



CAMDEN COUNTY, NC

UNIFIED DEVELOPMENT ORDINANCE

Evaluation Report

8.12.16



ACKNOWLEDGMENTS



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SECTION ONE

EXECUTIVE SUMMARY

PURPOSE FOR THIS REPORT

Chapter 151 of the County's Code of Ordinances is the Unified Development Ordinance (UDO), the regulations that control the use of land and development. These provisions control the process of subdividing land; the type and intensity of allowable uses; the size, location, and height of buildings; and how site features like parking, landscaping, and signage on a site may be configured.

In October of 2012, the County adopted a comprehensive plan that laid out goals and objectives for planning future land use, preserving community character, enhancing the local economy, fostering mobility and accessibility, conserving environmental resources and agricultural lands, and serving current and future residents.

Development regulations are the means for implementing the plan and its vision. However, many current development regulations run counter to the goals in the plan; others are simply difficult to understand, apply, and enforce. The combination of these factors means that the County cannot grow and develop in accordance with its vision. In light of these problems, the County has contracted with CodeWright Planners to assist in the preparation of a revised UDO that is user-friendly, easy to administer, predictable, heavily illustrated, flexible, and most of all, one that works toward, not against, the County's goals.

The consulting team has spent the last several months reviewing the County's current development regulations and meeting with County officials, staff, project stakeholders, and residents. This Evaluation Report is the culmination of this research and discussion. It provides a framework for consideration of recommended changes to the UDO that are drawn from issues identified by County staff, officials, and stakeholders, comprehensive plan guidance, and national best practices in the field.

Following Part 2, which provides an overview of the project and the context of Camden County, this evaluation report contains five parts, organized by the broad categories of suggested revisions: the structure & organization of the UDO document, procedures, zoning districts, use provisions, and development standards. These are described in additional detail on the following pages.

PART 3: STRUCTURE & ORGANIZATION

Part 3 deals with the structure and organization of the UDO as a document. These barriers to user-friendliness were frequently cited by both County staff and project stakeholders as a primary issue. This report suggests revisions to the chapter structure of the document that would consolidate like information and remove confusing cross-references and redundancies. It also suggests major updates to the page layout of the UDO. Modern development codes make use of clear hierarchical text, shorter sentences, numbered lists, and vitally, graphics and tables to convey information whenever possible.

This section also discusses the importance of adding purpose and intent statements to aid code users and administrators in interpreting the code, and offers suggestions on how to further improve clarity throughout the code text and work toward a more user-friendly and administrable code.

Proposed Article Structure
151.1 General Provisions
151.2 Procedures
151.3 Zoning Districts
151.4 Use Regulations
151.5 Development Standards
151.6 Subdivision Requirements
151.7 Environmental Provisions
151.8 Nonconformities
151.9 Enforcement
151.10 Definitions and Measurement
151.11 Authorities

The proposed re-organization of the UDO articles into 11 intuitive, easy-to-navigate sections.

PART 4: PROCEDURAL REFORMS

Part 4 sets out a series of recommendations for making the procedures in the UDO more predictable, efficient, and user-friendly. It suggests two foundational changes: adjustments to the responsibilities allocated to particular review bodies (with the theme of reducing steps and moving toward more administrative approvals); and the use of a set of common review procedures, which lists the typical review procedure just once in the code, shortening its length and reducing inconsistencies across procedures. There are also several procedural changes suggested, including to the subdivision, planned development, and conditional use procedures, as well as a slate of new procedures, including administrative adjustments, development agreements, and vested rights determinations.

CAMDEN COUNTY UDO PROPOSED DEVELOPMENT REVIEW PROCEDURES					
(R) = Recommendation; (D) = Decision; (A) = Appeal; <> = Public Hearing; - = Quasi-Judicial Hearing					
Review Procedure	UDO Administrator	Building Inspector	PB	BOC	BOA
Administrative Adjustment [NEW] [1]	D	-	-	-	-A-
Appeal	-	-	-	-	-D-
Building Permit	-	D	-	-	-
Certificate of Occupancy [NEW]	-	D	-	-	-
Comprehensive Plan Amendment [NEW] [2]	-	-	R	<D>	-
Development Agreement [NEW]	-	-	R	<D>	-
Fill Permit	D	-	-	-	-
Final Plat [3]	D	-	-	-	-
Floodplain Development Permit [4]	D	-	-	-	-
Interpretation [5]	D	-	-	-	-A-
Major Site Plan [6]	-	-	<D>	-	-
Minor Site Plan [7]	D	-	-	-	-A-
Minor Subdivision	D	-	-	-	-
Planned Development [8]	-	-	R	<D>	-
Preliminary Plat [9] [10]	-	-	R	<D>	-
Sign Permit	D	-	-	-	-A-
Special Use Permit [11]	-	-	-	-D-	-
Subdivision Exemption [NEW] [12]	D	-	-	-	-A-
Transfer Plat [13]	D	-	-	-	-
Temporary Use Permit [NEW]	D	-	-	-	-
UDO Text Amendment [14]	-	-	R	<D>	-
Variance	-	-	-	-	-D-
Vested Rights Determination [NEW] [15]	-	-	-	-D-	-
Zoning Compliance Permit	D	-	-	-	-A-
Zoning Map Amendment [16]	-	-	R	<D>	-

Part 4 contains an example summary table of review procedures and responsible bodies.

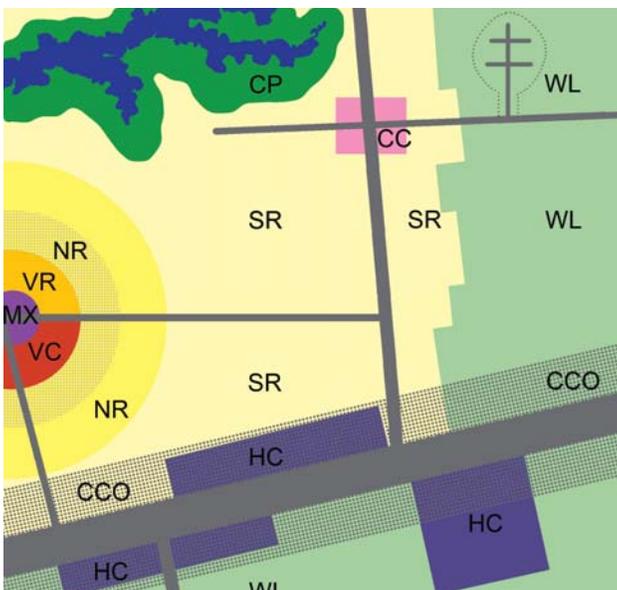
This section also contains a digest of recent North Carolina regulatory changes that must be taken into consideration in the UDO update project. It also makes recommendations as to how the homeowners association standards could be updated to provide for more structure and accountability.

PART 5: DISTRICT MODIFICATIONS

Part 5 describes suggested changes to the zoning districts, currently located in Article 2 of the UDO. It contains several key revisions aimed at better aligning the zoning districts with the goals of the comprehensive plan, namely focusing residential density and resident-serving commercial development in the three village cores, allowing for mixed-use in village cores, encouraging employment uses to locate along major corridors, better protecting agricultural lands, and preserving the rural feel of the County while accommodating growth.

This section describes recommendations for updating the way that district information is organized and displayed within the code, including revising district names to be more descriptive and allocating more space for each district to be described and illustrated.

Additional substantive changes recommended include introducing conservation subdivisions as a rural residential alternative, adding a corridor overlay district, and redrafting the planned unit development standards.



Conceptual diagram of recommended zoning district revisions.

PART 6: CHANGES TO USE PROVISIONS

Part 6 offers a set of recommended improvements to the use provisions in the UDO. While the current code does make use of a table of permissible uses, it contains many redundant, outdated, or confusing use types. This section of the evaluation report makes suggestions as to how uses could be better organized and defined to increase transparency and user-friendliness. It describes a three-tiered use classification system in use in many modern codes, and includes a comparison table of the County's current uses to a set of simplified and consolidated proposed uses. This type of classification system also lends itself to administrative ease in classifying new uses as they arise.



The comprehensive plan seeks to build on Camden's rich natural resources by encouraging eco-tourism uses.

With regards to specific uses, this section discusses ways that the UDO update can meet comprehensive plan goals such as increasing housing choices and encouraging "target" or preferred uses such as grocery stores and eco-tourism businesses to locate in the County.

PART 7: NEW DEVELOPMENT STANDARDS

Part 7 makes recommendations as to the development standards, which are scattered in several articles throughout the current UDO. It suggests consolidating the standards into one chapter and strengthening or clarifying many of the regulations so that they are able to achieve desired impacts.

The section includes recommendations for changes to the parking standards (to make them more clear and in-line with national best practices) including more detail on configuration and criteria related to flexibility. The recommendations seek to broaden the kinds of landscaping required, and include more detail on configuration, maintenance, and flexibility. The recommendations include changes to recognize the County's new stormwater design manual and changes to help address concerns over new development and worsening stormwater conditions. The recommendations recommend an overhaul of the current open space standards to better recognize rural and suburban contexts versus more urban contexts in village cores.

One major concern taken up in this section is the revisions to signage standards that the County should pursue in light of the recent *Reed v. Gilbert* Supreme Court decision. The recommendations include a series of comprehensive design standards that establish a minimum expectation for quality and provide incentives for exceeding the minimum requirements. There are also suggested changes related to screening, exterior lighting, and roadway provisions.



Many of the recommendations for updates to the development standards aim to prepare the County for residential growth in the coming decades while working proactively to preserve the unique environment and heritage of Camden's rural working lands.

2

SECTION TWO INTRODUCTION

2.1 COUNTY OVERVIEW

2.2 PROJECT GOALS

2.3 PROJECT DESCRIPTION

2.4 POLICY GUIDANCE

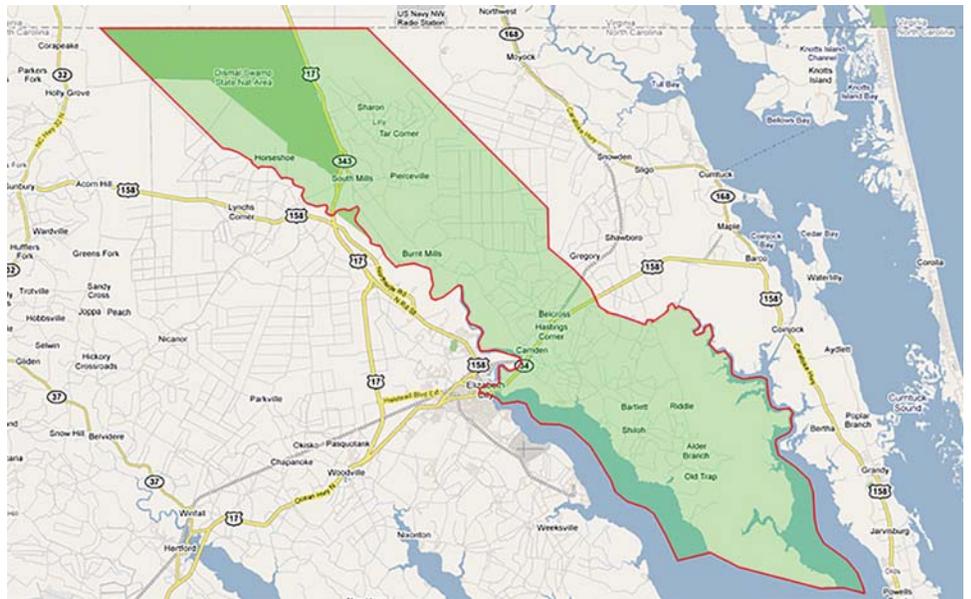
2.5 DEVELOP- MENT TEMPLATE

2.1 County Overview

Camden County is a rural county of 10,000 people spread across 242 square miles in the northeastern corner of North Carolina. The County's geology and location contribute to its community character, economic opportunities, and quality of life. The County is a land of water – it borders the Albemarle Sound to the south and the Great Dismal Swamp to the north, and over 60 percent of its land area is within the 100-year floodplain. The County is flat – there is only 24 feet of change in elevation between the lowlands along Albemarle Sound and the County's highest ground near the Great Dismal Swamp. The County has agriculturally-productive but poorly draining soils that are frequently inundated in areas not well-served by stormwater management facilities. Due in part to its proximity to water, flat terrain, and poorly draining soils; the County has a longstanding agricultural heritage. The rich and well-watered soils support forests and farms, which occupy over 37 percent of the County's land area.

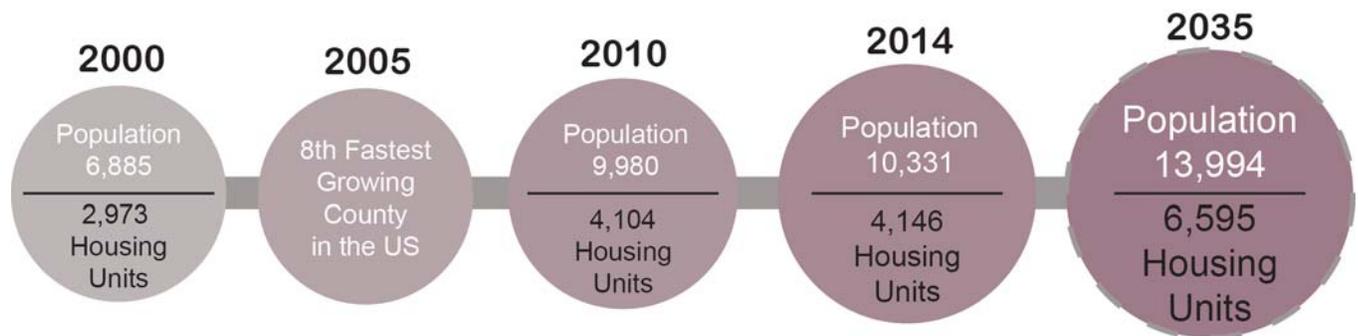
While the County's soil profile easily supports agriculture, it is not as supportive of dense development of homes and businesses. Development that is not connected to a centralized wastewater treatment system must rely on on-site disposal of wastewater – a difficult proposition in areas with poorly-draining soils that are often subject to inundation. Land area must be reserved for on-site wastewater treatment facilities, and as a result, development is typically spread out on larger lots (the County Health Department requires a minimum of 40,000 square-foot lots for single-family homes with on-site septic systems). The resulting development pattern of large lots and buildings separated from one another by large open spaces contributes to the County's predominately rural character. Public sewer allows for smaller lots and buildings that are closer to one another, but sewer systems are expensive to develop, operate, and extend (though the County is in the process of expanding its sewer facilities in the central areas of the County).

While the County was initially settled and developed in the late 1700s and early 1800s due to its agricultural resources and water access, as the nation's transportation system evolved to rail and roadway facilities, the County's relative importance as a commercial center declined. This decline caused development to move to other locations better served by transportation facilities, in



turn helping to maintain the County's rural character through the 20th Century. However, recent growth in the Hampton Roads area to the north and Elizabeth City to the west have begun to impact development patterns in Camden County. The County is now experiencing increased growth pressure and was the 8th fastest growing county in the United States in 2005. The graphic below shows how the County has changed during the 21st Century.

Camden County is the area in green shown above.



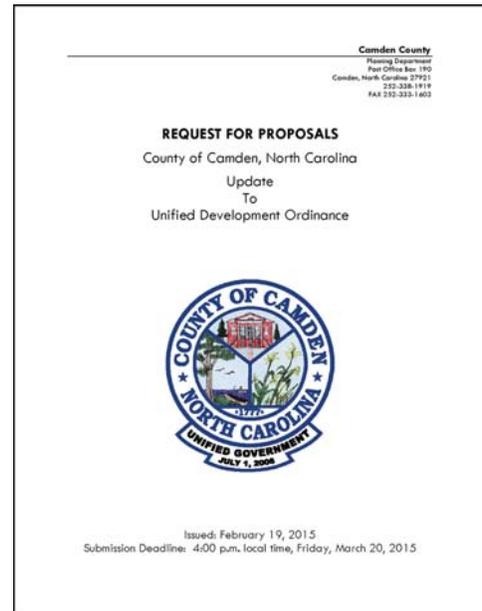
Sources: US Census, Woods & Poole (2035 projections)

As shown in the graphic above, Camden's population has steadily grown through the first part of the 21st Century, and is expected to continue growing. Many residents have mixed feelings about this growth. On the one hand, it creates a larger tax base and helps attract new commercial development - on the other, its low density nature can negatively impact the community character. Despite its recent growth, the County does not have a grocery store, a pharmacy, a doctor's office, or a dentist's office. One of the biggest concerns for many County residents is the desire for more proximate commercial development and services. Ironically, the ability to attract desired services and retail depends primarily upon the size of the consumer market, which can only be increased through additional residential development. To be successful, the County must find ways to add new residential development (to attract desired commercial) while ensuring that the new residential development does not destroy the County's cherished rural character.

2.2 Project Objectives

In February of 2015, the County issued a Request for Proposals (RFP) for assistance from a consulting firm to help update the County's unified development ordinance, or "UDO." The UDO includes the rules for the use of land, including where different uses are allowed as well as the rules for establishing and operating them. The RFP lists several reasons why an updated UDO is necessary, including the need for:

- » Slowing the loss of open space resources and farmland;
- » Better management of development impacts on schools, community character, natural resources, and the economy;
- » Implementing the goals and policies in the new 2035 Comprehensive Plan;
- » Responding to recent changes in state law that pertain to the regulation of development; and
- » Creation of more transparent regulations that are easier to administer.



The RFP for a UDO update issued by the County.

In addition to the reasons why the UDO needs to be updated, the County's RFP lists ten general objectives for the UDO update project, including the need to:

1. Modernize the current development regulations to make them more user-friendly;
2. Reorganize the document structure;
3. Address the lack of precision in standards and definitions;
4. Remove or amend outdated standards in the current regulations;
5. Create clear procedures that are easy to administer and understand;
6. Provide graphics, illustrations, examples, and commentaries to supplement regulations;
7. Include innovative approaches to foster a sustainable/economically viable community;
8. Balance the intensity of growth with the provision of infrastructure and services;
9. Rely on performance or incentive-based regulations that encourage creativity in design; and
10. Be accessible and easily maintained on the County's website.

CodeWright Planners filed a response to the County's RFP on 3.19.15, and was selected by the County to assist with the project.

2.3 Project Description

CAMDEN COUNTY, NC UDO UPDATE PROJECT

Task 1: Project Initiation	completed
Task 2: Evaluation Report	current task
Task 3: Annotated Outline	Spring 2016
Task 4: Code Drafting	Winter 2016
Task 5: Testing	Winter 2016
Task 6: Adoption Version	Spring 2017
Task 7: UDO Adoption	

PROJECT SCHEDULE

This graphic shows the tentative project schedule for the UDO update project. The schedule may be adjusted to allow for additional review time or discussion on an as needed basis.

This Evaluation Report is the second task in the Camden County UDO Update Project. It serves as a framework for discussion about how Camden County's current UDO can be updated to address the project objectives and reasons for updating the UDO.

This report includes a detailed review of Chapter 151 of the County Code of Ordinances (the development regulations), an overview of the County's adopted land use policy guidance (like the 2035 Comprehensive Plan), and a summary of the input received to date from elected officials, county staff, and stakeholders collected during Task 1 (which was completed in late 2015).

This report, in combination with the Annotated Outline (being prepared in Task 3), serves as a "roadmap" for the County's updated UDO. These documents will describe the UDO's structure, contents, organization, page layout, districts, uses, procedures, development standards, definitions, and rules of construction. The consulting team will overview both this report and the Annotated Outline with the Planning Board and the public (as appropriate), and input collected during these meetings will help inform the code drafting stage of the process (in Task 4).

Drafting of the updated UDO will take place during Task 4 and will be broken into two modules (groups of related chapters). Once the draft UDO has been prepared, it will be tested for its ability to produce the desired results in a predictable fashion. Following testing, the UDO will be revised as needed and illustrations will be incorporated. Then the adoption process is expected to commence in the Spring of 2017. Each task includes an opportunity for review and comment of work products by the public.

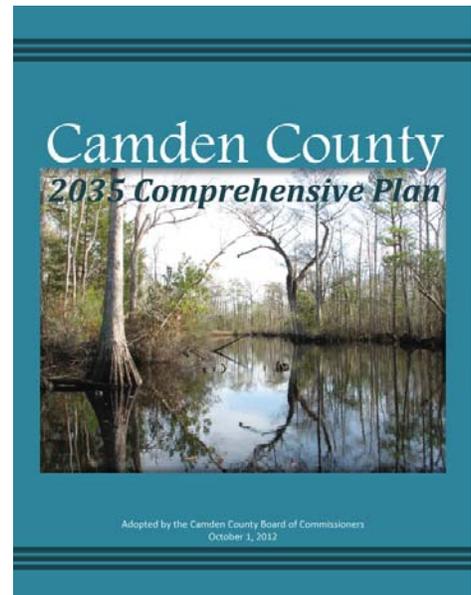
2.4 Policy Guidance

“Policy Guidance” is a term used to describe the various long-range planning and regulatory documents adopted by the County. Like most communities, Camden County has a wide variety of different documents that make up its policy guidance, including a comprehensive plan, transportation plan, and a variety of others that address particular issues or locations. This section of the report describes the policy guidance relevant to this UDO update project.

2035 COMPREHENSIVE PLAN

In October of 2012, Camden County adopted the 2035 Comprehensive Plan. The 2035 Comprehensive Plan is the shared vision for the County’s future land use and development over the next 20 years. It is intended to guide daily decision-making, development approvals, and capital investment decisions. The comprehensive plan is the policy foundation for the development regulations (the UDO), and the UDO is the primary means of implementation for the comprehensive plan.

The comprehensive plan is comprised of three main elements that help guide development-related decision making, including: a series of key themes, a future land use map, and a set of action items to be addressed by the County (the majority of which are related to new or revised development regulations).

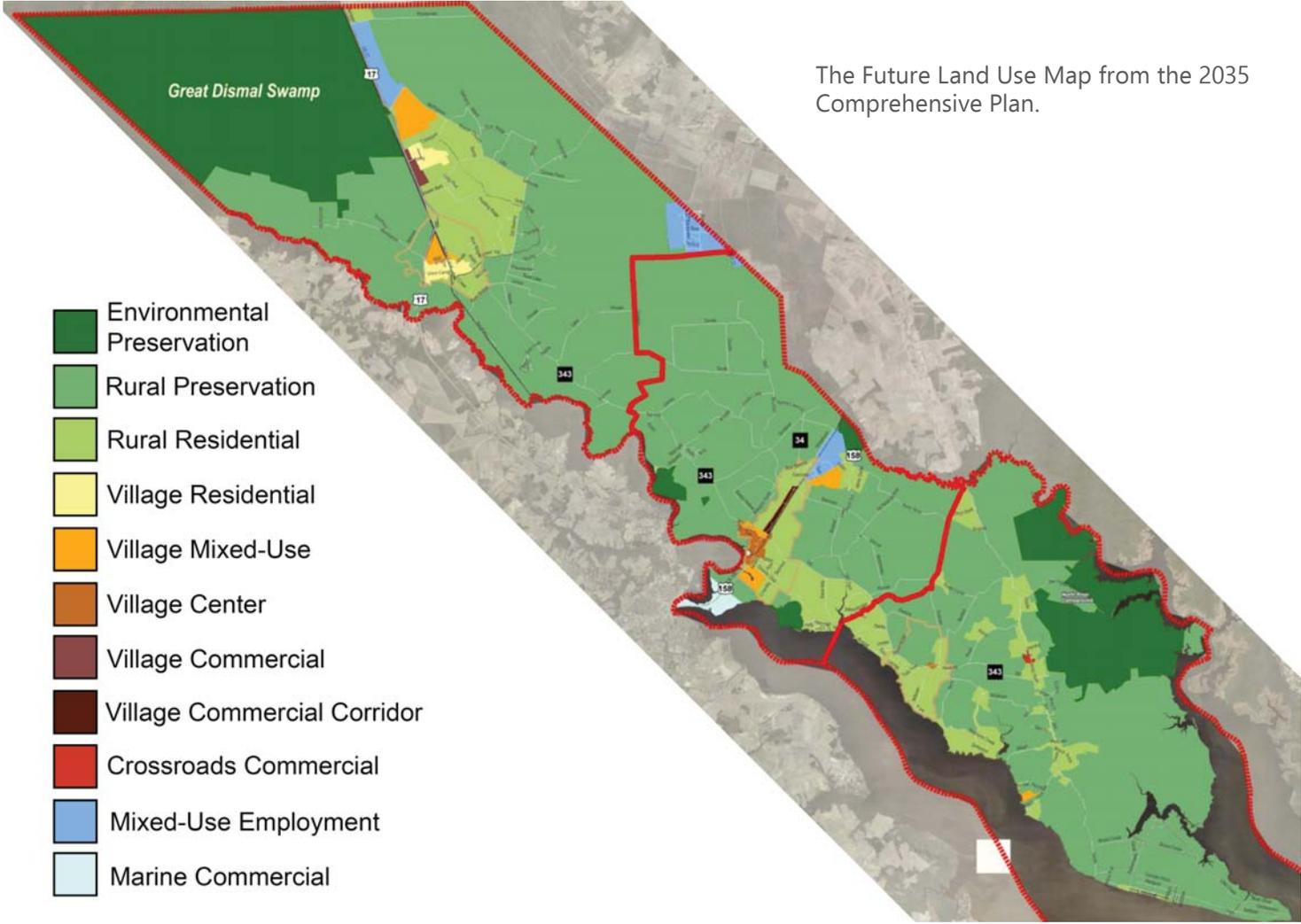


The Camden County Comprehensive Plan.

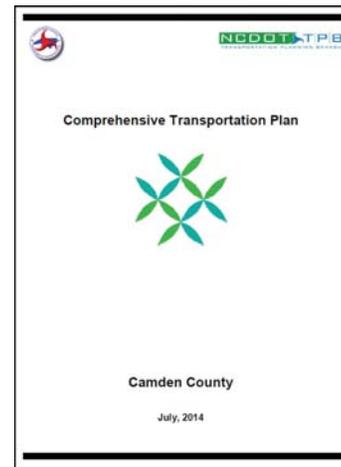
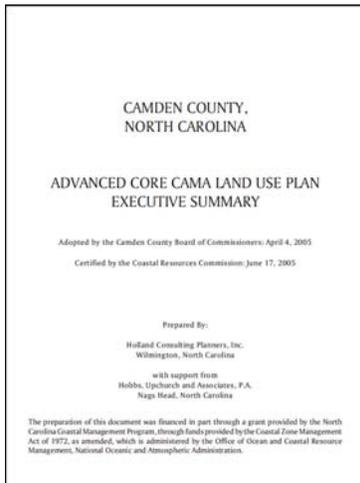
The key themes are listed below, and they represent the primary goals for the plan.

1. Produce a land use pattern that is primarily rural, but that includes high-quality economically productive village centers and main roadway corridors.
2. Ensure that new development fits the character of a rural village. Development outside villages or corridors should continue to provide for low- and very low-density residential development, working land, and small-scale crossroads commercial development.
3. Promote a diverse and balanced economy that provides jobs, goods, and services.
4. Support a destination for outdoor recreation enthusiasts with recreational amenities and visitor services.
5. Coordinate the transportation system with land use patterns.
6. Preserve and protect natural resources and working lands.
7. Provide infrastructure and community facilities in a fiscally-responsible manner that is consistent with the Future Land Use Map.

The Future Land Use Map is shown below. It is the culmination of the comprehensive plan’s policy guidance related to land use shown in map form. The differing colors on the map correspond to the 11 different land use classifications (dark green is preservation land, orange is mixed-use, red is crossroads commercial, etc.). While the Future Land Use Map is considered as a guide to future development patterns, the zoning district boundaries on the Official Zoning Map should be consistent with the Future Land Use Map, where possible. When an application for development seeks to modify the Zoning Map, state law requires the elected officials to consider the guidance in the comprehensive plan (including the Future Land Use Map). The vast majority of land in the County is marked for rural preservation while nonresidential uses are largely oriented to the two main corridors (US 17 and US 158).



The action items are the series of specific statements or directions for the County to follow as part of comprehensive plan implementation. Action items are organized by different objectives which are grouped under one of the seven key themes. The Appendix of this Evaluation Report includes a comprehensive plan policy matrix that lists the plan themes, objectives, and actions that are relevant to the UDO. These objectives and actions form the policy basis or foundation for the recommendations included in this report.



CAMA LAND USE PLAN (2012)

The CAMA Land Use Plan is required by the NC Division of Coastal Management and sets out the County's goals and priorities with regards to the environment and guides the type and location of development. It was adopted in 2005 and was last amended in 2012. It is the precursor to the 2035 Comprehensive Plan.

The CAMA plan is built on the understanding that unplanned growth and development have led to problems in water quality, wastewater management, and future land use in general. It seeks to remedy this with more conscientious use of planning and zoning which encourages core- and corridor-based development and discourages spot zoning and strip development.

The CAMA Plan identifies the importance of protecting the County's rural character through controlled growth and selective pursuit of economic and light industrial development while continuing to support farming activities. The Plan identifies the three villages (South Mills, Camden, and Shiloh). The Plan also calls for maintenance of a quality school system with no overcrowding.

The CAMA Plan also contains a schedule for implementation of the action steps listed in the plan under each goal, but most are either listed as ongoing policies or as targeted for completion between 2006 to 2008 and are thus out of date.

COMPREHENSIVE TRANSPORTATION PLAN (CTP) (2004)

The CTP is a long-range plan that provides analysis of Camden County's existing transportation infrastructure and forecasts future need for additional roadways or increased capacity on existing roadways through 2040.

The CTP contains four major recommendations with regards to the roadway system in Camden County:

- » Relocating 158 to a new 158 Bypass located to the north of current 158;
- » Widening NC 35 from Currituck County to the northeast into Camden/current 158;
- » Upgrade and widening of SR 1224 (Old Swamp Road); and
- » Constructing an East/West connector between US 17 and US 168 just west of Moyock (in Currituck County).

The plan also recommends upgrading nine sections of roadway across the county to better accommodate bicycle traffic, 15 sections of roadway for the addition of new sidewalks, and five additional sections of multi-use path to connect to the current pathway that runs alongside the GDS canal and US 17.

The 2015 Surface Transportation Reauthorization and Reform Act of 2015 indicates reclassification of US 17 to a new interstate to Hampton Roads, though the timing of revisions to US 17 is likely decades away.

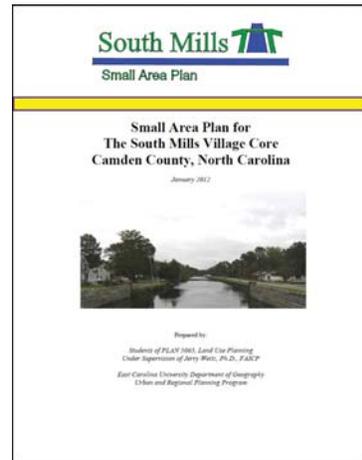


US 17 CORRIDOR MASTER PLAN

The US 17 Corridor Master Plan is focused on promoting the area around the Eco-Industrial Park on US 17. The plan seeks to inform updates to the zoning code with the goal of balancing environmental and economic development goals in the corridor, namely through promoting the “green” brand in general and the Eco-Industrial park in particular.

The plan recommends a development pattern of compact, walkable, mixed-use development along the corridor. The recommendations include streetscape design, multimodal transportation considerations, architectural and site design elements that promote walking, and gateway and wayfinding considerations.

The plan also addresses issues of infrastructure provision, and recommends requiring stormwater control as a part of street construction, developing cost-sharing methods to provide sewer service for new customers as the corridor develops, and coordinating provision of electric, natural gas, and broadband internet throughout the corridor.



SOUTH MILLS SMALL AREA PLAN

The South Mills Small Area Plan deals with the South Mills village core and its immediate surroundings in the northern part of the County. The plan envisions South Mills as a thriving, compact village center with higher density compact walkable development occurring in a small area near the Great Dismal Swamp Canal, surrounded by a rural “greenbelt” to limit further development outside the center.

Specific recommendations of the plan include changing the zoning of the parcels in the village core from industrial to mixed-use and residential; applying suitability analyses and designating parcels unsuitable for development as open space; the extension of the street grid within the village; and the development of a village green park and commercial area to serve as the community’s focal point on the canal front.

As in the US 17 Corridor Master Plan, the issue of sewer extension is addressed. The plan recommends that sewer service be extended to accommodate the higher densities proposed in and around the village core, but that it not be extended beyond that in order to further limit sprawl-type growth.

STORMWATER DRAINAGE DESIGN MANUAL

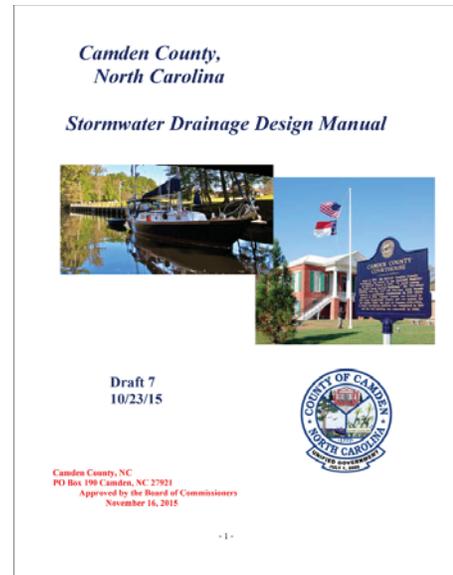
While not part of the County's adopted policy guidance, the Stormwater Drainage Design Manual is a vital part of the County's policy strategy to ensure continued protection of natural resources while also ensuring a high quality of life for County residents.

The County adopted its Stormwater Drainage Design Manual (SDDM) in November of 2015. The document is intended as a "dynamic" document, or in other words, is anticipated to evolve and be amended over time as technology evolves. The current adopted version of the document is entitled "Draft #7."

The manual describes how the County's farmers have perfected the techniques of capturing and holding rainwater in farm fields, but development is not as efficient in dealing with stormwater because of compaction, impervious surface cover, and filling for building pads, which concentrates stormwater runoff. The SDDM was prepared for design professionals to use in configuring development sites to handle stormwater runoff efficiently. The SDDM works in tandem with the County's development regulations – the regulations establish the minimum requirements for stormwater control, and the manual provides additional details on options for achieving compliance. The rules for stormwater runoff control are set out in the following sections of the development regulations:

- » 151.232.F, Drainage [subdivisions];
- » 151.400.A, Stormwater Drainage;
- » 151.401, Developments Must Drain Properly;
- » 151.402, Stormwater Management; and
- » 151.404, Mandatory Standards for Land Disturbance Activities.

These standards require all subdivisions and non-residential site plans to be configured to allow development to store and slowly release stormwater at the same rate as would occur from the 10-year storm provided the land remained in its pre-development state. In other words,



Draft #7 of the Stormwater Drainage Design Manual.



Drainage conveyance serving farm fields in central Camden County.

The image to the right compares a trench conveyance to a swale.

the new development must perform, with respect to its ability to collect, store, and slowly release stormwater, as if the land was undeveloped and that the rate of stormwater leaving the site not surpass that expected from a ten-year storm event – regardless of the volume of water associated with a rainfall event. Further, the development must be configured to meet NCDOT standards (if higher than County standards) in areas that are to be maintained by the NCDOT. The standards also address how conveyance facilities (either swales, ditches, or canals) are configured. Finally, the standards prohibit development that results in stormwater runoff collecting on or being channeled to adjacent lands in ways that causes substantial damage.

A separate, though related, issue addressed in the manual is that of filling lots to accommodate infill development and the resulting impacts to surrounding lots and stormwater infrastructure. The development regulations limit filling and most other land disturbing activities within ten feet of any lot line (except as needed for driveways, stormwater management, and underground utilities). The standards allow filling to take place when required for septic system functionality or when needed to ensure the lot is above the base flood elevation. The standards also address the slope of fill areas and ground cover. These standards help ensure that infill development can comply with the other provisions related to stormwater.

As mentioned above, the manual includes details on how applicants can comply with the stormwater standards in the development regulations. The manual includes the stormwater management plan requirements, the stormwater study requirements, design criteria for stormwater best management practices (the devices that will actually capture, hold, and release stormwater on the site), information on the permitting procedure, and maintenance requirements. The manual also includes several appendices that address computational techniques, inspection checklists, examples of submittals, and reference materials.

The SDDM is an important guide for dealing with stormwater management in Camden County, and the updated UDO needs to recognize and require compliance with SDDM provisions.

