ft 100% evergreen
Residential	Any major residential subdivision abutting a property zoned residential or developed residential, not internal to a planned community <sup>4</sup>	20 feet	3 trees per 1000 sq/ft of buffer area; 25% large maturing; 25% small maturing; 25% evergreen	10 shrubs per 1000 sq/ft 100% evergreen
<b><u>R/ TR</u></b>	<b><u>Any minor residential subdivision</u></b>	<b><u>10 feet</u></b>	<b><u>Preserve any existing trees located within the required buffer</u></b>	<b><u>Preserve any existing shrubs located within the required buffer</u></b>

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**Section 3.** This ordinance shall become effective upon adoption.

**Huntersville Ordinance Advisory Board:** April 6, 2023 (Approval)

**Public Hearing Date:** June 5, 2023

**Planning Board Meeting:** June 27, 2023

**Town Board Meeting:** July 17, 2023