

ARTICLE 8

ZONING DISTRICTS

*(amended June 30, 2021 to comply with NCGS 160D)
(amended February 8, 2022, March 8, 2022)*

8.1 Purpose

In order to provide for the orderly development of Midland, preserve existing development patterns that contribute to the character and sense of place of the community, and to allow for creativity in the planning for future development, the Town hereby establishes zoning districts and their associated development standards.

8.2 Zoning Districts Created

The following primary general use zoning districts are created; this listing is in order of intensity of development permitted within the district, from least intense to most intense:

1. Agriculture (AG)
2. Single Family Residential (SFR)
3. Residential/Main Street Transitional (R/MST)
4. Residential/Old Midland Transitional (R/OMT)
5. Main Street Periphery (MSP)
6. Old Midland Periphery (OMP)
7. Main Street (MS)
8. Old Midland (OM)
9. Civic (CIV)
10. NC 24/27 Commercial (C 24/27)
11. US 601 Commercial (C 601)
12. Industrial (IND)
13. Planned Residential Development (PRD)

In addition to the primary general use zoning districts, the following overlay districts are created to provide for more creativity in the development of land and/or to protect unique environmental features of the Town:

14. Traditional Neighborhood Development Overlay (TNDO)
15. Mini Farm Overlay (MFO)
16. Scenic Corridor Overlay (SCO)
17. Broadway Boulevard Corridor Overlay (BBCO)

8.3 Description of Zoning Districts

The zoning districts created by this ordinance are described as follows:

The Agriculture District (AG) is established to protect lands used for agricultural production, agricultural based businesses and related activities. Farm land is a defining element of Midland's identity and the protection of these lands aids in preserving the character of the Town. Permitted uses are limited, with an emphasis on uses that are agricultural in nature. Development density is very low to encourage preservation of agricultural lands while discouraging large lot residential development. The Agriculture District can also be used to protect open spaces.

The Single Family Residential District (SFR) provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods in a pattern that encourages the wise use of land. Allowed building/lot types in the Single Family District are Detached House and Civic Building. Permitted uses are restricted to single family homes and their accessory uses, a limited number of related uses that serve the residential neighborhoods, and civic uses. Neighborhoods in this district are the dominant land use in Midland and are a major element in defining the character of the community. Standards for the Single Family Residential District ensure that new development maintains the character of the community. The Single Family Residential District permits the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the Town of Midland prior to the effective date of these regulations.

The Residential /Main Street Transitional District (R/MST) provides for residential development in the residential area(s) surrounding the Main Street Periphery District and its logical extension. The intent of this district is to allow for a gradual transformation of existing low-density single family development to high quality medium-density residential development, as a higher density residential development is needed to support town centers. Higher density residential development allows a greater number of households to walk or bike to the town centers, thus reducing the parking demand and providing environmental and health benefits. Allowed building/lot types in these districts are the Detached House, Attached House, Multi-family Building, and Civic Building. Streets in the Residential/Main Street Transitional District should be interconnected, with streets and sidewalks providing a connection from Midland's future downtown to the Single Family Residential districts lying between and around these districts. A range of housing types is encouraged.

The Residential /Old Midland Transitional District (R/OMT) provides for residential development in the residential area(s) surrounding the Old Midland Periphery District and its logical extension. The intent of this district is to allow for residential and civic development. Allowed building/lot types in the districts are the Detached House, and Civic Building. Streets in the Residential/Old Midland Transitional District should be interconnected, with streets and sidewalks providing a connection from Midland's historic downtown to the Single Family Residential districts lying between and around these districts.

The Main Street Periphery District (MSP) provides for the development and maintenance of a range of uses in areas adjacent to Midland's two core downtown areas. Allowed building/lot types in districts is Shop-front, Multi-Family cluster, Detached House,

Attached House and Civic Building. In this district, the development pattern integrates retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery District to the downtown and to surrounding neighborhoods. This Periphery District provide an area for the expansion of the Main Street District and Old Midland District.

The Old Midland Periphery District (OMP) provides for the development and maintenance of a range of uses in areas adjacent to Midland's two core downtown areas. The intent of this district is to allow for residential, civic and shop-front development. Allowed building/lot types in these districts are Shop-front, Detached House, and Civic Building. In this district, the development pattern integrates retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery Districts to the downtown and to surrounding neighborhoods. The Periphery Districts provides an area for the expansion of the Main Street District and Old Midland District.

The Main Street District (MS) provides for new development, revitalization, reuse, and infill development in Midland's core downtowns. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Main Street District shall be contiguous and not separated from the primary district area.

The Old Midland District (OM) provides for new development, revitalization, reuse, and infill development in Midland's core downtown. The intent of this district is to allow for residential, civic, shop-front, and urban workplace development. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities in a pedestrian-oriented environment. The Old Midland District serves as the hub of the surrounding neighborhoods and of the broader community. The Old Midland District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Old Midland District shall be contiguous and not separated from the primary district area.

The Civic District (CIV) provides a location for large educational, medical, and public uses in a campus like environment. Large developments in the Civic District are

encouraged to provide a master plan to the Town. Institutional uses in the Civic District are required to provide pedestrian connections on their campuses and, to the extent possible, develop an internal street system with structures fronting on the streets. Parking should not be the dominant visible element of the campuses developed for institutional uses.

The NC 24/27 Commercial District (C 24/27) is established to provide opportunities for compatible and sustainable development where the dominant mode of transportation is the automobile. The auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments. Allowed building/lot types are Highway Commercial and Civic Building. Dominant uses in this district are retail and office. The NC 24/27 Commercial District is expected to serve Midland residents as well as persons who travel from surrounding communities. The development pattern in this district acknowledges the role of the automobile, with parking and access provided to ensure safety for the motoring public. Development standards in the NC 24/27 Commercial District ensure the creation of a pleasant auto-oriented environment while enabling a compatible transition to uses in adjacent districts.