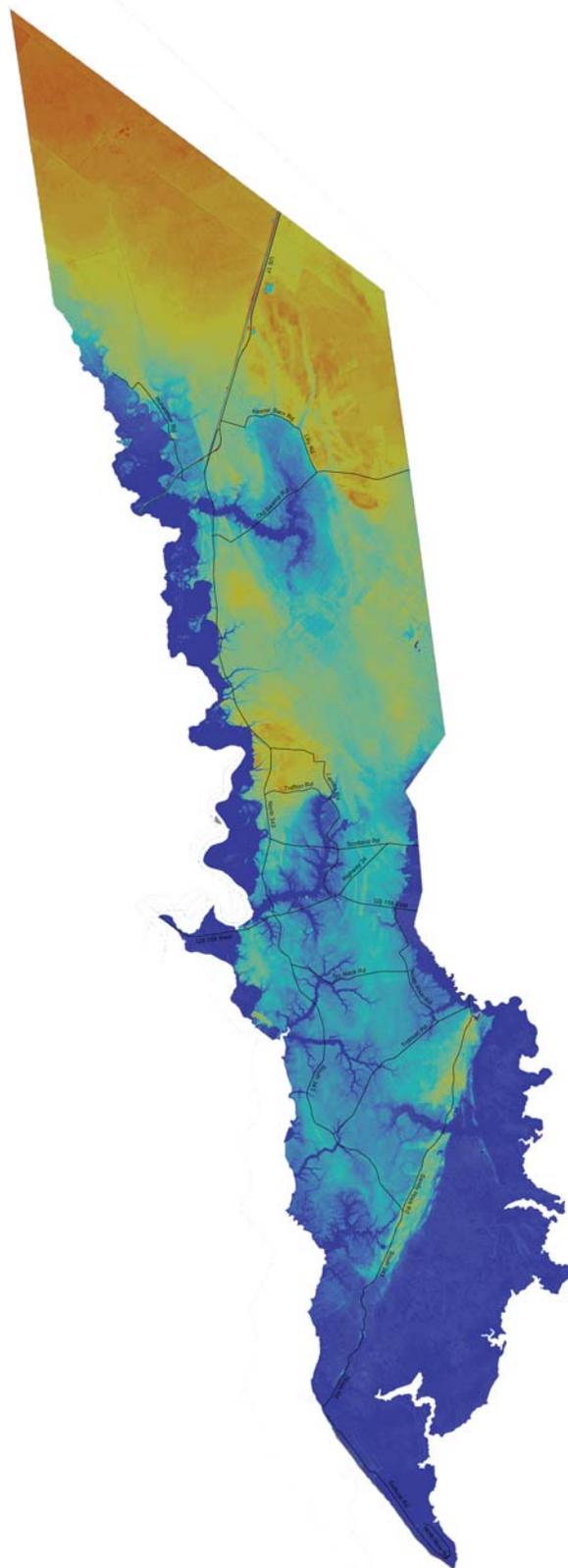


2.5 Development Template

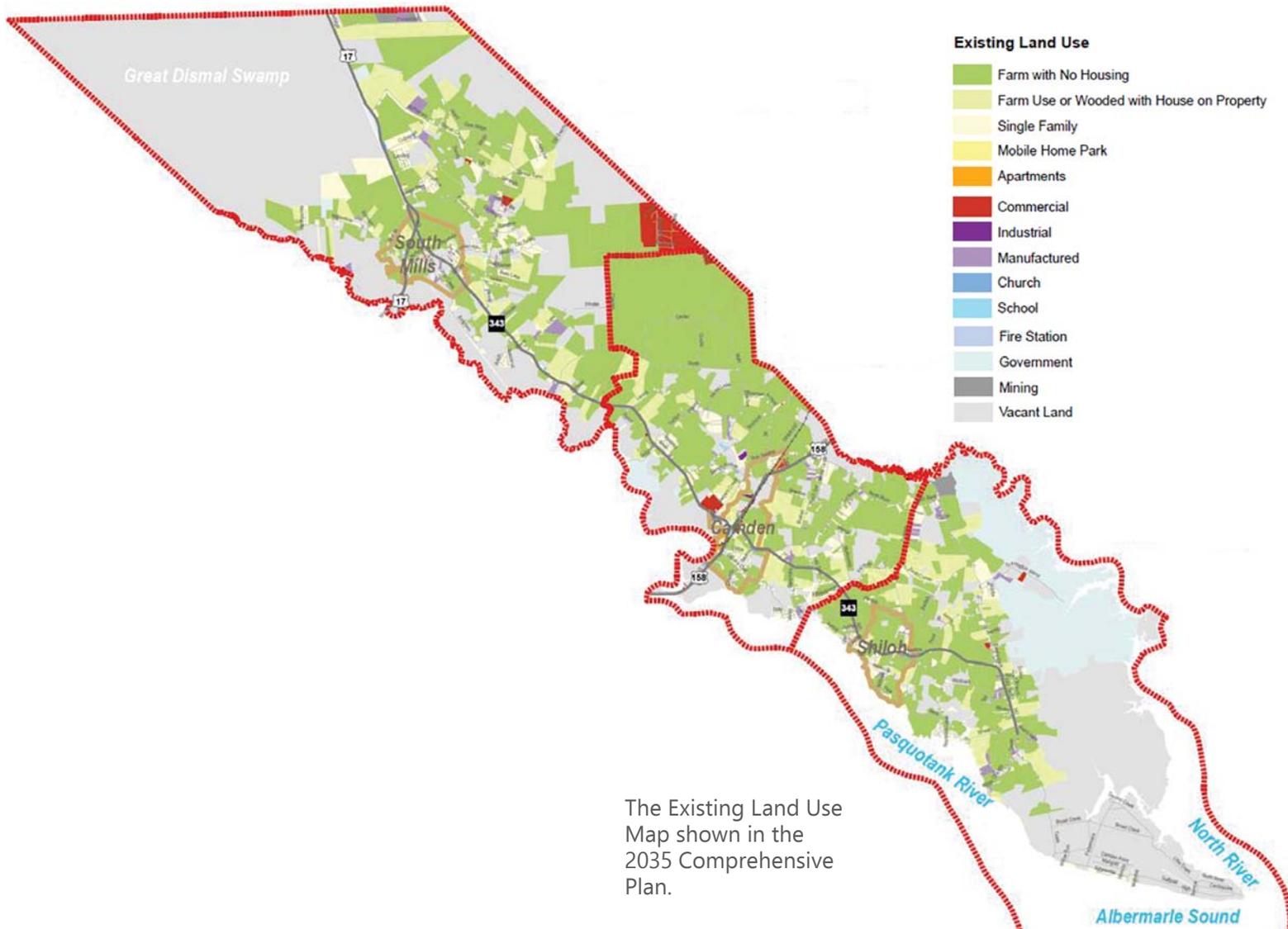
A “development template” is a way to think about how land uses, roads, and resources (natural and man made) are organized across the landscape. The primary factors that influence the development template are the natural environment, the zoning map, local government expenditures, and individual investments. It is important to understand a community’s development template in order to evaluate the potential impact of regulatory change. In Camden County, the development template can be understood both in terms of the County as a whole, as a series of three townships, and smaller strategic village areas of heightened activity, each with unique characteristics and opportunities.

From the County-wide perspective, one of the most prominent features is the presence of water – rivers, ponds, streams, wetlands, and conveyances abound in the County. These features combine to keep development densities and lot coverages quite low, contributing to the County’s rural character. Likewise, it is difficult to realize economies of scale when developing in areas that must maintain large lot sizes and low densities. As such, there are vast areas of vacant lands, farms (over 55,000 acres are engaged in farming), and forest lands, which also contribute to the County’s rural character.

The map to the right shows topographic elevation in feet above mean sea level. Areas in blue are around one foot or so above sea level. Areas in orange are roughly 14 to 16 feet above sea level. The map shows the large amounts of land area that are just above sea level and subject to inundation and high ground water tables. The influences of water and topography have the most profound influence on development in Camden County.



This is an elevation map of Camden County. Areas in blue are lands about five feet or so above sea level. Orange areas are around 14 feet above sea level.



The map above is the existing land use map from the 2035 Comprehensive Plan. Differing colors correspond to differing existing land uses. As the map shows, the majority of the County's land area is occupied by farm uses, most of which do not have residential uses associated with them. There is also a large amount of vacant and government land as well. According to the 2003 CAMA Land Use Plan, over 119,000 acres of land (79% of the total) are occupied by agriculture, open space, or low density residential.

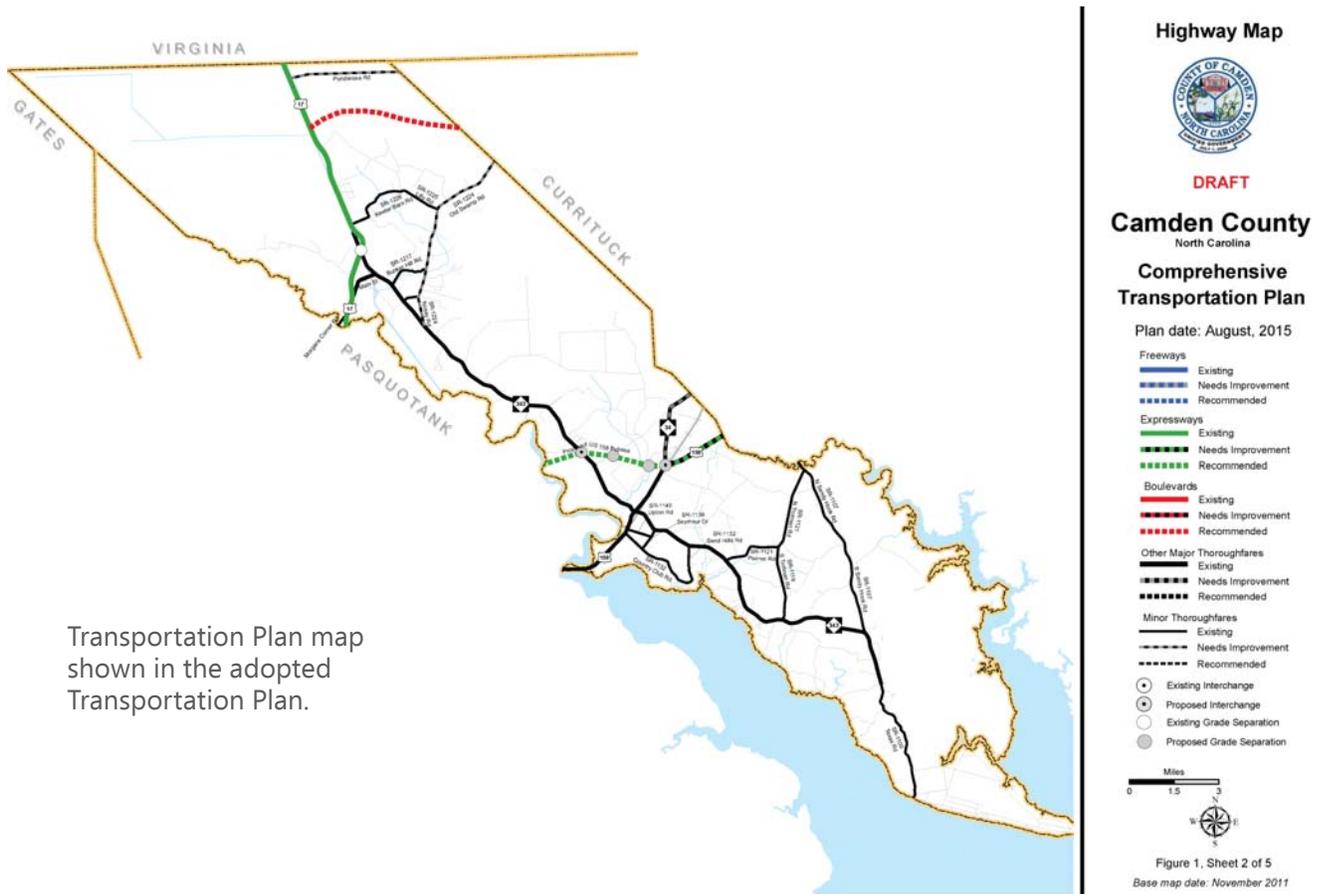
The map also shows that with a few exceptions (such as the Academi site on the County's eastern edge shown in red), most nonresidential uses are concentrated along major roadways in the areas around the Camden and South Mills Village areas. The existing land use map supports the notion that the County has a very rural and agrarian character with limited areas of residential and nonresidential development that are highly concentrated in the areas around the Camden and South Mills village areas. It is interesting to note that there are no discernible patterns of agglomeration of residential use outside village center areas. Further, the majority of residential uses are found in smaller subdivisions of 100 or fewer lots separated from other subdivisions by large tracts of farmland or vacant land.

The map below shows the County's Zoning Map and the colors on the map correspond to the zoning districts enumerated in Chapter 151 of the County Code. Unlike the existing land use map, the Zoning Map shows the kinds of uses that are intended for a particular area (which may or may not correspond to what is actually present). The Zoning Map reveals that the vast majority of the County's land area (73%) is zoned General Use, a district intended primarily for agriculture and low density single-family residential development. The map also shows two clusters of alternative zoning district classifications, one in the northern portion of the County lining US 17 from the state line down to the South Mills village area, and the district designations associated with the Camden village area along US 158 and southward along the Pasquotank River.



One interesting element of the Zoning Map is the land area in the north of the County that bears a variety of different designations, including Light Industrial and Residential 3-2. While much of this land is currently vacant or under farming use, and is designated largely as rural preservation land by the Future Land Use Map in the Comprehensive Plan (see Page 9 of this Report), the Zoning Map imparts greater development potential to this area (due in large part to the R-3-2 zoning present). This could have profound impact on the development template in coming years. The R-3-2 District allows single-family detached homes on two-acre lots, which is highly consumptive of available land, but may not produce a fiscally-efficient land use pattern where ad valorem receipts correspond to infrastructure and service delivery costs.

Another important element in the development template is the roadway network. The map below is taken from the recently adopted Comprehensive Transportation Plan, and shows the existing major roadway network as well as the two key proposed transportation improvements anticipated in the County. The first is the proposed US 158 bypass to the north of the Camden village core (shown by a dashed green line), and the proposed northern connector that would join the lands north of the South Mills village area to Moyock in Currituck County to the east (shown as a dashed red line). The map also shows existing roadways that need improvement (shown as dashed gray lines).



Transportation Plan map shown in the adopted Transportation Plan.



This map shows the I-87 alignment from Raleigh to Norfolk. The roadway will follow US 17 in Camden County.

One other element likely to have a dramatic influence on the County's development template in the coming years is new Interstate 87 shown on the map to the left. Congress recently approved designation of the I-87 route to follow US 17 in northern Camden County. While completion is years away, this roadway is likely to create new demand for nonresidential development along the current US 17 corridor.

The following pages go into more detail about the development template within each of the three townships in the County.

SOUTH MILLS TOWNSHIP

In the northern third of the county, on the banks of the Great Dismal Swamp (GDS) Canal, lies South Mills Township, with a population of approximately 3,600 people (Census 2010 estimations). The main section of the South Mills village core is on the west side of the canal, and contains the J&E Oasis, a fueling station, restaurant, and community meeting place, as well as a post office and a handful of small commercial establishments including a thrift store, barber shop, and nail salon. These establishments are situated on six blocks of street grid which also contain a number of single-family residential homes. There are also a few establishments on the eastern side of the canal, including an automotive service center and two churches.



Top: The GDS canal drawbridge is a main focal point of the South Mills village core area.

Bottom: View of businesses in the South Mills village core area looking west from the drawbridge.

Also located in South Mills, but distinct from the village core area, is the US 17 Corridor, which runs along the eastern edge of the GDS and across the state line into Virginia. The map below comes from the recent US 17 Corridor Master Plan, and shows the area's context and key features, including:

- » Wharf's Landing, approximately 118 single-family residential lots with the potential to add more;
- » Camden Plantation, a planned mixed-use community of potentially 1,700 units of single-family and multi-family housing, a golf course, and 160,000 square feet of commercial space, with nearly 60 residential lots currently developed; and
- » The Eco Industrial Park (EIP, at the time of the study called the Green Industrial Park), a 100 acre business park that has been outfitted with utilities and infrastructure to attract investment to the area. At this time, however, the property has not been subdivided.

Other residential subdivisions nearby include Sanders Crossing with 81 developed residential sites and South Mills Village with approximately 100 homes.



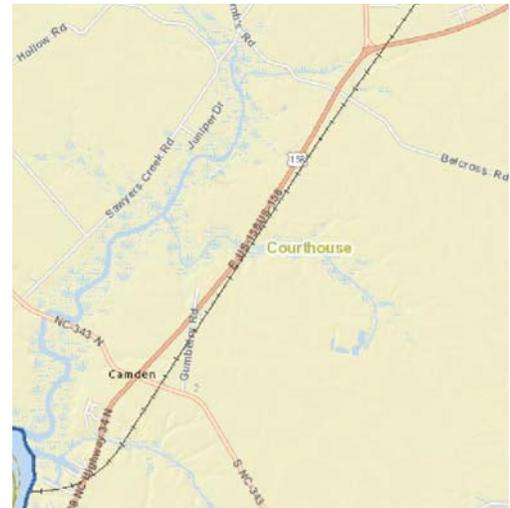
Left: South Mills northern corridor overview map showing business park and key residential developments. Right: The entrance to the Eco Industrial Park located on the Highway 17 Corridor.

COURTHOUSE TOWNSHIP

As mentioned above, Courthouse Township, the County seat also known as Camden, is the middle of the three townships and sits on the intersection between NC 343 (running northwest to southeast) and US 158 (running southwest to northeast). It is also the most populous township, with about 3,800 residents in 2010.

Courthouse Township is the administrative and economic core of the County. In addition to the County administration buildings, Courthouse Township's village center contains the high school, a post office, and a collection of commercial and institutional functions that are situated sporadically on either side of the 158 corridor. Just to the northwest of the intersection of 158 and 34 is the Camden Business Park, an older office and commercial park also outfitted with utilities and infrastructure, but currently completely vacant. Some industrial uses, such as commercial grain storage operations and a few multifamily residential developments, have entrances off of US 158 as well.

A railroad track runs roughly alongside US 158 through the center of Courthouse Township. The highway does not run exactly parallel to the track, but does lie quite close to it at one point, rendering many of the parcels on the eastern side of US 158 quite shallow and difficult to develop (see map at right).



Above: This map from the County GIS site shows the narrow strip of land confined by US 158 and the railroad track through Courthouse Township.

Far left: Crosswalk and corner gas station at the intersection of NC 343 and US 158, the main crossroads in Courthouse Township.

Near left: View looking north along the railroad tracks that run nearly parallel to US 158 through the center of Camden County.

SHILOH TOWNSHIP

Shiloh Township occupies the southern portion of the county. In addition to having the smallest population (just over 2,500 in 2010), Shiloh also has the least concentrated and defined village core. Interspersed with a row of single family homes along the northern side of US 158 are the main community establishments: the post office and Shiloh Baptist Church, which was established in the early 1700s. The County has recently completed a new waterfront county park in the Shiloh Township. There is also a vibrant commercial fishing village (including worker housing) at the remote southern tip of the County.



Top: The docks at the fishing village in Shiloh Township.

Middle: Farmland makes up the bulk of Shiloh Township's land area.

Bottom: Though it is the least developed of the three Camden County townships, Shiloh still has a commercial village core, shown here.

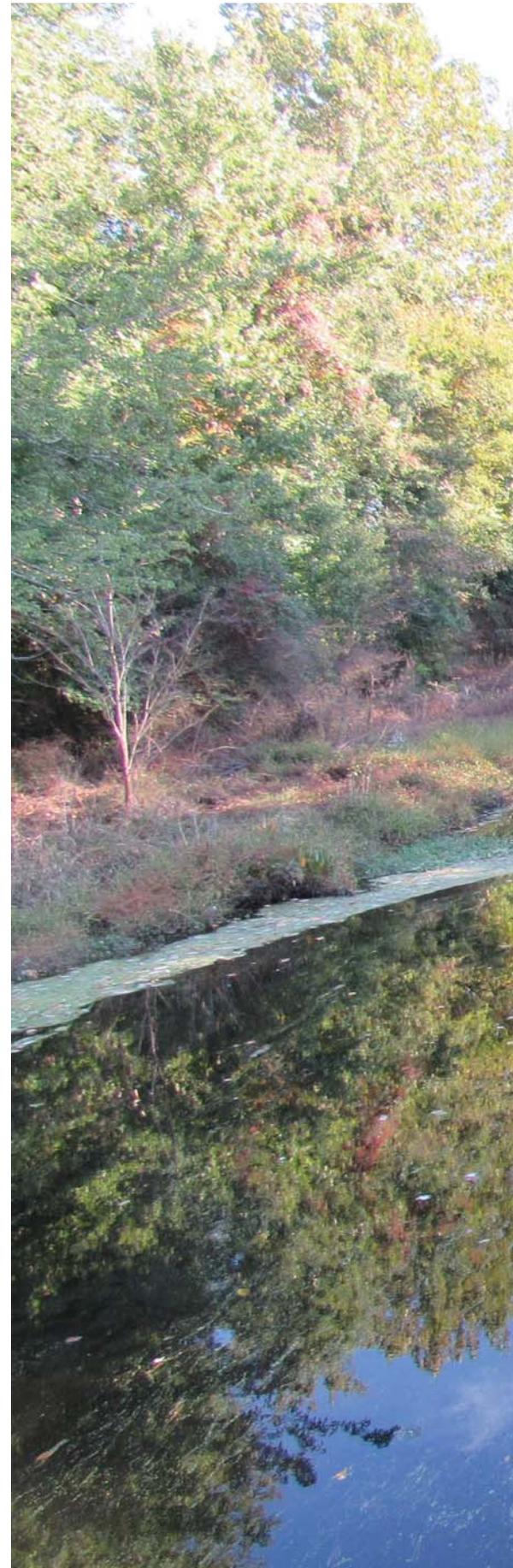
Many goals and actions identified in the Comprehensive Plan are based upon a series of employment and population projections from Woods and Poole Economics, Inc., a national firm that provides county-level forecasts.

According to Woods and Poole, Camden County should anticipate an additional 925 residential dwelling units and 165,000 square feet of new commercial floor area from 2012 to 2030. This growth is in addition to the development that has already been approved by the County, like that associated Camden Plantation, Camden Town Center and other vested development.

These projections indicate that the County is likely to continue growing, albeit at a slower pace than was experienced in previous years. Both challenges and opportunities arise in contemplating how anticipated growth can fit within the County's existing development template and remain consistent with the County's goals. Key among these challenges is the need to balance between protection of the existing rural character while encouraging desired commercial development (and the necessary residential growth).

Achieving this balance in Camden County will rely, in part, on standards that support the concentration of development in village areas while addressing compatibility issues between differing types of development (like residential and nonresidential) in close proximity to one another. The standards will have to support continued agricultural use while mitigating the impacts of adjacent low-density residential development that can negatively impact farming operations and disrupt rural character. The standards must accommodate the desire to further densify the primary roadway corridors by addressing aesthetics, access management, and the potential for incompatible edges with established rural character "behind" the lots fronting primary roadway corridors. The standards need to provide more diverse housing options that both attract and retain new families as well as accommodate the compact growth desired in village centers. The standards will need to include development review procedures that encourage desired forms of development like commercial services or employment uses and provide incentives to make the County more competitive.

The following sections describe the ways in which the County's UDO can be revised to help maintain the desired balance and address the challenges and opportunities available.





Joyce Creek in central Camden County.

SECTION THREE

STRUCTURE & ORGANIZATION

3

3.1 CHAPTER STRUCTURE

One of the most frequently cited concerns that both stakeholders and County staff have raised about the current development regulations is that they are difficult to use and are not very user-friendly. Chapter 151 is comprehensive, but has an awkward structure. Information is not organized in an intuitive manner, and unless a reader is familiar with the document, important material can be missed.

3.2 PAGE LAYOUT

The document's page layout offers little to no help in navigating the document or understanding the provisions. The articles lack numbers, document headers do not help the reader navigate the document, there are no sub-section headings, and cross references are sparse. The document does include several summary tables, but few illustrations or graphics.

3.3 GRAPHICS

3.4 PURPOSE & INTENT

The document includes almost no purpose and intent statements to introduce new code sections, leaving a code user to wonder about why regulations are structured as they are, or what the underlying intent was for including them. The development regulations are not well-linked with the County's adopted policy guidance like that in the 2035 Comprehensive Plan or the CAMA Plan.

3.5 IMPROVE CLARITY

As indicated in the project RFP, there is a general lack of precision in the code language generally, and many of the provisions are outdated or obsolete. Many development review procedures lack review criteria, definitions are missing or are embedded in standards, and there is little description on how measurements are made or interpreted. Numerous definitions are woven into the text instead of being consolidated in the definitions article.

This section describes these issues in greater detail and provides some recommendations for updating Camden County's UDO to make it more user-friendly and predictable.

3.1 Chapter Structure

CURRENT UDO Article Structure	UPDATED UDO Proposed Article Structure
General Provisions	151.1 General Provisions
Zoning Districts	151.2 Procedures
Zoning Map	151.3 Zoning Districts
Density & Dimensional Requirements	151.4 Use Regulations
Streets and Sidewalks	151.5 Development Standards
Parking Requirements	151.6 Subdivision Requirements
Landscaping Requirements	151.7 Environmental Provisions
Shading Requirements	151.8 Nonconformities
Utilities	151.9 Enforcement
Open Space & School Sites	151.10 Definitions and Measurement
Supplementary Use Regulations	151.11 Authorities
Maj. Subdivision Requirements	
Minor Subdivision Requirements	
Private Access Subdivision Regulations	
Common Open Space Subdivisions	
Site Plans Required	
Permissible Uses and Table	
Conditional & Special Uses	
Nonconforming Situations	
Floodplain Management	
Drainage, Erosion, & Stormwater Management	
Sign Regulations	
Building Inspections and Permits	
Planning Board	
Board of Adjustment	
Administrator	
Board of Commissioners	
Zoning – Special & Conditional Use Permits	
Appeals, Variances, & Interpretations	
Hearing Procedures	
Enforcement Review	
Amendments	
Definitions	
Appendices	

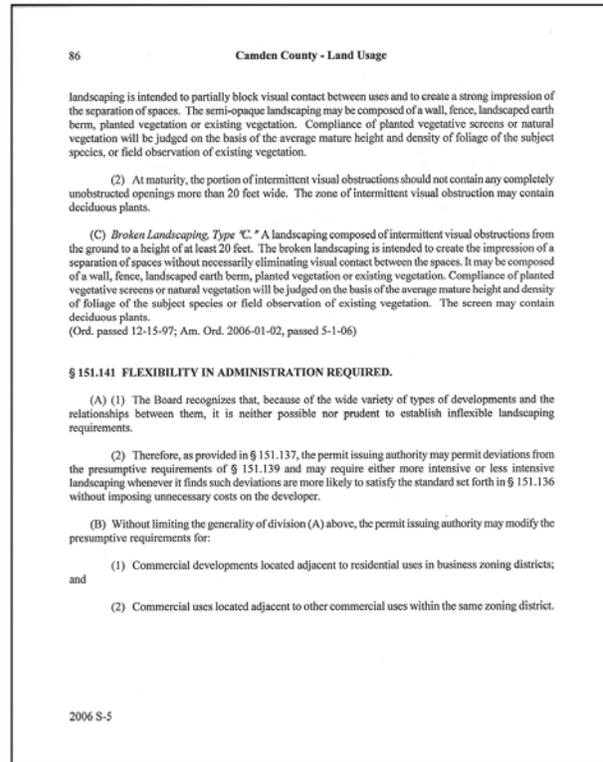
A comparison of the current UDO article structure with the proposed UDO article structure.

The graphic above compares the article structure in the current UDO (Chapter 151 of the County Code) with the article structure proposed for the updated UDO. The current UDO lacks article numbers and places dis-similar articles beside each other (like use and open space standards with subdivision-related provisions or review authorities in the middle of procedural information). This kind of structure is confusing and may result in code users missing information. We suggest the updated UDO reorganize the structure of Chapter 151 into 11 articles that follow a more intuitive topic-based structure (like the one shown to the right of the current structure in the graphic above). The proposed structure consolidates related provisions into single articles based on substantive relationships and relies on more intuitive article names.

3.2 Page Layout

Over the years, experience has taught that the way a development code “looks,” or is formatted, affects its usability. There are a number of formatting and related suggestions that can be applied to a development code that will improve its “user-friendliness.” The images on this page compare the County’s current UDO page layout (to the right) with a modern page layout from another jurisdiction (below). The modern page layout includes formatting that shows text relationships (through indentation and bolding), use of graphics, and “guideposts” for navigation in the form of dynamic headers. In addition to these kinds of tools, greater use of cross references, as well as an index, article-based tables of contents, a glossary, and other related features will help make the updated UDO easier to follow and navigate.

This pair of images compares the current UDO layout (above) with a layout from a modern development code prepared for another jurisdiction (right). The new layout includes graphics, white space, appropriate text nesting, and navigational aids like headers and footers.



Dynamic Header

Prominent Titles

Nested Text

Balance Between Text and White Space

Illustrations with Captions

Adoption Date Page Numbers

District-Specific Development Standards
Town Center Residential District
Subsection 5.3. Site Layout and Building Organization

5.3 Site Layout and Building Organization

A. INTENT

(i) To ensure the layout and organization of infill development is compatible with the varied pattern of established residential development in the Town Center Residential District; and

(ii) To facilitate a range of housing options within walking distance of the Main Street District.

B. CONTEXTUAL FRONT YARD SETBACKS

(i) Town Center Residential development shall comply with standards for Contextual Front Yard Setbacks as contained in Section 3 of this Article. (Figure 18)

(ii) Where an established pattern of setbacks has not been established along the block by three or more homes, front yard setbacks shall be a minimum of:

(1) 10 feet for detached single-family; and

(2) 15 feet for townhomes and multi-family.

Figure 18

SITE LAYOUT AND BUILDING ORIENTATION: TOWN CENTER RESIDENTIAL DISTRICT

Existing Home

Single-Family Infill Development

MIN 10'

Existing Homes

Infill Development

1 Contextual front yard setback not applicable where less than three existing homes exist on a block

2 Minimum front yard setback applies

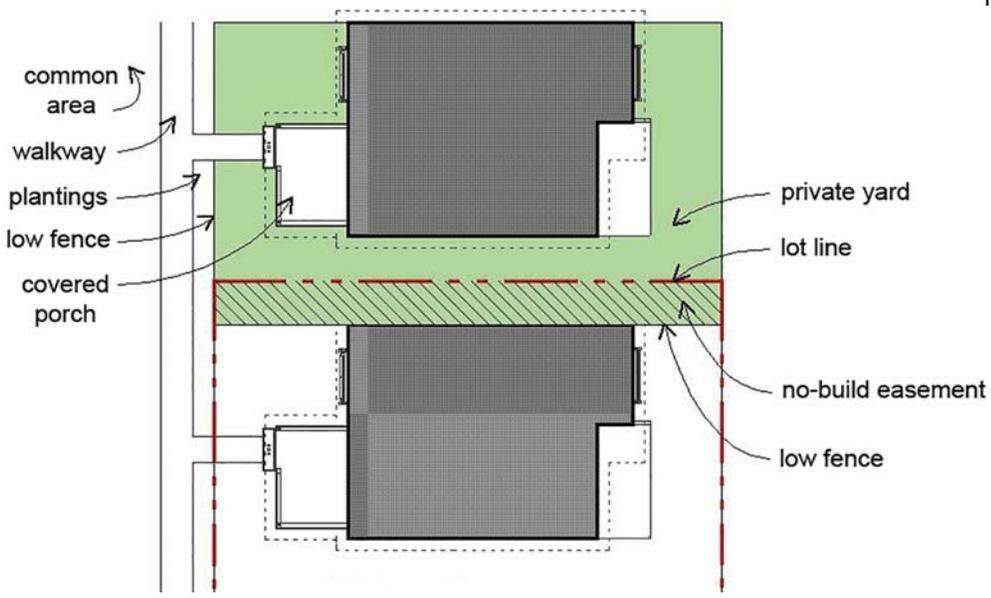
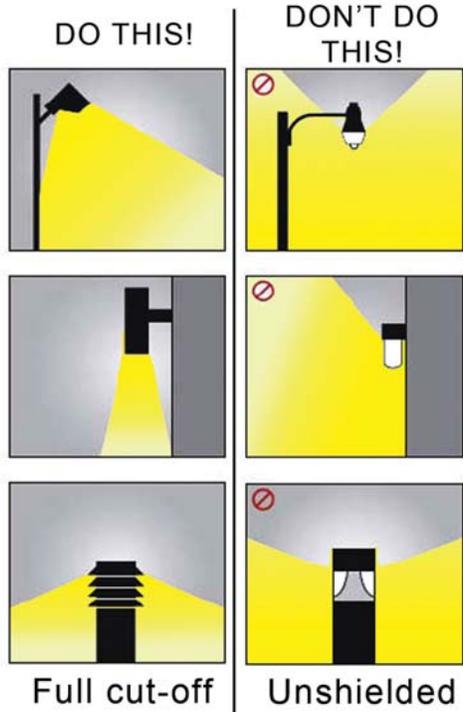
3 Existing homes oriented towards street

4 Orientation of infill development is consistent with existing development

5 Multi-family buildings with multiple street frontages provide entrances along each street frontage.

Morrisville Town Center Code—Final Draft: December 2009 PZB Recommendation Version 49

3.3 Graphics



One key way to make a code more effective and easier to use is through illustrations and graphics. The old adage "a picture is worth 1,000 words" is certainly true when talking about communicating zoning concepts. Illustrations, graphics, and diagrams are also very helpful in development codes because they convey information concisely and in many instances more clearly, eliminating the need for lengthy, repetitive text. The current code includes very little in the way of graphics. We recommend increasing the number and type of graphics throughout the document to help illustrate preferred design concepts, such as parking space dimensions, parking lot landscaping and other screening requirements. We also suggest the new UDO be supplemented with photographs demonstrating both preferred and discouraged development forms and patterns. Side-by-side comparisons of preferred and discouraged examples help illustrate the intent of the regulations and make the code more user-friendly. Flow charts add clarity to specific procedural requirements and time lines, as well as explain the interrelationships between procedures.

3.4 Purpose & Intent

Purpose and intent statements serve as guideposts to orient the code user to reasons for each article or code section. They provide information on why each element is included and how it works with the other parts of the code to achieve the County's goals. They can also be useful in clarifying the intent of the elected officials in the case of legal challenge. Camden County's current code makes some use of purpose and intent statements, but there is room for improvement. For example, Section 151.001 sets out very general purpose statements for the UDO based on the North Carolina General Statutes, but it does not go into detail about elements of the comprehensive plan like the protection of rural character, creation of employment, or promoting necessary commercial goods and services. Section 151.030 sets out a series of objectives for the residential districts, but uses confusing terminology regarding density, and does not provide purpose statements for all the districts.

Throughout the UDO, we suggest adding purpose and intent statements to each procedure, district, and set of development standards (like parking, landscaping, signage, etc.). All purpose and intent statements should use a common labeling scheme and be located at the front of a section for optimum user-friendliness. The content of each should be restricted to the reason for including the code section, information on how the element connects to the broad goals of the comprehensive plan, and the intent of the section. For clarity and ease of use, no specific development standards or rules should be included in the statements of purpose and intent.

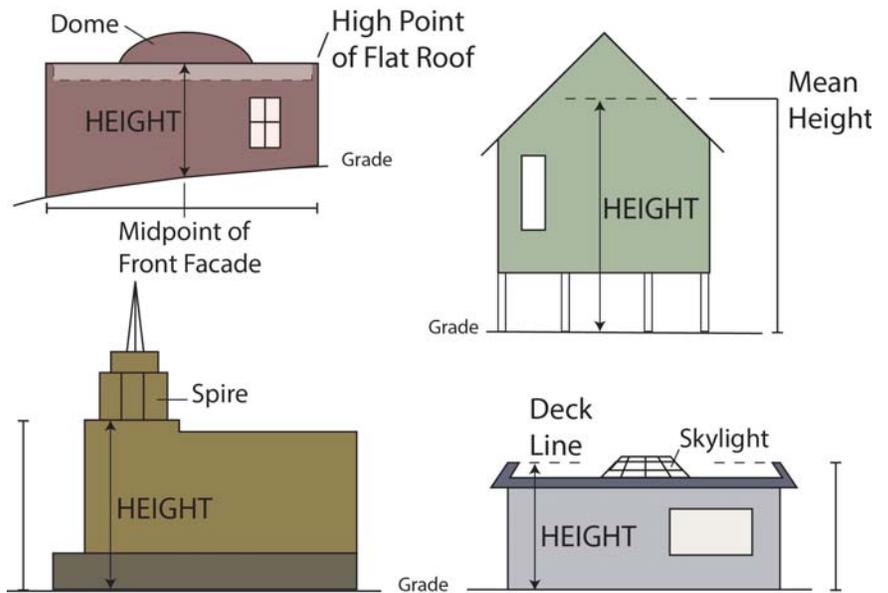
3.5 Improve Clarity

The RFP indicates that many of the standards and definitions lack necessary precision. This was confirmed during the interviews conducted in Task 1 with County staff and stakeholders, both of whom indicated concerns over the clarity of language in the current UDO. Standards or procedures that are unclear invite different interpretation or application and create uncertainty for development applicants as well as staff, review boards, and the public.

One of the easiest ways to improve clarity is to ensure that text is easy to understand through the use of plain English and avoidance of jargon or "legalese." Code language should be comprised of short sentences with clear meanings. It is important to avoid acronyms, or if used, to include a complete glossary of all abbreviated words. Consistent use of terminology (such as review authority titles, district names, cross references, supporting documents, etc.) is a vital part of ensuring clarity for code readers, particularly those not already familiar with development code-related concepts. A standardized format or organization of code text also helps by allowing a reader to compare one section against another. For example, modern development codes use a standardized format or sequence of sections to set out each development procedure or zoning district. Another approach is to limit repetition (and potential inconsistency) by using standardized (or "common") rules that can be set down in one part of the code and cross referenced elsewhere.

Sections describing the rules of language construction and the rules of measurement are enormously helpful in improving clarity. Rules of language construction address basic meanings of mandatory terms (“shall”) versus discretionary terms (“should”). They explain aspects related to conjunctions like “and” and “or.” They explain how conflicts between text and illustrations are interpreted, how time is calculated, how delegation of authority is addressed, and procedures for addressing undefined terms or unidentified uses.

Rules of measurement, while mundane, are important for establishing consistency in how rules are applied. Rules of measurement address aspects like how height is determined, how required yards or setbacks are determined (particularly in unique situations like pie-shaped lots), how maximum density is determined, how sign area is measured, how parking space dimensions are determined, contextual or average setbacks, and all other numeric features.



Another important aspect for improving clarity is the use of clear and measurable review criteria for each decision-making action or procedure. There are numerous procedures in the current code where the Administrator or other official is empowered to make decisions (such as the ability of the Administrator to allow a deviation of up to five percent to any numeric standard in Section 151.018) without the benefit of any criteria. Decision making criteria provide guidance to a decision maker about whether or not a decision can be made as well. All procedures should include clear and measurable review criteria.

