

ZONING DISTRICTS



Key Changes in Article 151.3:

- Consolidates all zoning-district related information (including density and dimensional standards) into a single article
- Includes more intuitive district names
- Relies on an increased use of graphics and example illustrations
- New purpose statements that better describe the intent and configuration of each zoning district
- Introduces a greater range of distinction between the dimensional standards in different zoning districts, particularly for lots served by public wastewater infrastructure
- New requirements for conservation subdivisions in rural zoning districts
- Wider range of uses (including mixed-uses) within village center areas
- Revision to planned development district provisions including reduction in district size, and removal of use-mix ratio requirements
- Establishment of a new mixed-use district available within designated village center areas
- Converts the marine commercial overlay into a base district
- Establishes a consolidated set of generally applicable dimensional requirements
- No more application of most restrictive district standard to bifurcated lots
- Clarifies that maximum residential density may be increased through use of a sustainable development incentive (see Article 151.7: Environmental Provisions)
- Designates the UDO Administrator as the County official who may interpret the zoning map
- Establishes a placeholder for a local historic district
- Integrates the watershed protection standards from Chapter 152 of the County Code as an overlay district

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ARTICLE 151.3 ZONING DISTRICTS

3.1 GENERAL PROVISIONS

3.1.1 COMPLIANCE WITH DISTRICT STANDARDS

Land in the County shall not be developed except in accordance with the zoning district regulations of this article and all other regulations of this Ordinance, including but not limited to: Article 151.4: Use Regulations, Article 151.5: Development Standards, Article 151.6: Subdivision Requirements, and Article 151.7: Environmental Provisions.

3.1.2 TYPES OF ZONING DISTRICTS

- A. Land within the County is classified by this Ordinance into one of a number of “general,” or “base,” zoning districts.
- B. Land in any general zoning district may also be classified into one or more “overlay” zoning districts.
- C. In cases where land is within an overlay zoning district, the standards in the overlay district apply in addition to the standards governing development in the underlying general zoning district.
- D. If the standards governing a general zoning district expressly conflict with those governing an overlay zoning district, the standards governing the overlay zoning district shall control, even if they are less restrictive.
- E. Land in the County shall be classified or reclassified into a general or overlay zoning districts only in accordance with the procedures and requirements set forth in Section <>, Zoning Map Amendment, or Section <>, Planned Development, as appropriate.

3.1.3 MAXIMUM DENSITY MAY BE INCREASED

Unless otherwise indicated in this Ordinance, the maximum density for a zoning district may be increased beyond the amount listed in Section <>, Residential Districts and Section <>, Commercial Districts, in accordance with the standards, incentives, and procedures in Section <>, Sustainability Incentives.

3.1.4 GENERALLY APPLICABLE DIMENSIONAL STANDARDS

In addition to the dimensional standards in each individual zoning district, the following bulk and dimensional standards shall apply to all development in County.

A. Reductions Prohibited

Except where otherwise authorized by this Ordinance:

- 1. No lot shall be reduced in area below the minimum requirements for the district where located.
- 2. Lots created after [insert the effective date of this Ordinance] shall meet the minimum lot dimensional requirements for the district where located.
- 3. Where land acquisition for a public purpose reduces a yard of a developed lot such that the minimum standards of this Ordinance cannot be met, the lot may be used in accordance with Section <>, Governmental Acquisition of Land.

B. Buildings per Lot

- 1. Only one principal building per lot shall be allowed unless otherwise authorized by this Ordinance.
- 2. No more than one principal building devoted to a residential use shall be allowed on a lot except as part of a duplex, triplex, quadraplex, attached-residential, or multi-family development.
- 3. Two or more principal structures devoted to a non-residential use may be located on a lot, provided that access to each structure is directly available from a public street. If access to each structure from a public street is not available, a 20-foot-wide or wider access easement shall be recorded and maintained from a public street to each structure for use by service or emergency vehicles.

C. Required Yards

- 1. The land area between a lot line and the boundary of a required setback is considered as a required yard.
- 2. The location of front, side, or rear yards on irregularly-shaped lots shall be determined by the UDO Administrator in accordance with Section <>, Rules of Measurement. Wherever possible, the UDO Administrator shall interpret these boundaries in ways that minimize nonconformities.
- 3. Except where otherwise provided in Section <>, Setback Encroachments, required yards shall not be subject to encroachment by a building, structure, or outdoor use area.
- 4. In no instance shall a required yard for one lot be used to meet the yard requirements for another lot.
- 5. All development shall be setback at least 30 feet from the landward edge of the normal water level of a coastal shoreline in accordance with 15A NCAC 07H.0209(d)(10).