The US 601 Commercial District (C 601) is established to provide opportunities for compatible and sustainable development along the US 601 corridor where future Midland neighborhoods will interconnect with this future Bypass type roadway corridor without negatively dissecting the community. Access to buildings in this district is provided through a secondary street network. The secondary street network is both auto-oriented and pedestrian oriented. Development standards in the US 601 Commercial District acknowledge that the automobile is the primary mode of transportation. Development and design standards encourage pedestrian scale development along the secondary street network. Goals of the US 601 Commercial District include providing a pleasant environment for motorists, a safe environment for pedestrians along the secondary streets; ensuring the safety of motorists and pedestrians; and preserving the capacity of the future Bypass to accommodate high traffic volumes at higher speeds. Uses in this district include services, employment, residential and industrial. Allowed building/lot types include Urban Workplace, Shop-front Commercial, and Civic Building.

The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities. Allowed building and lot types are Highway Commercial and Civic Building.

The Planned Residential Development District (PRD) permits flexibility in the design, construction, and processing of residential developments. Planned Residential Developments (PRD) are well planned, efficient residential developments that are

compatible with the Town's distinctive character but may otherwise be unachievable under conventional zoning and subdivision regulations. These regulations are further intended to promote cluster development and encourage integrated conservation design that creates sustainable, economical, and efficient use of the land, while providing a harmonious variety of housing choices and preservation of natural and scenic qualities of open spaces. The Planned Residential Development District is a Conditional Zoning District under the standards of the Midland Development Ordinance.

The Traditional Neighborhood Development Overlay District (TNDO) provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods. These neighborhoods are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. Traditional Neighborhood Developments (TND's) provide a mixture of housing types and prices, prominently sited civic or community building(s), stores/offices/workplaces, and churches to provide a balanced mix of activities. A Traditional Neighborhood Development (TND) has a recognizable center and clearly defined edges; optimum size is a quarter mile from center to edge. A TND is urban in form, is typically an extension of the existing developed area of the town, and has an overall residential density of 4 to 12 dwelling units per acre. TND districts should have a significant portion of land dedicated to open spaces.

The Mini Farm Overlay District (MFO) permits buildings to be grouped on a site, parcel, or property in order to optimize the use of land and resources for both residential and agricultural purposes. By clustering development at a density no greater than one unit per developed acre, projects developed in accordance with these standards can obtain density bonuses while preserving unique natural features for agricultural use. The Mini Farm Overlay District mandates the dedication of both agricultural land and open space with density bonuses provided as an incentive for adhering to the standards. It is the intent of this district to be used for new development in undeveloped areas of the Town. Allowed building/lot types are Detached House.

The Scenic Corridor Overlay District (SCO) is established to protect the pastoral scenes and open spaces that provide a sense of arrival for residents and visitors traveling the major entrance roads and gateways to the Town. The pastoral scenes and undeveloped property along the entrance roads and gateways contribute significantly to Midland's community character and sense of place. The Scenic Corridor Overlay District provides development options for the owners of the property abutting the entrance roads and gateways. The goal of this district is to protect the scenic value of the corridors through a mix of incentives and development standards. These standards will preserve the rural character of the Town by maintaining the sense of a rural corridor in an urban environment; provide an aesthetically appealing experience for those traveling the corridor; provide multi-modal transportation options for travel; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district.

The Broadway Boulevard Corridor Overlay District (BBCO) is established to protect the

character of the corridor located along Broadway Boulevard between the Old Midland and Main Street districts. The BBCO shall not extend more than two *Blocks* from Broadway Boulevard. The Broadway Boulevard Overlay District provides development options for the owners of the property lying within the corridor intended to establish a local minor thoroughfare linking neighborhoods to the two activity centers established by the Town Plan 2030 and identified as the Old Midland and Main Street nodes. The goal of this district is to protect the scenic value of the corridor through development standards. These standards will preserve the majestic character of the Town by maintaining the sense of a traditional residential boulevard; provide an aesthetically appealing experience for those traveling the corridor; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district.

8.4 Zoning District Development Standards

The following development standards are established for each of the following primary general use zoning districts to ensure the orderly development of the Town of Midland.

8.4-1 Agriculture District (AG)

(A) Intent. The Agriculture District (AG) is established to protect lands used for agricultural production, agricultural based businesses and related activities. Farm land is a defining element of Midland's identity and the protection of these lands aids in preserving the character of the Town. Permitted uses are limited, with an emphasis on uses that are agricultural in nature. Development density is very low to encourage preservation of agricultural lands while discouraging large lot residential development. The Agriculture District can also be used to protect open spaces.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Detached house

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

0.20 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building type permitted in the Agriculture District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Agriculture District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yards Setback	Minimum Corner Lot Side Yard Setback
5 acres	85'	60'	25'	25'	50'

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-2 Single Family Residential District (SFR)

(A) Intent. The Single Family Residential District (SFR) provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods in a pattern that encourages the wise use of land. Allowed building/lot types in the Single Family District are Detached House and

Civic Building. Permitted uses are restricted to single family homes and their accessory uses, a limited number of related uses that serve the residential neighborhoods, and civic uses. Neighborhoods in this district are the dominant land use in Midland and are a major element in defining the character of the community. Standards for the Single Family Residential District ensure that new development maintains the character of the community. The Single Family Residential District permits the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the Town of Midland prior to the effective date of these regulations.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Detached house

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

3 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Single Family Residential District.
2. Single Family Residential development must be served by public water and sewer systems and/or individual well and septic systems.
3. . In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Single Family Residential District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
11,600 SF	72'	30'	10'	10'	18' or as required by buffering standards and/or building type

- (G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.
- (H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-3 Residential/Main Street Transitional District (R/MST)