This is an example image from a rules of measurement section showing how maximum building height is determined for different kinds of roofs.

A comprehensive and consolidated set of definitions also contributes to clarity. Definitions should be precise, structured to recognize variable contexts or meanings (as appropriate), and not include standards. The current code includes definitions in several different sections, and in some cases, these definitions may conflict with one another. We suggest a single comprehensive set of definitions be established near the back of the UDO. All standards and inconsistencies should be removed from the definitions as part of this effort.

4

4.1 REVIEW BODIES

4.2 COMMON REVIEW PROCEDURES

4.3 PROCEDURAL CHANGES

4.4 NEW PROCEDURES

4.5 CHANGING STATE LAWS

4.6 HOME OWNER ASSOC.

Development review procedures are one of the primary ways in which a community can secure the forms of development it desires while also helping to ensure that applicants understand the expectations for new development. Many of the stakeholders interviewed during Task 1 raised concerns with the current procedures, both in terms of predictability and efficiency. While all stakeholders agreed that County staff is helpful, perceptions remain that there are “shadow” policies in effect, or that the staff is making unsubstantiated interpretations of the current UDO text. While neither of these perceptions is true, they do exist and should be addressed. Possible reasons for this include current development review procedures that are difficult to locate in the text (such as the planned unit development provisions Section 151.036 in the Open Space Subdivision Article); procedures lack sufficient detail; or because there are several provisions that extend blanket authority to the Administrator to deviate from a numeric standard (Section 151.018) or a codified procedure (Section 151.327 or Section 151.501) with no criteria or rational basis for doing so. Predictability and ease of understanding are two of the most important aspects of an effective set of development review procedures, and these are areas where the County’s current provisions could be improved.

This section sets out a series of recommendations for improvements to the development review procedures, including consolidating them into a single article of the new UDO, increased use of summary tables and standardized procedural language to foster predictability, and establishment of a single consolidated set of basic review procedures to be used for processing applications. These kinds of changes will simplify administration of the UDO and help applicants and the general public better understand the steps in the development review process.



The new Hardees restaurant under construction in the Camden Town Center area.

This section also describes a series of recommended changes to some of the most important development review procedures like those controlling subdivisions, site plans, and planned developments. Generally speaking, these recommendations include removal or conversion of unnecessary steps in the review process, and a greater reliance on codified standards (instead of negotiated solutions). These changes are suggested in response to the County's desire for increased commercial development, with recognition of the central goal of preserving the County's community character. There are also recommendations for some new procedures that are found in modern development ordinances that increase the degree of flexibility with greater reliance on review criteria.

This section discusses several recent changes in state law regarding local government development review procedures and standards that must be made in the new UDO to comply with state law. While some of these changes do not relate directly to development review procedures, they are all discussed in this section for easy reference.

This portion of the Evaluation Report also describes recommendations related to how home owner associations are established and maintained, zoning enforcement procedures, and related procedural provisions.

4.1 Review Bodies

These two tables summarize the development review procedures in the current UDO (below) and the proposed UDO (opposing page). The notes in each table provide additional details. Proposed changes to the current review procedures are described in more detail in subsequent sections.

CAMDEN COUNTY UDO – CURRENT DEVELOPMENT REVIEW PROCEDURES						
(R) = Recommendation; (D) = Decision; (A) = Appeal; <> = Public Hearing; - - = Quasi-Judicial Hearing						
Review Procedure [1]	Relevant Code Sections	UDO Administrator	Building Inspector	PB	BOC	BOA
Amendment (zoning map and UDO text)	151.580 to 151.586	.	.	R	<D>	.
Planned Unit Development [2]	151.298	.	.	R	<D>	.
Conditional Use Permit	151.503 to 151.509	.	.	.	.	-D-
Special Use Permit	151.503 to 151.509	.	.	R	<D>	.
Appeal	151.530	.	.	.	.	-D-
Variance [3]	151.531	.	.	.	.	-D-
Interpretation [4]	151.533	.	.	.	.	-D-
Major Subdivision [5]	151.236 to 151.238	.	.	R	<D>	.
Minor Subdivision	151.260	D	.	.	.	.
Private Access Subdivision [6]	151.275	D	.	.	.	.
Final Plat	151.240	.	.	D	.	.
Commercial Site Plan [7]	151.312	D	.	.	.	.
Residential Site Plan	151.311	D	.	.	.	.
Floodplain Development Permit	151.382	.	D [8]	.	.	.
Fill Permit	151.404	D [9]	.	.	.	-A-
Zoning Permit	151.501	D	.	.	.	-A-
Sign Permit	151.495 to 151.512	D [10]	.	.	.	-A-
Building Permit	151.432	.	D [11]	.	.	.

NOTES:

[1] Section 151.513 sets out the provisions for zoning vested rights, which do not appear to be treated as a separate procedure. It is unclear how Site Plans are vested, if decided by the UDO Administrator.

[2] Establishing a planned unit development requires approval of Conditional Use Amendment application, approval of a master plan, and approval of a Conditional Use Permit (by the BOC, not the BOA).

[3] Includes Variances to the floodplain requirements.

[4] Interpretation of the Official Zoning Map. The Floodplain Administrator interprets floodplain boundaries.

[5] Major subdivisions require approval of Sketch Plan, Preliminary Plat, Conditional Use Permit, and a Final Plat.

[6] Private access subdivisions of one lot shall only require a Zoning Permit; all others require a Final Plat.

[7] Commercial site plans of 40,000 square feet or more may be referred to the Planning Board or Board of Commissioners by the Administrator.

[8] The Building Inspector is the designated Floodplain Administrator.

[9] The Fill Permit procedure does not appear codified. Fill Permits for filling 401 wetlands are issued by NCDEQ. Fill Permits for filling 404 wetlands are issued by USACE.

[10] The Sign Permit procedure does not appear to be codified.

[11] The Building Permit procedure does not appear to be codified.

CAMDEN COUNTY UDO

PROPOSED DEVELOPMENT REVIEW PROCEDURES

(R) = Recommendation; (D) = Decision; (A) = Appeal; <> = Public Hearing; - = Quasi-Judicial Hearing

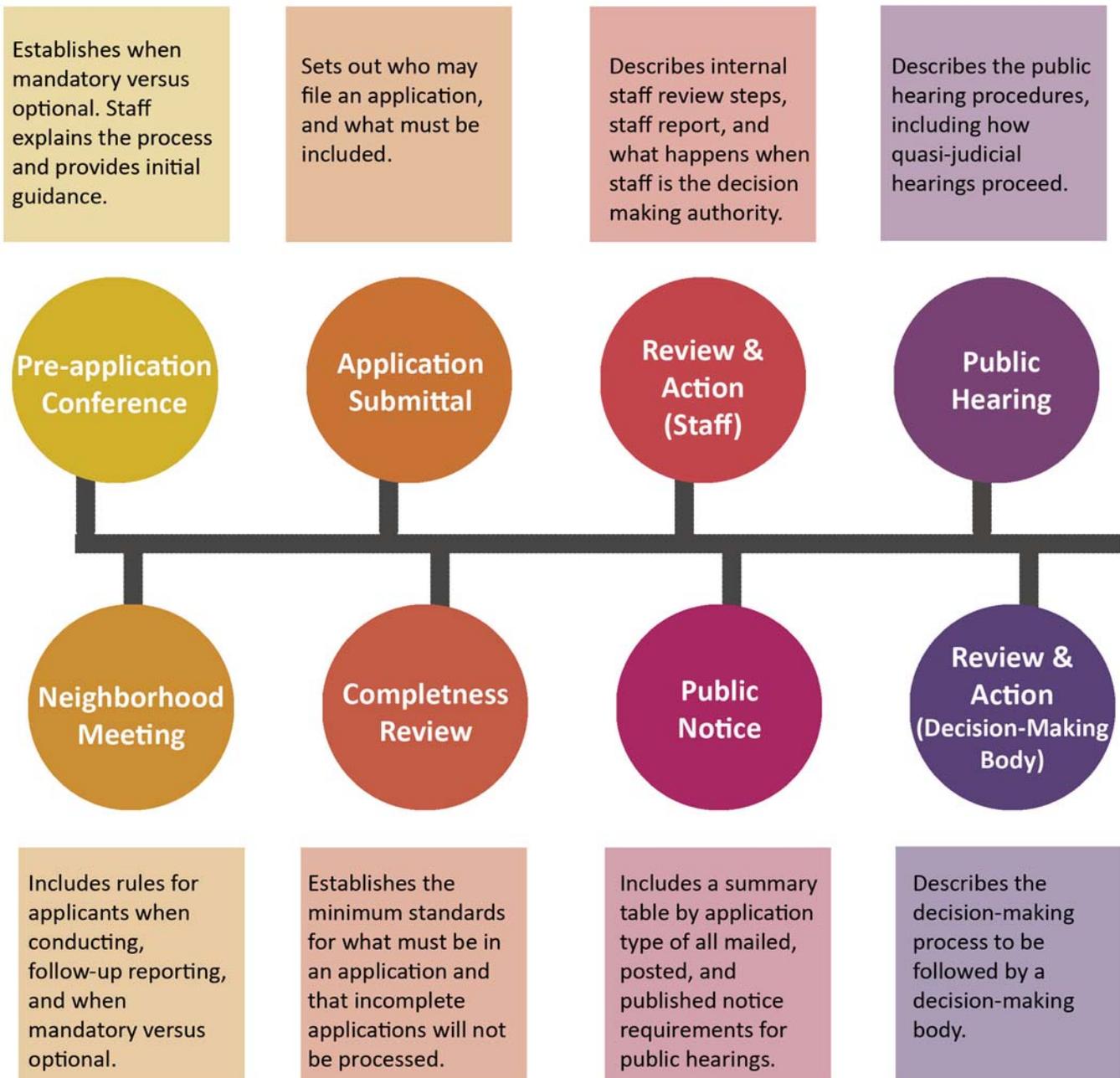
Review Procedure	UDO Administrator	Building Inspector	PB	BOC	BOA
Administrative Adjustment [NEW] [1]	D	.	.	.	-A-
Appeal	.	.	.	.	-D-
Building Permit	.	D	.	.	.
Certificate of Occupancy [NEW]	.	D	.	.	.
Comprehensive Plan Amendment [NEW] [2]	.	.	R	<D>	.
Development Agreement [NEW]	.	.	R	<D>	.
Fill Permit	D	.	.	.	.
Final Plat [3]	D	.	.	.	.
Floodplain Development Permit [4]	D	.	.	.	.
Interpretation [5]	D	.	.	.	-A-
Major Site Plan [6]	.	.	<D>	.	.
Minor Site Plan [7]	D	.	.	.	-A-
Minor Subdivision	D	.	.	.	.
Planned Development [8]	.	.	R	<D>	.
Preliminary Plat [8] [9] [10]	.	.	R	<D>	.
Sign Permit	D	.	.	.	-A-
Special Use Permit [11]	.	.	.	-D-	.
Subdivision Exemption [NEW] [12]	D	.	.	.	-A-
Transfer Plat [13]	D	.	.	.	.
Temporary Use Permit [NEW]	D	.	.	.	.
UDO Text Amendment [14]	.	.	R	<D>	.
Variance	.	.	.	.	-D-
Vested Rights Determination [NEW] [15]	.	.	.	-D-	.
Zoning Compliance Permit	D	.	.	.	-A-
Zoning Map Amendment [16]	.	.	R	<D>	.

NOTES:

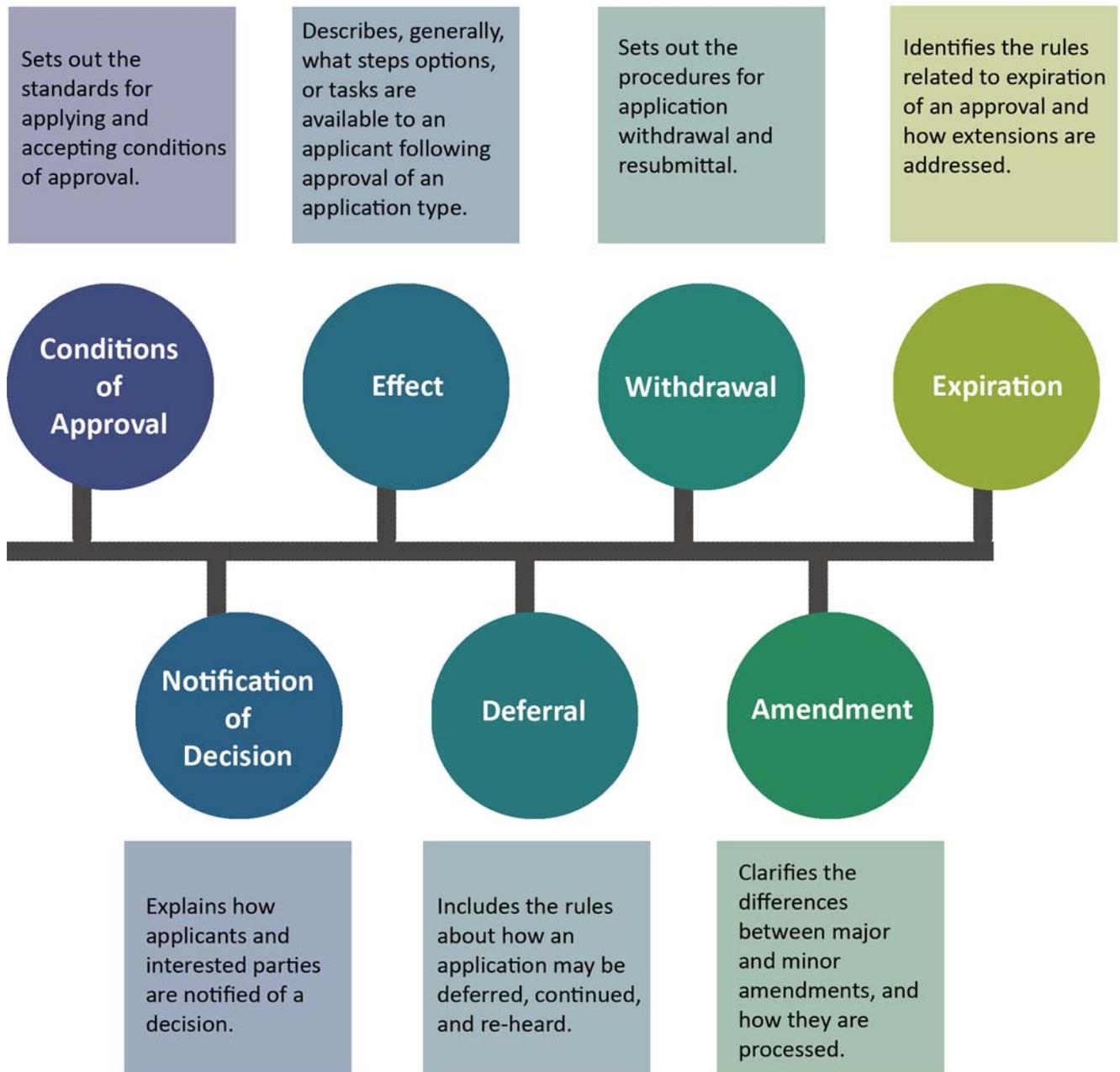
- [1] Allows deviations to numeric standards by up to 10 percent in village centers; five percent elsewhere.
- [2] Can be processed concurrently with a Zoning Map Amendment.
- [3] Approved by UDO Administrator, not Planning Board.
- [4] The UDO Administrator serves as the Floodplain Administrator.
- [5] Includes interpretations of the Zoning Map and UDO text.
- [6] All Major Site Plans subject to Planning Board approval.
- [7] Consolidated with Private Access Subdivision.
- [8] Conditional Use Permit deleted.
- [9] Sketch Plan converted to Pre-application conference with staff.
- [10] Open Space Subdivision consolidated here.
- [11] Planning Board review removed.
- [12] Used to determine if a land division is exempted from the subdivision procedure.
- [13] Replaces the "Family Subdivision" procedure.
- [14] Distinguished from Zoning Map Amendment.
- [15] Replaces current vesting procedure with a new quasi-judicial procedure.
- [16] Distinguished from UDO Text Amendment.

4.2 Common Review Procedures

One trend in modern development regulations is the consolidation and standardization of procedural material so that it need only be listed once in the code. This reduces the heft of a UDO, helps users find the information easily, and helps limit inconsistency as the ordinance evolves over time. Typically, common review procedures include aspects ranging from application submittal to the County's actions following an application submittal, through the hearing process, and what happens after an application has been decided. The current UDO includes many of these elements, but they are repeated numerous times in different procedural articles like the ones



devoted to subdivisions, special and conditional use permits, and amendments. Repetition can create confusion and inconsistency in cases where these basic procedural elements differ from application to application. We suggest the new UDO embrace the consolidation approach by establishing a single set of common review procedures in the article on procedures, and that sections on individual application review procedures simply reference the relevant common review procedures instead of repeating them numerous times. The graphic below highlights the 15 most typical common review procedures recommended for inclusion in the Camden County UDO.



4.3 Procedural Changes

This section describes a series of recommended changes to several development review procedures in the current UDO, including: subdivisions, planned unit developments, conditional use permits, and site plans. Recommendations for new procedures are included in the next section.

SUBDIVISIONS

The current UDO sets out procedures for the consideration of five different kinds of subdivisions: major subdivisions (preliminary and final plats of six or more lots), minor subdivisions, private access subdivisions, common open space subdivisions, and family subdivisions. Stakeholders interviewed during Task 1 consistently identified the major subdivision procedure as the one in need of significant revision based on length, predictability, and cost. The current major subdivision review procedure is organized into three primary stages: sketch plan review (Section 151.236), preliminary plat review (Section 151.238), and final plat review (Section 151.240). Based on these code sections, an applicant must appear before a review body (either the Planning Board or the Board of Commissioners) at least seven times through the course of the subdivision review. Depending upon the date of submittal, this review takes a minimum of seven months. According to those interviewed, the subdivision review process has been subject to concerns from the public (typically for reasons related to stormwater or loss of community character), despite a lack of standing to raise objections. In many communities, subdivision review is a ministerial function where the role of the decision-making body is simply to discern whether or not the application meets the standards, not whether or not the proposed development should even be allowed.

Many stakeholders expressed concerns that the requirements to obtain all state and federal permits prior to approval of a preliminary plat makes subdivision review a very speculative and expensive endeavor. Preparing the plans necessary for state and federal permits can cost several thousand dollars and take weeks to complete. Preparing these plans is speculative because there is no assurance that the subdivision will be approved by the County as it was depicted in the plans provided to state and federal agencies. Several stakeholders report that these plans often have to be revised after preliminary plan approval, causing greater expense and delay. The County should consider addressing some of these concerns through revisions to the major subdivision procedure. The flow charts on the opposing page compare the current major subdivision review procedure with an alternative procedure proposed for the County's consideration.

In addition to the changes for the major subdivision procedure, we also suggest a few additional changes, such as removing the special use permit requirement for all subdivisions, allowing the UDO Administrator to decide final plats, consolidating the private access subdivision with the current minor subdivision procedure, creating a subdivision exemption review procedure for the UDO Administrator to determine if a proposed subdivision is exempted from the UDO, and revising the names of the open space subdivision to "conservation subdivision" and family subdivision to "transfer plat."

CURRENT MAJOR SUBDIVISION PROCEDURE



PROPOSED MAJOR SUBDIVISION PROCEDURE



These two flowcharts compare the current major subdivision procedure (left) with the proposed major subdivision procedure (right). Some of the key differences between the two include conversion of the sketch plan process to review by the Technical Review Committee, removal of the special use permit requirement, inclusion of a conceptual stormwater plan at the preliminary plat stage, delay of state and federal permitting until after the preliminary plat is approved, and approval of the final plat by the UDO Administrator in the proposed procedure. These proposed revisions should help increase predictability, reduce time, and reduce expense while preserving sufficient opportunities for review and comment.

PLANNED DEVELOPMENT

Section 151.298 of the current UDO sets out the Planned Unit Development review procedure. Planned developments are a good option for the County given the somewhat weak demand for new development generally, and the ability of a planned development to offer greater flexibility in recognition of market conditions. However, the current planned unit development process includes some procedural and substantive obstacles that could erode the attractiveness of the procedure to potential applicants.

We suggest the following revisions to the planned unit development procedure to help overcome these obstacles:

- » Removing the conditional use permit requirement since it is not needed and introduces a quasi-judicial element into a legislative process;
- » Establishing a new procedure that requires a rezoning subject to a master plan without need of a concept plan;
- » Removing the minimum district sizes (from 25 to 50 acres) inside village center areas to accommodate smaller, more dense development in these key areas;
- » Removing or modifying the current use-mixing requirement, as it is ineffective and could delay beneficial residential development; and
- » Including new clarifications that some standards, like stormwater or design provisions, may not be modified through the planned development process to help ensure high quality development.

Additional discussion is necessary about whether or not a planned development can establish higher residential densities beyond the previous base district designation.

CONDITIONAL USE PERMIT

Sections 151.495 to 151.518 set out the standards for conditional use permits (in addition to those related to zoning permits and special use permits). The Board of Adjustment is the body that hears conditional use permits (except in cases of planned unit developments, where the conditional use permit is reviewed by the Board of Commissioners instead). Uses identified in the use table in Section 151.334 with a "C" are treated as conditional use permits. Conditional use permit requirements are typically established in jurisdictions where existing use-related standards are felt to be inadequate, and therefore, a special review is needed. We suggest the inclusion of new use-specific standards to remove the need for the conditional use permit procedure. If there are uses that still warrant special consideration, then they can be addressed as special uses instead.

SPECIAL USE PERMIT

We suggest this permit procedure be carried forward, but removed from the major subdivision review procedure since it introduces a quasi-judicial dimension to a ministerial review process and is not needed to assess if a proposed subdivision complies with the UDO provisions.

SITE PLAN

We suggest the current distinctions between site plans (residential versus commercial) be carried forward, but enhanced with criteria established to define major and minor site plans in the procedures chapter and the requirement that major site plans (which could also include multi-family) be decided by the Planning Board.

ZONING, BUILDING, & SIGN PERMITS

These permits should be carried forward but be supplemented with additional details about how the procedures operate and the relevant approval criteria.

4.4 New Procedures

The table below summarizes the seven new procedures suggested for consideration in Part 4.1 of this report.

Procedure	Description
Administrative Adjustment	The administrative adjustment procedure replaces the procedure in Section 151.018 in the current ordinance. Administrative adjustments allow minor deviations from numerical standards like setbacks, bulk characteristics (height, lot coverage, setbacks, required yard width, sight triangle limits, etc.), parking counts, sign face area, or similar numeric standards when such deviations are necessary to allow permitted development, preserve trees, maintain consistency with surroundings, or establish development in closer alignment with comprehensive plan goals. The procedure includes clear decision-making criteria and limitations on the maximum amount of deviation, such as 10 percent, perhaps up to 15 percent within village areas.
Certificate of Occupancy	This is the last step in almost all development application processes, and is mentioned in the current UDO but a certificate of occupancy procedure is not included. We suggest this process, including the preparation of as-builts for certain forms of development including public infrastructure, be included.
Comprehensive Plan Amendment	The comprehensive plan amendment procedure is included to provide guidance on amending the future land use plan (map) as a precursor to a zoning text or zoning map amendment. The North Carolina statutes indicate that the zoning map should maintain consistency with the comprehensive plan. In cases when a zoning text or map amendment is proposed that is inconsistent with the adopted comprehensive plan or future land use plan, this procedure provides a process for an applicant to amend the comprehensive plan (to ensure consistency).
Development Agreement	Development agreements are agreements between a developer of land and a local government. It clarifies the rights and responsibilities of each party in the development process. They establish development phasing, infrastructure provision, and indicate how large developments will build out over many years. They can include utility over-sizing and other aspects not typically addressed in the regulations.
Subdivision Exemption	This is a formal process used by the UDO Administrator to determine if a proposed division of land is or is not exempted from the subdivision standards. It provides certainty to an applicant and a means of tracking the division of large parcels over time. We suggest this process be provided as a service and there be no fee involved.
Temporary Use Permit	This is a review procedure used for land uses of a temporary duration (usually less than six months). It sets out the maximum duration and frequency of such uses.
Vested Rights Determination	The vested rights determination is a formal process replacing the standards in Section 151.513. It requires an applicant to request a determination along with their application and requires a public hearing if one is not already required (such as in the case of minor site plans).

4.5 Changing State Laws

This section describes relevant changes in planning-related state laws over the last five years. This is not an exhaustive list of all planning-related regulatory change adopted, but it does address the majority of important legislation. In some cases, the County's UDO has already been modified to address some aspects of these laws, but in general the new UDO should be revised to ensure compliance with these new provisions.

PROTEST PETITION REPEALED

Session Law 2015-160 repeals the ability of citizens to file protest petitions on zoning map amendment applications.

RESIDENTIAL DESIGN STANDARD LIMITS

Session Law 2015-86 prohibits local governments from applying some design standards to 1- and 2-family dwellings (including attached residential or townhouses) without the owner's consent. Limitations include room location/purpose, door and window placement (include garage doors), exterior color/materials, and nonstructural architectural ornamentation. These limitations are not extended to manufactured housing, which may continue to be regulated regarding appearance.

BOA VOTING RULES

Session Law 2013-126 made several changes to the rules of procedure for Boards of Adjustment, including new mailed and posted notice provisions for quasi-judicial hearings; requirements for decisions to be made in writing and delivered to parties with standing; and revised voting requirements from a 4/5 majority to a simple majority for appeals, conditional, and special use permits.

REVISIONS TO PERFORMANCE GUARANTEES

Session Law 2015-187 limits the ability of local governments to require maintenance guarantees under the subdivision provisions (though such authority still exists for some public facilities under the stormwater and enterprise statutes). The law now allows the applicant to choose the form of performance guarantee they will offer, and the amount is capped at 125 percent of the cost. Local governments must allow an extension of an agreement if good progress is demonstrated by the term's expiration.

COMPREHENSIVE PLAN CONSISTENCY REQUIREMENTS

While not a recent statutory change, the state planning statutes (160A-383, 387 & 153A-341, 344) require local governments to adopt statements of comprehensive plan consistency associated with map and text amendments. Decisions are not required to be consistent with the comprehensive plan, but must explain the public interest associated with the decision.

NEW WIRELESS TELECOMMUNICATIONS FACILITIES STANDARDS

Session Law 2013-185 requires local governments to issue decisions regarding applications for all wireless communication facility collocation requests within 45 days. It also requires local governments to approve equipment replacement and collocation requests that constitute minor modifications, including requests that add up to 10% to an existing tower's height, up to 20 feet in width to the base of a tower, or less than 2,500 square feet to the equipment compound area.

REQUIRED NOTICE TO MILITARY INSTALLATIONS

Session Law 2013-59 requires local governments to notify military base commanders of any of the following activities if located on land within five miles of the base perimeter: zoning map amendments, permitted land uses, telecommunication towers, wind-energy facilities, major subdivision preliminary plats, increases in existing subdivision sizes by more than 50 percent. Session Law 2013-206 requires issuance of a letter of approval from the State Construction Office regarding any structures over 200 feet in height within five miles of several military installations, including the Elizabeth City Coast Guard Station and the Naval Support Activity Center Northwest Annex.

PERMIT CHOICE REQUIREMENTS

Session Law 2015-246 allows an applicant with a pending development review application to choose which set of requirements their application is reviewed under if the regulatory requirements change between the time of application submittal and decision.

RIPARIAN BUFFERS

Session Law 2015-246 limits the maximum allowable width of riparian buffers to those adopted by state law (unless an appeal is made to the EMC). The law also requires that riparian buffers within lots be shown on the final plat, and that when inside a lot, the area associated with the riparian buffer be counted towards dimensional requirements. In cases where riparian buffers are established as private common open space, then each lot abutting the private common open space receives a pro rata share of the land area within the buffer for the purposes of density calculation. In addition, land area within a riparian buffer must be credited towards open space, buffer, and tree retention area requirements.

WETLANDS MITIGATION LIMITS

Session Law 2015-286 limits the application of wetland mitigation requirements to all instances of isolated wetlands except Basin Wetlands and Bogs (precluding man-made ditches and ponds).

IMPERVIOUS SURFACES

Session Law 2013-413 excludes wooden slatted decks, the water area of swimming pools, and gravel from the definition of "built-upon areas," and exempts farm ponds from riparian buffer rules. Session Law 2015-149 excludes gravel areas and trails meeting state laws as built-upon areas.

STORMWATER CALCULATIONS

Session Law 2015-286 specifies that the calculation of the pre- and post-development runoff anticipated during a one-year 24-hour storm may be calculated using any acceptable engineering hydrological and hydraulic method. The law also allows development within a required buffer provided the stormwater is collected, treated, and discharged in a manner so that it passes through the buffer.

TEMPORARY HEALTH CARE STRUCTURES ALLOWED

Session Law 2014-94 requires that temporary health care structures that meet state requirements must be allowed as uses accessory to single-family detached homes.

WITHHOLDING PERMITS ILLEGAL

Session Law 2015-187 states that a local government may not withhold a building permit or certificate of occupancy on one lot to compel the owner of that lot to address compliance on a different lot owned by the same person. In Camden County, there are some subdivisions that do not meet minimum roadway requirements. In these cases, building permits for lots in these subdivisions are not subject to the protections identified in this session law because the roadway deficiencies render the lots ineligible for building permit issuance.

ALLOWANCE FOR BEE KEEPING

Session Law 2015-246 limits local governments from prohibiting bee keeping of five or fewer hives.

LIMITATIONS ON STANDARDS FOR PRODUCE STANDS

Session Law 2012-187 exempts farm produce stands of less than 1,000 square feet, open less than 180 days per year, and certified by the state as a roadside farm market from state building code requirements.

LIMITATIONS ON STANDARDS FOR PRIMITIVE BUILDINGS

Session Law 2013-75 exempts primitive camp and "heritage" farm buildings from meeting building code requirements provided they are less than 4,000 square feet in area and occupied for less than 24 hours per day.

ALLOWANCE FOR RESIDENTIAL DEVELOPMENT ON LARGE LOTS

Session Law 2011-384 prohibits counties from barring single-family residential uses on lots over 10 acres in area in districts intended for agriculture, in cases where lots do not have frontage on a public or private road, or in cases where the lot is not served by public water or sewer lines.

FRACKING EXEMPTION

Session Law 2015-264 limits local government rules pertaining to fracking that limit such operations beyond minimum state requirements.

GRAIN DRYING FACILITIES EXEMPT

Session Law 2013-347 treats grain drying and storage facilities (including receiving, loading, weighing, and drying) as bona fide farms for the purpose of zoning regulations.

NOTICE OF ZONING VIOLATION

Session Law 2013-151 allows local governments to notify chronic violators by regular mail in addition to registered or certified mail, and removes the requirement that certified mail must be accepted.

OVERGROWN VEGETATION REMEDY

Session Law 2015-246 allows local governments who provide notice of violation by certified or registered mail to a chronic violator of overgrown vegetation laws to remedy the vegetation issues without further notice and apply a lien to the property to recover the costs of the remedy.

PROTECTION OF ESTABLISHED FARMS

Session Law 2013-314 protects farming and forestry uses from nuisance claims generated by new uses locating adjacent to them after one or more years following establishment of the farm or forestry use.

SIDEWALK DINING

Session Law 2013-266 allows local governments to enter into agreements with the NCDOT to allow sidewalk dining within state road rights-of-way, provided: the roadway design speed is 45 miles per hour or lower, a sidewalk is present, and the furniture is at least six linear feet from a travel lane.

REGULATION OF FERTILIZER LIMITED

Session Law 2014-103 prohibits local governments from regulating the use, sale, storage, or manufacturing of fertilizer, but does allow application of dimensional requirements, water quality protection, and fire protection rules.

DEVELOPMENT AGREEMENTS

Session Law 2015-246 removes the minimum area and maximum duration limitations on development agreements.

CONSTRUCTION FENCE SIGNS

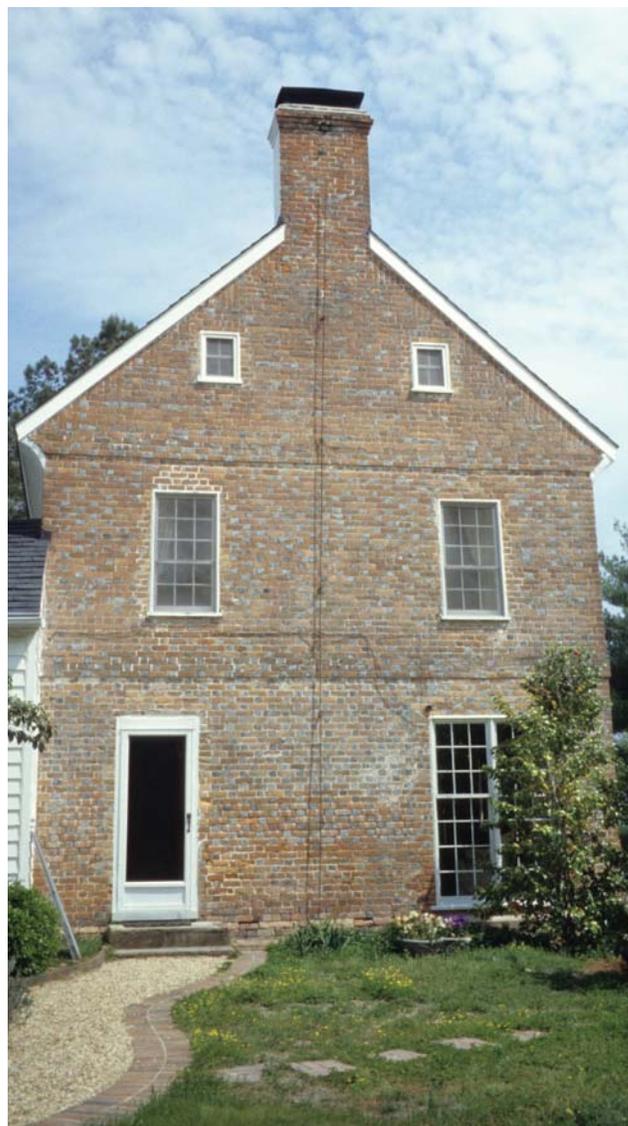
Session Law 2015-246 exempts construction site fence signage from local zoning rules until the certificate of occupancy is issued or 24 months passes.

EXPANSION OF BUILDING CODE EXEMPTION

Session Law 2015-145 expands the threshold of work on a single-family home or farm building that is exempted from the requirement to obtain a building permit from \$5,000 to \$15,000. In addition, construction plans for commercial buildings with a total value of \$90,000 or less and with a footprint of less than 2,500 square feet are no longer required to be sealed by a professional architect.

ADDITIONAL NOTE:

Session Law 2015-286 directs the Department of Insurance and the Building Code Council to study how flood elevations and building heights are established and measured in coastal regions. It is anticipated that a more uniform approach in height measurement may be established.



Milford in Camden County is the oldest two-story brick house still standing in North Carolina and is listed on the National Register of Historic Places.

4.6 Homeowner Associations

Section 151.198 of the current UDO sets out the standards for homeowners associations. These associations are required to be established as part of any development that includes private common open space or other common features like community stormwater facilities, private roadways, and community wastewater systems. Since these associations are expected to maintain community facilities (instead of the County), it is within the County's interest to ensure these associations are established and can operate in the manner necessary to fulfill their maintenance obligations. As a result, the current UDO includes minimum requirements for establishing the association, the ability of the association to require membership, and the ability of the association with the ability levy fees to cover maintenance costs. Associations must also maintain insurance and pay whatever taxes exist on common land or facilities.

In practice, many communities have found that homeowners associations are often ill-equipped to handle maintenance costs over the long term, largely due to insufficient funding. To address these and other problems, we suggest the new UDO include a comprehensive set of homeowners association standards that include the following provisions:



The private common open space in the Whitehall Shores neighborhood in southwestern Camden County.



- » A detailed set of documentation requirements for establishing a homeowners association, including evidence of establishment of a reserve fund for use in addressing maintenance responsibilities;
- » New standards requiring establishment of the association prior to the first lot sale in the development;
- » Requirements that the developer maintain maintenance responsibility for all community facilities and private infrastructure until the development is adequately capitalized;
- » Requirements that upon adequate capitalization of the development and HOA request, maintenance control must be transferred from the developer to the association;
- » New limitations on transfer of roadway maintenance responsibility until the roadways being transferred meet the NCDOT's threshold standards for number of dwelling units;
- » New standards governing the transfer of maintenance responsibility from the developer to the association;
- » Requirements for a minimum fund balance to be in place prior to transfer of maintenance responsibility from the developer to the association; and
- » Requirements for a status report from the developer prepared by a registered engineer indicating all common features and private infrastructure comply with the standards in the UDO prior to the transfer of maintenance responsibility.

We also suggest the enforcement section of the new UDO be supplemented with standards indicating that failure to maintain common facilities and private infrastructure in accordance with the standards in the UDO is a violation of the UDO subjecting the responsible party to enforcement action, such as use of performance guarantees, liens, or citation for violation of the UDO.

5

SECTION FIVE

DISTRICT MODIFICATIONS

5.1 NEW LAYOUT

5.2 CHANGES TO EXISTING DISTRICTS

5.3 LOT DIMENSIONS

5.4 ADDITIONAL REVISIONS

5.5 AMERICAN RURAL VILLAGES

5.6 OVERLAY DISTRICTS

The zoning district provisions are at the core of the UDO, and they are the primary tools for protecting community character. The district standards control where allowable use may locate generally as well as the individual lot configuration requirements, such as dimensional standards.

Article 2 of the current UDO includes 13 basic zoning districts organized into groups of five residential, five commercial, two manufacturing, and one planned development district. There are also basic standards related to the maintenance and interpretation of the zoning map. Density and dimensional standards are maintained in their own separate article.

