

ORDINANCE # ZA-22-05
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 6, SECTION 6.6, ARTICLE 7, SECTION 7.3.3, AND ARTICLE 11, SECTION
A.3

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 6, Section 6.6 permitting Accessory Dwelling Units (ADUs) in the R-20A District with supplementary standards, Article 7, Section 7.3.3 adding supplementary standards for ADUs, and Article 11, Section A.3 adding a definition for ADU.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

[Revise Article 6, Section 6.6 permitting Accessory Dwelling Units (ADUs) in the R-20A District with supplementary standards.]

PART 1

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

SECTION 6.6 TABLES OF USES AND ACTIVITIES – PRIMARY ZONING DISTRICTS.

Uses	Primary Zoning Districts												Supplemental Regulations
	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AH/H	
ACCESSORY USES													
<u>Accessory Dwelling Unit (ADU)</u>	<u>PS</u>												<u>Section 7.3</u>
Accessory structures/buildings	PS	PS	PS	PS	PS	P S	PS	PS	PS	PS	PS		Section 7.3
Accessory uses incidental to any permitted use	P	P	P	P	P	P	P	P	P	P	P		
Child care center (as an accessory use for a principal business)						P S	PS	PS	PS	PS	PS		Section 7.4.1
Customary home occupations	PS	PS	PS	PS	PS	P S	PS	PS					Section 7.7
Cemeteries	S					P							

[Revise Article 7, Section 7.3.3 adding supplementary standards for ADUs.]

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

7.3.3. Accessory Dwelling Unit (ADU). ADUs are permitted in the R-20A Zoning District on properties that are 2 or more acres in size, have adequate sewer or adequately sized and functioning septic system for the use.

7.3.3.1. An ADU shall be located on the same lot as a principal dwelling and meet both of the following: a. The gross floor area of the accessory dwelling shall be no greater than 75% of the gross floor area of the total principal dwelling with a maximum square footage of 1,200 sq. ft.

7.3.3.2. An ADU shall be affixed to or constructed on a permanent foundation and not be a manufactured home or moveable structure and meet applicable NC Building Code requirements.

7.3.3.3. There shall be no more than one ADU on the same lot as a principal dwelling.

7.3.3.4. An ADU shall be accessed by a lockable external entrance.

7.3.3.5. Ownership of an ADU shall not be transferred apart from its principal dwelling unit.

7.3.3.6. An ADU shall have dedicated paved parking area in accordance with Article 10, Part I.

7.3.3.7. ADUs shall not have utility meters separate from the principal dwelling.

[Revise Article 11, Section A.3 adding a definition for ADU.]

PART 3

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

Accessory Dwelling Unit (ADU).

A self-contained dwelling unit that is located on the same lot as a principal dwelling that meets the supplemental regulations identified in Section 7.3.3. An Accessory Dwelling Unit may be

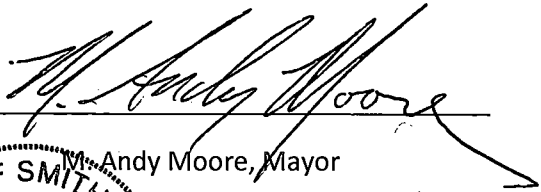
located above a garage. Accessory Dwelling Units may be detached, attached, or internal to the principal dwelling. Only residential uses are permitted in Accessory Dwelling Units.

PART 4

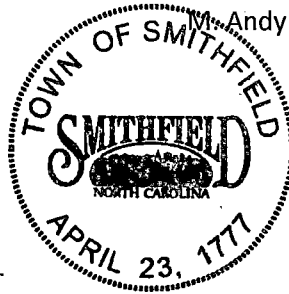
That these amendments of the Unified Development Ordinance shall become effective upon adoption.

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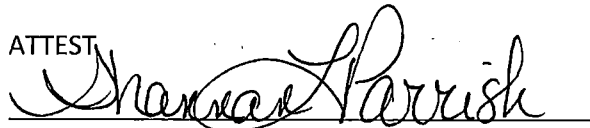
Duly adopted this the 7th day of February, 2023.



Andy Moore, Mayor



ATTEST



Shannan L. Parrish, Town Clerk

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