(A) Intent. The Residential /Main Street Transitional District (R/MST) provides for residential development in the residential area(s) surrounding the Main Street Periphery District and its logical extension. The intent of this district is to allow for a gradual transformation of existing low-density single family development to high quality medium-density residential development, as a higher density residential development is needed to support town centers. Higher density residential development allows a greater number of households to walk or bike to the town centers, thus reducing the parking demand and providing environmental and health benefits. Allowed building/lot types in these districts are the Detached House, Attached House, Multi-family Building, and Civic Building. Streets in the Residential/Main Street Transitional District should be interconnected, with streets and sidewalks providing a connection from Midland’s future downtown to

the Single Family Residential districts lying between and around these districts. A range of housing types is encouraged.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Attached House

Detached House

Multi-family Building

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density Single Family detached and attached density: 12 units/acre

Multifamily: See 10.1-24 B.(2) for Multifamily limits

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Residential/Main Street Transitional District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Residential/Main Street Transitional District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yards Setback	Minimum Corner Lot Side Yard Setback
5000 SF	60'	18'	6'	6'	12' or as required by buffering standards and/or building type

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-4 Residential /Old Midland Transitional District (R/OMT)

(A) Intent. The Residential /Old Midland Transitional District (R/OMT) provides for residential development in the residential area(s) surrounding the Old Midland Periphery District and its logical extension. Allowed building/lot types in the districts are the Detached House, and Civic Building. Streets in the Residential/Old Midland Transitional District should be interconnected, with streets and sidewalks providing a connection from Midland’s historic downtown to the Single Family Residential districts lying between and around these districts. A range of housing products is encouraged.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Detached House

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

Single Family detached: 3 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Residential/Old Midland Transitional District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Residential/Old Midland Transitional District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
11,600 SF	72'	30'	10'	10'	18' or as required by buffering standards and/or building type

- (G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.
- (H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-5 Main Street Periphery District (MSP)

(A) Intent. The Main Street Periphery District (MSP) provides for the development and maintenance of a range of uses in areas adjacent to Midland’s future core downtown area. Allowed building/lot types in this district is Shop-front, Multi-Family cluster, Detached House, Attached House and Civic Building. In this district, the development pattern integrates retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery Districts to the downtown and to surrounding neighborhoods. The Periphery Districts provide an area for the expansion of the Main Street District.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Multifamily Building

Attached House

Detached House

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density Single Family detached and attached density: 14 units/acre

Multifamily: See 10.1-24 B.(2) for Multifamily limits

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Main Street Periphery District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Main Street Periphery District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
4000 SF	50'	12' off back of curb	6'	6'	12' off back of curb

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-6 Old Midland Periphery District (OMP)

(A) Intent. The Old Midland Periphery District (OMP) provides for the development and maintenance of a range of uses in areas adjacent to Midland's

historic core downtown area. Allowed building/lot types in this district is Shop-front, Detached House, and Civic Building. In this district, the development pattern integrates retail, office, civic, educational, religious, and residential uses in an environment that is pedestrian friendly while acknowledging the role of the automobile as a means of transportation. Street and sidewalk networks providing multi-modal transportation options connect the Periphery Districts to the downtown and to surrounding neighborhoods. The Periphery Districts provide an area for the expansion of the Old Midland District.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Detached House

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density Single Family detached density: 3 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, urban

form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Old Midland Periphery District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Old Midland Periphery District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
11,600 SF	72'	30'	10'	10'	18' or as required by buffering standards and or/building type

- (G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.
- (H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-7 Main Street District (MS)

(A) Intent. The Main Street District (MS) provide for new development, in Midland’s future core downtown. A broad array of uses is permitted to enable the needs of businesses, residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Main Street District shall be contiguous and not separated from the primary district area.

(B) Permitted Uses

- 1. Uses permitted by right

See Table of Uses (Table 8.1)

- 2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Urban Workplace

Shop-front

Multi-family Building

Attached House

Detached House

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

14 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Main Street District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Main Street District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
3600 SF	36'	12' off back of curb	8'	0'	12' off back of curb

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-8 Old Midland District (OM)

(A) Intent. The Old Midland District (OM) provides for new development, revitalization, reuse, and infill development in Midland’s historic core downtown. A broad array of uses is permitted to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House and Civic Building. The development pattern seeks to integrate shops, restaurants, services, work places, civic, educational, and religious facilities in a pedestrian-oriented environment. The Old Midland District serves as the hub of the surrounding neighborhoods and of the broader community. The Old Midland District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Old Midland District shall be contiguous and not separated from the primary district area.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Urban Workplace

Shop-front

Detached House

Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

3 units/acre

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Old Midland District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Old Midland District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
11,600 SF	72'	30'	10'	10'	18' or as required by buffering standards and or building type

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

- (H) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.4-9 Civic District (CIV)

(A) Intent: The Civic District (CIV) provides a location for large educational, medical, and public uses in a campus like environment. Large developments in the Civic District are encouraged to provide a master plan to the Town. Institutional uses in the Civic District are required to provide pedestrian connections on their campuses and, to the extent possible, develop an internal street system with structures fronting on the streets. Parking should not be the dominant visible element of the campuses developed for institutional uses.

(B) Permitted Uses

- 1. Uses permitted by right

See Table of Uses (Table 8.1)

- 2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

- 3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Urban Workplace

Civic Building

(D) Permitted Accessory Uses

Accessory Structures

Fences

(E) Permitted Residential Density

N/A (Dormitories permitted as part of approved master plan)

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Civic District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Civic District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
40,000 SF	100'	15'	15' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	10' or as required by buffering standards and/or building type

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-10 NC 24/27 Commercial District (C 24/27)

(A) Intent: The NC 24/27 Commercial District (C 24/27) is established to provide opportunities for compatible and sustainable development where the dominant mode of transportation is the automobile. The auto-oriented street, lot, and building designs can create uncomfortable pedestrian environments. Allowed building/lot types are Highway Commercial and Civic Building. Dominant uses in this district are retail and office. The NC 24/27 Commercial District is expected to serve Midland residents as well as persons who travel from surrounding communities. The development pattern in this district acknowledges the role of the automobile, with parking and access provided to ensure safety for the motoring public. Development standards in the NC 24/27 Commercial District ensure the creation of a pleasant auto-oriented environment while enabling a compatible transition to uses in adjacent districts.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional requirements