This section provides a series of recommendations for improvements to the zoning districts to help implement the 2035 Comprehensive Plan, accommodate a wider range of residential and mixed uses, focus employment-related uses on the major commercial corridors, better protect agricultural lands, and make the standards more predictable and easier to administer.

One of the primary recommendations is to consolidate the zoning district-related information into a new single article and use a more robust layout that organizes the information for each district into two pages that incorporate greater detail about district purpose, configuration, and desired development configuration.

We suggest a series of changes to the existing districts, including more intuitive district names, greater distinctions between dimensional standards, new requirements for conservation subdivisions in rural areas, wider ranges of allowable uses in and near village centers, and an overhaul of the planned unit development standards and procedures to make them more realistic and legally sound.

One of the key comprehensive plan goals is to focus new development into village centers. This section describes several example village centers in other areas and identifies some possible revisions to the UDO to foster higher density mixed-uses in a compact, pedestrian-oriented setting.

The last section describes some minor adjustments to existing zoning overlay districts and identifies the need for a new overlay district to be applied along the County's major roadway corridors that helps encourage higher quality aesthetics, access management, and compatibility protection for uses backing up to lots along the major corridors.

Chapter 3: Zoning Districts
SECTION 3.4: RESIDENTIAL BASE ZONING DISTRICTS
Subsection 3.4.2: Single-Family Residential-Mainland (SFM) District

3.4.2. Single-Family Residential-Mainland (SFM) Districtⁱⁱⁱ

SFM SINGLE-FAMILY RESIDENTIAL MAINLAND

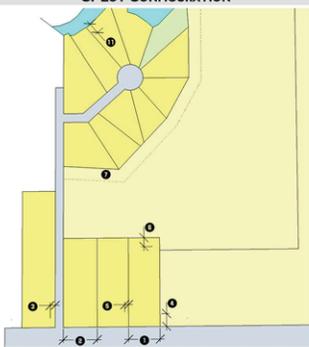


A. DISTRICT PURPOSE
The Single-Family Residential-Mainland (SFM) district is established to accommodate low density residential neighborhoods and supporting uses on mainland Currituck County outside of full service areas. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity, interrupt scenic vistas from the Caratoke Highway, or place undue stress on the county's educational infrastructure. A variety of residential use types are allowed in the district, including single-family detached homes, manufactured homes on their own lots, detached accessory dwelling units, as well as duplexes (with a use permit). The district accommodates agriculture, equestrian uses, minor utilities, as well as various neighborhood-supporting institutional uses such as parks, open space, religious institutions, schools, and similar uses. This district also includes the conservation subdivision option with the ability to accommodate up to two units per acre in full service areas designated on the future land use map of the Land Use Plan. Major utilities require approval of a use permit, while commercial, office, and industrial uses are prohibited.

B. LOT PATTERNS



C. LOT CONFIGURATION



All subdivisions visible from the Caratoke Highway right-of-way shall provide a highway buffer in accordance with Section 5.0.

3.11

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Chapter 3: Zoning Districts
SECTION 3.4: RESIDENTIAL BASE ZONING DISTRICTS
Subsection 3.4.2: Single-Family Residential-Mainland (SFM) District

D. TYPICAL BUILDING FORMS



E. BUILDING CONFIGURATION



F. DIMENSIONAL STANDARDS
TD = Traditional Development CS = Conservation Subdivision Development

	TD	CS		TD	CS
Max. Gross Density – Traditional Dev. (du/ac)	1.0	-	Min. Front Setback (ft) [3]	20	N/A
Max. Gross Density – Conservation Subdivisions	-	1.5	Min. Corner Side Setback (ft) [4]	20	N/A
In Limited Service Areas (du/ac)	-	1.5	Min. Major Arterial Street Setback (ft)	50	50
In Full Service Areas (du/ac)	-	2.0	Min. Side Setback (ft)	10	N/A
Max. FAR (%)	0.40	N/A	Min. Rear Setback (ft)	25	N/A
Min. Lot Area (sq ft)	40,000	N/A	Min. Agriculture Setback (ft) [5]	50	50
Min. Lot Area (acres)	N/A	10	Min. Accessory Use Setback (ft) [6]	10	3
Min. Lot Width, Interior Lot (ft) [1]	125	N/A	Min. Driveway/Parking Setback (ft)	10	N/A
Min. Lot Width, Corner Lot (ft)	135	N/A	Min. Fill Setback from all Lot Lines (ft)	10	10
Max. Lot Depth	[2]	N/A	Max. Building Height (ft)	35	35
Max. Lot Coverage (%)	30	N/A	Min. Wetland/Surface Water Setback (ft)	50	50
			Min. Spacing Between Buildings (ft)	10	3

[1] All lots shall maintain a minimum street frontage of 35 feet
 [2] Lot depth shall not exceed four times the lot width
 [3] Front setbacks shall be measured from ultimate ROW line
 [4] Driveways shall provide access from street with less traffic
 [5] Applied to subdivisions approved after (UDO effective date)
 [6] Prohibited in front of principal building when principal building is less than 300 feet from street

3.12

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The image above is an example of a graphically-driven zoning district layout for another community. It occupies two opposing pages and provides all the relevant details applicable in the district, including the district purpose statement, dimensional requirements for the district, images of typical subdivision patterns, images of desired development forms, and graphical representations of dimensional requirements and district character.

An example layout of base zoning district information from another community. The district information includes dimensional requirements for both traditional development as well as conservation subdivision-style development.

We suggest this kind of approach be taken in the new Camden County UDO. In addition to these changes, we suggest that design standards applicable to particular types of development (such as the multi-family use and design provisions in 151.031.B, Commercial Districts Established) be relocated to the article on development standards. District-specific standards, like those in Section 151.346.E should be relocated to the individual districts where they apply, and can be integrated into the above format.

5.2 Changes to Existing Districts

CURRENT UDO			UPDATED UDO		
District Name	Min. Lot Size	Description	District Name	Min. Lot Size	Comments
Conservation (CD)	None	Intended for farms and preservation land - district is not included on zoning map	Conservation & Protection (CP)	None	Government-owned land & land unavailable for development
General Use (GU)	5 AC [1]	Agricultural land & very low density residential land	Working Lands (WL)	5 AC [2]	All subdivisions now subject to conservation subdivision requirements
Basic Residential (R-3-2)	2 AC	Low density residential land adjacent to agricultural land	Rural Residential (RR)	2 AC	
Basic Residential (R-3-1)	1 AC		Suburban Residential (SR)	1 AC	Carry forward with name change
Mixed Single-Family Residential (R-2)	40,000 sf	Moderate density, mixed residential neighborhoods close to village areas	Neighborhood Residential (NR)	40,000 sf [3]	Proposed to now allow duplex dwellings
Mixed Village Residential (R-1)	40,000 sf	Low density residential development within a village	Village Residential (VR)	30,000 sf [4]	Proposed to now allow single-family attached dwellings, if served by sewer
Neighborhood Commercial (NCD)	40,000 sf	District limited to 2-4 acres in area	Crossroads Commercial (CC)	40,000 sf	New requirement to be near roadway intersection (+ remove from waterfront neighborhoods)
Community Core Commercial (CCD)	40,000 sf [5]	Pedestrian-oriented, multi-story, mixed uses inside villages	Village Commercial (VC)	40,000 sf [5]	Proposed to require open space
[NEW]			Mixed Use (MX)	20,000 sf [5]	1 st floor must comply with commercial building code; no open space required
Highway Commercial (HC)	40,000 sf	Auto-oriented commercial uses	Highway Commercial (HC)	40,000 sf	New CCO allows more uses, but imposes higher standards
Marine Commercial (MC)	40,000 sf	Marine-related commercial	Maritime Commercial (MC)	40,000 sf	Now include current waterfront NCD lands
Light Industrial (I-1)	40,000 sf	Light industrial uses	Light Industrial (LI)	40,000 sf	Carry forward
Heavy Industrial (I-2)	40,000 sf	Heavy industrial uses	Heavy Industrial (HI)	80,000 sf	Now applied to lands in mining overlay
Planned Unit Development (PUD)	N/A	Negotiated uses & configuration	Planned Development (PD)	[6]	Proposed to remove requirement for conditional use permit

NOTES:

- [1] Allows up to 5 additional family subdivisions of up to 1 acre each
- [2] Maximum lot size in a conservation subdivision may not exceed 1 acre
- [3] Lots within 5,000 linear feet from a designated village boundary may be 30,000 sf if served by public sewer
- [4] Lots served by public sewer may be reduced to 20,000 sf; single-family attached lots may be smaller provided development as a whole maintains 20,000 sf per dwelling
- [5] Lots may be reduced to 20,000 sf with water service and to 10,000 sf with water and sewer service
- [6] Lot sizes may vary, but must be served by water and sewer

The table to the left provides additional detail on the proposed changes to the existing districts. The table is organized into two groups of columns, three for the current UDO in white and three for the proposed UDO in purple. The table compares the current district name, lot size, and key features with what is proposed in the new UDO. Generally speaking, the largest change is the addition a new mixed-use district and increases in density for lands in and around village centers. The paragraphs below provide more detail on the proposed changes for each district.

CONSERVATION & PROTECTION (CP)

The Conservation and Protection district is new name for the Conservation district. It is intended for government-owned and unbuildable land like the Great Dismal Swamp and the gamelands in the southeast of the County. The main change is that the proposed CP district should be considered a conservation district (not a commercial district) and be included on the zoning map, while the CD is not currently mapped. We also suggest dropping the minimum lot area and minimum lot width requirements.

WORKING LANDS (WL)

Working Lands is a new name for the current General Use district. The district is carried forward with a few important modifications, including new requirements that residential subdivisions be configured as conservation (open space) subdivisions in accordance with revised standards. Individual mobile homes are allowed on individual lots. We also suggest the front setback be reduced from 100 feet to 50 feet.

RURAL RESIDENTIAL (RR)

The Rural Residential district replaces the R-3-2 Basic Residential district, and is also subject to mandatory conservation subdivision requirements for subdivisions. The district also allows mobile homes on individual lots. While staff suggests front setback be reduced from 50 to 25 feet, we suggest it be maintained at 50 feet to help preserve rural character.

SUBURBAN RESIDENTIAL (SR)

Suburban Residential replaces the R-3-1 Basic Residential district. It allows, but does not require, conservation subdivisions. It no longer allows mobile homes on individual lots, which

could create nonconformities. We suggest the front setbacks be reduced from 50 to 25 feet, and that the side and rear setbacks be maintained at the pre-2.17.03 distance of ten feet instead of 25 feet.

NEIGHBORHOOD RESIDENTIAL (NR)

This district replaces the R-2 district and is likely to be found proximate to village centers and major corridors. We suggest the district be revised to recognize the more suburban character of these areas by allowing minimum lot area to be reduced to 30,000 square feet within 5,000 linear feet of a designated village center boundary and served by sewer. We also suggest the duplex dwellings be allowed by-right in this district, while mobile homes be prohibited. Conservation subdivisions are allowed, but not required.

VILLAGE RESIDENTIAL (VR)

The Village Residential district replaces the R-1 district and is intended solely for lands within a designated village center area. It includes a reduced minimum lot area of 30,000 square feet that can be further reduced to 20,000 square feet if public water and sewer are present. The district allows attached single-family residential (townhouses), but does not allow mobile homes or conservation subdivisions. Minimum lot widths and setbacks should be reduced by at least 20 percent to recognize the somewhat more urban character inside the village. Heights should be raised to accommodate three stories outside the base flood and freeboard requirements, and height measurement should be adjusted to accommodate flat roofs.

CROSSROADS COMMERCIAL (CC)

The Crossroads Commercial district replaces the Neighborhood Commercial district, and includes a new standard that the district be located on or within 500 linear feet from a street intersection. We suggest the areas currently zoned NCD inside residential neighborhoods and adjacent to bodies of water be rezoned to the new Maritime Commercial district.

VILLAGE COMMERCIAL (VC)

The Village Commercial district is proposed to replace the Community Core Commercial district, and is intended for application solely within designated village centers. The district accommodates a wide variety of nonresidential uses in a somewhat more urban context, and as such, reductions in minimum lot width and setbacks (by at least 20 percent) are warranted. The height provisions should be revised to allow at least three building stories above base flood (including freeboard). The district should be supplemented with new private common open space set-aside requirements intended to create gathering spaces for residents and shoppers.

MIXED USE (MX)

This is a new district intended for the core of designated village centers. The new UDO will make the district available for applicants, but County-initiated rezonings to this district are not anticipated. We do not suggest mandatory use-mixing requirements, but do suggest the district allow a wide variety of residential and nonresidential uses allowed by-right, supplemented with a requirement that the first floor of any buildings in the district be configured in accordance with commercial building code requirements so that it may easily accommodate nonresidential development when the market supports it. The district is not expected to have open space set-aside standards, but will include some basic mixed-use design standards intended to foster a compact, pedestrian-oriented form.

HIGHWAY COMMERCIAL (HC)

The Highway Commercial district is carried forward, but we suggest major roadways (US158, US17, NC34, and NC343) also receive a new Commercial Corridor Overlay (CCO) district designation within 1,000 feet on either side of the right-of-way that allows a wider range of uses than may be permitted in the base district, but also includes new minimum requirements for building aesthetics, site configuration, and compatibility protection for lots backing up to the CCO.

MARITIME COMMERCIAL (MC)

The Maritime Commercial district includes a simple name change from the current Marine Commercial district. We suggest this district replaces the lots zoned NCD and abutting bodies of water within existing neighborhoods. The MC district will also need to include minimum setback standards since none appear in the current UDO (we suggest the current NCD setback requirements be used to avoid creating nonconformities).

LIGHT INDUSTRIAL (LI)

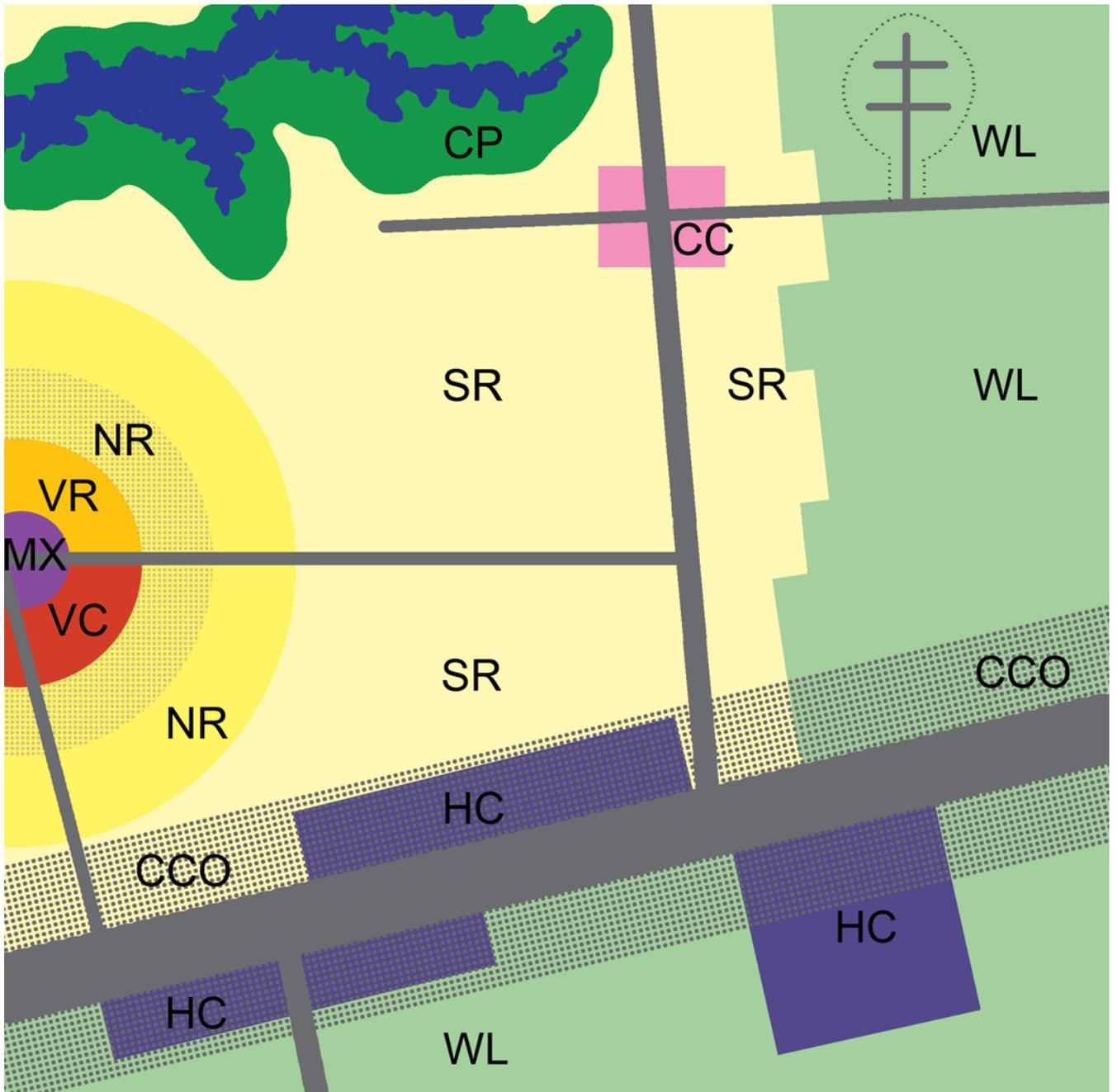
The Light Industrial district is carried forward with only a minor name change.

HEAVY INDUSTRIAL (HI)

The Heavy Industrial district is also carried forward, but we suggest the mining overlay district be removed and lands formerly classified with the overlay be rezoned to HI.

PLANNED DEVELOPMENT (PD)

The Planned Development districts supplements the current PUD district. Areas currently zoned PUD would continue to bear that classification unless rezoned. New areas intended to be master planned would require a rezoning to Planned Development district. We suggest the conditional use permit requirement be removed from the establishment of a PD district so as to avoid creation of quasi-judicial proceedings as part of this legislative act. We also suggest the current minimum district area requirements be removed when a PD is proposed within a designated village



center. Use-mixing requirements, like those in Camden Plantation, should be relaxed or removed altogether as they do not recognize market realities. We suggest all development in a planned development be served by public water and sewer service, and that the standards clarify that some standards, like stormwater, design requirements, and compatibility protection standards may not be waived by a planned development. Buffering requirements and compatibility measures are applied along the periphery of the planned development and are not required for development internal to the district.

This map is a conceptual representation of how the districts are organized across the landscape. The abbreviations shown in the map correspond to the proposed district abbreviations in the table. The CCO stands for Commercial Corridor Overlay, and is proposed for the lands within 1,000 feet of a major roadway corridor (like US 158, US 17, NC 34, and NC 343). The fill pattern on the NR district show the reduced lot area requirements within 5,000 feet of a designated village center.

5.3 Lot Dimensions

The table below lists the dimensional requirements in the current UDO. Interestingly, there is fairly little deviation in dimensional standards from district to district. We suggest the new UDO include several revisions to the dimensional standards, as identified in the following paragraphs.

Dimensional Requirements in Current UDO									
District	Min. Lot Area (sf)	Min. Lot Width (ft) [3]	Min. Street Setback (ft) (before/after 2.17.03)	Min. Side Setback (ft) (before/after 2.17.03)	Min. Rear Setback (ft) (before/after 2.17.03)	Building Setback (ft) [9] (front to back/ side to side)	Max. Height (ft)	F A R	Max. Lot Cover (%) [10] (low density/ high density)
CD	40,000	125	N/A	N/A	N/A	N/A	N/A	N/A	N/A
GUD	217,800	300	100/100 [5]	25/25	25/25	N/A	35	N/A	
R-3-2	87,120	125	50/50 [6]	10/25	10/25	N/A	35	N/A	24/34
R-3-1	43,560	125	50/50 [6]	10/25	10/25	N/A	35	N/A	24/34
R-2	40,000	125	50/50 [6] [7]	10/10	10/10	N/A	35	N/A	24/34
R-1	40,000 [1]	125	25/25 [7]	10/10	10/10	40/20	35	N/A	24/34
NCD	40,000	125	25/25 [7]	10/10 [8]	10/10 [8]	N/A	35	.5	24/60
CCD	40,000; 20,000 (w/water); 10,000 (w/sewer) [2]	125 [4]	25/25	10/10	10/10	40/20	35	.5	24/60; 24/30 for res. lots below 20,000 sf
HC	40,000 [2]	125 [4]	25/25 [7]	10/10 [8]	10/10 [8]	40/20	35	.5	24/40
MC	40,000 [2]	125 [4]	?	?	?	40/20	35	?	24/60
I-1	40,000	125	25/25	10/10 [8]	10/10 [8]	N/A	35	.5	24/40
I-2	40,000	125	25/25	10/10 [8]	10/10 [8]	N/A	35	.5	24/40
PUD	Per master plan	75 w/ water; 50 w/ sewer	Per master plan	Per master plan	Per master plan	Per master plan	Per master plan	Per master plan	Per master plan

NOTES:

[1] Lots with a duplex require 60,000 sf

[2] Lots with a triplex require 80,000 + 10,000 for each unit over three. Lots with 8 or more units require 130,000 sf + 15,000 for each unit over eight

[3] Cul-de-sac lots require 35 feet of frontage and must maintain 80% of the min. lot width at a point 50' back from the street ROW

[4] Single-family attached development must maintain individual lot widths of at least 16 feet

[5] Staff suggests reduction to 50 feet for lots platted after 2.17.03

[6] Staff suggests reduction to 25 feet for lots platted after 2.17.03

[7] Street setbacks are increased by 25 feet when lots abut an arterial roadway (US 17, US 158, NC 34, NC 343, Old Swamp Road, & Sandy Hook Road)

[8] Standards allow side and rear setbacks of 0 feet for vehicular areas

[9] Applied to developments with multiple duplex, attached single-family, or multi-family buildings

[10] DENR approval required for high density option

VARIABLE SETBACK PROVISIONS

The table on the opposing page indicates a series of two different sets of street, side, and rear setbacks depending upon when the lot was platted. For the sake of simplicity, we suggest these variable standards be removed, and that the standards rely on the post-2003 provisions, as modified by staff, with the exception of the R-3-2 district.

REMOVAL OF STREET SETBACKS

During conversations with staff it was mentioned that there is a desire to replace the street setbacks with a front and corner side setback system instead. Under this system, the corner side setback would have a reduced width compared to the current street setback. In addition, the current standards require an additional 15 feet to be added to street setbacks when the right-of-way edge is not discernible. We suggest this approach be abandoned as it can penalize a landowner for actions of the County.

SETBACK SIMPLIFICATION

Many of the nonresidential setback provisions include differing setback requirements for buildings versus parking areas. We suggest that this approach is needlessly complex and should be removed. Setbacks should apply only to buildings, and new landscaping requirements will help address issues with respect to placement of nonstructural items. We also suggest the inclusion of flexibility mechanisms (like the proposed administrative adjustment) to allow administrative discretion on setbacks for lawfully established nonconforming lots that cannot meet dimensional requirements.

REMOVAL OF F.A.R. PROVISIONS

The nonresidential districts include a

maximum floor area ratio requirement. Floor area ratios control the amount of lot area that may be occupied relative to the size of the lot and are a complex provision that is simply not needed given the relatively low maximum building heights and lot coverage limitations.

REVISE LOT COVERAGE APPROACH

In addition to ensuring consistency with state laws pertaining to built upon area, County staff wishes to simplify the lot coverage approach in recognition of the state requirement for development exceeding 24% impervious cover to obtain a high density development permit from the Department of Environmental Quality (DEQ). Development subject to a high density development permit does not have a maximum lot coverage, but must still comply with all applicable stormwater requirements.

CONSERVATION SUBDIVISIONS

One key recommendation of the new UDO is that conservation subdivisions be mandatory in a few rural districts. Conservation subdivisions are intended to preserve rural character, and to do so they seek to locate development in ways that minimize its visibility from off-site views. To increase the effectiveness of the conservation subdivision standards, we suggest a parallel set of dimensional requirements for conservation subdivisions that allow homes to be positioned closer together in areas outside of view of off-site streets.

AVERAGE SETBACKS

The current UDO allows for use of average setbacks for infill development as a means of supporting compatible infill. We suggest these average setback provisions be carried forward.

5.4 Additional Revisions

While the primary objective of the zoning district changes described in the Evaluation Report is to allow the County to transition from its current set of zoning district names and standards to a revised set of zoning district names and standards without need of a County-wide zoning map amendment, there are some map amendments that will still need to be processed by the County.

For example, the lands in residential neighborhoods currently zoned NCD and adjacent to water will need to be rezoned to the new Maritime Commercial (MC) district, the lands subject to the Mining Overlay will need to be rezoned to Heavy Industrial (HI), the Corridor Commercial Overlay (CCO) needs to be applied to lands within 1,000 feet of the major arterial roadways, and the new Conservation and Preservation district needs to be applied to park, recreation, and conservation lands. In addition, we suggest the County carefully review the existing zoning map and ensure that there are no instances of the current R-1 or CCD districts located outside of village center areas. If there are lands with these classifications outside of

village center areas, they should be rezoned to more appropriate district designations.

Zoning



This image shows the South Mills village area superimposed on the zoning map. There are several areas where higher intensity residential zoning extends outside the center boundaries. The village center boundary should be revised to recognize this zoning, or the zoning should be changed to recognize the village center.

FUTURE LAND USE MAP

In addition to changes to the zoning map, we suggest the County also consider revising the future land use map to officially designate the boundaries of the village centers since several proposed zoning districts (like the MU, VR, VC, and NR) now take these boundaries into account.

ANNUAL MAP RE-ADOPTION

One request from staff was that the new UDO move away from recognizing paper versions of the zoning map and instead recognize the digital zoning map as the official map on file. We agree that this change is warranted, and that the County adopt a policy of re-adopting the current digital map (strictly as a formality) each year.

BIFURCATED PARCELS

One additional change not discussed previously is how bifurcated (or “split-zoned”) parcels are handled. Section 151.047 of the current UDO indicates that in cases where lots of two acres in area or less are bifurcated, the whole lot is treated as though the most restrictive zoning district applies. We suggest this approach be abandoned in favor of letting existing district designations apply.

5.5 American Rural Villages

The Preserving and Enhancing Community Character Goal in the Comprehensive Plan states that:

Camden County will preserve and enhance its pastoral character by ensuring that new development within targeted development areas is designed to fit the context of core village areas in the manner of an American rural village.

In order to better understand what an American rural village looks like, and how one can be preserved, this section looks at two case studies of successful American rural villages – Cranbury, New Jersey and Leiper’s Fork, Tennessee – to learn from the strategies each uses to promote and preserve its unique quality of life.

CRANBURY TOWNSHIP, NEW JERSEY

Cranbury Township, population 3,900, is located in central New Jersey. Though it is near larger urban centers like Trenton and Newark, and is a half-way point between Philadelphia and New York City, the township itself has a distinct small-town, rural character.

The township underwent an extensive master planning process in 2010 . The primary community goal that emerged from this process was “preservation of the Township’s rural character.” The plan provides a succinct but detailed definition for what makes Cranbury unique, setting up the rest of the plan and the development regulations that emerged:

“Cranbury’s rural character is defined by a variety of elements, including scenic views, country roads, open space, farmland, hedgerows and tree lines, barns, streams and ponds, and historic structures. Historic Cranbury Village is also an important element in preserving the rural character, but it has a vitality and distinctive development pattern of its own. The primary features defining the Village include a distinctive, well-preserved historic district, a compact development form, a mix of residential, commercial and civic land uses, a distinguishable border or “hard edge,” a pedestrian orientation, and varied lot and building sizes. The preservation of these features is integral to maintaining the character and quality of life that identifies Cranbury Township.”



Snapshots of Main Street, Cranbury Township: Adaptive reuse, horizontal mixed-use with businesses mingled with single-family historic homes, and local dining with outdoor seating add to the village atmosphere.

A primary concern of the plan was preservation of farmland and agricultural activity. The Township adopted regulations which encouraged cluster or lot averaging development in some areas while also maintaining the existing six-acre minimum lot size for conventional subdivisions. The six-acre base density was coupled with lot averaging requirements and the purchase of development rights so as to allow farmers to profit from high land values without having to sell their land, and to continue farming. The regulations also provide a 25% development bonus to encourage developers to use the lot averaging option.

Another goal, as indicated in the statement above, was maintaining the “hard edge” around the village center. Land use regulations in the Township enforce an “abrupt” change in land uses and density between residential and village center development and farmland, and also by emphasizing the maintenance of hedgerows and rural roads. To facilitate this development pattern, the Township purchased land for dedicated, permanent open space just to the west of the village center, and encouraged industrial, office, research, and warehouse uses beyond the open space boundary near a major highway.

The village center is a major point of pride, and local tax revenues, for the Township. It is a compact, walkable commercial and residential area that serves residents and attracts tourists. The entirety of the village core was designated an historic district in 1980. This has helped maintain compatible aesthetics even as more mixed-uses emerged. Cranbury's current regulations encourage a wide mix of uses, including single- and multi-family residences, in the village core. Another major focus of the Township is maintaining sidewalks throughout the village core and promoting the use of trees and planters along all streets. Restaurants are allowed and encouraged to offer outdoor dining to create a lively streetscape.

KEY STRATEGIES:

- Establish and incentivize cluster and/or lot averaging development near farmland.
- Establish a "hard edge" around village cores to prevent sprawl and keep cores compact and walkable. Preserved open space and strict zoning are options for creating this edge.
- Give industrial, office, and warehouse uses a designated place to locate.
- Consider historic designation in village cores to maintain aesthetics.
- Require sidewalks and landscaping in the core, and allow outdoor dining uses.

LEIPER'S FORK, TENNESSEE

Leiper's Fork is one of four unincorporated rural villages in Williamson County in central Tennessee. Located only 30 miles southwest of Nashville and between Interstates 40 and 65, Williamson County's population has grown exponentially in recent decades, but most growth has focused northeast of Leiper's Fork in Franklin, the county seat. Leiper's Fork itself is tiny, with a land area of 1,100 acres and a population of 650 people as of 2013. The area was an important historic crossroads for trading that predates European settlement, and the village is still situated as a crossroads mixed-use commercial area with antiques dealers, specialty boutiques, and regionally acclaimed restaurants. The village is known in Tennessee as a quaint tourism destination and as the home of several country music stars.

In 2011, Leiper's Fork undertook a small area planning process as a follow-up component of Williamson County's first comprehensive land use plan, adopted in 2007. The major themes that emerged in the small area plan will look familiar to those familiar with Camden County's comprehensive plan:

- Retain the Village's charm and character;
- Maintain a vibrant business community;
- Ensure new development is compatible with existing character;
- Preserve historic and natural resources;
- Promote safe, efficient vehicular traffic;
- Address parking issues;
- Improve pedestrian-friendliness;
- Address wastewater issues; and
- Encourage community events and activities.

The plan outlines several strategies for preserving the character of the village while allowing for some of the "inevitable, and even desirable" growth. First, the plan calls for sustainability and environmental protections in new development. This is partially rooted in another feature Leiper's Fork has in common with much of Camden County – the reliance on septic systems for waste management. While lack of sewer service is a hindrance to more development in the village center, it is as yet undecided whether Leiper's Fork wants to increase the amount and density of development by investing in sewer infrastructure.

The plan also calls for design standards that ensure that new developments complement the existing architecture and character of the village. Streetscape standards are suggested as a means of creating a cohesive and unified place in the core.

Two additional goals that are addressed in tandem are preventing sprawl by concentrating development within the core area and preserving open space and agricultural lands. A large portion of the land bordering the village core is part of a conservation easement managed by the Land Trust for Tennessee. In addition to this ready-made buffer, the plan suggests incentivizing infill and adaptive reuse of existing buildings in the core; zoning for agriculture and agri-tourism uses outside the core; educating landowners outside the core on voluntary open space conservation programs; and offering development options outside the core that minimize the impact of new development on rural character.

In 2012, Williamson County revised its zoning map and development regulations to reflect the strategies outlined in the County comprehensive plan and the four small area plans for the villages. The village center area of Leiper's Fork was rezoned into a new Leiper's Fork Village (LFV) district. The LFV was developed directly from the small area plan with the purpose of achieving the plan's conservation and preservation goals. It is further subdivided into a Village Core Subarea (the densest part of the core) and a General Village Subarea just outside the core. Each subarea contains dimensional standards, contextual design standards, and parking standards which reduce the required number of spaces by up to 50% compared to the broader County standards. Some of the land outside the developed center in Leiper's Fork was also rezoned to a new Rural Preservation district which allows for a broad range of agricultural and open space uses as well as limited, low-density residential use.



The village center in Leiper's Fork features rural vistas, rustic outdoor seating and performance space, and small local businesses, many located in adaptively reused historic homes.

KEY STRATEGIES:

- Develop small area plans for village cores that translate into tailor-made zoning districts and development regulations;
- Employ a variety of strategies for preserving a green boundary around core village areas: Land Trust and managed open space, zoning, and incentivizing private landowners to choose open space or low-density development;
- Regulate development for contextual appearance, walkability, and streetscaping in the core;
- Consider lowering parking requirements for development in the core to maintain a pedestrian feel; and
- Carefully weigh the pros and cons of installing sewer service, and do so only where denser development is desired.

5.6 Overlay Districts

An overlay district is set of zoning related provisions that are applied to a geographic area in addition to the applicable base zoning district standards. An overlay district may be applied to an area that includes several different base zoning districts and can apply additional restrictions to development (beyond those in the base zoning district) or may reduce the amount of restrictions that would otherwise apply to development from the base zoning district.

Perhaps the most significant change we suggest with respect to overlay districts is the addition a new Commercial Corridor Overlay (CCO) district that would be established and proactively applied to lands within 1,000 linear feet of the primary roadway corridors in Camden County, including US 158, US 17, NC 34, and NC 343. There are three basic purposes for the CCO, which are to ensure new development in designated areas:

- » Is of a high aesthetic quality;
- » Does not impede the roadway's ability to carry traffic safely; and
- » Does not negatively impact rural character on lots that back up to the CCO boundary.

Because of the overlay's emphasis on protection of rural character and roadway capacity, we suggest it not be applied to lots located within designated village centers since these areas are expected to be more urban and pedestrian oriented.

While the CCO is not expected to have any use limitations, we do anticipate the CCO to include the following types of standards:

- » A flexible approach to building placement that imposes architectural controls for new development located within 250 feet of the ROW edge, or requirements for front setbacks of at least 100 feet with the placement of streetyard landscaping between the front of the building and the roadway corridor to screen it from view.
- » Minimum screening standards for the sides and rear of development in the overlay to help maintain compatibility with rural areas that back up corridor overlay areas.
- » Requirements for stormwater facilities to be treated like site amenities if proposed between the building and a street.
- » Requirements that limit outdoor storage or require it to be fully screened.
- » Enhanced parking lot landscaping standards that screen vehicles and soften the impact of large parking lots of 100 or more spaces.
- » Parking lot cross-access requirements to allow vehicles to move from one establishment to another without using a major roadway.
- » New driveway spacing requirements and incentives for driveway consolidation.
- » Preferential treatment for monument signs, or signs that are close to the ground instead of on poles.

We suggest these standards be discussed during review of this Evaluation Report and additional revisions be identified for the Annotated Outline report that follows.



US 158 is a primary commercial corridor through Camden County, and an area where development appearance and quality is important.

In addition to the changes associated with the CCO, we suggest a few additional minor revisions to the current UDO. For example, Section 151.033 sets out the floodplain (FP) "districts," and also refers to a floodway overlay district. We suggest these standards be revised to recognize a single Special Flood Hazard Area overlay (SFO) district that is comprised of the differing FEMA flood districts in addition to the floodplain and floodway. While this change is not expected to impact any of the substantive standards, the changes will help clarify that there is only a single flood hazard overlay district.

Section 151.034 in the current UDO sets out the Mining Overlay district, which requires the mining overlay district to be established prior to the commencement of any activities. The standards also require approval of a special use permit for mining. Given recent changes to state legislation regarding oil and gas exploration, we suggest this approach be modified to abolish the mining overlay district and instead require mining to take place solely within the Heavy Industrial (HI) district. The special use permit requirement for mining should also be carried forward.

Finally, given its rich history, the County has several historic landmarks like the Masonic Lodge, Milford House, and others. While many of these sites are on the National Register, the County does not include a local historic district or local historic landmark designation, despite the many qualified structures around South Mills and in the southern portions of the County. While the County is not yet ready to establish local historic district provisions, we suggest a placeholder for a local historic overlay district (LHO) be included for the County's use in the future.

6

SECTION SIX

CHANGES TO USE PROVISIONS

6.1 TIERED USE CLASS SYSTEM

6.2 MORE USE-MIXING

6.3 TARGET USES

6.4 UNLISTED USES

6.5 MORE HOUSING OPTIONS

6.6 UPDATE USE STANDARDS

6.7 ACCESSORY & TEMPORARY USES

Use provisions tell code users what land uses are allowed in each zoning district, and also list the standards that uses must meet. The County's current use provisions are housed in Sections 151.325 through 151.334 of the code, and while they do include a fairly comprehensive summary use table, it is not easy to use, and there are very few use standards given.

In this section, we suggest some fundamental revisions to the way that permissible uses are classified and presented to code users. We recommend a three-tiered use classification system that standardizes and better organizes the way that uses are distinguished from one another. This reorganization includes separating temporary and accessory uses from principal uses. The logical framework that such a system relies upon also makes it easier to classify unlisted uses as required by recent North Carolina case law.