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Highway Commercial

Civic Building

(D) Permitted Accessory Uses

Fences

(E) Permitted Residential Density

N/A

(F) General Requirements

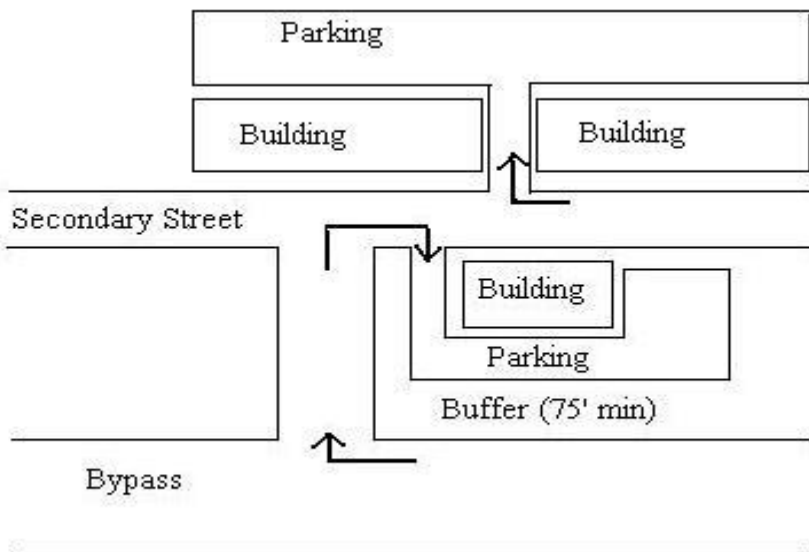
1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the NC 24/27 Commercial District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the NC 24/27 Commercial District:

Minimum Lot Size	Minimum Lot Width	Minimum Setback from Highway	Build-to-Line from any street other than the Highway	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
24,000 SF	360' on Highway, or 125' on any street other than the Highway	20'	12' or as required by buffering standards and/or building type	12' or as required by buffering standards and/or building type	0' or as required by buffering standards and/or building type	12' or as required by buffering standards and/or building type

- (G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.
- (H) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11. See Image 8.4-1 below.

Image 8.4-1 Conceptual NC 24/27 Commercial District Access and Parking Design



8.4-11 US 601 Commercial District (CD 601)

(A) Intent: The US 601 Commercial District (C 601) is established to provide opportunities for compatible and sustainable development along the US 601 corridor where future Midland neighborhoods will interconnect with this future Bypass type roadway corridor without negatively dissecting the community. Access to buildings in this district is provided through a secondary street network. The secondary street network is both auto-oriented and pedestrian oriented. Development standards in the US 601 Commercial District acknowledge that the automobile is the primary mode of transportation. Development and design standards encourage pedestrian scale development along the secondary street network. Goals of the US 601 Commercial District include providing a pleasant environment for motorists, a safe environment for pedestrians along the secondary streets; ensuring the safety of motorists and pedestrians; and preserving the capacity of the future Bypass to accommodate high traffic volumes at higher speeds. Uses in this district include services, employment, residential and industrial. Allowed building/lot types include Urban Workplace, Shop-front Commercial, and Civic Building.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Urban Workplace

Shop-front Commercial

Civic Building

(D) Permitted Accessory Uses

Accessory Structures

Fences

(E) Permitted Residential Density

N/A

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the US 601 Commercial District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the US 601 Commercial District:

Minimum Lot Size	Minimum Lot Width	Minimum Setback from Highway	Build-to-Line from any street other than the Highway	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Side Yard Setback, Corner Lot
10,000 SF	360' on Highway, or 125' on any street other than the Highway	20'	10' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	5' or as required by buffering standards and/or building type	10' or as required by buffering standards and/or building type

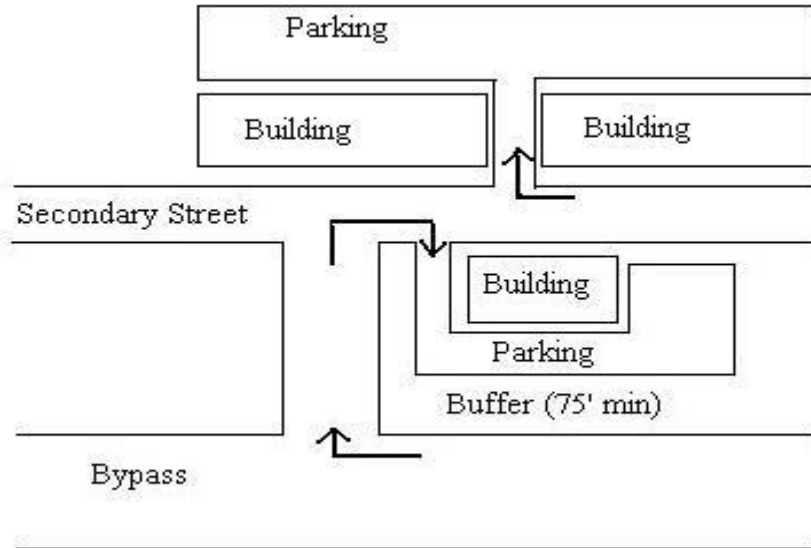
(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Parking may be placed in between a building and the Highway/Bypass. However, parking shall not be in the required setback between a building and the Highway/Bypass. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11. See Image 8.4-2 below.

(I) Access and Frontage: No parcel shall have direct access from the Highway/Bypass. All parcels are required to have access from a secondary street. All buildings are required to front a street other than the Highway/Bypass. When a building is in between a secondary street and

the Highway/Bypass, that building shall front the secondary street. A conceptual layout of access and parking is shown below:

Image 8.4-2: Conceptual US 601 Commercial District Access and Parking Design



8.4-12 Industrial District (IND)

(A) Intent: The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities. Allowed building and lot types are Highway Commercial and Civic Building.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Highway Commercial

Civic Building

(D) Permitted Accessory Uses

Accessory Structures

Fences

(E) Permitted Residential Density

N/A

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Industrial District.

2. In addition to the requirements established by the lot type standards and building type standards, the following shall apply in the Industrial District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
32,400 SF	180'	80'	16'	16'	80'

(G) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

(H) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-13 Planned Residential Development (PRD) (amended April 13, 2021)

(A) Intent: The Planned Residential Development District (PRD) permits flexibility in the design, construction, and processing of residential developments. Planned Residential Developments (PRD) are well planned, efficient residential developments that are compatible with the Town’s distinctive character but may

otherwise be unachievable under conventional zoning and subdivision regulations. These regulations are further intended to promote cluster development and encourage integrated conservation design that creates sustainable, economical, and efficient use of the land, while providing a harmonious variety of housing choices and preservation of natural and scenic qualities of open spaces. The Planned Residential Development District is a Conditional Zoning District under the standards of the Midland Development Ordinance.

- (B) Permitted Uses
 1. Uses permitted by right-See Table of Uses (Table 8.1)
 2. Uses permitted with additional standards- See Table of Uses (Table 8.1)
 3. Uses permitted with conditions- See Table of Uses (Table 8.1)

- (C) Permitted Building and Lot Types
 - Urban Workplace
 - Shop-front Commercial
 - Multi-family Cluster
 - Detached House
 - Attached House
 - Civic Building

- (D) Permitted Accessory Uses
 - Accessory Dwelling Unit (subject to additional standards, see section 10.1-3)
 - Accessory Structures
 - Fences
 - Home Occupations (subject to additional standards, see section 10.1-21)

- (E) Permitted Residential Density
 - N/A

- (F) General PRD Requirements
 1. A master plan with proposed Development Conditions shall be provided with the zoning petition submittal for a PRD. The master plan shall include a boundary survey and shall show the location and hierarchy of streets and open spaces, location of residential and/or civic building lots, street sections and/or plans, a master sign program, an outline of any additional regulatory intentions, phasing, list of amenities, landscape plan and any other information, including building elevations, which may be required to evaluate the interior pedestrian environment and conditions at project edges.
 2. Minimum Development Size: 20 acres.
 3. Maximum Development Size: 1,000 acres. Tracts larger than 1,000 acres shall be developed as multiple Planned Residential Developments, each individually subject to their specific Development Standards.

4. Maximum Permitted Densities: There shall be no maximum density in the PRD.
 5. Planned Neighborhood Developments must be served by Public water and sewer systems.
- (G) General PRD Design Provisions: In order to foster the attractiveness of a Planned Residential Development and its surrounding neighborhoods, preserve property values, provide an efficient road and utility network, ensure the movement of traffic, implement comprehensive planning, and better serve the public health, safety, and general welfare, the following criteria apply to the master site plan:
1. Neighborhood Form

The area of the PRD shall be divided into blocks, streets, lots, and open space. Similar land uses shall generally front across each street. Dissimilar categories shall generally abut at rear lot lines. Corner lots which front on streets of dissimilar use shall generally observe the setback established on each fronting street.
 2. Streets, Alleys and Blocks
 - a. Public streets shall provide access to all tracts and lots. Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development. Streets, alleys and blocks shall adhere to the standards as outlined in Article 16 of this ordinance. Each PRD shall be reviewed on an individual basis to determine if it meets subdivision standards. Due to site constraints or topographic conditions, the Technical Review Committee has the authority to deviate from these standards.
 - b. Bicycle lanes are required along collector streets within the PRD.
 3. Buildings and Lots
 - a. All lots shall share a frontage line with a street or square. Consistent build-to lines shall be established along all streets and public space frontages.
 - b. Building and lot types shall comply with the descriptions provided in Article 9.
 - c. No single lot size shall comprise more than 50% of the lots in the development. Lot size variations must be in increments of 10 feet minimum.
 - d. Minimum front setback for single family residential units shall be 25 feet.
 4. Open Space
 - a. The provision and design of open space shall comply with the requirements set forth in Article 21.
 - b. 5% of all lots within the PRD must front/face an improved open space area.

- c. All lots within the project must be within ¼ mile of an improved open space area.
 - d. A list of proposed amenities must accompany any improved open space areas shown on the master site plan.
 - e. The list of conditions associated with the rezoning proposal shall include a timeline addressing when the amenities will be installed.
5. Parking, Landscaping and Buffers
- a. Parking shall comply with the requirements set forth in Article 12.
 - b. PND's shall not be required to comply with Article 2.19-1 through 2.19-8 of the MDO.
 - c. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.
6. Civic/Institutional allocation

A minimum of 2% of the overall acreage shall be set aside for the donation and/or development of a civic/institutional use as determined by the applicant and the town during the review process.

- (H) Development Conditions: Each Planned Residential Development (PRD) petition shall be accompanied by a Development Conditions document that shall include the following components:
- 1. A brief statement of planning objectives and intent for the project.
 - 2. Lot standards (such as but not limited to setbacks, land-use buffers, height and size of buildings).
 - 3. Development and design standards on items such as but not limited to parking, landscaping, lighting, and architectural design (if applicable).

8.5 Overlay Districts

The following Overlay Districts supersede the underlying general use zoning districts where permitted uses and/or requirements and/or standards and/or conditions are established by the Overlay District. All other provisions shall apply where no superseding provisions are established.

8.5-1 Traditional Neighborhood Development Overlay (TNDO)

(A) Intent: The Traditional Neighborhood Development Overlay District (TNDO) provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods. These neighborhoods are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. Traditional Neighborhood Developments (TND's) provide a mixture of housing types and prices, prominently sited civic or community building(s), stores/offices/workplaces, and churches to provide a balanced mix of activities. A Traditional Neighborhood Development (TND) has a recognizable center and clearly defined edges; optimum size is a quarter mile from center to

edge. A TND is urban in form, is typically an extension of the existing developed area of the town, and has an overall residential density of 4 to 12 dwelling units per acre. TND districts should have a significant portion of land dedicated to open spaces.