We pay specific attention to two "target uses" that are highlighted in the Comprehensive Plan as land uses that County residents would particularly like to see encouraged through the updated UDO: grocery stores and eco-tourism. This section contains short illustrative case studies on these uses that offer insights into how the UDO might help the County achieve these land use goals. We also discuss the Comprehensive Plan goals of broadening the range of housing options and increasing mixed-use development in the County, and suggest several revisions to the use provisions to help move toward these objectives.

6.1 Tiered Use Class System

Sections 151.325 through 151.334 of the current UDO are collectively titled “Permissible Uses and Table” and contain the bulk of the use regulations as well as a summary table of uses by zoning district. The summary table lists uses, which are numbered and classified in broad categories, like Residential, number 1.000, which contains sub-categories such as Single-family detached (1.100) and Multi-family residences (1.300). The sub-categories are sometimes, but not always, broken down further into specific use types, such Multi-family apartments (1.330) and Condominiums (1.340).

While having a summary table is a positive feature, the format of the table is not intuitive. Aside from the decimal numbering system, it is not clear through formatting or any other means that the uses are tiered. Additionally, the hierarchical relationship is not consistent throughout the table. While many of the highest-level distinctions do make sense (Residential, Manufacturing, etc.), others seem too fine-grained (Restaurants, Dance Halls, Bars and Night Clubs). The order of the use types is also not intuitive. In places, the table lists uses in alphabetical order, but not everywhere. This inconsistency makes it very difficult to look up a particular use without reading through the entire table. We suggest that the table be reorganized using a three-tiered system as described in Section 6.1 of this report, using five main use categories: Agricultural, Residential, Institutional, Commercial, and Industrial, and that use categories and use types within these broad categories be listed alphabetically for easy reference.

The proposed use classification system suggested for the updated UDO provides a detailed definition and description of each listed use, including the attributes and elements that distinguish it from other uses. Currently, many of the use sub-categories (the second level of distinction used in the permissible uses table) are distinguished by where activities take place (inside or outside a building), or whether customers visit a business, or only employees. These distinctions could be improved upon and simplified. We suggest using a uniform “major” and “minor” distinctions (and adding a third “moderate” category when needed). The use definitions will define each use type based on intensity, size, or other factors that more directly achieve the purposes of the ordinance. It is also possible to include exclusions, or reasons why one use might be treated differently from another. For example, a laundromat is a personal service use while a commercial laundry or dry cleaning plant is a light industrial use, based on the volume of laundry, the hours of operation, the range of chemicals, delivery vehicles, and other factors. Another benefit of this approach is that allows for easier distinction between principal, accessory, and temporary uses.

An additional benefit of this approach is that it makes it easy to distinguish between the range of uses that are allowed versus ones that are prohibited throughout the County, based on the characteristics of the use. Modern codes often supplement these provisions with a generalized list of uses (and use characteristics) that are prohibited in all zoning districts.

In addition we suggest current Section 151.327, which allows the Administrator to require a special use permit for a use normally requiring a zoning permit, be removed as it is a potential violation of due process.

6.2 More Use-Mixing



Village-style mixed-use may be vertical, with different uses in one building, as shown in the top and middle images, or horizontal, with differing uses along one block side-by-side, as in the bottom image.

In the Comprehensive Plan, Priority Area #5 is to develop an action plan for updating the UDO. One of the key amendments that this section identifies is developing higher density and mixed-use zoning classifications and incentives for application in the core village areas of Camden and South Mills. The comprehensive plan visualizes increased use-mixing in these areas as a way to bring more housing choice, focus economic growth in village cores more efficiently served by sewer and other infrastructure, and increase residents' accessibility to goods and services concentrated in village cores.

Stakeholders interviewed during the initiation phase of the UDO update project said that they would like to see higher densities with mixed-use options by-right in some zoning districts. Some stakeholders also suggested including incentives for use-mixing where it is most desirable.

The current UDO does not address mixed uses in any meaningful way. The Community Core District (CCD) purpose in Section 151.031 says that "individual buildings are encouraged to be multistory with uses mixed vertically, street level commercial and upper level office and residential;" however, the district also only allows multi-family development if it does not comprise the majority of the development. Further, Section 151.015 states that when two or more

different uses occupy the same structure, the more restrictive standards apply. This requirement discourages mixed-use developments and should be deleted in favor of a more robust structure that encourages mixed-use development, where appropriate.

We suggest adding a mixed-use (MX) district to the array of commercial districts, and restricting its application to inside the village centers. We suggest a minimum lot size of 20,000 square feet, which could be reduced to 10,000 square feet with water and sewer service. In order to balance the desire for vertical mixed use (typically commercial on the ground floor with residential or office uses above) with the realities of the market and finance requirements, we suggest requiring the first floor of buildings in the MX district to comply with the commercial building code regardless of their intended initial use. This allows developers to initially offer the entire building as residential, which can help in attracting lenders to the project, but leaves the option for conversion to ground floor retail in the future as the area grows. We also suggest tailored the open space requirements from mixed-use developments, as they are part of a pedestrian-oriented village center feel.

6.3 Target Uses

Stakeholders interviewed in the beginning of the project highlighted a general need for more commercial development in the County, citing both the necessity for residents to access goods and services and to add to the County's tax base. They also expressed a desire for some aesthetic controls or guidance on new commercial buildings, which they indicated were more important than controls on where commercial could locate (i.e., in compact "nodes" along major corridors rather than in a strip fashion).

The Comprehensive Plan focuses on more narrowly defined target uses. The 'Building the Local Economy' goal in the Comprehensive Plan specifically identifies recruiting a grocery provider to the County as part of the priority list for economic development efforts. Citizens who participated in the comprehensive planning process also identified a grocery store as the highest priority land use that they would like to see developed in Camden County in future years. The list also included medical facilities, a hardware store, restaurants, and a community center and/or new parks.

The Comprehensive Plan also identifies a key hurdle that the County must deal with in bringing a grocery store to the area: corporate grocery retailers use population and housing statistics to determine where it is financially feasible to locate. In a sparsely populated area like Camden County, this means that increasing housing densities will improve the likelihood of recruiting a grocery store. For more information on this topic, including other options for bringing a grocery retailer to the County, see the case study on pages 68-69 of this report.

Key Theme 4 of the Comprehensive Plan is Expanding Tourism & Recreation. Objective 4 within this theme is to support development of commercial outfitters and recreation supporting businesses. We suggest that the updated UDO allow these uses by right in all nonresidential and mixed-use districts. See the case study on pages 70-71 of this report for more information on the eco-tourism economy generally as well as some recommendations for Camden County to consider in the UDO update project.

COMPREHENSIVE PLAN GOAL: A GROCERY STORE IN CAMDEN COUNTY

Camden County residents who must travel 45 minutes or more to buy groceries know intuitively the economic, health, and quality of life benefits that would come from having better access to a grocery store. This is why attracting a store is such a high priority for area residents and leaders.

The Building the Local Economy goal outlined in the comprehensive plan says: Residents in Camden County have a great desire to have commercial shopping options within a short drive of their homes. A grocery store is at the top of the list of services that residents' desire. Because corporate grocery stores use population and housing statistics to determine their market areas and the demand needed to support a new grocery store, increasing housing densities and therefore increasing the population in targeted development areas will improve the likelihood of recruiting a commercial grocer to the county.

When trying to attract a large business like a grocery store, this "retail follows rooftops" orientation is not wrong, but is also a bit too simplistic to capture the full range of factors that go into a retailer's decision to locate in one area or another, and thus the full range of potential strategies the County could use to expedite the arrival of a grocery store in Camden.

When making location decisions, retailers are primarily concerned with the ability of a particular site to turn a profit for the company. Profitability turns on several key aspects, which are the metrics that stores use to judge a potential new site's feasibility:

- **Are there enough potential customers nearby?** "Rooftops" do matter in the form of both absolute numbers of residences and their density. Retailers commonly use distance metrics such as 1-, 3-, and 5-mile radii to estimate potential customers for a new store. People tend to buy groceries closer to home than work, so residential uses are what matter for grocery retailers.
- **Are there enough of MY potential customers nearby?** Beyond simply the presence of people, retailers look at particular population segments – their most likely customers – to make sure that there are enough likely shoppers to make the new location worth its cost. For example, a specialty food and wine retailer might look for upper-middle-class adults, perhaps even older adults, where a Food Lion will look for middle-class and working-class families.
- **Where are my potential customers shopping now?** Is there unmet demand? These two questions go hand in hand. Many times, a site that is perfect on paper has already been identified as such by another retailer, and there is a competitor's store right across the street. A business will look to see where their nearest competitors are to ensure that they can attract enough of the available business. A survey of existing area businesses, as well as data on typical household spending patterns, can help a retailer estimate unmet demand for their product. The difference between the money that residents are willing to spend on a particular good, like groceries, and the estimated actual spending on that good. Any balance is unmet demand that a new store could capture more easily than luring customers away from competitors.
- **Do my potential customers travel past the site?** Retailers will also look at the roadway network and obtain traffic counts to make sure that their likely customers actually travel past the location at the correct time of day. For instance, a breakfast restaurant would choose the "going to work" commute side of the road leading from a major residential center to an employment center, while a dinner or grocery-focused outlet would choose the "coming home side" of a common commute.

No grocery retailer has decided to open a location in Camden County to date. This means that retailers have not considered locating in Camden, or that retailers have considered locations in Camden and found the metrics described above to fall short of their standards for profitability. In either situation, the absence of a grocery store located in Camden County for pure market reasons calls for some additional intervention to attract a retailer.



The range of options for achieving this goal include a locally-owned, independent business, a small chain, or a larger chain that tailors stores to smaller, more rural market areas, such as the new WalMart Neighborhood Markets.

The exact course of action depends on several factors, such as whether the County will take the lead on the project or support an outside group; the amount of time and funding the County is willing to dedicate; and other conditions in the County such as presence of potential local entrepreneurs. The following is a brief overview of potential strategies:

- **Attract a private grocery store chain to locate in Camden.** County actions would include putting together a package of data for proposed sites with information like the types presented above, essentially “pitching” a chosen site to potential retailers by doing some of the upfront research and coming to them with a site in mind. This strategy typically also involves incentives such as pre-zoning a site to accommodate the store if necessary, waivers of inspection fees, or fast-tracking of development approvals and inspections. If this is the direction the County decides upon, the next consideration is which chains to target. Larger national or regional chains such as Food Lion and Harris Teeter have strict size and population metrics. Smaller chains tend to have lower requirements for profitability and may be more likely to choose a Camden location.
- **Launch a locally owned small grocery store.** The County could support this effort with similar technical assistance as above, walking a local entrepreneur through the development approval process. Additionally, the County or a partner group could help secure grant funding or loans to support the capital intensive beginning stages of a store.
- **Support or promote a co-op development in Camden County.** This option requires that there be an interested and involved group of citizen leaders willing to organize and promote the co-op. The County’s role would likely be in facilitating the development process and potentially in working with the citizen group to find funding or acquire national co-op membership for the new store.

In terms of the development regulations that will help “set the table” for attracting or growing a grocery store in Camden County, some things to keep in mind are:

- Ensure that the community vision for where new commercial development should locate lines up with retailers’ marketability needs when establishing the zoning and development regulations in key potential sites. A site must be able to accommodate a large building with a large parking lot.
- Offer flexibility as an incentive to potential developers/retailers to choose a Camden County site over others nearby.
- Ensure that development review procedures are clearly explained, predictable, and consistent.

COMPREHENSIVE PLAN GOAL: BUILD ECO-TOURISM IN THE COUNTY

Eco-tourism comes up in the comprehensive plan numerous times, including in relation to improving access point to the Great Dismal Swamp and GDS canal; to developing commercial uses in village core areas; and to marketing the County as a tourism destination through increased public relations work and partnerships. Most directly, Objective #3 of the Expanding Tourism and Recreation Goal reads:

“Camden County will work to identify and support development of new eco-tourism facilities and programs in the county, including environmental education, outdoor adventure, water activities, hunting and fishing, historic education, special events, sports and tournaments.”

A recreation-based economy looks very promising for Camden County. Camden has abundant natural resources, most notably the Great Dismal Swamp, and has begun the process of investing to build on these natural assets through expanding the GDS multi-use path and promoting the use of the canal as a paddle trail.

Nationally, the outdoor recreation economy is strong and growing; between 2005 and 2011, in the midst of the Great Recession, the outdoor recreation sector grew by approximately 5% each year. Reflective of both the rising cost of more traditional vacations and a shifting focus on health and physical activity, Americans now spend more on bicycling gear and trips than they do on airfare. A North Carolina survey found that paddlers spent an average of \$144 per party on their last local trip and an average of \$503 dollars per party on their last non-local trip. Clearly, there is economic development that can stem from judicious establishment and promotion of trail and blueway facilities, particularly for non-locals.

The demographic profile of the outdoor recreation enthusiast is broadening to include young families and retirees in addition to the more traditionally considered young single adventurers. This only increases the potential for naturally beautiful areas like Camden County to attract and sustain a recreation-based eco-tourism sector.

The plan also identifies two key hurdles to achieving a strong recreation economy: a lack of tourist-serving commercial uses in the County and the need for stronger awareness in the broader recreation community about what Camden has to offer. The need for more commercial uses is addressed elsewhere in this document, but there is also likely a need for development outside the village cores, close to key natural areas, to support this growing sector. The 2008 NC Paddle Tourism Study conducted by NC State University provides insight into what recreation-oriented vacationers are looking for in paddling destinations. The most widely cited request was simply for more paddle trails and access points in the state. Other key findings indicated needs for:

- More paddle access and parking at bridges and right-of-ways;
- Restrooms, signage, and emergency call stations; and
- More campsites and camping platforms on paddle trails.



A camping platform operated by Roanoke River Partners, a non-profit group that manages paddle resources along the Roanoke River in Northeastern NC.



Bicyclists enjoying the existing infrastructure on the GDS Trail.



Paddling in the GDS is an established tourist activity that can form a basis for growth of the County's eco-tourism sector.

The desire to build awareness about Camden’s recreational opportunities can be addressed through public and private avenues, and partnerships between the two sectors will be key in building the recreation economy. The County stands to play a role through the revision of the development ordinance other implementing actions from the comprehensive plan. The County can also serve as a broker of partnerships with nearby agencies, potential new businesses, and recreation organizations. Another promising avenue is partnership with nearby universities. Students at Western Kentucky University worked with local government officials to develop the first Blueway in Kentucky, a 185-mile river trail that crosses six counties. Student interns helped with mapping and sign placement along the trail and developed a logo and web site to advertise the trail. Camden County could partner with a university program to promote the area’s recreation resources and develop a brand and new resources to promote Camden’s eco-tourism sector.

KEY CONSIDERATIONS IN THE CODE:

- Maintain and update environmental protections, such as stormwater provisions and light restrictions, that will protect and preserve Camden County’s unique ecosystem;
- Allow and promote recreation-related and supporting uses in the village core areas;
- Consider allowing low-impact recreation-related uses (such as campgrounds) to locate outside core village areas and near the GDS or Gamelands; and
- Consider using open space in-lieu fees toward development and maintenance of facilities that are most important to potential trail and blueway users.



The Great Dismal Swamp already has many of the amenities that surveyed eco-tourism travelers reported affect their travel choices, including restrooms, parking, and a well-maintained visitor center.

6.4 Unlisted Uses

Recent court case rulings in North Carolina indicate that development regulations need to establish a list of prohibited uses or include a process where unlisted uses can be considered in terms of the allowable districts or procedure. Some local governments have taken the position that if a use is unlisted, it is prohibited. The courts have taken a dim view of this approach, and prefer to see development ordinances that address the issue of unlisted uses.

Section 151.328 of the current UDO contains the rules of interpretation regarding unlisted uses and sets out a list of uses prohibited in all districts. However, the current code is unclear about who makes the decision on how to classify unlisted uses; the interpretation procedure described in Section 151.533 only pertains to zoning map, not text interpretations. It does not include any standards or review criteria to guide use classification decisions.

Stakeholders interviewed during the project initiation phase indicated that there are perceived discrepancies in how the code is interpreted and a set of “unwritten policies” that are unevenly or unpredictably applied.

In addition to the more formalized use classification system described in the previous section, which in itself adds predictability and transparency to the way that unlisted uses are dealt with, we recommend that the updated UDO include a revised interpretation procedure in accordance with recent case law. We suggest that the procedure allow the UDO Administrator to determine how unlisted uses will be treated.

We suggest that the material on prohibited uses be carried forward, except that the detail on travel trailers be relocated to accessory use provisions and the prohibition of accessory dwelling units (ADUs) be removed and maximum ADU size provisions be added.

6.5 More Housing Choices

One of the goals of Camden County’s Comprehensive Plan is to increase the range of housing choice and provide a wider range of housing options for all current (and potential) County residents. Key Theme 1, “Character & Identity” includes the goal of providing more housing choices to County residents. Specifically, the plan includes three key actions for achieving this goal:

- » Encourage development of accessory apartments;
- » Create new zoning for moderate and higher density housing; and
- » Introduce new design standards for higher density housing.

To address these goals, we suggest that the updated UDO allow accessory dwelling units (ADUs) by-right in all residential districts. The current UDO allows ADUs in the R-1, R-2, R-3 and GUD districts (as shown in the table of permissible uses under two-family residences).

We suggest establishing a new higher-density mixed-use district for village centers and consider raising densities for residential land within one mile of a village center boundary. As noted in Section 6.2 of this report, the current code does not provide meaningful provisions for mixed-use development. Additionally, multi-family residences are not allowed by-right in any district;

they require a special use permit to locate in the community core, highway commercial, or marine commercial districts. We recommend that multi-family residential be allowed by-right in and near village cores in order to incentivize higher density residential development in desired areas, thereby preserving rural and agricultural land in the majority of the County's land area.

We also recommend including new design standards for multi-family residential, and incentives for higher quality design for single-family attached residential. While some stakeholders called multi-family residential a "no-go," others said they would accept more multi-family housing if it were high-quality and subject to some aesthetic or design controls. We suggest adding options for residential use types such as single-family attached, pocket neighborhoods, mansion apartments, and microunits (or single resident only housing options). Since these forms of housing are optional, all except single-family attached can include provisions to address design that, per legislative action S.L. 2015-86, are prohibited (without owner consent) from being applied to single-family, two-family, and townhouse development.

Recognizing the trends of an aging population in the United States generally and rising costs for eldercare, the County should also consider the ability to locate multi-generational housing to expand the choices available to families.



Housing options include accessory apartments (whether in the principal dwelling or as an accessory structure), pocket neighborhoods (or bungalow courts) built round common open space, multi-family buildings constructed of high quality materials and built to more closely resemble single-family homes, or mansion apartments, or structures with up to seven units built to resemble a large single-family home.

6.6 Update Use Standards

Sections 151.210 through 151.217 of the current UDO contain standards for some, but not all, of the uses listed in the use table, including campers, mining operations, marinas, sexually-oriented businesses, and mobile homes. Confusingly, this grouping of sections, titled “Supplementary Use Regulations” appears many pages before the permissible use table and all of the other use-related information. In addition to being a far from complete list of permissible uses, the standards also include some temporary and accessory uses that should be relocated.

The camping and campers standards are somewhat vague as written and should be reorganized to list standards by specific use, such as campgrounds, campers on building lots, and accessory or temporary storage. The mining standards in Section 151.211 could be more robust, and we recommend adding additional objective standards and criteria related to separation and to address noise, dust, and vibration (along with removal of the mining overlay district). Similarly, with regards to landfills and convenience sites (Section 151.217), we suggest adding compatibility standards to protect neighboring uses, and removing the different treatment of public and privately owned landfills. The use standards also contain definitions scattered throughout the text, which we recommend be relocated to the consolidated definitions chapter.

The mobile home standards need similar updates, including better distinguishing between mobile and manufactured housing and reorganizing the standards to include standards applicable to all mobile homes, then those applicable to each type. We suggest carrying forward prohibition of new mobile home parks or expansions to existing parks. One central approach identified in the updated UDO is to allow individual mobile homes on their own lots in more rural and suburban areas with new limits on such uses in more urban areas.

Section 151.347 contains standards for uses treated as conditional or special uses. We recommend these be consolidated with the other use standards, and that temporary and accessory uses within this section also be relocated to the proper sections in the updated UDO. There are also some use types that we suggest deleting or revising.

The table on the following pages compares the current use categories found in Section 151.334 to revised use categories suggested for the new UDO. It reflects our suggestions for applying a use classification system and simplifying the use distinctions.

We also suggest the following improvements be made to the summary use table in the updated UDO:

- » Add color fields to help distinguish uses;
- » Ensure full table is visible and repeat the header on each page;
- » Use a symbol (·) to denote blank cells;
- » Add a column to reference additional use-specific standards;
- » Add a column to clarify if prohibited in a particular overlay district;
- » Add a consolidated set of use-specific standards that directly follows the table.
- » Remove of outdated uses such as rendering plants;
- » Remove items that are not uses but development standards, such as subdivisions and pedestrian walkways;
- » Shorten the names of use categories for user-friendliness; and
- » Relocate all standards contained within the table and the table notes to the use-specific standards.

The table on the following pages shows the recommended translation from current to proposed use categories. The notes to the table describe the individual use types that each use category would include.

Current Use Categories	Proposed Use Categories
Use Categories contain groups of individual Use Types. Use Categories are shown in this table for the purposes of comparison. Example Use Types within Use Categories are shown in the notes.	
Agricultural	
Agricultural Operations; Farming, Not Exempt as Bona-Fide Farms	Agriculture/Horticulture
	Animal Husbandry
	Agricultural Support, major [1]
	Agricultural Support, minor [2]
Residential	
Single-family detached, one dwelling unit per lot	Household Living (Single-family detached, Single-family attached, Duplex, Triplex, Quadplex, Multi-family, Mobile home, Manufactured home, Upper story residential)
Two-Family Residences	
Multi-Family Residences	
Miscellaneous Rooms for Rent Situations	Boarding House
[new]	Group Living (Rooming house, Single room occupancy, Dormitory, Family care home)
Institutional	
Libraries, Museums, Art Galleries, Art Centers and Similar Uses, Including Associated Educational and Instructional Activities	Community Services [3]
Nursery school and day-care centers	Day Care (Adult day care center; Child care center)
Schools	Educational Facilities
Miscellaneous Public and Semi-Public Facilities and Related Uses	Government Facilities [4]
Institutional Residences or Care/Confinement Facilities	Health Care Facilities [5]
Social, fraternal clubs and lodges, union halls and similar uses	Institutions [6]
Churches, synagogues and temples, including associated residential structures for religious personnel	
[new]	Parks and Open Areas [7]
Cemetery and Crematoriums	Public Safety [8]
Emergency Services	Public Safety [8]
Penal and correctional facilities	Public Safety [8]
Airports and Air Strips	Transportation [9]
Utility Facilities	Utilities [10]
Wireless Telecommunications Facilities (WTF), Towers and Other Related Structures	
Wind Turbines	
[new]	Parks and Open Areas [11]
Cemetery and Crematoriums	Parks and Open Areas [11]

Current Use Categories	Proposed Use Categories
Use Categories contain groups of individual Use Types. Use Categories are shown in this table for the purposes of comparison. Example Use Types within Use Categories are shown in the notes.	
Commercial	
Adult and sexually-oriented businesses	Adult and Sexually-Oriented Businesses
Services and Enterprises Relating to Animals	Animal Care [12]
Restaurants	Eating Establishments [13]
Dance halls, bars and nightclubs	
Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise	Offices [14]
Parking	Parking, commercial
Recreation, Amusement, and Entertainment	Recreation/Entertainment, Indoor [15]
	Recreation/Entertainment, Outdoor [16]
Sales and Rental of Goods, Merchandise and Equipment	Retail Sales and Services [17]
Dry Cleaner and Laundromat	
Funeral Homes	
Motor Vehicle and Boat Related Sales and Service Operations	Vehicle Establishment
Storage of Goods Not Related to the Sale or Use of Those Goods on the Same Lot Where They Are Stored	Storage, Commercial
Industrial	
Agribusiness uses	Agribusiness [18]
[new]	Extractive Industry
Crabshedding	Industrial Services [19]
Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment	Manufacturing and Production [20]
[new]	Warehouse and Freight Movement
Sanitary Landfill and Convenience Centers	Waste-related Services [21]
[new]	Wholesale Sales

- [1] Agricultural research facility; Distribution hub for agricultural products; Farm machinery sales, rental, and service; Stockyard/slaughterhouse
- [2] Agri-education; Agri-entertainment; Agricultural processing; Equestrian facility; Farmers Market; Nursery, production; Roadside market
- [3] Community center; Cultural facility; Library; Museum; Senior Center; Youth club facility
- [4] Government office; Government maintenance, storage, or distribution facility
- [5] Blood/tissue collection facility; Drug or alcohol treatment facility; Hospital; Medical treatment facility
- [6] Assisted living facility; Club or lodge; Halfway house; Nursing home; Psychiatric treatment facility; Religious institution
- [7] Cemetery; Community garden; Park, public or private
- [8] Police, fire, or EMS facility; correctional facility
- [9] Airport; Helicopter landing facility; Passenger terminal, surface transportation
- [10] Solar array; Telecommunications tower, freestanding; Telecommunications antenna or tower or building; Utility, major; Utility, minor

- [11] Cemetery; Community garden; Park, public or private
- [12] Major/minor
- [13] Restaurant; Bars/nightclubs/dance halls
- [14] Office, major (examples: ; Office, minor (examples:
- [15] Skating rink, bowling alley, private gymnasium
- [16] Major, minor, firing range, petting zoo
- [17] Major [Uses with outdoor storage; Convenience store with fuel sales]; Minor [no outdoor storage]; Pawn shop; Grocery store, Dry cleaner or laundromat, Personal services establishment (salon, barber shop, etc); Tattoo/body piercing establishment; Funeral home; ABC stores
- [18] Silos/grain storage and distribution facilities; Confined animal feeding operation
- [19] Contractor service; Crabshedding; Fuel oil/bottled gas distributor; General industrial service and repair; Heavy equipment sales, rental and service; Laundry, dry cleaning, and carpet cleaning plants; Manufactured home and prefabricated building sales; Research and development
- [20] Manufacturing, heavy; Manufacturing, light
- [21] Incinerator; Landfill; Public convenience center/transfer station; Recycling center; Salvage or junk yard; Waste composting

6.7 Accessory & Temporary Uses

As noted in the previous section, the main issue with the treatment of accessory and temporary uses in the current UDO is that they are scattered throughout the code, and thus very difficult to use. Section 151.329 is entitled “Accessory Uses” and does contain a list of common accessory uses, but could be reorganized and consolidated for clarity. We also recommend presenting a summary table of accessory and temporary uses (with formatting consistent with the main summary use table) in lieu of lists of those uses that are allowable versus prohibited as in the current UDO.

Uses currently located in the table of permissible uses, but which should be treated as accessory uses and relocated to this section include:

- » Gazebos;
- » Wooden observation decks;
- » Outdoor/sidewalk sales (when accessory to a principal retail use);
- » Parking areas (accessory to a principal use); and
- » Home occupations.

Additionally, Section 151.332 “Combination Uses” should be deleted and the standards relocated to principal and accessory sections. Standards should be applied based upon the principal or accessory use of the lot or structure. The standards will include a procedure for determining which use is the principal use and which uses are accessory.

Uses in the summary table which should be treated as temporary uses and relocated here include:

- » Temporary indoor/outdoor mobile offices;
- » Farmer’s market (unless it exists as a permanent business); and
- » Sidewalk sales (when not associated with a principal use).

Clearly separating accessory and temporary uses from principal uses will make the updated UDO easier to understand and administrate. Accessory use standards focus on duration and provisions to ensure that the regular operations taking place on a lot are not negatively impacted from temporary uses.



Seasonal sales, street fairs, or sidewalk sales are examples of temporary uses.

7

SECTION SEVEN

DEVELOPMENT STANDARDS

7.1 STORMWATER

7.2 DESIGN STANDARDS

7.3 PARKING

7.4 LAND-SCAPING

7.5 SCREENING

7.6 OPEN SPACE

7.7 LIGHTING

7.8 SIGNAGE

7.9 ROADWAYS

Development standards are the means by which a community controls individual components of new development. Development standards that regulate the lighting, signage, parking, landscaping, and other features of new development play a large role in the overall appearance and feel of the finished product. The application of standards concerning stormwater and open space contribute to the environmental health of a community and its citizens.

The development standards within current UDO are scattered across various sections throughout the code. In addition to recommending consolidating these standards into one chapter, this section includes suggestions for ways the County can improve its current standards to encourage development that better meets key goals from the comprehensive plan (like preserving community form and character, promoting village style development in township centers, improving connectivity and access for transportation, and improving stormwater management).

One key recommendation is to introduce new design standards for multi-family residential development to ensure that as the County grows, it gains high-quality multi-family housing options. Another main suggestion is an overhaul of open space requirements to recognize the different contexts emerging within the county. We suggest allowing and encouraging “urban” features such as plazas and street trees to count toward open space requirements in village centers, while development outside village cores focus on reforestation and stormwater management.

The following pages go into greater detail on recommendations for changes to key development standards.

Given Camden County's proximity to water, lack of topographic relief, poorly draining soils, and on-going conversion of farmland to development, stormwater is one of the most significant challenges facing the County. The following paragraphs detail the current standards and our recommendations for revision.

Section 151.232.F in the current subdivision standards sets out the requirements for subdivisions to store and release stormwater run-off. The standards require the release rate of stormwater from the subdivision at a rate that does not exceed the amount associated with a ten-year storm if the land was undeveloped. It also sets out the stormwater plan requirements. The standards indicate that plans must address maintenance of the stormwater system, but do not go into great detail on this issue.

There are additional standards in Sections 151.400 through 151.403 that are collectively referred to as the "Drainage, Erosion Control and Stormwater Management" portion of the current UDO. Section 151.400, Drainage, repeats many of the standards in Section 151.232.F, but goes into greater detail in terms of applicability (all subdivisions and commercial site plans) and who may prepare a stormwater management plan. There are also more details in terms of stormwater plan requirements. Sections 401 and 402 provide general requirements about facilities to prevent undue retention of stormwater on site and avoidance of negatively impacting adjacent lands with stormwater run-off from new development. Appendix C of the current standards includes the technical specifications for drainage swales, curb/gutter, and storm drains.

We suggest the stormwater standards be consolidated in the UDO, with the basic standards in 151.400, the new stormwater design manual incorporated by reference, the material in current sections 151.401 and 151.402 be reformulated as approval criteria, and provisions for maintenance responsibility (which is to be the responsibility of the HOA or the landowner) be added. In addition, we suggest the standards be supplemented with additional details regarding stormwater facility maintenance requirements, including the possibility of requiring maintenance bonds (or escrow accounts, as appropriate) for stormwater facilities. The standards should also include a new provision that requires all stormwater facilities as well as access to them to be placed in an easement in favor of the County so that the facilities can be maintained by the County (if necessary). Finally, new Chapter 151.9, Enforcement, should be supplemented with violation, enforcement, and penalty information pertaining to stormwater management. The standards in Appendix C should likely be relocated to the stormwater manual or other standard specifications manual, as appropriate.



Reforestation of former farm fields as open space areas and subsequent use as a forested wetland for stormwater management (as is shown here in Montgomery County, Maryland), may be part of the solution to stormwater management issues in Camden County.

7.2 Design Standards

The desire to encourage higher quality design, particularly with respect to commercial development located along major roadway corridors, is described in the comprehensive plan, the RFP for the UDO update, and was mentioned by stakeholders during our initial interviews. The use of design standards is one of the most effective ways to ensure quality development, but care must be taken to ensure the standards do not negatively impact the market for development. The use of baseline design standards supplemented with incentives for exceeding the baseline standards is a successful way to work with market conditions.

The current UDO includes some very basic standards dimensional requirements for multi-family uses in Section 151.066 and additional standards for multi-family development configuration in the CCD district (Section 151.031). This section also includes some very basic materials limitations [to on](#) commercial development in the CCD, NCD, and HC districts (while the HC standards also include some basic architectural detail requirements, parapet walls for low-pitch roofs, and location standards for service functions). Section 151.069, Design Standards, is a very confusing blend of standards applied to mobile homes, modular homes, and possibly multi-family homes.

We suggest a variety of changes to the design standards, including the following:

- » Consolidation of new multi-family, commercial, and mixed-use design standards into a new Article 151.5, Development Standards;
- » Creation of a set of voluntary design guidelines for single-family detached dwellings (with incentives (such as additional density or reduced buffering) for their use);
- » Multi-family design standards that limit building size and foster an appearance more like single-family development;
- » Commercial design standards calibrated to building sizes that emphasize development appearance including fenestration, building articulation, and basic materials requirements;
- » Mixed-use design standards focused on encouraging pedestrian orientation aspects like bringing buildings to the street, visual interest beside the sidewalk, and storefront architecture;
- » Establishment of a basic “floor” or threshold of standards applicable to each form of development (multi-family, commercial, and mixed-use);
- » Inclusion of additional mandatory compatibility provisions (like limits in height, limit in building size, placement of site features, etc.) when development abuts single-family detached residential development;
- » A menu of additional voluntary design standards (tailored to each development type) with incentives for their use (applicants can choose how many and which standards they include);
- » Relocation of the mobile home standards to the use-specific standards for mobile homes in new Article 151.4, Uses; and
- » Inclusion of illustrations, including graphics showing what not to do.

7.3 Parking

Off-street parking regulations in the current UDO are located in Sections 151.110 through 151.123. They are fairly comprehensive, but would benefit from a number of updates and additions to meet current best practices, as detailed below.

The summary table of required parking spaces by use (in Section 151.111 of the current UDO) will be updated to reflect changes to the use table as described in Section 6 of this report. We suggest a review of these standards to ensure that the requirements are in keeping with national best practices. Where appropriate, we suggest the standards be based on aspects that can be determined at the time of permitting (such as square footage). Section 151.112 allows the County to consider deviations from the parking standards in certain cases. We suggest that this section be amended to include additional allowable alternatives and configurations, and that the Administrator be empowered to make these determinations, based on standards.

The dimensional standards for individual parking spaces and the design standards for parking lots are in fair shape, but should be supplemented with the following standards and clarifications:

- » The addition of dimensional standards for motorcycle parking;
- » Clarification of handicap accessible space dimensional requirements, either in the text or by reference to federal standards (current Section 151.121 states that the Board of Commissioners shall set provisions for handicap accessible spaces “as necessary”);
- » Addition of pedestrian circulation requirements and landscaping island standards (including shade tree requirements) to the parking lot design provisions;
- » Incorporation of incentives for the use low impact design (LID) techniques in parking lot surfaces (in particular, previous paving);
- » Formalizing shared parking agreements for jointly used parking areas; and
- » Illustrated dimensional and design standards to increase clarity and user-friendliness.



Incorporating stormwater management techniques into parking lots can include requiring landscaping and disallowing curbs and gutters so that water can flow into, not away from landscaped areas (left) and incentivizing the use of alternative pervious paving that allows water to permeate where it falls (right).

Section 151.120 includes a loading requirement table that prescribes a number of loading bays for a building based on its gross leaseable area. We suggest the removal of this standard in favor of allowing applicants to determine their own loading space needs. Additionally, we suggest incorporating new standards that require loading to take place without obstructing circulation, parking, or screening functions.

We suggest that the County consider removal of Section 151.119, which includes standards that apply in the case of redevelopment of a pre-existing use that has insufficient parking, as the adjustment allowances in Section 151.112 should be sufficient to deal with unreasonable challenges associated with parking for redevelopments. The sections on definitions and driveway standards should also be relocated to their respective new chapters in the updated UDO.

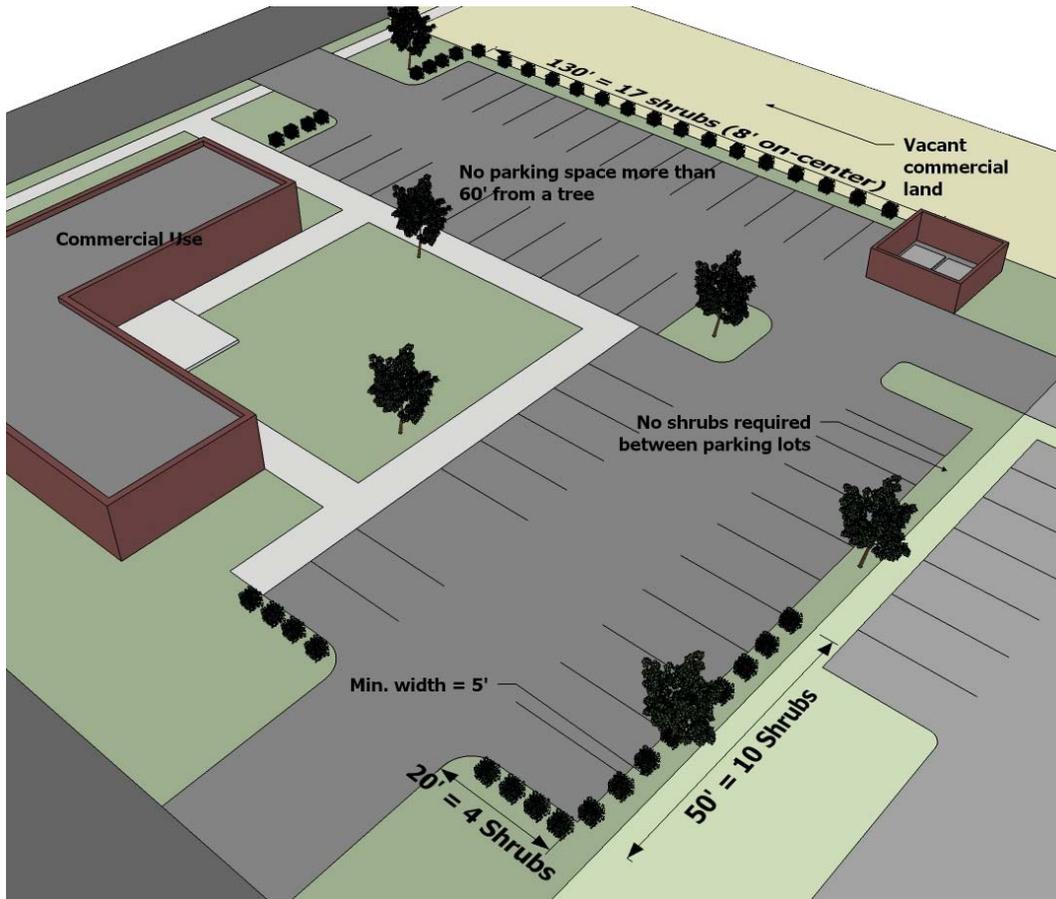
7.4 Landscaping

Landscaping provisions are a key element of development quality and quality of life for residents. The County's current landscaping (and parking lot shading) standards are found in Sections 151.135 through 151.159. The current standards include three basic provisions: perimeter buffers between different land uses, placement (or retention) of trees along new roadways, and shade trees in around parking lots. There are also some replacement requirements for existing trees over 18 inches in diameter that are removed or damaged during development. While these standards address some of the concerns with respect to landscaping, there is significant room for improvement.