(B) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(C) Permitted Building and Lot Types

Urban Workplace

Shop-front Commercial

Multi family Cluster Detached House

Attached House Civic Building

(D) Permitted Accessory Uses

Accessory Dwelling Unit (subject to additional standards, see section 10.1)

Accessory Structures

Fences

Home Occupations (subject to additional standards, see section 10.1)

(E) Permitted Residential Density

N/A

(F) General Requirements

1. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Traditional Neighborhood Development Overlay District and by the standards set forth in Section 8.5-1(G) below.
2. Traditional Neighborhood Development Overlay projects must be served by public water and sewer systems.
3. Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
 - a) New buildings which adhere to the scale, massing, volume, spacing, and setback of existing buildings along fronting streets exhibit demonstrable compatibility.
 - b) New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume.
4. On new streets, allowable building and lot types will establish the development pattern.
5. A master plan in compliance with Traditional Neighborhood Development standards shall be provided with the zoning map amendment submittal for the application for reclassification to a conditional TNDO zoning district. The master plan shall include a topographic survey and shall show the location and hierarchy of streets and public and common open spaces, floodplain, wetlands, location of residential, commercial, and civic building lots, street sections and/or plans, a master sign program, an outline of any additional regulatory intentions, conceptual stormwater runoff, proposed phasing, and any other information, including building elevations and proposed building materials, all of which may be required to evaluate the interior pedestrian environment and conditions at project edges. The submittal shall also include a written report that provides general information about the covenants and development objectives.

The submittal will require any other information deemed necessary by the Town of Midland in order to evaluate the proposal/plan.

6. Minimum Development Size: N/A

7. Maximum Development Size: 640 acres.

Tracts larger than 640 acres shall be developed as multiple Traditional Neighborhood Developments, each individually subject to all provisions.

8. Maximum Permitted Densities: There shall be no maximum density in the TNDO.

(G) TND Design Provisions

1. Neighborhood Form

The descriptions of Traditional Neighborhood Building and Lot types in Article 9 will determine the general arrangement and distribution of elements in a TND.

The area of the TND shall be divided into blocks, streets, lots, and open space.

Similar land uses shall generally front across each street. Dissimilar categories shall generally abut at rear lot lines. Corner lots which front on streets of dissimilar use shall generally observe the setback established on each fronting street.

2. Streets, Alleys and Blocks

Public streets shall provide access to all tracts and lots. Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development. Cul-de-sacs shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround, and are permitted only where topography makes a street connection impracticable. In most instances, a “close” or “eyebrow” is preferred to a cul-de-sac. Vehicular turnarounds of various configurations are acceptable so long as emergency access is adequately provided. Pedestrian connections should be provided as extensions of terminating streets where not precluded by topography or other physical constraints.

The average perimeter of all blocks within the TND should not exceed 1,350 feet. No block face should have a length greater than 500 feet without a dedicated alley or pathway providing through access.

A continuous network of rear alleys is recommended for all lots in a TND; rear alleys shall provide vehicular access to lots 60 feet or less in width.

Utilities may run along alleys provided that a permanent access and utility easement is recorded for the full length of alley being used for utilities or public services such as garbage collection.

TND streets shall be organized according to a hierarchy based on function, size, capacity, and design speed; streets and rights-of-way are therefore expected to differ in dimension. The proposed hierarchy of streets shall be indicated on the submitted site plan. Each street type in a TND shall be separately detailed. Street types as described in the Town of Midland Technical Standards and Specifications Manual identify the street types permitted in a TND. An array of elements that are combined to meet the purposes of TND neighborhood streets: building placement line, optional utility allocation, sidewalk, planting strip, curb and gutter, optional parallel parking, and travel lane(s). Alternative methods of assembling the required street elements will be considered to allow neighborhood street designs that are most appropriate to setting and use.

To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of visual enclosure, long uninterrupted segments of straight streets should be avoided. Methods to achieve this interruption include: (1) a street can be interrupted by intersections designed to calm the speed and disperse the flow of traffic (see Town of Midland Technical Standards and Specifications Manual) and terminate vistas with a significant feature (building, park, natural feature); (2) a street can be terminated with a public monument, specifically designed building facade, or a gateway to the ensuing space; (3) perceived street length can be reduced by a noticeable street curve where the outside edge of the curve is bounded by a building or other vertical elements that hug the curve and deflect the view; (4) other traffic calming configurations are acceptable so long as emergency access is adequately provided.

3. Buildings and Lots

All lots shall share a frontage line with a street or square; lots fronting a square shall be provided rear alley access.

Consistent build-to lines shall be established along all streets and public space frontages; build-to lines determine the width and ratio of enclosure for each public street or space. A minimum

percentage build-out at the build-to line shall be established on the plan along all streets and public square frontages.

Building and lot types shall comply with the descriptions provided in Article 9. Required submittal shall include identification of the architectural style(s) of the TND and the accompanying site design style(s). The design style of the TND shall be conveyed with drawings or computer simulations of typical proposed building elevations (including dimensions of building height and width, and façade treatment, specifically proposed building materials.)

Large-scale, single use facilities (conference spaces, theaters, athletic facilities, etc.) shall generally occur behind or above smaller scale uses of pedestrian orientation. Such facilities may exceed maximum first floor area standards if so sited.

4. **Open Space.** The provision and design of open space shall comply with the requirements set forth in Article 21. The location of proposed and existing to remain trees and shrubs should also be included, along with any other significant features and amenities proposed.
5. **Parking, Landscaping and Buffers.** Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11. The location of proposed and existing to remain trees and shrubs should also be included, along with any other significant features and amenities proposed.

8.5-2. Mini Farm Overlay (MFO)

- (A) **Intent.** The Mini Farm Overlay District (MFO) permits buildings to be grouped on a site, parcel, or property in order to optimize the use of land and resources for both residential and agricultural purposes. By clustering development at a density no greater than one unit per developed acre, projects developed in accordance with these standards can obtain density bonuses while preserving unique natural features for agricultural use. The Mini Farm Overlay District mandates the dedication of both agricultural land and open space with density bonuses provided as an incentive for adhering to the standards. It is the intent of this district to be used for new development in undeveloped areas of the Town. Allowed building/lot type is Detached House.
- (B) **Applicability.** The provisions set forth below may be applied, upon designation of the property as a Mini Farm Overlay District, to properties with a minimum size of 66 acres in the Agricultural (AG) zoning district.

The provisions of this section shall not be applicable in platted and recorded residential subdivisions.

(C) Permitted Uses

1. Uses permitted by right

See Table of Uses (Table 8.1)

2. Uses permitted with additional standards

See Table of Uses (Table 8.1)

3. Uses permitted with conditions

See Table of Uses (Table 8.1)

(D) Permitted Building and Lot Types

Detached House

(E) Permitted Accessory Uses

Accessory Dwelling Units (subject to additional standards, see section 10.1)

Accessory Structures

Agricultural Based Business(s)

Fences

Home Occupations (subject to additional standards, see section 10.1)

(F) Development standards. The following development standards shall apply to developments approved in accordance with the provisions of this section:

1. Maximum density shall be one general use zoning district dwelling per gross acre of the Tract(s) within the MFO district.
2. There shall be a minimum separation of 12 feet between all enclosed structures.
3. Parking shall comply with the requirements set forth in Article 12.

(G) (reserved)

(H) Agricultural and Open Space. Not less than 60% of the site shall be conveyed as Common Agricultural and Open Space. The provision and design of agricultural and open space shall comply with the requirements set forth below.

:

1. Common agricultural and open space provided by a development shall be conveyed as follows:
 - a. To the Town of Midland and accepted by it for park, open space, agricultural, or other specified use or uses, provided that the conveyance is approved by the Town Council; or
 - b. To a nonprofit organization whose principal purpose is the conservation of open space, to a corporation or trust owned or to be owned by the owners of lots or dwelling units within the development, or to owners of shares within a cooperative development. If such a corporation or trust is used, ownership shall pass with the conveyances of the lots or dwelling units. Such corporation or trust shall maintain the property in use for agricultural purposes and/or as open space.
2. Where the common agricultural and open space in a development is conveyed pursuant to subparagraph 1.b above, a deed restriction enforceable by the Town of Midland shall be recorded that provides that the common agricultural and open space shall:
 - a. be maintained in the authorized conditions(s); and
 - b. not be developed for principal uses, accessory uses (e.g., parking), or roadways, with the exception that gazebos, tool sheds, barns, shelters, or similar accessory uses and structures may be constructed within the agricultural and common open space upon approval of the *Planning, Zoning and Subdivision Administrator*.

(I) General Standards.

1. The following shall apply in the Mini Farm Overlay District:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
50,000 SF	85'	60'	25'	25'	50'

8.5-3 Scenic Corridor Overlay (SCO)

(A) Intent. The Scenic Corridor Overlay District (SCO) is established to protect the pastoral scenes and open spaces that provide a sense of arrival for residents and visitors traveling the major entrance roads and gateways to the

Town. The pastoral scenes and undeveloped property along the entrance roads and gateways contribute significantly to Midland's community character and sense of place. The Scenic Corridor Overlay District provides development options for the owners of the property abutting the entrance roads and gateways. The goal of this district is to protect the scenic value of the corridors through a mix of incentives and development standards. These standards will preserve the rural character of the Town by maintaining the sense of a rural corridor in an urban environment; provide an aesthetically appealing experience for those traveling the corridor; provide multi-modal transportation options for travel; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district.

- (B) Types. Three (3) types of scenic corridors are hereby created:
1. Rural scenic corridor – A corridor along which development is limited, consisting largely of fields, pastures, and scattered residential uses. The rural scenic corridor evokes a sense of traveling through an undeveloped area, with pastoral scenes and a sense of being removed from the urban environment.
 2. Gateway scenic corridor - A corridor that serves as an entrance way to a place that is unique and different from other communities in the area. The gateway corridor provides a sense of arrival to a place that is special and different from the typical places. The gateway scenic corridor may be more developed than the rural scenic corridor, but the character of the development is such that those using the corridor are aware they are in a special place.
 3. Bypass scenic corridor - A corridor providing for buffering of the bypass to protect the traffic carrying capacity of the road and to provide for a pleasant experience for motorists using the bypass. The bypass scenic corridor requires an undeveloped setback from the bypass, ensuring that the bypass through Midland is unique and portrays the character of the community while enhancing the safety of motorists using the road.

(C) General Requirements

1. Development Pattern. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Scenic Corridor Overlay District.
2. Activities Permitted in the Scenic Corridor. In order to preserve the aesthetic quality of the scenic corridors, uses and activities within the designated scenic corridors shall be limited to the following:

- a. The scenic corridor easement may be used for passive recreation, agricultural uses, and equestrian uses. No other use shall be permitted within the scenic corridor easement.
- b.
 - i. No building construction, parking, land disturbing activity, signs, tree removal, lighting (other than street lighting provided by the Town of Midland and driveway or private road lighting provided that said lighting is provided by full cutoff fixtures), or other development activity shall occur within the scenic corridor easement except as follows: A bikeway, greenway, and/or other pedestrian/bicycle facility may be located within the scenic corridor easement. Underground utilities and easements for underground utilities may be located within the scenic easement, provided that no above ground transmission or other equipment is located within the scenic easement.
 - ii. Buildings used primarily for agricultural and/or equestrian related activities may be built in the scenic corridor easement upon approval by the Town Council as a Special Use. Parking shall be located behind the building, shall not be located within the scenic easement, and shall be buffered from the scenic corridor. The Town Council shall consider the following items in making the decision to allow aforesaid buildings in the scenic easement:
 - a) The building's visual impact on the scenic corridor;
 - b) The building's size;
 - c) The compatibility of the building's architecture with community character and the purposes of the scenic corridor overlay district.