One major area for improvement is in the basic landscaping configuration standards, or the standards that address landscaping size at the time of planting, planting configuration, berms, species diversity, how planting in easements is addressed, and the kinds of development allowed within required landscaping areas. There are also no provisions for maintenance of required landscaping or replacement (other than replacement of trees required for preservation). While the current standards require trees to be retained during and after construction, there are no standards relating when or how tree protection measures should be installed. There are flexibility provisions included in the standards, but there are no criteria for decision-makers to use in determining the situations where alternatives are warranted or how standards may be varied. We suggest the current open-ended system be replaced with an alternative landscaping plan procedure that includes standards and review criteria. The standards include no illustrations about how landscaping material should be configured.

An example taken from another jurisdiction showing the tabular format for conveying landscaping and buffering standards, including a description, example image, and flexible options for meeting the requirement.

TABLE 5.2.6.A: BUFFER TYPES				
ACI = Aggregate Caliper Inches				
BUFFER TYPE	DESCRIPTION	MINIMUM SCREENING REQUIREMENT [1] [2]		
		OPTION 1: MIN. WIDTH: 25 FEET	OPTION 2: MIN. WIDTH: 10 FEET	VC/CC DISTRICT MIN. WIDTH: 5 FEET
TYPE B: AESTHETIC BUFFER				
	This perimeter buffer functions as an intermittent visual obstruction from the ground to a height of at least 20 feet, and creates the impression of spatial separation without eliminating visual contact between uses.	8 ACI of canopy trees + 10 ACI of understory trees + 15 shrubs per 100 linear feet	2 ACI of canopy trees + 14 ACI understory trees + 20 shrubs per 100 linear feet	One 5-foot-high high solid fence + 2 ACI of canopy trees + 16 ACI of understory trees per 100 linear feet



An example taken from another jurisdiction showing the perimeter screening requirements along with proposed tree spacing provisions.

Another area for improvement is the parking lot landscaping standards. While the current ordinance does include shading provisions, we suggest these shading standards be supplemented with additional standards (at least in more urban areas) to screen parking lots from grade level to a height of 36 inches. This is typically accomplished with evergreen shrubs. Many modern ordinances also include provisions for landscaping plantings (shrubs and trees) within landscape islands. We also suggest that the shading provisions be revised to require a shade tree within 50-60 feet of each parking space. The standards could also include incentives for LID.

The perimeter buffer standards should be retained, but we suggest that buffer types standards be applied based on zoning district instead of land use classification. This simplifies application of the standards when uses change. We also suggest the three buffer types be supplemented with a fourth buffer intended for screening difficult edge conditions such as a conservation subdivision or the rear of the proposed corridor commercial overlay.

We suggest the current streetyard planting requirements be retained, but supplemented with additional standards for street trees in more urban areas such as village centers or planned developments. Provisions should also be included for cases where trees must be located under overhead utilities or atop underground utilities.

The tree retention requirements for large trees should be carried forward but supplemented with additional provisions for instances when trees may be removed without need of replacement (such as when they are diseased, dying, or when retention of trees impedes the ability to meet other requirements).

Finally, we suggest the County consider the establishment of new requirements for reforestation of a portion of former farmland following development as a residential subdivision to help preserve scenic views and aid in stormwater management.

7.5 Screening

In Camden County's current UDO, the term "screening" is often used as a synonym for "landscaping," as seen in this example Section 151.135: "Even minimal landscaping can provide an impression of separation of spaces and more extensive screening can shield entirely..." and in Appendix E.

Modern codes differentiate between landscaping and screening. Landscaping standards may have many purposes including creating a screen between uses to reduce visual impact, improving aesthetics, providing shade, promoting biodiversity and ecosystem resilience, or as part of low-impact development and stormwater management plans. Screening in its own right has strictly the purpose of reducing the impact of necessary site structures and equipment upon adjacent property in order to protect the aesthetics of the public streetscape.

The current UDO provides only for screening (in this sense) of dumpsters for nonresidential uses, as described in Section 151.184. We suggest that this be expanded in three key ways:



- » Extend screening requirements to include multi-family and mixed-use development;
- » Add detail on the required locations, configuration, and allowable methods of screening; and
- » Expand the requirement to include screening of all refuse collection, ground-based equipment, service areas (like loading or equipment areas), and outdoor storage.

No/Yes graphics providing clear direction on allowable forms of refuse container placement and concealment techniques.

7.6 Open Space

Preservation of open space is an important part of protecting rural character and providing places for people to recreate or interact with nature. Sections 151.195 through 151.199 of the current development ordinance include the provisions related to open space protection. The current provisions require residential development to retain a portion of the development site (5 percent for single-family residential subdivisions and 15 percent of all other residential developments) as permanent open space. Open space (or "conservation") subdivisions are required to preserve 50 percent of the subdivision as open space. The standards require a portion of the open space to be improved with recreational feature (such as ball fields, playgrounds, or other active recreational features), but are silent as to how much or how they should be configured. The standards also limit the ability to place open space over wastewater facilities or



These three images show open space in urban contexts, rural contexts, and as stormwater management.

in wetlands. The standards specify that open space should not be public, but rather should be retained by the developer or deeded to a homeowner’s association, who bears the maintenance responsibility. The standards also recognize the need for flexibility in the application of the open space standards, but are vague with respect to how much or under what circumstances.

Staff has noted that the open space provisions needs to be revised and we agree. First and foremost, the standards are too vague in terms of recreation feature requirements, recreation land configuration, and how flexibility can be applied. The standards do not distinguish between rural, suburban, and village contexts (where open space needs differ dramatically), and do not require nonresidential uses to provide open space. To address these and other issues, we suggest the following revisions:

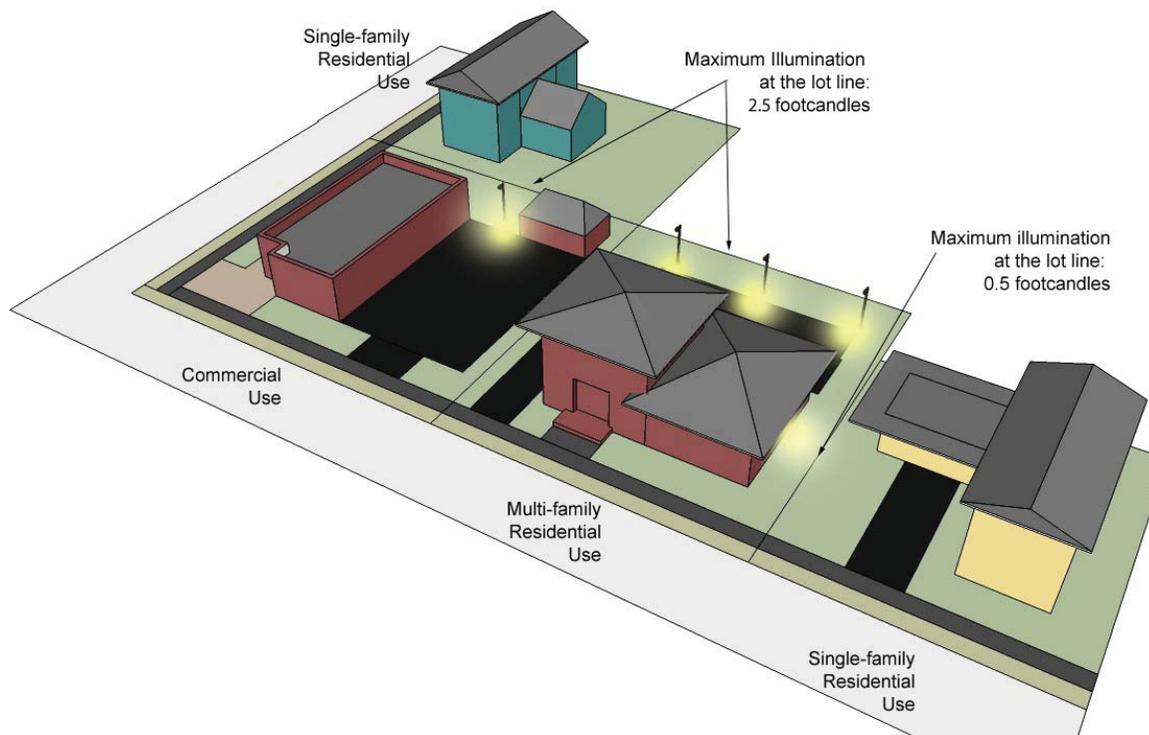
- » New requirements for all residential, mixed-use, and commercial uses to provide open space as a percentage of the development size;
- » The open space requirements be revised to recognize the need for rural character protection and stormwater management in rural and suburban areas, and the need for greater pedestrian-orientation in village areas;
- » Removal of mandatory requirements for active recreation features outside of multi-family development or village center areas;
- » Greater clarity about the kinds of features that may or may not be located with open space;
- » Emphasis on “urban” form of open space features (sidewalk dining, gathering areas, and play spaces) in village center areas;
- » Emphasis on reforestation and stormwater management functions for open space in rural and suburban residential developments;
- » Inclusion of a fee-in-lieu option for smaller lots or several forms of nonresidential development;
- » Increased detail on when open space deviations are allowed, the amount of the deviation, and approval criteria for reviewing requests for deviations;
- » Relocation of homeowner’s association and school reservation requirements to the other subdivision provisions;
- » Ensuring the new open space provisions are consistent with state statutes regarding density allowance and minimum lot area standards; and
- » New illustrations that help clarify desired forms of open space and open space configuration.

7.7 Lighting

The lighting standards in the current UDO are located in Sections 151.177 and 151.178. The requirements are vague and would benefit from greater specificity and illustration, particularly with respect to light trespass or glare.

We suggest that these standards be significantly supplemented to become a comprehensive section on exterior illumination. The new section should address the following:

- » Applicability and exemptions;
- » Lighting configuration provisions, such as shielding, maximum lighting height, and directional provisions;
- » The standards should establish maximum illumination limitations at lot lines, as well as minimum illumination requirements for parking areas;
- » Standards that limit the creation of glare by limiting the ability to see the source of illumination from off-site areas;
- » The standards should be supplemented for additional flexibility with respect to recreational and outdoor performance features;
- » New flexibility provisions that allow for deviations from the standards (subject to specific criteria); and
- » Additional standards for lighting of public streets if this material is not already provided in an outside manual.



An example of the use of graphics to show maximum illumination values at lot lines between different uses.

7.8 Signage

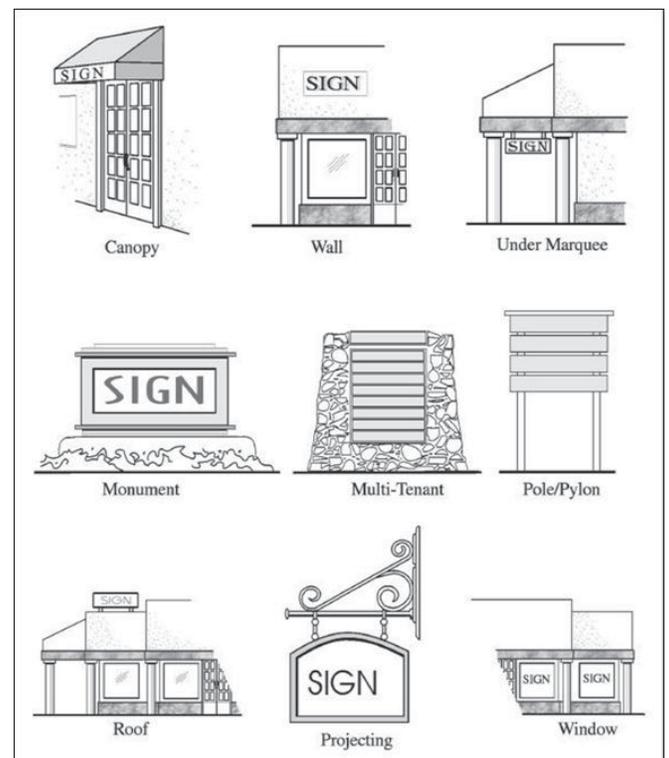
One of the most significant elements affecting community appearance is signage. Recently, the US Supreme Court took up the issue of signage and regulations based on sign content in its *Reed vs Town of Gilbert* case. In this case, the Court held that signage controls that regulate based on sign content are subject to strict scrutiny and must include a direct correlation between content-based controls and protection of public safety. In other words, local governments who regulate sign content have a very high bar to cross with respect to why such controls are needed.

According to legal precedent, laws must have a neutral effect on speech. The typical sign ordinance is a time, place, and manner regulation that does not present a neutrality problem. An example is an ordinance that contains limitations on the size, number, and height of signs. Because they have a neutral effect on speech, time, place, and manner regulations are usually constitutional under free speech rules. However, many municipal codes, including Camden County's UDO (Sections 151.415 through 151.418), also define signs by their content. A directional sign, for example, is treated differently than a sign advertising a new residential development. The base holding of the *Reed* case is that if a staff member must read the sign to know what standards to apply, then the sign regulations are not content neutral, and therefore must pass the test of strict scrutiny to be considered constitutional.

The key change that is necessary for most sign provisions after the *Reed* case is that sign controls may no longer regulate on content, rather, they must regulate on activity. (in addition to time, place, and manner controls). For example, standards that reference a "menu board sign" require County staff to read the sign. That is no longer considered content-neutral. Under the new approach, a "menu board sign" cannot be described by name, but rather would need to be regulated as a form of signage permissible with a drive-through eating establishment use or commercial district.

Perhaps the easiest way to address this ruling is to maintain controls governing sign size, height, and placement, and then make allowance for additional signage that may be allowed to address common topics of signage functions, like directional signs, political signs, for sale signs, building name or address signs, and others. Additional discussion between the County and the consulting team will be necessary on how this issue is approached.

We also suggest the revised signage regulations contain more tables for easy reference and be supplemented with graphics and illustrations.



Content-neutral regulations can determine a sign's type without knowing what the sign's text says, as shown in the example graphic above.

7.9 Roadways

Sections 151.080 through 151.096 set out the requirements for streets and sidewalks. While many of standards are in good shape and will be carried forward with few changes, we do suggest some enhancements, both in terms of formatting and content of the updated UDO section. The regulations are built on the requirement in Section 151.081 that dedicated streets must fall into what appear at first to be nine established street classifications. Upon closer inspection, it becomes clear that there are some redundant terms in the list, and that there are actually only seven classifications. We recommend that the updated UDO remove redundancies in order to clarify between definitions and street classifications. We suggest organization of the street classifications in a table differentiated by number of trips a roadway handles per day and supplemented with typical configuration data such as ROW width, pavement width, and radius.

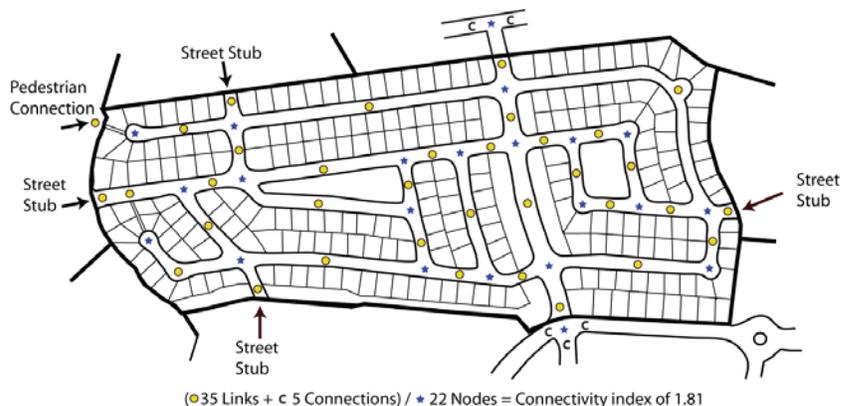
County staff has suggested that the list of arterial streets may need to be expanded (the section names US 17, US 158, NC 343, and NC 34 as major arterials and does not name any minor arterials). We suggest further discussion on this topic happen in tandem with the assigning of trips per day designations for each street type, and be guided by the findings in the Comprehensive Transportation Plan.

Section 151.086 sets out the requirements for new streets to connect with existing or planned streets, as well as requirements for temporary turn-arounds on street stubs. We recommend making these standards more robust by incorporating a street connectivity index (the required score would be an item for further discussion with staff), requiring streets to connect to bordering vacant lands, and requiring street stubs to be built as part of the subdivision process.

We note there are conflicts between the requirement to conform to NCDOT standards and the requirement in Section 151.087 that streets be configured to facilitate drainage. We suggest simply removing Section 151.087 in favor of adopting NCDOT standards by reference.

We suggest carrying forward the remainder of the street requirements with few if any additions. These standards include requirement of deceleration lanes on arterial streets, turn lanes requirement, general street layout standards, intersection standards (we suggest adding sight triangle standards in the text in place of the current cross reference), requirements for wheelchair ramps, and street names and house numbering provisions. All definitions will be removed from the text and relocated to the new consolidated definitions chapter. Finally, we suggest that the County consider relocating the street specifications in Appendix C to a procedures manual or stand-alone document for easy reference and administrative upkeep. Additional discussion is needed regarding new state limitations on the ability to require maintenance guarantees for streets. This may require a more detailed inspection regimen during construction, and new provisions that require developers to maintain and control roadways until there are enough residents for the NCDOT to take the street over.

A connectivity index is a means to address internal and external roadway connections within a development that still allows flexibility in terms of block length and cul-de-sac placement.



8

SECTION EIGHT APPENDICES

8.1 COMP- REHENSIVE PLAN MATRIX

This section of the Evaluation Report contains three appendices of supplemental information.

8.2 SECTION- BY-SECTION REVIEW OF CURRENT CODE

8.1 is the Comprehensive Plan Matrix that summarizes the policy guidance from the County's Comprehensive Plan that is relevant to the UDO. It includes the policy actions recommended in the plan and the consulting team's response.

8.3 INPUT SUMMARY

8.2 is the Section-by-Section Review of Current Code. This summary tables describe what is in each section of the code and provides a disposition of how each standard will or will not be addressed in the updated UDO.

8.3 is the Input Summary that includes composite notes from stakeholder interviews performed at the start of this project. Information has been compiled and summarized by topic to protect the confidentiality of sources.

Together, these three appendices include the main body of source material used by the consulting team to prepare this Evaluation Report.

8.1 Comprehensive Plan Matrix

Action	Recommended Disposition in UDO
Key Theme 1 – Character & Identity	
<i>Goal: Camden County’s land use pattern will be primarily rural in character with high quality and economically productive development in targeted locations in the core village areas and along main road corridors, which are served by public utilities.</i>	
Objective 1: Promote a Targeted Development Pattern (Encourage new development to be consistent with the future land use plan)	
Action 1: Promote targeted development through rezoning.	Suggest the new UDO incorporate one new mixed-use village district (made available, but not proactively applied), allow higher density residential development inside and within 1 mile of villages (without rezonings), and maintain current densities in areas outside villages.
Action 2: Evaluate the impacts of development outside targeted development areas.	Add additional development review criteria related to consistency with the future land use map. Add a new plan amendment process for use in considering development proposals outside targeted development areas.
Action 5: Maintain rural scale zoning.	Maintain current maximum densities and require conservation subdivisions outside village centers. Limit intense corridor development to lands within 1,000 feet of corridor ROW.
Objective 3: Manage Future Growth (Preserve natural & cultural resources and maintain rural character)	
Action 1: Use Smart Growth scorecard.	Suggest replacing the scorecard with new district, use-specific, and development standards embedded in the UDO.
Action 2: Reduce environmental impacts.	Carry forward current limitations for development in floodplains and wetlands.
Action 3: Discourage rezoning of low or least-suitable lands for more intense uses.	Establish new Conservation & Protection (CP) district and limit rezonings to this district except those sponsored by the County.
Objective 4: Ensure that new development has a positive impact on the County budget	
Action 1: Promote development where infrastructure exists or is planned.	Establish new mixed-use zoning district for village centers and raise densities for residential development within 1 mile of village centers.
Action 2: Develop a fiscal impact model for new developments.	Suggest delaying this in favor of codified standards for greater predictability.
Action 4: Coordinate development and infrastructure planning.	Ensure new development provides necessary public infrastructure (especially stormwater facilities) and include incentives for oversizing, as appropriate.
Objective 5: Provide new housing choices	
Action 1: Encourage development of accessory apartments.	Allow accessory dwelling units by-right in all residential districts.
Action 2: New zoning for moderate and higher density housing.	Establish a new higher-density mixed-use district for village centers. Consider raising densities for residential land within 1 mile of a village center boundary.
Action 3: New design standards for higher density housing	Establish new design standards for multi-family residential, and incentives for higher quality design for single-family attached residential.

Action	Recommended Disposition in UDO
<p>Key Theme 2 – Preserving and Enhancing Community Character</p> <p><i>Goal: Camden County will preserve and enhance its pastoral character by ensuring that new development within targeted development areas is designed to fit the context of core village areas in the manner of an American rural village. Development in areas outside of targeted development locations will continue to be developed at a rural scale and provide opportunities for low and very density residential development, small-scale rural crossroads commercial development, and working lands operations.</i></p>	
<p>Objective 1: Maintain rural character</p>	
<p>Action 1: Rural Roadway Corridor Overlay (applied to US 17, US 158, NC 343, NC 34).</p>	<p>Prepare a new corridor overlay district for lands within 1,000 feet of designated corridors that applies additional design criteria to limit development impact on areas outside the corridor.</p>
<p>Action 2: Design guidelines for rural development.</p>	<p>Suggest that any provisions to be included inside the UDO be mandatory standards and not voluntary guidelines. Standards should address community form and establish differing standards for areas inside versus outside village centers. Conservation subdivisions should be configured to be hidden from adjacent roadways.</p>
<p>Action 3: Evaluate impacts on Dismal Swamp State Park</p>	<p>Need to discuss this and consider options. One of the borders to the state park is along US 17, a major economic investment corridor for the County.</p>
<p>Objective 2: Promote village style development</p>	
<p>Action 2: South Mills: New developments fit with context</p>	<p>Establish a new mixed-use district and community form standards for village centers.</p>
<p>Action 3: South Mills: Foster new commercial development on Main Street.</p>	
<p>Action 4: South Mills: Promote infill and redevelopment.</p>	<p>Apply contextual lot and dimensional standards and incentives for redevelopment of existing lots.</p>
<p>Action 8: South Mills: Develop design guidelines for South Mills village development.</p>	<p>Suggest standardized district-specific standards and development standards instead of village-specific standards.</p>
<p>Action 3: Camden Village: Promote targeted commercial development per the future land use plan.</p>	<p>Apply new mixed-use village district to encourage commercial development.</p>
<p>Objective 3: Protect historic and cultural community assets</p>	
<p>Action 1: Shiloh: Identify historic and cultural assets and plan for their protection.</p>	<p>Establish placeholders for a new historic district and certificate of appropriateness procedure in the UDO.</p>

Action	Recommended Disposition in UDO
Key Theme 3 – Building the Local Economy <i>Goal: Camden County will become a destination for outdoor and recreational enthusiasts and will offer recreational amenities and visitor services to support a new tourism economy.</i>	
Objective 3: Support targeted development	
Action 1: Considering providing development incentives.	Incorporate procedural and substantive flexibility mechanisms for preferred development forms (like mixed-use or resident-serving commercial enterprises) and preferred development locations (like village centers and commercial corridors).
Action 3: Support rezonings to higher intensity uses in targeted development areas.	Raise densities and intensities within village centers and within 1 mile of village centers.
Key Theme 4 – Expanding Tourism & Recreation <i>Goal: Camden County will become a destination for outdoor and recreational enthusiasts and will offer recreational amenities and visitor services to support a new tourism economy.</i>	
Objective 1: Support development of Camden's Gateways to the Wild	
Action 3: Reduce development impacts on Dismal Swamp State Park	Establish additional exterior lighting limitations for lands adjacent to the state park.
Action 6: Evaluate new opportunities to expand Dismal Swamp Connector Trail	Incorporate open space provisions that provide incentives and requirements for trails where appropriate, to help establish a connected network.
Objective 4: Support Development of Commercial Outfitters and Recreation Supporting Businesses	
Action 2: Evaluate development ordinance to ensure outfitters permitted by-right	Ensure the UDO allows these uses by right in all nonresidential, and mixed-use districts.
Objective 5: New Residential Development to Assist in Development of Recreational Facilities	
Action 1: New developments in targeted development areas to include open space and recreational facilities.	The UDO should include new open space standards for development in village centers that focus on active recreation, pedestrian orientation, and gathering areas.
Action 2: Update County development standards to require bicycle and pedestrian paths as part of new development.	Suggest open space requirements in and around village areas emphasize pedestrian features and open space areas
Action 3: Consider a requirement for a payment-in-lieu of open space/park development as the priority for development outside of development areas.	Suggest a fee-in-lieu be available for use anywhere in the county based on standards, and that open space lands in rural and dispersed residential zoning districts be used for stormwater management purposes.

Action	Recommended Disposition in UDO
Key Theme 5 – Fostering Mobility, Accessibility, and Safety	
<i>Goal: Camden County will have a transportation system that is coordinated with land use patterns, and that provides an acceptable level-of-service to support economic development and a high quality of life.</i>	
Objective 2: Support the Development and Implementation of the Camden County Comprehensive Transportation Plan	
Action 2: Evaluate opportunities to preserve public right-of-way for new connectors.	Suggest the new UDO include standards that require external connectivity and roadways be configured to create a functional roadway network.
Objective 3: Create better connectivity and accessibility within new developments	
Action 1: Development of access and circulation standards.	The new UDO will incorporate access and roadway connectivity standards for new developments.
Objective 4: Include bicycle amenities with new developments	
Action 1: Update zoning standards to include requirements for bicycle amenities in residential and non-residential development.	Suggest the new UDO include bicycle parking standards, incentives for bicycle features, and bike lanes in village centers and in areas connecting neighborhoods.
Key Theme 6 – Conserving Environmental Resources	
<i>Goal: Camden County will preserve and protect natural resources and working lands for the maintenance of natural systems, to continue to provide viable opportunities for agricultural and forestry operations, to provide opportunities for residents and visitors to commune with nature, and to provide new economic development opportunities related to eco-tourism and outdoor recreation.</i>	
Objective 1: Enhance stormwater management	
Action 1: Acquire public easements on drainage areas in new developments.	Amend the subdivision regulations to require stormwater conveyance areas to be located in public drainage easements.
Objective 2: Protect agricultural and forestry resources	
Action 2: Consider adopting new development standards for rural preservation areas.	Include new farmland compatibility standards and require residential development outside of village centers and areas proximate to village centers to be configured as conservation subdivisions that allow farming and forestry in open spaces.
Objective 3: Manage land use patterns to protect environmental resources and working lands	
Action 1: Continue to limit development in environmentally sensitive areas.	Establish a new Conservation & Protection (CP) district and proactively designate these lands, and maintain current densities in areas outside village centers.
Action 3: Consider making conservation subdivisions a requirement in the GUD.	Suggest limiting allowable residential in this district to residential uses associated with a farming or forestry use.
Objective 4: Protect critical resources	
Action 1: Consider updating open space provisions.	Consider increasing open space requirements in targeted development areas (including corridors) and requiring open space to serve stormwater management functions in working lands areas.
Action 2: Consider increasing water quality standards.	Increasing standards beyond any state maximum standards is no longer legal.

Action	Recommended Disposition in UDO
Key Theme 7 – Serving Current and Future Residents	
<i>Goal: Camden County will provide infrastructure and community facilities in a fiscally responsible manner that is consistent with the proposed future land use map, economic development opportunities, and local demand for services.</i>	
Objective 3: Promote land use patterns that efficiently use public water and sewer services	
Action 1: Promote a land use pattern that utilizes central utility systems.	Continue to encourage growth in village centers and along corridors while discouraging growth outside these areas.
Action 3: Continue to ensure concurrency of development and public facilities.	Need to review the legality and authorization for APF ordinances.
Objective 3: Acquire public easement for maintenance of drainage swales	
All	Revise the site plan and subdivision processes to require public drainage easements along drainage swales that allow maintenance of these facilities.

8.2 Section-by-Section Review of Current Code

Section#	Section Title	Description	Disposition in UDO
GENERAL PROVISIONS			
151.001	Purpose	<ul style="list-style-type: none"> • Cites GS 153A-340 (promote health, safety, morals, general welfare) as purpose of chapter. Also recites typical purposes from statutes (lessen congestion, etc.). • Recites authorities: 153A-320 Planning & Regulation of Development; 143-215.51 Floodway Regulation; 113A-50 Sedimentation & Pollution Control. • Includes basic language about x-ref being amended or superseded. • Includes several references to National Flood Insurance Program 	<ul style="list-style-type: none"> • Broaden purpose statements to include comp plan goals. • Ensure section references unified government authority • Include section on Authority in Art. 1
151.002	Title	<ul style="list-style-type: none"> • Referred to as “Camden County Unified Development Chapter”. • Includes references to “Camden County Zoning Map”, but does not incorporate by reference. 	<ul style="list-style-type: none"> • Revise to “Camden County Unified Development Ordinance” + other names. • Include reference to the Official Zoning Map, and incorporate by reference
151.003	Affected Territory	Describes lands subject to ordinance.	Relocate to section on Applicability in Art. 1.
151.004	Conflict with Other Laws	Addresses when standards in this ordinance differ from others. Defaults to this Ordinance, but also defaults to law providing greatest protection to the environment. If unclear, most restrictive applies.	<ul style="list-style-type: none"> • Need to revise for consistency with 2015 session laws on environmental rules exceeding state maximums. • Need to describe how internal inconsistency in code provisions is addressed. • Clarify that County does not enforce private rules.
151.005	Bona Fide Farms Exempt	<ul style="list-style-type: none"> • Clarifies exemptions from ordinance for farms, but also clarifies non-farm uses not exempted. • Farms not exempt from special flood hazard area rules. • Includes definition of Bona Fide Farm. • Seems to clarify only dwelling of farm owner, relative, or person employed by the farm is exempt. 	<ul style="list-style-type: none"> • Carry forward, but clarify provisions about dwelling exemptions – these are confusing. • Relocate definition to definitions article in Art. 10.
151.006	Effective Date	<ul style="list-style-type: none"> • Effective date = January 1, 1998 • Contains some transitional provisions relating to subdivisions or site plans having made improvements of 5% or more will be subject to the standards in place when approved. 	Carry forward with new date, but supplement with a new set of transitional standards that impact applications in process, applications already approved (but not yet completed), nonconformities, and violations.
151.007	Relationship to Existing Zoning, Subdivision and Flood Control	Indicates that the new provisions are an extension of the old provisions, and nonconformities under the prior rules continue as nonconformities.	Suggest deletion and replacement with transitional standards.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
	Ords.		
151.008	Relationship to Land Use Plan	Recognizes desire for consistency with comp plan but failure to follow is not grounds for legal challenge	Carry forward with updated references to the comprehensive plan and other planning documents.
151.009	No Use or Sale of Land or Buildings; Conformance	<ul style="list-style-type: none"> Clarifies no use, sale, or occupancy of buildings or land without conformity to the ordinance. Includes a definition. 	<ul style="list-style-type: none"> Carry forward in new applicability section. Relocate definition to new Art. 10.
151.010	Fees	<ul style="list-style-type: none"> Clarifies that fees may be charged, and when they must be paid. Indicates fees designated in budget or adopted by BOC. 	Relocate to section on application filing in Art. 2, Procedures.
151.011	Severability	Typical severability clause	Carry forward in Art. 1, General Provisions.
151.012	Computation of Time	<ul style="list-style-type: none"> This section describes how time is calculated and the days which are or are not included in the required time period. It adds 3 days to a prescribed period to the time required to for a person to act. Includes different rules of computation for the Administrator. 	<ul style="list-style-type: none"> Relocate to the section on rules of language construction in Art. 10, Definitions & Rules of Measurement. Consider deleting the additional three day time frame and the different rules for the Administrator
151.013	Encroachment of Open Space	Clarifies encroachments not allowed into required yard or that no single yard can be claimed by more than one lot.	<ul style="list-style-type: none"> Relocate encroachment standards to section on encroachment in Art. 10. Relocate yard limitations to dimensional standards in the district provisions in Art. 10.
151.014	Every Lot Must Abut a Street or Road	Sets out a requirement that all lots subdivided after 6.3.02 abut a public or private street (except for farms or family subdivision gift lots).	Relocate to the street standards in Art. 6, Subdivision Standards. Consider provisions for multi-lot commercial or multi-family developments to use access easements.
151.015	Mixed Uses	When two or more different uses occupy the same structure, the more restrictive standards apply.	Consider deleting.
151.016	Fractional Requirements	When fractions result, they shall be disregarded.	Relocate to rules of measurement in Art. 10, and consider a more refined system for measurement.
151.017	Improvement Permit Required	<ul style="list-style-type: none"> Section requires an applicant to submit proof that the lot will be served by an approved wastewater system prior to issuance of a zoning, floodplain, or building permit. Section also requires lots platted after 6.3.02 to submit proof (prior to permit issuance) that the lot is served by a state maintained road or a right-of-way that is built and maintained to state standards. 	<ul style="list-style-type: none"> Relocate to the section on procedures in Art. 2.
151.018	Miscellaneous	<ul style="list-style-type: none"> Allows the Administrator to grant deviations to numeric or percentage standards of up to 5% in writing. Staff suggests a higher percentage. 	<ul style="list-style-type: none"> Consider increasing the administrative adjustment amount to 10% or 15% depending upon the kind of standard. Incorporate the criteria under which a

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
		<ul style="list-style-type: none"> There are rules on word construction. 	<ul style="list-style-type: none"> deviation can be granted. Relocate and broaden rules of construction.
ZONING DISTRICTS			
151.030	Residential Districts Established	This section sets out the R-1, R-2, R-3, and GUD districts. Staff notes a contradiction in R-1, which seeks to avoid residential in agricultural districts near village centers. Staff questions use of term "moderate density" for R-2. R-3-1 and R-3-2 have differing densities of one unit per acre or one unit per two-acres.	<ul style="list-style-type: none"> Revise these standards to list purpose statements, dimensional requirements, examples of preferred lotting and building requirements. Clarify density levels. Consider a wider range of residential use types and allowable densities within one mile of a designated village center. Revise district line up as shown in Zoning District Translation.
151.031	Commercial Districts Established	This section sets out the CCD, NCD, HC, MC, and CD districts, including purpose and intent, as well as district-specific standards for CCD, NCD, and HC districts. Staff raises questions access requirements (min. of 2) in CCD, requirements for curb/gutter/sidewalk, and limitations on the use of architectural metal as an exterior material.	<ul style="list-style-type: none"> Revise these standards to list purpose statements, dimensional requirements, examples of preferred lotting and building requirements. Establish a new mixed use district for use inside village centers. Relocate multi-family use standards to the chapter on uses and the multi-family design standards to the development standards chapter. Establish a new set of commercial design standards. Revise district line up as shown in Zoning District Translation. Convert the CD to a new conservation district (not commercial).
151.032	Manufacturing Districts Established	Sets out the I-1 and I-2 industrial districts and their purpose statements.	Revise these standards to list purpose statements, dimensional requirements, examples of preferred lotting and building requirements.
151.033	Floodplain and Floodway Overlay Districts	Establishes the FP overlay, and provides references to other relevant sections (151.380-387).	Clarify that there is only one Floodplain Overlay (FPO) though it contains several different flood area designations assigned by FEMA.
151.034	Mining Overlay District	Establishes the mining overlay district, which allows mining (provided it has an approved special use permit). The section includes the definition of a mining operation. It also specifies no use permit needed for mining associated with a landfill. The section also sets out the use-specific standards for a mining operation. Staff indicates some existing mines do not meet requirements for paved access.	<ul style="list-style-type: none"> Suggest deletion of the overlay and re-designation of the base district to HI. Suggest standards be relocated to article on uses and enhanced to address edge compatibility and character protection. Suggest SUP be carried forward even for landfills with a mining component.
151.035	Commercial Fishing Overlay	This section establishes the commercial fishing overlay, and sets out the use standards for	<ul style="list-style-type: none"> Suggest carrying forward the overlay district unless all existing operations can

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Section#	Section Title	Description	Disposition in UDO
	District	commercial fishing operations, including how new overlays can be added or existing overlays expanded. The standards also address how home-based commercial fishing uses are to be addressed following adoption of the district standards. Staff questions requirements for connection to sewer.	be accommodated in areas already zoned MC. <ul style="list-style-type: none"> Consider clarifying sewer connection standards based on proximity. Review current standards for consistency with national best practice.
151.036	Planned Unit Development	Establishes the PUD district as a conditional use zoning district, and references standards in a different code section.	Revise the district name to Planned Development district, remove the requirement for a quasi-judicial conditional use permit, reduce the minimum district area requirements, and consolidate all the PD standards in one location.
151.045	Official Zoning Map	Recognizes and incorporates by references the official zoning map. Includes the procedure for replacement of a lost or damaged map. Staff indicates that the section relies on obsolete technology like acetate, and does not reflect the use of GIS.	<ul style="list-style-type: none"> Carry forward, but include with other map interpretation criteria. Allow the Administrator to interpret the map. Revise section to recognize the use of a digital map.
151.046	Amendments to Official Zoning Map	Section references map amendment procedure, recognizes the County's GIS system, and calls for Administrator to maintain old copies of the map. Staff indicates that old copies of the map have not been maintained.	Suggest consolidating with the balance of other zoning map related provisions in the zoning districts chapter.
151.047	Lots Divided by District Lines	Section clarifies that in cases where lots of less than 2 acres are bifurcated, the most restrictive regulations apply to the entire lot.	Suggest deletion of this provision.
151.060	Minimum Lot Size	Section sets out the minimum lot sizes for lots by zoning district, which is 40,000 square feet unless otherwise stated. R-3-1 requires 1 acre and R-3-2 requires 2 acres. Lots in the GU district require 5 acres. Lots in the CC shall be at least 20,000, but may be reduced to 10,000 sf when sewer is provided. The section clarifies that lands under water are not credited toward lot area and condominium lots are exempted. Staff notes the blanket lot size provision will change with new districts.	Suggest this material be relocated to the appropriate district standards, and the blanket 40,000 sf lot size be revised to recognize conservation subdivisions, residential lots with sewer service, multi-family and mixed-use development in village centers.
151.061	Maximum Residential Density	Section references maximum densities for multi-family and two-family uses in another section, and clarifies that these maximum densities are not available if water/sewer is not present.	Suggest this section be deleted and density information be included with the zoning district information.
151.062	Minimum Lot Widths	This section applies a standard lot width of 125 feet to all lots except lots in the PUD or GU districts. Lots in GU must be 300 feet wide, and lots in a PUD must be 75 unless served by water and sewer, where they may be reduced to 50. The section also includes standards for cul-de-sac lots and flag lots. Staff comments that the standards are not clear about where lot width is measured	<ul style="list-style-type: none"> Suggest the lot width standards be relocated to the district standards, new rules for how lot width is determined and standards for flag lots be located in the rules of measurement section. Also suggest a reduction in required lot width within village centers.