- 3. Scenic Corridor Dimensions. The designated scenic corridors shall meet the following dimensional standards:
 - a. The width of the scenic easement within the rural scenic corridor shall be 10% of the lot depth but no more than 100 feet from the edge of the public right-of-way. The *Planning, Zoning and Subdivision Administrator* may require an additional scenic depth of up to 50 feet in order to preserve structures and/or vegetation deemed to be significant.
 - b. The width of the scenic easement within the gateway scenic corridor shall be 10% of the lot depth but no more than 50 feet from the edge of the highway right-of-way. The *Planning, Zoning and Subdivision Administrator* may require an

additional depth of up to 25 feet in order to preserve structures and/or vegetation deemed to be significant.

- c. The width of the scenic easement within the bypass scenic corridor shall be 10% of the lot depth but no more than 75 feet from the edge of the public right-of-way. The *Planning, Zoning and Subdivision Administrator* may require an additional depth of up to 25 feet in order to preserve structures and/or vegetation deemed to be significant.
4. Scenic Corridor Provisions. The following provisions shall govern development within a designated scenic corridor:
- a. The area within the scenic easement may be dedicated to the Town as a conservation easement, provided it meets the standards for such an easement as established by applicable state and federal standards.
 - b. Development density shall be calculated for the entire property, including the area within the scenic easement, with the exception that development density bonuses of up to 50 percent are given for the portion of the property within the scenic easement. In the event that the property owner provides a scenic easement wider than required by this ordinance, the density bonus may be increased up to 75% for the area located within the scenic easement.

For example, Jan and Joe Jones own a 10 acre property zoned Single Family Residential (SFR). Two (2) acres of the property are within the Scenic Corridor Overlay. The density is calculated as follows:

*Base density @ 3 units/acre x 10 acres = 30 units
50% density bonus for 2 acres in scenic corridor easement
50% of (2 acres x 3 units/acre) = 3 unit bonus
Total Density = 33units*

If the Jones' provide an easement wider than required, then they would receive a 75% density bonus for the area within the easement:

*Base density @ 3units/acre x 10 acres = 30 units
75% density bonus for 2 acres with wider easement
75% of (2 acres x 3 units/acre) = 4.5 unit bonus
Total Density = 35 units*

- c. Development may be clustered on the portion of the property located outside the scenic easement. When cluster development is used, it shall follow the Mini-Farm Overlay District (MFO) regulations as outlined in section 8.5-2 of this Ordinance.
5. Curb Cuts. There shall be a minimum separation of 500' between curb cuts in the rural scenic corridors. This separation requirement may be waived by the *Planning, Zoning and Subdivision Administrator* if the width of the property frontage would preclude a second curb cut meeting

this spacing requirement

- 6. Lot Requirements. The lot type standards and building type standard permitted in the underlying district, as set forth in section 8.4 and further described in Article 9, shall apply in the Scenic Corridor Overlay District.
- (D) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21. Land within the scenic easement may count for up to 100% of the open space required by Article 21 of this Ordinance.
- (E) Parking and Landscaping. Parking shall comply with the requirements set forth in Article 12. Landscaping shall comply with the requirements set forth in Article 11.

8.5-4 Broadway Boulevard Corridor Overlay (BBCO)

(A) Intent. The Broadway Boulevard Corridor Overlay District (BBCO) is established to protect the character of the corridor located along Broadway Boulevard between the Old Midland and Main Street districts. The Broadway Boulevard Overlay District provides development options for the owners of the property lying within the corridor intended to establish a local minor thoroughfare linking neighborhoods to the two activity centers established by the Town Plan 2030 and identified as the Old Midland and Main Street nodes. The goal of this district is to protect the scenic value of the corridor through development standards. These standards will preserve the majestic character of the Town by maintaining the sense of a traditional residential boulevard; provide an aesthetically appealing experience for those traveling the corridor; and ensure a safe transportation corridor for motorists, bicyclists, and pedestrians. The Detached House lot/building type is allowed in this district. The BBCO shall not extend more than two *Blocks* from Broadway Boulevard.

(B) Minimum Lot Dimensions:

Minimum Lot Size	Minimum Lot Width	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback
24,000 SF	120'	22'	8'	12'	16'

(C) General Requirements

- 1. Development Pattern. The extension of Broadway Boulevard as shown in the adopted Town Plan 2030 – Land Use and

Comprehensive Plan et seq. shall be required as part of any new land subdivision and development upon which the roadway corridor is shown. The corridor shall comply with the right-of-way and construction standards shown in the cross sections contained in this ordinance for the applicable segments of the corridor. Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types permitted in the Broadway Boulevard Overlay District.

2. Activities Permitted in the Broadway Boulevard Overlay District. In order to preserve the aesthetic quality of the scenic corridor, buildings and development standards within the designated scenic corridor(s) shall be limited to the following:
 - i. No building construction, parking, land disturbing activity, signs, tree removal, lighting (other than street lighting provided by the Town of Midland and driveway lighting provided that said lighting is provided by full cutoff fixtures), or other development activity shall occur within the scenic corridor except as follows:
 - ii. A bikeway, greenway, and/or other pedestrian/bicycle facility may be located within the scenic corridor.
 - iii. Underground utilities and easements for underground utilities may be located within the scenic corridor, provided that no above ground transmission or other equipment is located within the scenic corridor.
 - b) Parking shall be located behind the building, shall not be located within the scenic corridor except for approved on-street parking spaces provided in the design of the street. The Town Council shall consider the following items in making the decision to allow aforesaid buildings in the scenic corridor: (1) the building's visual impact on the scenic corridor, (2) the building's size, and (3) the compatibility of the building's architecture with community character and the purposes of the overlay district.
3. Curb Cuts. There shall be a minimum separation of 500' between curb cuts in the rural scenic corridors. This separation requirement may be waived by the *Planning, Zoning and Subdivision Administrator* if the width of the property frontage would preclude a second curb cut meeting this spacing requirement
4. Lot Requirements. The lot type standards and building type standard permitted in the underlying district, as set forth in section 8.4 and further described in Article 9, shall apply in the Broadway Boulevard Corridor Overlay District.