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Section#	Section Title	Description	Disposition in UDO
		from, and that the flag lot provisions along arterials are difficult to administer.	
151.063	Setback Requirements	<ul style="list-style-type: none"> This section includes two tables, one with setback standards for lots established before 2/17/03 and one with setback standards for lots established after 2/17/03. The standards distinguish between setbacks for structures versus vehicular areas. Staff questions the deep street setback requirements for lots platted after 2/17/03. The section includes variable street setbacks for some uses from some roadways, and the rules for determining the street setback measurement point. Staff questions the procedure. The section includes the definition of lot boundary line, structure, lot boundary setback, street setback. The Administrator can use discretion on irregular lots. The section also includes information on allowable encroachments into setbacks. Staff questions the railing provisions for walkways less than 12 inches above grade. There are additional provisions for the modification of structure setbacks. 	<ul style="list-style-type: none"> Suggest including this information with the other district standards. Remove distinctions in setbacks based on plat approval dates. Remove street setback and go with front & corner side setbacks. Remove vehicular area setbacks. Reduce residential street setbacks from 50' to 25'. Clarify and continue to allow average setbacks for infill. Consider smaller setbacks in VR and VC districts. Relocate definitions to the definitions section. Relocate measurement to rules of measurement section and provide additional clarity for street setbacks and irregular lots. Relocate rules for encroachment into rules of measurement section. Consolidate modification provisions under a single procedure for greater predictability.
151.064	Accessory Building Setbacks	Section requires residential accessory structures to observe district-based street setbacks, and allows 5-foot setbacks elsewhere. Section defers to CAMA permits for other water-dependent structures.	Relocate this material to the section on accessory uses in the uses chapter.
151.065	Height Limitations	<ul style="list-style-type: none"> Section sets out a maximum height of 35 feet for all buildings and structures in the county. Section goes on to describe how structures over 35 feet must obtain approval from any nearby airport managers that the structure will not interfere with aircraft (as well as an appeal process to the BOA if the manager fails to provide required documentation). Section then describes the kinds of building features exempted from the height limits. Section then sets out the use and configuration standards for wireless telecommunications facilities. Staff notes uncertainty with respect to prohibition of some types of lattice towers. Staff questions some of the application statement requirements, and the ability to add equipment without demonstrating 	<ul style="list-style-type: none"> Incorporate height-related information into the district provisions. Relocate the material related to how height is measured and the exemptions to the rules of measurement section. Revise and clarify how height is measured on pitched and flat roofs. Broaden height exemptions for farm buildings and farm-related equipment. Relocate wireless facilities standards to use provisions and conform to recent changes in state law and national best practice (including more incentives for stealth facilities, better fall zone parity across structure types, increased criteria pertaining to abandonment).

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Section#	Section Title	Description	Disposition in UDO
		structural capacity.	
151.066	Multi-family and Two-family Residences	Section sets out the standards for multi-family and duplex units, including minimum lot area per unit, open space requirements, additional setback standards, building separation requirements, maximum building lengths, and building sizes. Staff questions the building size and nonconforming standards.	<ul style="list-style-type: none"> Relocate the dimensional standards to the district standards. Suggest moving the multi-family standards to the use-standards section.
151.067	Floor Area Ratios and Lodging Units	<ul style="list-style-type: none"> Section sets out the floor area standards for nonresidential development. Staff comments reflect a desire to reconsider FAR. Section also sets out the maximum allowable number of lodging units. 	Suggest removing FAR standards altogether, and allow development standards to control the number of allowable lodging units.
151.068	Maximum Lot Coverage by Buildings	This section sets out the maximum lot coverage limits by zoning district. It includes low and high density alternatives. Staff questions the maximum coverage for some nonresidential districts.	<ul style="list-style-type: none"> Suggest relocating the lot coverage standards to the zoning district provisions. Remove lot coverage limitation for developments built under high density option (these developments must meet stormwater requirements).
151.069	Design Standards	This section establishes a set of design standards for site-built modular, mobile, and multi-family homes.	<ul style="list-style-type: none"> Revise the standards to remove modular homes, which must be treated the same as a site-built single home. Separate the standards for mobile homes from the standards for multi-family. Relocate mobile home standards to use specific standards in uses article. Relocate multi-family design standards to article on development standards. Allow single mobile homes on individual lots in rural areas, but curtail mobile homes in village and suburban areas.
STREETS AND SIDEWALKS			
151.080	Public Streets to Meet DOT Standards	<ul style="list-style-type: none"> This section requires all streets (public and private) to be built to DOT specifications unless a higher standard is specified. Section includes a definition for constructed. 	<ul style="list-style-type: none"> Relocate these standards to the section on streets in the subdivisions article. Consolidate all definitions in the definitions article.
151.081	Street Classification	Section requires dedicated streets to meet one of the required street classifications. It sets out the 9 differing classifications. Staff questions if the list of arterial streets is sufficiently broad.	<ul style="list-style-type: none"> Relocate to street standards in subdivision article. Organize in a table and establish an anticipated minimum number of trips per day used to distinguish street types. Better distinguish between street classifications and street definitions. Supplement with typical configuration data such as ROW width, pavement

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Section#	Section Title	Description	Disposition in UDO
			width, radius, etc.
151.082	Access to Lots	Clarifies that each lot must provide an access of at least 45 feet in width.	Consider deleting and relying on lot width and driveway standards.
151.083	Access to Streets	Sets out the standards applied to major arterial, and minor collector streets. The standards limit individual lot access to arterials in new subdivisions, provide incentives for shared access among already platted lots, and apply standards for shared access drives.	<ul style="list-style-type: none"> Relocate these standards to the driveway provisions in the development standards article. Consider access management provisions along arterials that limit driveways and requires marginal access streets.
151.084	Deceleration Lanes on Major Arterial Streets	Standards require any use on a major arterial street capable of generating 60 vehicle trips an hour or more to provide a deceleration lane.	Relocate to street and sidewalk standards in subdivision article.
151.085	Turn Lanes Required	Sets up the ability for the NCDOT to require turn lanes for new development.	Relocate to street and sidewalk standards in subdivision article.
151.086	Coordination with Surrounding Streets	This section sets out the requirements for new streets to connect with existing or planned streets, as well as requirements for temporary turn-arounds on street stubs. Staff questions if lots should be allowed to be platted without constructing a street stub.	<ul style="list-style-type: none"> Relocate to street and sidewalk standards. Incorporate a street connectivity index. Require street connection to bordering vacant lands. Require street stubs to be built as part of subdivision.
151.087	Relationship of Streets to Topography	Calls for streets to be configured to facilitate drainage. Staff comment about NCDOT issues with current standards regarding conforming to existing topography.	Relocate to street and sidewalk standards in subdivision chapter and remove requirements related to conformity with topography in favor of NCDOT standards.
151.088	General Layout of Streets	Section includes standards for driveway access to collector streets, standards for cul-de-sacs, and half streets.	Relocate to street and sidewalk standards in subdivision article.
151.089	Street Intersections	<ul style="list-style-type: none"> Section sets out the basic standards for how roadway intersections (offsets, jogs, spacing, etc.) can be configured. Staff indicates arterial spacing standards may need to be revised with the new districts. The standards also reference DOT sight distance triangle requirements. 	Relocate to street and sidewalk standards, and incorporate sight triangle standards instead of cross references.
151.090	Construction Standards and Specifications	Includes a cross reference to the street specifications in Appendix C.	Maintain cross reference, but consider relocating standard specifications to a procedures manual or stand-alone document.
151.091	Private Streets & Roads in Subdivisions	Standards reference lot access standards in Section 151.082, indicate that all private streets be built to state standards, and define public street. Staff clarifies that the lot access provisions have been repealed in many other sections of the UDO.	Suggest deleting and relocating definition to the definitions article.
151.092	Road & Sidewalk Requirements in Unsubdivided Developments	Sets out the standards for private roads in an unsubdivided development and defines the term unsubdivided development.	Suggest deletion and relocation of definition to definitions article.

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Section#	Section Title	Description	Disposition in UDO
151.093	Attention to Handicapped in Street & Sidewalk Construction	Sets out the standards for wheelchair ramps.	Suggest relocation to the standards on streets and sidewalks.
151.094	Street Names and House Numbers	Sets out the street naming conventions for new streets and clarifies that no CO should be issued until each structure bears its proper street address. Staff notes this requirement has not been consistently enforced.	Suggest relocation to the street and sidewalk standards. Suggest house numbering standards be maintained and enforced.
151.095	Bridges	Sets out the standard of construction for bridges.	Suggest deleting.
151.096	Utilities	Includes a cross reference to utility construction standards.	Suggest deleting.
PARKING REGULATIONS			
151.110	Definitions	Sets out 7 definitions for parking-related terms. Staff questions the definition of driveway.	Relocate with other definitions.
151.111	Number of Parking Spaces Required	This section sets out the summary table of parking requirements for uses. Use types are given a numeric classification. Staff questions the standards for medical offices & schools.	<ul style="list-style-type: none"> Revise table for consistency with new summary use table. Reorder uses based on a new use classification system. Separate principal uses from accessory uses. Review the current standards for consistency with national best practice. Recommend an approach where new standards for new development are based on information available at time of construction. Add bicycle parking standards in villages.
151.112	Flexibility in Administration Required	This section sets out the mandate and criteria for use by the county in considering deviations from the parking standards.	<ul style="list-style-type: none"> Carry this concept forward, but broaden the range of allowable alternatives and configurations. Clarify the criteria under which a modification may be granted, and allow the Administrator to make determinations.
151.113	Parking Space Dimensions	<ul style="list-style-type: none"> This section sets out the standards for traditional parking spaces (10' x 20') and parallel spaces (22' x 9'). The standards also allow for 20% of spaces to be compact spaces in lots with over 10 spaces total. 	Carry forward, and supplement with standards for motorcycle parking and clarify standards for accessible parking spaces.
151.114	Required Widths of Parking Area Aisles and Driveways	Section sets out the standards for parking lot drive aisles and driveways serving parking lots.	Carry forward and supplement with illustrations.
151.115	General Design Requirements	<ul style="list-style-type: none"> Sets out the configuration standards for parking lots. 	<ul style="list-style-type: none"> Carry forward, supplement with additional detail about pedestrian

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Section#	Section Title	Description	Disposition in UDO
		<ul style="list-style-type: none"> The section allows reduction in space width to preserve significant vegetation. 	<p>circulation, and integrate with other configuration requirements.</p> <ul style="list-style-type: none"> Incorporate additional standards for landscaping islands. Clarify that parking spaces are not to be used for other purposes.
151.116	Vehicle Accommodation Area Surfaces	Sets out the standards for parking lot surfacing, parking space demarcation, and maintenance. Staff clarifies the desire for pervious paving.	Carry forward, incorporate with other configuration standards, and include incentives or requirements for LID techniques.
151.117	Joint Use of Required Spaces	Section allows joint or shared use of parking spaces.	Carry forward but include additional provisions on shared parking agreements.
151.118	Satellite Parking	Sets forth the ability to locate required parking spaces on a separate parcel provided the land is within 300' of the principal use (500' for employees)	Carry forward, but supplement with standards to ensure safe pedestrian movement between parking and the use served.
151.119	Special Provisions for Lots with Existing Buildings	Section includes standards for redevelopment of a pre-existing use with insufficient parking.	Discuss the extent to which this provision is needed.
151.120	Loading and Unloading Areas	Sets out the off-street loading provisions.	Consider revising the standards to allow an applicant to determine their loading space needs, and include new standards that allow loading to take place without obstructing circulation, parking, or screening functions.
151.121	No Parking Near Fire Hydrants	Limits parking within 15 feet of a fire hydrant.	Carry forward and incorporate with configuration requirements.
151.122	Handicapped Parking	Section indicates standards will be established by BOC.	Replace with standards or cross reference to federal standards.
151.123	Driveways	Sets out basic driveway standards and sight triangle provisions	Carry forward and incorporate with other driveway standards. Relocate sight triangle standards with other sight triangle provisions.
LANDSCAPING REQUIREMENTS			
151.135	Board Findings Concerning the Need for Landscaping	Section contains a series of purpose and intent statements for the landscaping standards.	Carry forward and enhance as appropriate.
151.136	General Landscaping Standard	<ul style="list-style-type: none"> Establishes a maximum grass length standard of 12". Staff suggests raising to 15". Section also contains general landscaping standards. 	<ul style="list-style-type: none"> Carry forward as recommended by staff. Relocate general standards as appropriate.
151.137	Compliance with Landscaping Standard	This section sets out the instructions for determining landscaping requirements.	Incorporate into relevant section(s).
151.138	Landscaping Land Use Classification	This section establishes the four land use classifications used for determining buffer requirements.	<ul style="list-style-type: none"> Suggest dropping land use classification based approach to buffering and rely on district distinctions instead.
151.139	Table of	The table applies a type of landscaping buffer	<ul style="list-style-type: none"> Mixed use development would have

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Section#	Section Title	Description	Disposition in UDO
	Landscaping Requirements	based upon the land use classification of a proposed use and the uses it abuts.	special standards.
151.140	Descriptions of Landscaping	This section sets out the configuration requirements for the three types of buffers (A,B,C) as well as the provisions associated with use of a fence or wall.	<ul style="list-style-type: none"> Continue to base buffers on opacity. Add a fourth alternative buffer intended to address special edges like along a conservation subdivision or the backside of the proposed CCO district. Incorporate visual examples of buffer types and provide more guidance in terms of plant placement. Reduce landscaping requirements in village districts, and place emphasis on street trees instead of perimeter buffers. Add standards for parking lot and refuse collection area screening
151.141	Flexibility in Administration Required	Section allows for flexibility in the application of the type of landscape buffer required for new development. Standards may be either increased or decreased.	<ul style="list-style-type: none"> Suggest more detail on the conditions warranting flexibility requests, the nature of deviations allowed, and the criteria to be used in deciding the request. Suggest the Administrator be given the authority to modify the standards.
151.142	Combination Uses	Establishes the procedure to follow when determining required buffers for lots with multiple differing uses.	Suggest deletion and applying buffer requirements by district.
151.143	Subdivisions	Section allows a subdivider to delay provision of required landscaping until all lots are development. Staff questions this approach.	Suggest deletion and clarification that perimeter buffering around a subdivision is to be installed prior to conveyance of any lots.
151.144	Nonconforming Landscaping	Section clarifies how buffer requirements are applied when one use changes to another.	Base buffers on districts instead of uses, incorporate protocol for addressing nonconforming site features with other nonconformity provisions.
151.145	Minimum Planting Heights	Section sets out the minimum planting heights for landscaping (in terms of height only), and allows the Administrator to approve reductions in height in some cases.	<ul style="list-style-type: none"> Modify these standards to address caliper size and gallon size for shrubs. Relocate modification standards to alternative planting plan standards.
SHADING REQUIREMENTS			
151.155	Board Findings and Declaration of Policy	Sets out the purpose and intent of the shading requirements.	Carry forward and expand as appropriate.
151.156	Required Trees Along Dedicated Streets	Section sets out the standards for the planting (or retention) of evergreen trees proximate to the pavement edge of new public streets.	<ul style="list-style-type: none"> Carry forward, but include in landscaping section as a streetyard buffer. Clarify placement of trees in either the public ROW or on private land. Clarify how to avoid interference with overhead or underground utilities.

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Section#	Section Title	Description	Disposition in UDO
151.157	Retention and Protection of Large Trees	<ul style="list-style-type: none"> Section requires an applicant to plant replacement trees for each tree of 18" DBH that is removed. Replacement trees provided at 1½ tree for every tree removed, and a gallon size is given. 	<ul style="list-style-type: none"> Consider a more incentive-based approach to tree retention. Add new requirements to reforest open space areas on former farms or as stormwater management.
151.158	Shade Trees in Parking Areas	Section requires 20% of the area of a parking lot to be shaded by deciduous trees. Staff questions if this is the correct numeric standard.	Suggest these standards be relocated into the parking lot landscaping standards and revised so that the requirements are for each parking space to be within 60 feet of a deciduous tree.
151.159	Protection of Trees During Construction	<ul style="list-style-type: none"> Sets out the requirements for barriers at the drip line for trees indicted to be retained. Section also includes provisions for replacement following removal or death. 	Carry forward with additional clarity on forms of tree protection and timing of installation.
UTILITIES			
151.170	Utility Ownership and Easement Rights	Requires developers to transfer infrastructure easements to the infrastructure provider.	Relocate to the subdivision article. Include additional clarity about easement configuration requirements.
151.171	Major Subdivisions to Install Water Lines	<ul style="list-style-type: none"> This section sets out the requirement for subdividers platting land after 11/4/96 to install water lines as part of the subdivision process. The standards specify construction plans prepared by an Engineer. All elements of the water system must be dedicated to the county. The standards specify the maximum distance that must be traversed. Staff questions if all subdivisions should be required to provide water service regardless of distance. The standards clarify that if oversizing is requested, the proportionate share of costs will be covered by the water system provider. The standards specify that connection fees for all lots must be paid prior to final plat approval. 	<ul style="list-style-type: none"> Carry these standards forward in the utilities portion of the subdivision article. Revise the standards to require major subdivisions to connect regardless of distance. Require minor subdivisions to install water lines if run is less than 500 linear feet. Include new provisions regarding private water system requirements when connection requirements are waived. Continue to assess connection fees prior to final plat.
151.172	Sewage Disposal Facilities Required	Clarifies that every use and subdivision has an appropriate sewage disposal system.	Carry forward.
151.173	Determining Compliance with 151.172	<ul style="list-style-type: none"> Section requires each lot intended for service via septic tank be certified by the Health Department before approval of a preliminary and/or final plat. Also requires development to be served by private central sewage to obtain approval from appropriate regulatory body prior to preliminary plat approval. Staff questions some wording in this provision. 	<ul style="list-style-type: none"> Do not use one section number in another section heading. Carry forward requirements for county or other agency certification prior to issuance of preliminary plat. Clarify relationship of this section to Improvement Permit section.

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Section#	Section Title	Description	Disposition in UDO
151.174	Water Supply System Required	Section requires all development to have an adequate water supply.	Carry forward
151.175	Determining Compliance with 151.174	Section clarifies that county may investigate the ability to comply prior to permit issuance.	<ul style="list-style-type: none"> Do not use one section number in another section heading. Clarify how investigation will take place and the ramifications for the inability to comply.
151.176	Water/Sewer District Required	Requires development served by private water or sewer facilities to establish a district and ensure the district can function for as long as needed. Staff questions if this standard authorizes establishment of escrow accounts or bonds.	Carry forward and clarify the minimum requirements for district establishment and operation.
151.177	Lighting Requirements	<ul style="list-style-type: none"> Establishes requirements that roads and sidewalks may be illuminated, and entrances/exits serving non-residential and multi-family development must be illuminated in accordance with a plan prepared by the utility company. The section also clarifies the timing of required approvals. 	<ul style="list-style-type: none"> Carry forward these requirements, but incorporate the standards that are required. Allow an applicant to prepare their own plan provided it is approved by the utility company.
151.178	Excessive Illumination	Section prohibits lighting that is unnecessary or interferes with the use or enjoyment of nearby lots. Staff wants these terms better defined.	<ul style="list-style-type: none"> Delete this requirement and include a new comprehensive section on exterior illumination with the other development standards. The new section should address applicability and exemptions, lighting requirements, maximum lighting heights, shielding requirements, maximum illumination levels at lot lines, and the ability to propose an alternative lighting plan to address unforeseen circumstances.
151.179	Underground Utilities	<ul style="list-style-type: none"> Sets out the requirement for placement of utilities underground and the prohibition of overhead utilities in some riparian areas. Section excludes lateral service in excess of 200 feet that serves single-family residential development. Staff questions this exemption. 	<ul style="list-style-type: none"> Carry forward these requirements, but supplement with general guidance regarding utility placement, easements, and how conflicts with landscaping or other site configuration requirements will be addressed. Suggest revising the exemption from 200 feet to 1,000 feet or more.
151.180	Utilities to be Consistent with Internal and External Development	Sets out standards for utility configuration that can facilitate easy extension as needed.	Carry forward.
151.181	As-Built Drawings Required	Section requires production of as-builts when a utility is installed in a public right-of-way.	Carry forward.
151.182	Fire Hydrants	<ul style="list-style-type: none"> Section requires all subdivisions served by centralized water systems with lines of at 	<ul style="list-style-type: none"> Carry forward in a new section on functional fire protection.

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Section#	Section Title	Description	Disposition in UDO
		<p>least 6 inches to also include fire hydrants. Staff asks if this is possible.</p> <ul style="list-style-type: none"> Section specifies hydrant placement and water line specifications. 	<ul style="list-style-type: none"> Allow alternatives subject to approval by Fire Chief.
151.183	Water Supply for Fire Protection in Developments not Served by a Public Water Supply	Sets forth the standards for developments that require functional fire protection.	<ul style="list-style-type: none"> Carry forward with other functional fire protection standards. Consider dropping the requirement for hard surface roadway access and turnarounds.
151.184	Sites for and Screening of Dumpsters	Sets out the requirements for nonresidential development to provide dumpsters and how they should be screened.	<ul style="list-style-type: none"> Relocate these standards to the development standards chapter. Expand the requirements to address multi-family development. Incorporate location, configuration, and allowable methods of screening.
OPEN SPACE & SCHOOL SITES			
151.195	Open Space	<ul style="list-style-type: none"> This section sets out the minimum requirements for the provision of open space (as a percentage of the development size). The section also includes a definition of open space. The standards require at least 50% of the open space area be suitable for active recreation features and not include wetlands or swamps. Staff wishes to re-think the open space provisions. 	<ul style="list-style-type: none"> Relocate these standards to development standards article and move definitions. Apply open space requirements to all residential and commercial development. Recognize more urban forms of open space and payment in-lieu in village areas. Configure open space areas in villages for recreation, and as stormwater management devices outside of village areas. Require reforestation of open space areas on former farms. Clarify that required landscaping and riparian buffers are counted towards open space.
151.196	Recreational Improvements to Open Space	Requires a portion of open space areas to be configured for recreation. Staff suggest adding requires to reforest in open space areas.	Consider only applying this to residential and mixed use areas within village centers.
151.197	Ownership & Maintenance	Sections sets out the ownership provisions for open space and stormwater management facilities, which are to be held by the developer or an owner's association.	<ul style="list-style-type: none"> Suggest the county consider require the placement of public drainage easements on all stormwater management facilities to ensure the county can access and maintain these facilities in cases where owner associations cannot. Continue to require developers and associations to maintain these features in accordance with county standards. Establish stormwater management facility bonds or escrow accounts.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
151.198	Homeowners Associations	Sets out the requirements for establishment of a homeowners association for developments where land is to be held in common. Staff suggests the inclusion of requirements for the developer to provide “seed” money for the association to ensure it has funds to maintain its common facilities.	<ul style="list-style-type: none"> Relocate these standards to the development standards article. Expand the standards to clarify how and when associations can be formed. Clarify that the county may review association creation documents. Delay the transfer of control from a developer to the HOA until there are a sufficient number of owners to support the HOA or until there is a sufficient escrow account to fund maintenance.
151.199	Flexibility in Administration Authorized	Standards set out the flexibility provisions related to the provision of open space.	Suggest deleting this in favor of a fee in-lieu approach.
151.200	Reservation of School Sites	Section describes the procedure for notification of the Board of Education if a development occupies land that designated for a school site.	Carry forward and relocate to subdivision chapter.
SUPPLEMENTARY USE REGULATIONS			
151.210	Temporary Emergency, Construction, or Repair Residences	Sets out some standards for these kinds of temporary structures.	<ul style="list-style-type: none"> Relocate these standards to the temporary uses portion of the use article. Standardize and consolidate the duration provisions. Enhance the standards with more detail about placement and configuration. Add standards for temporary health care structures. Relocate definitions to the definitions article.
151.211	Temporary Construction and Sales Offices	<ul style="list-style-type: none"> Sets out some standards for these kinds of temporary structures. Includes a definition of temporary building. 	<ul style="list-style-type: none"> Carry forward, but relocate to the use-specific standards in the uses article. Add additional objective standards and criteria related to separation and to address noise, dust, and vibration.
151.211	Mining	<ul style="list-style-type: none"> Sets out the use-specific standards for mining uses. Staff questions language related to zoning permit requirements. 	<ul style="list-style-type: none"> Relocate to use standards in use article. Reorganize the standards by uses: campgrounds, placement of a camper on a building lot, and accessory or temporary storage. Augment the standards for non-vehicular camp sites to address potable water and wastewater. Review and discuss the ability to place permanent structures on lots with a camper.
151.213	Camping and Campers	<ul style="list-style-type: none"> Sets out the standards for lots to be used by campers/recreational vehicles. Also includes standards for campers stored on residential lots with principal dwellings Staff questions the lot coverage amount of 25% (should be 24%). 	<ul style="list-style-type: none"> Carry forward with other use standards. Supplement with more standards regarding storage and accessory uses
151.214	Marinas	<ul style="list-style-type: none"> Sets out the standards for marinas. Staff wants to ensure the standards reflect requirements for CAMA permits 	

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Section#	Section Title	Description	Disposition in UDO
			like retail sales, restaurants, or other similar functions.
151.215	Mobile Homes	<ul style="list-style-type: none"> This section distinguishes between the three classes of mobile home (A,B,C), and sets out the standards for each. The standards also distinguish between a mobile home park and a mobile home park subdivision. The standards prohibit the placement of a mobile home park. This is questioned by staff. 	<ul style="list-style-type: none"> Carry forward, but relocate to use specific standards in uses article. Change nomenclature to refer to mobile home parks versus mobile home subdivisions. Better distinguish between mobile and manufactured housing. Restructure the standards to include standards applicable to all mobile homes, then those applicable to each type. Clarify the distinctions between mobile home storage and mobile home sales uses. Suggest carrying forward prohibition of new mobile home parks or expansions to existing parks.
151.216	Adult and Sexually-Oriented Businesses	Sets out the standards and definitions for these uses.	<ul style="list-style-type: none"> Suggest relocating all these standards and definitions to Chapter 154 of the County Code (Adult Entertainment) and including cross references to these standards in the UDO. Additional discussion is necessary regarding the sexually oriented business license.
151.217	Privately Owned Landfills, Convenience Sites, & Related Facilities	Section sets out the allowable locations and procedure for establishment of these uses. Also contains other minor use standards. Staff questions to review process.	<ul style="list-style-type: none"> Revise this section to leave allowable locations and review process to the summary use table. Apply a uniform set of use-specific standards to these uses, regardless of ownership, that address compatibility with surrounding uses.
MAJOR SUBDIVISION DESIGN REQUIREMENTS; REVIEW PROCEDURES AND APPROVAL PROCESS			
151.230	Lands Subject to Subdivision Regulations within this Chapter	Section sets out the definition of a subdivision, and sets out the divisions of land that are not subject to the subdivision regulations.	<ul style="list-style-type: none"> Relocate the definition to the definitions article. Consolidate the exempted land divisions with the applicability provisions of the subdivision review procedure. Suggest establishing a procedure where Administrator determines if a land division is or is not exempted from the subdivision review procedures (called a subdivision exemption). Suggest establishing a new minor plat procedure decided by Administrator. Consolidate private access subdivision

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Section#	Section Title	Description	Disposition in UDO
			<p>with proposed minor subdivision.</p> <ul style="list-style-type: none"> Rename family subdivision to “transfer plat” and treat as a minor subdivision. Rename common open space subdivision to “conservation subdivision”.
151.231	General	<ul style="list-style-type: none"> Section contains a variety of standards and cross references to the subdivision review procedure. Section includes a delay clause in the approval of proposed development if land is clear cut in advance of filing an application for development. 	<ul style="list-style-type: none"> Suggest relocating procedural material to the subdivision procedures section in the procedures article. Relocate permit approval delay to the sections on tree retention and cross reference in the subdivision procedure section.
151.232	Design Standards and Criteria	<ul style="list-style-type: none"> This section sets out the design standards for major subdivisions, including: streets, wetlands, soils, water access, easements, drainage, erosion, dedication, lots, flood elevation, cluster mailboxes, bus stops, and buffer strips. Staff has numerous comments throughout this section. 	<ul style="list-style-type: none"> Consolidate the street standards with the street and sidewalk standards from 151.080 through 151.096 and ensure consistency. Allow wetlands to count towards yield and open space. Suggest removing the prohibition on filling over 24”. Carry forward water access, erosion, historic resources, and flood elevation markers. Expand provisions related to easements to also cover stormwater management facilities. Suggest revising drainage standards to reference drainage manual; consider more detail on enforcement, bonding, and maintenance. Suggest removing/clarifying the section on dedication (land for schools need only be reserved, community facility standard lacks sufficient criteria, recreational land is addressed through open space provisions). Carry forward lot standards except for rules of measurement (which should be relocated to rules of measurement section). Suggest addressing cluster mailboxes through new accessory use standards. Add payment in-lieu option for bus stops. Suggest deleting the buffer strip requirements in favor of a more context-specific approach.

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Section#	Section Title	Description	Disposition in UDO
151.233	Required Major Subdivision Submission Documents & Information	Sets out the submittal requirements and plan components for subdivision submittals.	<ul style="list-style-type: none"> Relocate submittal requirements to Procedures article. Carry forward certifications.
151.234	Certification Blocks Required for Major Subdivisions	Sets out the certification blocks and additional plat contents/notations.	
151.235	Sketch Design Plan Procedures	<ul style="list-style-type: none"> This section sets out the purpose for the sketch plan portion of the major subdivision review process. It also references the required pre-application conference and the elements to be included in the conference. 	<ul style="list-style-type: none"> Suggest establishing a more formal pre-application conference procedure and associated provisions in a common procedures section. Need to clarify if sketch plan is or is not optional.
151.236	Sketch Design Plan Review Process	<ul style="list-style-type: none"> Sets out the process and timing of sketch plan review. Process starts with mandatory pre-application process. Sketch plan must be submitted 40 days in advance of planning board meeting. Sketch plan reviewed by Administrator, then technical review staff. Then plan reviewed by Planning Board. Then date for review by BOC is set. Then plan reviewed by BOC. Then applicant clear to submit preliminary plat. 	<ul style="list-style-type: none"> Suggest the procedure be supplemented with a procedural flowchart. Consider possibility of simplifying sketch plan process to exclude review by elected officials OR maintain current sketch plan process and simplify preliminary and final plat plan procedures.
151.237	Preliminary Plat Procedures	<ul style="list-style-type: none"> Section sets out the procedure for review of preliminary plats. Unless considered a minor subdivision, the preliminary plat must also obtain special use permit approval. All construction permits and approvals from state and federal agencies must be obtained prior to submittal of preliminary plat application. 	<ul style="list-style-type: none"> Suggest special use permit requirement be dropped. This is a quasi-judicial process superimposed over a ministerial process. Strongly suggest requirements for obtaining state/federal permits prior to application submittal be delayed until after approval of the preliminary plat.
151.238	Preliminary Plat Review Process	<ul style="list-style-type: none"> Section sets out the review procedure for preliminary plats. Applicant must submit application 30 working days before next Planning Board meeting. Application reviewed by Administrator and technical review staff. Then heard by Planning Board. Then date for review by BOC is set. Then reviewed by BOC. Then applicant may proceed with infrastructure installation and submittal of a final plat. 	<ul style="list-style-type: none"> Suggest the possibility of simplifying sketch plan or simplifying preliminary plat plan – as drafted currently, each major subdivision is before the BOC 4 times. Suggest delaying requirement for obtaining state and federal approvals until after preliminary plat approval.

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Section#	Section Title	Description	Disposition in UDO
151.239	Final Plat Procedures	Sets out the procedures for review of a final plat.	Carry forward, but embed with other sections on final plat review procedures.
151.240	Final Plat Review Process	<ul style="list-style-type: none"> Section sets out the review procedure for final plats. Applicant must complete or bond infrastructure. Applicant must submit application 20 working days before next Planning Board meeting. Application reviewed by Administrator and technical review staff. Then heard by Planning Board. Then applicant may record the plat and convey lots. 	<ul style="list-style-type: none"> Suggest allowing Administrator to decide final plats. Need to discuss how a final plat could be approved conditionally. Language about review by BOC needs to be removed.
151.241	Plat Approval not Acceptance of Dedication Offers	Section clarifies final plat approval does not mean acceptance of dedications.	Carry forward.
151.242	Protection Against Defects	<ul style="list-style-type: none"> Section indicates that applicant shall guarantee that any defects in public infrastructure will be corrected for a period of time after dedication or acceptance. Section also defines defects. 	<ul style="list-style-type: none"> This section needs to be revised to exclude roadways as guarantees may no longer be used for maintenance of roadways. Suggest the acceptance of roadways be delayed until roadway is capable of being accepted by NCDOT.
151.243	Improvement Guarantees	Sets out the provisions for performance guarantees related to roadways.	Carry forward but revise to clarify applicant may choose type of instrument.
151.244	Maintenance Guarantees	Sets out the requirements for maintenance guarantees for public infrastructure.	<ul style="list-style-type: none"> Carry forward, but revise to remove roadways, which may no longer be subject to maintenance guarantees. Suggest delaying roadway dedication/acceptance until roadway is capable of acceptance by NCDOT.
151.245	Acceptable Bond Terms and Methods	Sets out allowable bond amounts and types.	Revise to ensure compliance with recent legislation and clarify that applicant may choose instrument type.
151.246	Authorization to File	Establishes the requirement to record the final plat.	Carry forward with other subdivision provisions.
151.247	Replatting or Resubdividing	Sets out the procedures for replatting or resubdividing land subject to an approved final plat.	Discuss the purpose of this section.
MINOR SUBDIVISION REQUIREMENTS; REVIEW AND APPROVAL PROCESS			
151.260	Abbreviated Procedure for Minor Subdivisions	<ul style="list-style-type: none"> Sets out the subdivision types considered minor and the review procedure. Section also indicates that successive minor subdivisions on the same parent parcel will be treated as major subdivisions. Staff enquires about performance guarantees. 	<ul style="list-style-type: none"> Clarify that a minor subdivision is treated the same as a final plat, except that it may be decided by the Administrator instead of the Planning Board. Clarify how successive subdivisions are to be addressed. Clarify if minor subdivisions may include

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Section#	Section Title	Description	Disposition in UDO
			<p>the installation of public infrastructure, and if so, what kinds, and if performance guarantees may be submitted.</p> <ul style="list-style-type: none"> Address requirements for cluster mailboxes as an accessory use
151.261	Design Standards	Sets out the design standards for minor subdivisions.	Consolidate this section with the corresponding section of design standards for major subdivisions.
151.262	Contents	Sets out the submittal requirements and plan components for subdivision submittals.	Suggest placing in Procedures article.
151.263	Minor Subdivision Approval	<ul style="list-style-type: none"> Section sets out the approval process for minor subdivisions. Section includes the definition of tract. 	<ul style="list-style-type: none"> Consolidate with other standards related to minor subdivision approval process. Clarify if and how a zoning permit requirement applies to a minor subdivision. Clarify the conditions under which the Administrator may require a minor subdivision to follow the major subdivision procedure. Relocate definitions to the definitions article.
PRIVATE ACCESS SUBDIVISION REQUIREMENTS; REVIEW AND APPROVAL PROCESS			
151.275	Abbreviated Procedure for Private Access Subdivisions	<ul style="list-style-type: none"> Section clarifies review process for private access subdivisions (final plat if more than 1 lot but less than 6, or involve public infrastructure, otherwise zoning permit). Any subsequent lots beyond 1 are created in the same 5-year period, the second or subsequent lots requires a special use permit. 	Consolidate this procedure with minor subdivision.
151.276	Design Standards	Sets out the design standards for private access subdivisions.	Consolidate this section with the corresponding section of design standards for major subdivisions.
151.277	Contents	Sets out the submittal requirements and plan components for subdivision submittals.	Suggest in Procedures article.
151.278	Private Access Subdivision Plat Approval	<ul style="list-style-type: none"> Section sets out the approval process for private access subdivisions. Section includes the definition of tract. 	Suggest removing the distinction/procedure and using the minor subdivision procedure (final plat).
COMMON OPEN SPACE SUBDIVISION			
151.290	Purpose	Sets out the purpose for these subdivisions.	<ul style="list-style-type: none"> Suggest carry forward, change name to conservation subdivision, and augment where appropriate. Place greatest emphasis on screening the development from adjacent roadways.
151.291	Applicability and Lot Sizes	<ul style="list-style-type: none"> Sets out the minimum lot size for lots. Defines open space. Carries forward district-based dimensional 	<ul style="list-style-type: none"> Suggest revising applicability standards to allow them in the R-3-1, R-2, or PUD districts, require them in the GU and R-

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Section#	Section Title	Description	Disposition in UDO
		standards. Staff notes this might need to be changed. <ul style="list-style-type: none"> Standards clarify that density bonuses are not allowed if the development exceeds maximum density. 	3-2 districts, and prohibit in the R-1 district. <ul style="list-style-type: none"> Relocate definition to definitions article. Remove minimum lot area requirements and rely on the Improvement Permit. Explore a further reduction or removal of setback provisions from individual lot lines.
151.293	Density Bonus & Incentives for Developing a Common Open Space Subdivision	<ul style="list-style-type: none"> Sets out the maximum allowable density bonus (5%), as well as an additional (?) "open space density bonus". Section also sets out the requirement for an Open Space Endowment Fund and how the amount is calculated. Staff suggests simplifying. The standards also describe requirement for dedication of land to the public. The standards also allow less populated streets (serving 5 or fewer homes) may have a reduced paved section. 	<ul style="list-style-type: none"> Suggest removal of bonus system altogether – the relative complexity of stormwater and wastewater outweighs the benefit. Establish a new maximum yield of one unit per acre. Replace endowment fund with a revised HOA escrow account. Remove public land dedication requirements. Carry forward street standards.
151.294	Ownership and Minimum Percentage of Open Space	<ul style="list-style-type: none"> Sets out the minimum open space requirement of 50% as well as the requirement that it be protected via conservation easement. Standards that address the amount of open space area that may be used for recreation. Staff concerned that the per unit maximum seems high. 	<ul style="list-style-type: none"> Carry forward the 50% threshold. Remove active recreation requirements. Enhance the discussion of allowable uses in open space, and require a percentage of former farm fields to be reforested in locations where reforestation will limit visibility of the development.
151.295	Location of Open Space	<ul style="list-style-type: none"> Establishes primary and secondary conservation areas – primary are CAMA & 404 Wetlands, along with floodways. Secondary areas are a variety of other features. Staff notes wanting examples of secondary lands. Process indicates conservation areas should be identified first and building lots afterwards. 	<ul style="list-style-type: none"> Ensure development is located in a way that shields its visibility from adjacent through streets to maintain character. Carry forward a system of criteria, but embed in establishment procedure. Simplify when possible. Rank features to conserve instead of general groupings. Recognize working land as areas that may be conserved.
151.296	Evaluation Criteria	Sets out the criteria for the designation of conservation areas.	Carry forward and rank in terms of importance.
151.297	Site Planning Procedures for Open Space Subdivisions	<ul style="list-style-type: none"> Section indicates open space subdivisions follow the typical major subdivision review procedure. Standards require a yield plan to be submitted up front. Section establishes a four-step process for the sketch plan portion of the process. 	Carry forward, but simplify the sketch plan process.
151.298	Planned Unit Development	<ul style="list-style-type: none"> Section sets out the standards for establishment of a PUD. 	<ul style="list-style-type: none"> Carry forward the PUD concept with the following changes:

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Section#	Section Title	Description	Disposition in UDO
		<ul style="list-style-type: none"> Requires approval of a rezoning, a major site plan, and a conditional use permit. District requires a mix of at least two uses from the primary use table. Also lists 17 prohibited uses. Requires at least 50 gross & 25 net acres. Rezoning must include a conceptual plan. Master plan is reviewed and decided along with CUP (unclear if conceptual plan = master plan). Section includes design and development standards. Section includes submittal requirements for rezoning and PUD master plan. Section includes approval criteria for use in deciding master plan. Section includes details for phasing and modification. 	<ul style="list-style-type: none"> Change the name to PD; Remove the requirement for the Conditional Use Permit; Reduce the minimum district size standards within village centers; Remove the separate review of a conceptual plan, and limit review to the master plan – then require site plan approval; Relocate PD procedure to Article 2 and relocate district standards to Article 3; Add standards that may not be reduced or modified; Treat land in village centers differently in terms of district size, density, and character; and Add a reversion standard to limit speculation.
SITE PLANS REQUIRED			
151.310	General	Section requires site plans prior to issuance of any permit.	Clarify if there are some uses or activities that do not require a site plan.
151.311	Residential Site Plans	Section sets out the requirements for preparation of a site plan for residential uses.	<ul style="list-style-type: none"> Clarify the range of site plan approvals and which applies to what forms of development at the start of the site plan procedure (e.g., does a multi-family development get a residential site plan? What kind of site plan does an institutional use follow? Etc.) Revise names to major (currently commercial) and minor (currently residential) site plan procedures. Clarify who reviews what kind of site plan.
151.312	Commercial Site Plan Requirements	Section sets out the requirements for preparation of a site plan for commercial uses.	
PERMISSIBLE USES AND TABLE			
151.325	General	Caveat that a reader must review definitions and uses in special flood hazard areas are also subject to those requirements.	Carry forward as prefatory material to the use table.
151.326	Use of Designation Terms in Table	Sets out the descriptions of the permit procedure abbreviations used in the summary use table.	<ul style="list-style-type: none"> Carry forward with modifications. Suggest deleting conditional use permit to help limit confusing Remove requirements for uses over 5 acres to obtain a special use permit simply because of the acreage. Remove the requirement for subdivisions to obtain special use permits. Clarify what blank cells mean.

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Section#	Section Title	Description	Disposition in UDO
151.327	BOA Jurisdiction over Uses Otherwise Permissible with a Zoning Permit	Section allows the Administrator to require a special use permit for a use normally requiring a zoning permit.	DELETE THIS SECTION. This is likely a violation of due process.
151.328	Permissible Uses and Specific Exclusions	<ul style="list-style-type: none"> Sets out the rules of interpretation regarding unlisted uses. Sets out a list of prohibited uses. Includes a supplementary use table of uses only allowable in I-2 despite being listed as permissible in I-1. 	<ul style="list-style-type: none"> Revise the procedures for unlisted uses to establish a procedure for determination in accordance with recent case law. Carry forward list of use prohibitions, but relocate detail on travel trailers to accessory use provisions. Remove prohibition of one dwelling unit per lot. Remove and rectify the uses allowed in I-2, but not I-1 in the summary use table.
151.329	Accessory Uses	<ul style="list-style-type: none"> Describes how combination uses on a site may be determined as accessory. Sets out a list of common accessory uses to a residential principal use as well as a list of uses that are not considered accessory to a residential use and thus prohibited. Additional standards for fences in residential districts. 	<ul style="list-style-type: none"> Carry forward, but relocate determining accessory uses to accessory uses section of Article 4. Establish a summary table of common accessory uses in lieu of lists of allowable or prohibited. Relocate fence standards to development standards article.
151.330	Permissible Uses not Requiring Permits	Sets out uses not requiring permits.	Suggest deletion, unnecessary.
151.331	Change in Use	Defines how a change in use is determined.	Suggest using the zoning permit procedure.
151.332	Combination Uses	Defines the rules of procedure for situations where a lot or site has two or more uses.	Suggest deleting as in most cases these uses are in a principal/accessory relationship, except mixed use.
151.333	More Specific Use Controls	<ul style="list-style-type: none"> Section describes procedure for when a use may fall into more than one classification. Section prohibits barbed wire in all districts except GU. 	<ul style="list-style-type: none"> Delete. This is confusing – simplify. Relocate fence standards to section on fences and walls in Article 5.
151.334	Table of Permissible Uses	Section sets out the summary use table, including use number.	<ul style="list-style-type: none"> Reorganize by use classification system. Simplify use distinctions. Add color fields to help distinguish uses. Ensure full table is visible. Use a symbol (-) to denote blank cells. Add a column to reference additional use-specific standards. Add a column to clarify if prohibited in a particular overlay district. Add a consolidated set of use-specific standards. Ensure no uses have a conditional use permit requirement.

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Section#	Section Title	Description	Disposition in UDO
CONDITIONAL AND SPECIAL USES			
151.345	Purpose of the Conditional and Special Use Permit	Sets out the reasons for the differing procedures.	<ul style="list-style-type: none"> Suggest dropping the conditional use permit to limit confusion. Relocate this material to the relevant procedure in Article 2.
151.346	General Standards	Sets out the criteria for decision-making.	Relocate to the appropriate procedure. Carry forward but supplement the criteria pertaining to the ability to deny a permit.
151.347	Specific Standards	<ul style="list-style-type: none"> Sets out the use-specific standards for uses treated as conditional or special uses. Sets out standards for all special and conditional uses in light industrial districts. Sets out standards for replacement of an existing home unfit for habitation with a Type B mobile home. 	<ul style="list-style-type: none"> Relocate and consolidate these standards with other use-specific standards. Relocate provisions related to accessory or temporary uses to the appropriate subsection in Article 4 (e.g., home occupations, accessory apartments, etc.). Relocate light industrial district standards to the appropriate zoning district provisions in Article 3. Consider reducing the requirement for special use for some desired uses, and relying instead on use-specific standards. Consider relocating minimum housing provisions. Relocate definitions to definitions article (e.g. wind turbines).
NONCONFORMING SITUATIONS			
151.360	Definitions	Includes definitions for nonconforming situations.	<ul style="list-style-type: none"> Relocate to definitions article. Revise the term “nonconforming situation” to be more descriptive, or delete.
151.361	Continuation of Nonconforming Situations & Completion of Nonconforming Projects	Specifies that existing nonconforming development may be continued.	<ul style="list-style-type: none"> Relocate to transitional provisions in Article 1. Suggest adding sections that deal with nonconforming buildings and signs in addition to lots and uses. Add a section that addresses nonconforming lots (in terms of development standards) and a sliding scale of compliance.
151.362	Nonconforming Lots	<ul style="list-style-type: none"> Section deals with development of vacant nonconforming lots in terms of dimensional requirements (area, width) and setback. District setbacks may be reduced on a case-by-case basis. 	<ul style="list-style-type: none"> Carry forward, but enhance to require recombination when multiple lots under same ownership exist. Distinguish between residential lots, which should be buildable without need to consider setbacks, and nonresidential

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Section#	Section Title	Description	Disposition in UDO
			lots which should have some level of review in terms of setback compliance (by the Administrator).
151.363	Extension or Enlargement of Nonconforming Situations	<ul style="list-style-type: none"> Sets out condition where a nonconforming situation can be enlarged. Includes provisions for replacement of mobile homes. Includes provisions for nonconforming parking. 	<ul style="list-style-type: none"> Suggest carrying forward, but split nonconforming lots, structures, uses, and nonconforming site conditions. Relocate material on mobile homes to the use specific standards.
151.364	Repair, Maintenance, or Reconstruction	<ul style="list-style-type: none"> Section allows maintenance of nonconforming situations. Section sets a maximum threshold value for renovation or restoration. 	Carry forward but remove threshold for restoration.
151.365	Change in Use in a Property where a Nonconforming Use Exists	Sections sets out the procedure and requirements for changes in use.	Carry forward.
151.366	Discontinuance of a Nonconforming Situation	Sets out the standards under which a nonconforming situation is concluded.	<ul style="list-style-type: none"> Carry forward, but add additional provisions related to casualty damage in addition to abandonment. Add special provisions for signage. Add cross reference to wireless telecommunication facilities.
151.367	Completion of Nonconforming Projects	Includes rules allowing completion of a project after building permit issuance.	Suggest deletion, unnecessary.
151.368	Amortization of Nonconforming Situations	Establishes a sunset period for nonconforming uses.	Delete this section.
FLOODPLAIN MANAGEMENT			
151.380		Sets out the floodplain management standards, with some comments.	Carry forward with no changes except for staff comments.
151.387			
DRAINAGE, EROSION CONTROL AND STORMWATER MANAGEMENT			
151.400		Sets out the stormwater management standards.	<ul style="list-style-type: none"> Replace with cross references to the Drainage Manual. Need to discuss the need for additional permit types described in the manual. Suggest including additional provisions regarding ongoing maintenance. Suggest including enforcement-related issues (or cross references) here.
151.402			
151.403	Sedimentation and Erosion Control	<ul style="list-style-type: none"> Sets out the standards for erosion control. Includes the definition for a land disturbing activity. 	<ul style="list-style-type: none"> Carry forward. Relocate definitions to definitions Article.
SIGN REGULATIONS			

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Section#	Section Title	Description	Disposition in UDO
151.415	Definitions	References the NC DOT Outdoor Advertising Manual.	Delete this section.
151.417	Signs Permitted in R-1, R-2, and R-3 Districts	Sets out the range of sign types allowed in these three districts.	<ul style="list-style-type: none"> Revise and consolidate to a single set of sign standards (time, place, manner) allowable in these districts. Remove references to individual sign types for compliance with Reed decision. Add additional sections that establish sign standards for nonresidential districts. Add standards for prohibited signs, signs allowed without a permit, and temporary signs.
151.418	Off-Premise Signs	Sets out the standards for off-premise signage.	Carry forward, but revise in accordance with Reed decision.
BUILDING INSPECTIONS AND PERMITS			
151.430	Regulatory Codes adopted by Reference	Sets out references to building code related documents.	Carry forward, but suggest relocation to Article 1, General Provisions.
151.431	Inspection Procedure	Sets out the inspection process.	Suggest deletion.
151.432	Administrative	Sets out the process/timing for applying for a building permit.	Relocate to the procedures article.
PLANNING BOARD			
151.445	Appointment and Terms of Planning Board Members	Sets out the appointment and terms of the Planning Board.	Suggest reformulation as a summary table standardized for each review authority. Powers & duties, composition, rules of procedure.
151.448	Planning Board Officers	Sets out the requirements for a Chair and Vice Chair.	Carry forward in new standardized format.
151.449	Powers and Duties of the Planning Board	Sets out the powers and duties.	<ul style="list-style-type: none"> Revise for consistency with modern best practice Ensure consistency with revised procedural sections.
151.450	Planning Issue and Advisory Committees	Describes the formation of special advisory committees.	Carry forward.
BOARD OF ADJUSTMENT			
151.460	Appointment and Terms of BOA	Sets out the appointment and terms of the BOA.	Suggest reformulation as a summary table standardized for each review authority. Powers & duties, composition, rules of procedure.
151.461	Meetings of the BOA	Sets out the rules for meetings.	Carry forward in new standardized format.
151.462	Quorum	Sets out the rules for a quorum.	Carry forward in new standardized format.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
151.463	Voting	Sets out the standards for voting.	Revise for consistency with state law (simple majority is sufficient for appeals).
151.464	Board of Adjustment Officers	Sets out the requirements for a Chair and Vice Chair.	Carry forward in new standardized format.
151.465	Powers and Duties of the BOA	Sets out the powers and duties.	<ul style="list-style-type: none"> Suggest removal of conditional use permits. Assign zoning map interpretation to the Administrator instead.
ADMINISTRATOR			
151.475	Administrator	<ul style="list-style-type: none"> Sets out the primary duties of the Administrator. Identifies the ability to delegate. 	<ul style="list-style-type: none"> Enhance the section with more discussion about powers and duties, including decision-making authority. Relocate delegation provisions to rules of language construction.
BOARD OF COMMISSIONERS			
151.485	Board of Commissioners	Sets out basic rules of conduct for the Board in deciding special use permits or ordinance amendments.	<ul style="list-style-type: none"> Suggest relocating these provisions to the appropriate procedures. Incorporate new provisions related to Powers and Duties and conflicts of interest.
ZONING, SPECIAL USE AND CONDITIONAL USE PERMITS			
151.495	Permits Required	<ul style="list-style-type: none"> Sets out the general parameters for zoning permits, conditional use permits, special use permits, sign permits, and conditional use permits associated with a PUD. Section limits the ability to file an application if property taxes are due. 	<ul style="list-style-type: none"> Suggest relocation to the Applicability provisions in Article 1. Suggest deletion of conditional use permits altogether (both for subdivisions and individual use types). Relocate tax standards to application filing section in Article 2, Procedures.
151.496	No Occupancy, Use or Sale of Lots Until Requirements Fulfilled	Contains the effect provisions related to permit approval.	Relocate these provisions to the effect subsection of the appropriate procedure.
151.497	Who may Submit Permit Applications	Clarifies who may file an application for various permit types.	<ul style="list-style-type: none"> Relocate to the common review procedures in Article 2. In cases where additional limitations on who may apply for a permit are applicable, these provisions should be relocated to the individual procedure sections of Article 2.
151.498	Applications to be Complete	<ul style="list-style-type: none"> Section requires applications to be complete before they will be reviewed. The section goes into limited detail about the kinds of information required for completeness through references to the appendices. 	<ul style="list-style-type: none"> Carry forward in common review procedures section. Include detailed list of what constitutes a complete application. Clarify the procedure for what happens when an application is determined to be

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
			incomplete.
151.499	Staff Consultation Before Formal Application	<ul style="list-style-type: none"> This section encourages voluntary pre-application conferences. The section sets out the requirements for filing a sketch plan as part of a major subdivision application. 	<ul style="list-style-type: none"> Carry forward and enhance the pre-application conference standards. Establish pre-application conference requirements for some types of applications (like PUDs, variances, major subdivisions, map amendments to establish more intense development, etc.) Suggest converting the subdivision sketch plan into a pre-application conference (instead of requiring full review of sketch plans).
151.500	Staff Consultation After Application Submitted	<ul style="list-style-type: none"> The section sets out the duties of the Administrator following filing of various forms of applications, including reviewing the application and contacting the applicant. The section explains the process for placing some forms of applications on the agenda of the review body. 	<ul style="list-style-type: none"> Carry forward in the common review procedures section. Consolidate and standardize the provisions, to the extent possible.
151.501	Zoning Permits	<ul style="list-style-type: none"> Section sets out the review process for zoning permit applications, including proof of improvement permit issuance regarding wastewater treatment. The section allows the Administrator to refer zoning permit applications to the Planning Board or Commissioners for commercial site plans of 40,000 square feet or more. 	<ul style="list-style-type: none"> Relocate this material to the section on Zoning Permits. Need to discuss the "Improvement Permit" process. Is this actually a permit or just a verification? Suggest removing the ability to refer an application to another decision-making body based on size.
151.502	Authorizing Use or Occupancy Before Completion Under Zoning Permit	Allows the Administrator to grant occupancy of a site or building via issuance of a temporary certificate of occupancy (for up to six months) even in cases when a zoning permit has not yet been issued.	Carry forward in common procedures under a "temporary occupancy" subsection.
151.503	Special Use Permits and Conditional Use Permits	Sets out the process for consideration of a conditional and special use permit.	<ul style="list-style-type: none"> Suggest removal of the conditional use permit process. Relocate any provisions related to the consideration or decision on a permit application to the section on the procedure.
151.504	Burden of Presenting Evidence; Burden of Persuasion	Section explains who is responsible for application presentation, and persuasion of the decision-maker.	Carry forward in the public hearings portion of the common review procedures. Suggest removing the language related to responsibility for persuading as it is unnecessary.
151.505	Recommendations on Conditional use Permit Applications	<ul style="list-style-type: none"> This section sets forth the requirement for a staff report and recommendations. Section allows the BOA, in its sole discretion, to refer conditional use permit applications to 	Suggest deleting conditional use permits.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
		the Planning Board.	
151.506	Recommendations on Special Use Permits	Sets out the procedure for review of a special use permit by staff and the Planning Board.	Relocate to the special use permit procedure.
151.507	Board of Commissioners Action on Special Use Permits	Sets out the procedure for review of a special use permit by the Board of Commissioners.	Relocate to the special use permit procedure.
151.508	Board of Adjustment Action on Conditional use Permits	Sets out the procedure for review of a conditional use permit by the BOA.	Suggest deleting conditional use permits.
151.509	Additional Requirements on Special use and Conditional Use Permits	Sets out the ability to apply conditions of approval to conditional use and special use permits.	<ul style="list-style-type: none"> Relocate to the section on conditions of approval in the common review procedures. Suggest removal of conditions of approval that are not in keeping with the UDO requirements.
151.510	Authorizing Use, Occupancy, or Sale Before Completion of Development Under Permits	<ul style="list-style-type: none"> Allows the decision-making body to grant occupancy of a site or building via issuance of a temporary certificate of occupancy (for up to six months) even in cases when a zoning permit has not yet been issued. The section sets out special requirements for posting of a financial guarantee for completion of centralized water or wastewater after occupancy. The section allows the Board to authorize occupancy prior to completion of all required or approved amenities. 	Carry forward in common procedures under a "temporary occupancy" subsection. Discuss the desire to allow an applicant to occupy development prior to completing required site features.
151.511	Completing Development in Phases	Section allows applicants to occupy development in any phase subject to the temporary certificate of occupancy procedure.	Carry forward.
151.512	Expiration of Permits	Sets out the rules of permit expiration.	Carry forward I the common review procedures section.
151.513	Zoning Vested Right	Section sets out the process for obtaining a zoning vested right for a site-specific development plan.	<ul style="list-style-type: none"> Suggest carrying forward and renaming as a vested right certificate. Need to discuss if the subdivision sketch plan is carried forward unchanged whether or not it constitutes a site-specific development plan capable of being vested. Suggest removal of the overlay provisions that allow additional standards or requirements to be applied.
151.514	Effect of Permit on Successors and	<ul style="list-style-type: none"> Section clarifies that permit approvals are transferrable. 	Carry forward, but need to discuss the recording requirement.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
	Assigns	<ul style="list-style-type: none"> Section requires some permits for areas of land exceeding 5 acres to be signed and recorded before authorized development can proceed. 	
151.515	Amendments to and Modifications of Permits	<ul style="list-style-type: none"> Sections sets out the ability of the Administrator to approve minor changes to an approved permit. The section distinguishes between major and minor changes, and requires major changes to be decided by the original decision-making body. 	Carry forward in the common review procedures section.
151.516	Reconsideration of Board Action	<ul style="list-style-type: none"> Section clarifies that denied applications may not be reconsidered for a period of time. Section allows reconsideration of a prior denial if there is a material change to the facts of the case or conditions, or a new application is submitted. 	Carry forward, but clarify the length of time that must pass before a denied application may be resubmitted for consideration.
151.517	Applications to be Processed Expeditiously	General language about County acting quickly on applications.	Suggestion deletion.
151.518	Maintenance of Common Areas, Improvements, Facilities	Section requires applicant or recipient of a permit to maintain common areas and infrastructure as anticipated by County.	Carry forward.
APPEALS, VARIANCES AND INTERPRETATIONS			
151.530	Appeals	Sets out the general procedural issues and elements of the appeal of an administrative decision.	<ul style="list-style-type: none"> Relocate this material to the appeal procedure in Article 2. Include more review criteria, steps in the process, and how BOA decisions may be appealed.
151.532	Variances	Sets out the procedures and approval criteria for a variance application.	<ul style="list-style-type: none"> Relocate this material to the variance procedure in Article 2. Suggest the standards be supplemented with standards that cannot be varied (such as allowable uses). Need to discuss if and how variances to the subdivision standards are accomplished (if different).
151.532	Variances from Floodplain Requirements	Sets out the procedures that apply (in addition to other variance procedures) to requests for deviations from the special flood hazard area provisions.	Consider incorporating these standards into the other variance provisions for the sake of simplicity.
151.533	Interpretations	This section sets out the procedure and standards to be used by the BOA in interpreting the zoning map.	<ul style="list-style-type: none"> Suggest the Administrator be empowered to interpret the zoning map (any decision is appealable to the BOA). Suggest the procedure follow the same established for interpretation of the text.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
151.534	Requests to be Heard Expediently	General language about BOA acting quickly on applications.	Suggestion deletion.
151.535	Burden of Proof in Appeals and Variances	Section sets out the provisions for testimony, evidence, and persuasion during hearings before the BOA.	Suggest this material be relocated to the relevant procedure.
151.536	Board Action on Appeals and Variances	Sets out the rules for BOA voting on appeals and variances.	Suggest this material be relocated to the appropriate procedure and revised for consistency with the state statutes.
HEARING PROCEDURES FOR APPEALS AND APPLICATIONS			
151.550	Hearing Required on Appeals and Applications	Sets out the general parameters for public hearings.	<ul style="list-style-type: none"> Relocate to common review procedures. Distinguish between the procedures for legislative public hearings (like map amendments) versus quasi-judicial public hearings (like variances).
151.551	Notice of Hearing	Section sets out the public notification requirements for applications that require a public hearing.	<ul style="list-style-type: none"> Relocate to common review procedures. Incorporate a summary table specifying notice requirements for all applications in a single place. Clarify the posted notice provisions.
151.552	Evidence	Sets out the requirements for presenting evidence at a hearing.	<ul style="list-style-type: none"> Relocate to the section on hearings in common review procedures. Remove the requirement that all presenters must be sworn (this is only required for quasi-judicial proceedings). Add provisions addressing repetitive or inappropriate testimony.
151.553	Modification of Application at Hearing	Section allows applicants to modify applications during a hearing.	Relocate, but modify these standards to address changes that trigger the requirement for re-notice of the public.
151.554	Record	Sets out the provisions for recording meetings.	Carry forward, but modify to comply with state requirements only. It is fine, as a policy matter, to go beyond state law, but it is a mistake to codify that policy.
151.555	Written Decision	Section sets out the standards for written notification of decision.	Carry forward in common procedures, but broaden to include all applications.
ENFORCEMENT AND REVIEW			
151.565	Complaints Regarding Violations	Section describes actions of Administrator upon receiving a written complaint.	<ul style="list-style-type: none"> Carry forward in Enforcement provisions. Consolidate with actions related to County-initiated code enforcement actions.
151.566	Persons Liable	Sets down the responsible parties for a violation.	Carry forward, but expand list to include other parties and clarify ultimate responsibility lies with the landowner.
151.567	Procedures Upon Discovery of	Section describes the procedure for County-initiated code enforcement actions.	<ul style="list-style-type: none"> Consolidate with other enforcement-related procedures.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
	Violations		<ul style="list-style-type: none"> List the range of common violations (including stormwater-related). Clarify the dates upon which County staff and potential violators must act. Clarify the issue of 'stay' upon receipt of a notice of violation.
151.568	Penalties and Remedies for Violations	Sets down the remedies and penalties associated with code violations.	Carry forward, but clarify provisions pertaining to civil and criminal penalties.
151.569	Permit Revocation	Section sets out the procedures for revocation of various permit types.	Carry forward and consolidate with other remedies (such as stop work).
151.570	Judicial Review	Section describes the process for appealing decisions of the County Commission and BOA.	<ul style="list-style-type: none"> Carry forward under the specific procedures in Article 2. Suggest removing references regarding appeal of Commission decisions as it is not legally required. Discuss the possibility of including a beneficial use determination procedure.
AMENDMENTS			
151.580	Amendments in General	Section describes types of amendments (map, text).	<ul style="list-style-type: none"> Delete this section. Relocate definition to definitions. Remove distinction between major and minor map amendments. Distinguish between these two procedures in the updated UDO.
151.581	Initiation of Amendments	Sets out who may apply for amendments.	<ul style="list-style-type: none"> Relocate to appropriate procedures. Suggest limiting the ability for filing a map amendment to owners or owner representatives. Suggest limiting the ability to initiate map amendments to some districts (like CP, VR, VC) to the Planning Board.
151.582	Planning Board Consideration of Proposed Amendments	Section describes the procedure for processing and reviewing an amendment application.	Delete repetition by relocating to common review procedures.
151.583	Hearing Required, Notice	Sets out the general parameters for public hearings.	Delete repetition by relocating to common review procedures.
151.584	Board Action on Amendments	Describes the possible actions to be taken by the Board of Commissioners on amendment applications.	Relocate to appropriate procedures.
151.585	Ultimate Issue Before Board on Amendments	Sets out some criteria for deciding amendments. Includes the required consistency with the comprehensive plan statements.	<ul style="list-style-type: none"> Suggest enhancing the decision-making criteria for each kind of application. Consistency statement provisions need to be enhanced to describe the specific findings and manner of indicating.
151.586	Map Amendment along Major	Limits the ability to rezone land along major arterials to nonresidential districts.	DISCUSS.

Orange rows indicate staff comments

Section#	Section Title	Description	Disposition in UDO
	Arterials		
DEFINITIONS			
151.600	Definitions	<ul style="list-style-type: none"> • Sets out the definitions. • Several staff comments. 	<ul style="list-style-type: none"> • Consolidate with other definitions throughout document. • Relocate use definitions to use classifications section. • Remove standards from definitions. • Respond to individual staff comments.
APPENDICES			
Appendix A	Information Required with Applications	Sets out the application submittal requirements.	Relocate to the common review procedures section.
Appendix B	Specifications on Driveway Entrances	Cross references NCDOT standards.	Relocate to the section on streets and driveways in subdivision article.
Appendix C	Specifications for Street Design & Construction		
Appendix D	Vehicle Accommodation Area Surfaces	Sets out standards for paved or unpaved parking lot surfaces.	Relocate to parking lot surfacing standards in Article 5.
Appendix E	Screening and Trees	Sets out the approved plant material list.	Carry forward.

8.3 Input Summary

On August 18-19, 2015, as part of the Project Initiation Trip, consulting team members conducted interviews with 13 individuals identified by staff as key stakeholders representing the development community in and around Camden County as well as elected officials. Each interview lasted approximately 30-45 minutes. Most interviews took place individually, and a few meetings occurred in pairs. This document presents a compilation of the comments that arose from the interviews, organized by general topic area and not attributed to any particular stakeholder interviewee.

List of Interviewees

Gary Meiggs	County Commissioner	Camden County
Michael McLain	County Commissioner	Camden County
Tom White	County Commissioner	Camden County
Sandra Duckwall	County Commissioner	Camden County
Tim Hess	Developer	Seaboard Development Alliance
Eddie Hyman	Surveyor	Hyman & Robey, PC
Sean Robey	Engineer	Hyman & Robey, PC
David Cross	Realtor	David Cross Real Estate
Ken Merner	Developer	Boyd Homes
Dick Browner	Land Planner	Independent Consultant
Will Meiggs	Banker	Bank of Currituck
Mark Bissell	Engineer	Bissell Professional Group
Bob Widener	Developer	Widener Corporation

Topic Areas

In analysis of the feedback received from stakeholders, four key topic areas emerged. They are listed below, and guide the structure of the rest of this document:

1. Code-specific Comments
2. Development in Camden County
3. Working with Staff and Elected Officials
4. Stormwater and Wastewater Concerns

INCREASE CODE USER-FRIENDLINESS

GENERALLY:

- Make user-friendly for citizens and developers
- Understanding the codes is not easy → needs to be more user friendly, suggests “cheat sheet”
- Make UDO more user friendly, predictable, and consistent
- Need new standards that recognize and calibrate for the applicant – homeowners and developers
- Keep the language simple (e.g. Currituck County had “sand mine,” went to “extractive industry”)
- Keep like material together
- Definitions – make things easy to find and keep them together – drainage ordinance is in three different places

CONSISTENCY AND FAIRNESS:

- Remove inconsistency
- Work to make it consistent
- No loop holes and no contradictions – fair and consistent interpretation
- Need a black and white UDO, with no room for interpretation
- Consistency, fairness, vagueness – make it easy to understand
- Fairness
- Un-written policies exist, this should not be the case
 - Policy should be fair
 - Ie a book of interpretations
- Lots of current zoning ordinance regulations that contradict one another
- Need to make sure there are no contradictions or loopholes
- Black and white UDO – no room for interpretation – try to eliminate – and keep language simple
- Don’t want design standards, if any, open to interpretation – make it understandable.

FLEXIBILITY:

- Camden needs flexible standards
- Flexibility
- Code doesn’t really address commercial development – Needs to have flexibility to be inviting; doesn’t want to see just junk along 158
- PUD has good flexibility

OPEN SPACE:

- Doesn’t think 1 acre lots need open space
- Open space system or requirement for boulevards with trails etc. set aside those things now before too much development takes place – set those up now.
- Set aside property for trail and let you take the density on your property – do utilities, trails, etc. all in one place – make it part of code.

ZONING DISTRICTS:

- Need for conditional zoning – all straight zoning
- Camden needs conditional zoning
- Higher density with mixed use – by right – could provide incentives

PROCEDURAL ISSUES WITHIN THE CODE

GENERALLY:

- Supportive of a two track process:
 - Process 1: Do what we want
 - Process 2: don't do what we want
- Consider a way to allow an applicant to choose conservation or traditional subdivision
- Resolve the political issues first – don't require technical review – approve the concept then go to technical
- Routine schedule to review plans – not random
- Process for how you appeal and then, ultimately where you end up – especially when you need an interpretation --- make it clear up front what process is – here are your options if denied.
- Don't like that places charge for variance, etc. Expensive enough to develop.

CONSIDER INCREASING ALLOWANCES FOR STAFF REVIEW:

- Staff approval for a small number of lots or one time review for 15 lots.
- Staff more authority for things permitted by right
- More discretion for Planning Department needed
- Would like to have administrator approval for 10-20 lots, with final plat to the staff

SKETCH PLAN:

- Sketch plan is cumbersome and not useful:
 - Too long
 - Not enough exemptions
 - Process is not predictable
 - No vesting after sketch
 - Public involvement in subdivisions is misleading and shouldn't have the ability to stop a subdivision
- Sketch plan review and process is cumbersome and gets you nothing in the end
- Change sketch plan to be more political and move politics out of the subdivision process
 - Have to get state permits first then going to political bodies then have to go back and change state permits

PUD:

- Need a PUD process that is easier and more clear
- Streamlining approval process for a PUD or something similar to CP

OTHER COMMENTS:

- Take a look at free reign on clients with special use permits – makes it difficult when they are developing products for clients and they don't know what is going to come out of political process.
- Questions about the development agreement process
- Don't assess water tap fees up front; don't assess recreation fees up front – these fees make it too expensive to sell lots in the Camden market.
 - Available demand does not support the costs these fees create

DESIRED RURAL CHARACTER

- Don't want to see sprawl
- People don't want sprawl, people want to maintain the rural character
- Keep the County Rural
- Protect county now and down the road.
- Maintain rural life as possible.

PRESENT AND FUTURE DEVELOPMENT

GENERALLY

- Perception that 158 is "where the action is at" in the near term
- Not a lot of vacant lots, and there will be pressure for more development
- Zombie subdivisions – left out there – not much here – Camden in good position
- Competitive advantage: Virginia does not have 250 ac sites to show prospects
- Only about 70 farming operations left – used to be over 700

COMMERCIAL

- Need the commercial for residents and for the tax base
- Not too concerned about node vs. strip – want to fill the commercial corridors
 - More concerned about how it looks
- More commercial services for residents
- Need commercial building guidance

INDUSTRIAL

- Suggests the land just south of the state line also be developed as an industrial park
- Eco Park is overly restricted

RESIDENTIAL

- Less desire for residential except that it is a means to an end (commercial)
 - Multifamily apartments are kind of a no-go
- 10 acre lots not well maintained – too much land
- Limits on mobile homes
- Should not apply same level of regulatory control to larger, rural residential lots as are applied to smaller, more suburban lots
- Wants to ensure large lot landowners can fire weapons or store items without too much trouble
- Does support the need for more residential in order to gain commercial, but does not want low income or low quality development
 - Wants to be sure any multifamily is of high quality

3. Working with Staff and Elected Officials

NEED FOR GREATER CONSISTENCY, CLARITY, AND EFFICIENCY

- Applicants should not be getting different answers to the questions they ask
- Folks may not be getting the same story
- Be sure applicants understand what is required

WORKING WITH STAFF:

- We would like to see you do “x” – staff does not need to say that – UDO needs to be clear on expectations
- Concern about front office staff being friendly and accommodating
- Community perception about planning staff being friendly → Answers are too complicated
- Perception that there are instances where staff is making calls without guidance

WORKING WITH ELECTED OFFICIALS:

- Need to address the perception that elected officials see developers as “evil” or as outsiders.
- No need to set meetings to schedule meetings – perception that elected boards are inefficient

4. Stormwater and Wastewater Concerns

CONSENSUS THAT STORMWATER AND WASTEWATER ARE MAJOR CONCERNS

- Stormwater is largest problem
- Flat, poorly-drained soil
- Lots of clay in north, more sand in the south, makes stormwater tough
- Key problem is “tailwater” elevation
- Farming/clearing disturbs drainage
- Original clearing, then ditches came for farming – then residential – now does not drain as well and maintenance has held up problems – hold a certain rainfall on site and then release it – improve runoff with new development – not make it worse
- 10 year storm but how do you handle the 100 yr storm on site – where is the stormwater plan right now

SUGGESTED POTENTIAL SOLUTIONS

- More retention on site is needed- shallow slope swells for storage
- 18 inch finished floor above 10 yr storm – above fill pad
- Septic 12 to 24 inch - over 24 is a no go
- Building pad or septic fill requirement – the building pad 6 inches above the septic field
- Grey water to some type of a lagoon could maybe work – but problems with that too.
- Open space burdens – like straight 30% - some overlap with utility and buffering – planting back trees is a good thing – helps with drainage
- Do not make the stormwater regulations more difficult, restrictive, or expensive.