D. Average Street Setbacks

Where a lot is within 500 feet of developed properties on the same side of the road that contain two or more legally nonconforming principal structures in terms of street setbacks, the street setback for that lot may be the average setback of all conforming and legally nonconforming principal structures on the same side of the road within 500

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Section 3.2 General Zoning Districts Established^{62F}

3.2.1 Organization of District Standards

feet of the lot in question. However, under no circumstance may the street setback be less than the furthest setback on the adjoining lot or be reduced more than 25 percent of the minimum required.

3.2 GENERAL ZONING DISTRICTS ESTABLISHED⁶³

Table <>, **General Zoning Districts Established**, sets out the general zoning districts established by the Ordinance. Zoning districts are grouped into Special, Residential, Commercial, Industrial, and Planned Development Districts.

TABLE <>: GENERAL ZONING DISTRICTS ESTABLISHED	
DISTRICT ABBREVIATION	DISTRICT NAME
SPECIAL DISTRICTS	
CP	Conservation & Protection
RESIDENTIAL DISTRICTS	
WL	Working Lands
RR	Rural Residential
SR	Suburban Residential
NR	Neighborhood Residential
VR	Village Residential
COMMERCIAL DISTRICTS	
CC	Crossroads Commercial
VC	Village Commercial
HC	Highway Commercial
MC	Maritime Commercial
MX	Mixed-Use
LI	Light Industrial
HI	Heavy Industrial
PLANNED DEVELOPMENT	
PD	Planned Development

3.2.1 ORGANIZATION OF DISTRICT STANDARDS

- A. Sections 3.4 through 3.9 set out the general purposes of each group of zoning districts and contain subsections that set out the specific purpose, density, and dimensional standards for each individual zoning district.
- B. Each district includes a summary table of dimensional standards that include letters inside black circles. The black circles in the dimensional standards table correspond to the black circles depicted in the district graphics.
- C. The building form, lot pattern, and development examples diagrams are for illustrative purposes only. In cases where an image conflicts with the text, the text of this Ordinance shall control.
- D. Buildings depicted in yellow on the district dimensional standards and development configuration example diagrams associated with each zoning district are intended to show structures used for residential purposes. Buildings shown in red are intended to show nonresidential uses. Buildings with both yellow and red depict mixed-use structures.
- E. The range of allowable uses for each general zoning district are identified in **Table <>, Principal Use Table**.
- F. Some zoning districts include district-specific standards that apply to all lands in the particular zoning district classification.

⁶³ This district listing is described on Page 52 of the Evaluation Report, and carries forward the County's current district structure with few changes (except for district name changes and the addition of a new mixed-use district for use in village centers). Key changes between the current regulations and this proposed draft are detailed on Page 52 of the Evaluation Report and in the endnotes for each district located on the last page of this draft Ordinance.

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Section 3.3 Official Zoning Map

3.3.1 General63F

3.3 OFFICIAL ZONING MAP

3.3.1 GENERAL⁶⁴

- A. The Official Zoning Map (OZM) designates the location and boundaries of the various zoning districts established in this Ordinance.
- B. The OZM shall be maintained in a digital format and paper copies shall be kept on file in the Planning Department and are available for public inspection during normal business hours.
- C. The digital version of the OZM maintained in the offices of the Planning Department shall be the final authority as to the status of the current zoning district classification of land in the County's planning jurisdiction, and shall only be amended in accordance with Section <>, Zoning Map Amendment, or Section <>, Planned Development, as appropriate.
- D. The UDO Administrator shall maintain digital copies of superseded versions of the OZM for historical reference, as appropriate.

3.3.2 INCORPORATED BY REFERENCE

- A. The Official Zoning Map dated December 20, 1993, as amended, is hereby incorporated by reference herein and made part of this Ordinance.
- B. The Flood Insurance Rate Maps (FIRM) prepared by FEMA and the associated Flood Insurance Study (FIS) are hereby incorporated by reference herein and made part of this Ordinance.
- C. The County of Camden, North Carolina, Watershed Protection Map, (the Watershed Map) is hereby incorporated by reference and made a part of this Ordinance.

3.3.3 INTERPRETATION OF BOUNDARIES⁶⁵

The UDO Administrator shall be responsible for determination of boundaries on the OZM in accordance with the standards in Section <>, Interpretation, and the following standards:

- A. Boundaries shown as approximately following a utility line or a street, alley, railroad, or other public access way shall be interpreted as following the centerline of the right-of-way or easement for the utility line or access way.
- B. If a street, alley, railroad, or utility easement forming the boundary between two separate zoning districts is abandoned or removed from dedication, the district boundaries shall be construed as following the centerline of the abandoned or vacated roadbed or utility easement.
- C. Boundaries shown as approximately following a lot line shall be interpreted as following the lot line as it existed when the boundary was established. If a subsequent minor adjustment (such as from settlement of a boundary dispute or overlap) results in the lot line moving 10 feet or less, the zoning boundary shall be interpreted as moving with the lot line.
- D. Boundaries shown as approximately following a river, stream, canal, lake, or other watercourse shall be interpreted as following the centerline of the watercourse as it actually exists, and as moving with that centerline to the extent the watercourse moves as a result of natural processes (flooding, erosion, sedimentation, etc.).
- E. Boundaries shown as approximately following shorelines of a river, stream, or lake shall be interpreted to follow the mean high water line, even in the event of change.
- F. Boundaries shown parallel to or as extensions of features indicated in this subsection shall be interpreted as such.
- G. If the specific location of a depicted boundary cannot be determined from application of the above standards, it shall be determined by using the Official Zoning Map's scale to determine the boundary's distance from other features shown on the map. In the case of flood hazard boundaries, the FEMA work maps, if available, shall be used for scaling.
- H. Where a watershed area boundary lies at a scaled distance more than 25 feet from any parallel lot line, the location of a watershed area boundary shall be determined by use of the scale appearing on the Watershed Map.
- I. Where a watershed area boundary lies at a scaled distance of 25 feet or less from any parallel lot line, the location of a watershed area boundary shall be construed to be the lot line.
- J. Where the actual location of existing physical or natural features vary from that shown on the Official Zoning Map, or in other circumstances are not covered by this subsection, the UDO Administrator shall have the authority to determine the district boundaries (see Section <>, Interpretation).
- K. Interpretations of the special flood hazard area boundary shall be made by the Floodplain Administrator, in accordance with the standards in Section <>, Special Flood Hazard Area (SFHA).

⁶⁴ This section replaces Section 151.045 of the current UDO except that it recognizes the GIS-based digital zoning map. Section 151.047 related to lots divided by district lines is not carried forward since the OZM is now digital and can display very fine-grained details of the zoning map like bifurcated zoning.

⁶⁵ This section replaces Section 151.533 of the current ordinance and authorizes the UDO Administrator to interpret the Official Zoning Map.

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Section 3.3 Official Zoning Map

3.3.4 Changes to Official Map⁶⁶

- L. Wherever a single lot is located within two or more different zoning districts, each portion of the lot shall be subject to all the regulations applicable to the zoning district where it is located.

3.3.4 CHANGES TO OFFICIAL MAP⁶⁶

- A. Changes made in zoning district boundaries on the OZM shall be considered an amendment to this Ordinance and are made in accordance with Section <>, Zoning Map Amendment or Section <>, Planned Development, as appropriate. Changes to the OZM approved by the Board of Commissions shall be entered on the OZM by the UDO Administrator promptly after the approval. Where the ordinance enacting a zoning district boundary change contains wording explaining or clarifying the location of the new boundary, the UDO Administrator shall enter the boundary on the Official Zoning Map in accordance with the ordinance wording.
- B. Upon entering the most recently-approved amendment on the OZM, the UDO Administrator shall also change the date of the map to indicate the date of its latest revision.

⁶⁶ This section replaces Section 151.046 of the current ordinance.

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Section 3.4 Special Districts

3.4.1 Conservation and Protection (CP) District241F

3.4 SPECIAL DISTRICTS

3.4.1 CONSERVATION AND PROTECTION (CP) DISTRICTⁱ

<p style="font-size: 48pt; margin: 0;">CP</p> <p style="font-size: 36pt; margin: 0;">Conservation & Protection</p>		A. Purpose Statement
		<p>The Conservation and Protection (CP) district is established to preserve and protect natural resources and areas of environmental concern (like the Great Dismal Swamp). The district is intended to protect swamps, wetlands, and riparian corridors from erosion and sedimentation; retain and protect environmentally-sensitive areas; protect archeological resources from disturbance; and preserve and maintain the aesthetic qualities and appearance of the County. The district allows low-impact recreational facilities (trails, boardwalks, docks, boat launches), visitor or interpretive centers, accessways, utilities, erosion control features, and public parks, along with typical accessory uses such as restrooms, or off-street parking areas. The district does not permit residential or commercial development, marinas, or on-site wastewater treatment. Agricultural activities may be permitted as special uses.</p>
B. Dimensional Requirements		
#	STANDARD TYPE	REQUIREMENT
	Maximum Residential Density (units/acre)	N/A
	Minimum Lot Area (square feet)	N/A
	Minimum Lot Width (feet)	N/A
A	Maximum Lot Coverage (% of lot area)	24 [1]
B	Minimum Front Setback (feet)	100
C	Minimum Corner Side Setback (feet)	100
D	Minimum Interior Side Setback (feet)	25
E	Minimum Rear Setback (feet)	25
F	Minimum Distance Between Buildings, Front-to-Back (feet) [2]	40
G	Minimum Distance Between Buildings, Side-to-Side (feet) [2]	20
H	Minimum Accessory Building Setback (feet)	20
I	Maximum Building Height (feet)	15
<p>NOTES:</p> <p>[1] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[2] Applied in cases where there are two or more principal buildings on the same lot.</p>		

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Section 3.4 Special Districts

3.4.1 Conservation and Protection (CP) District 241F

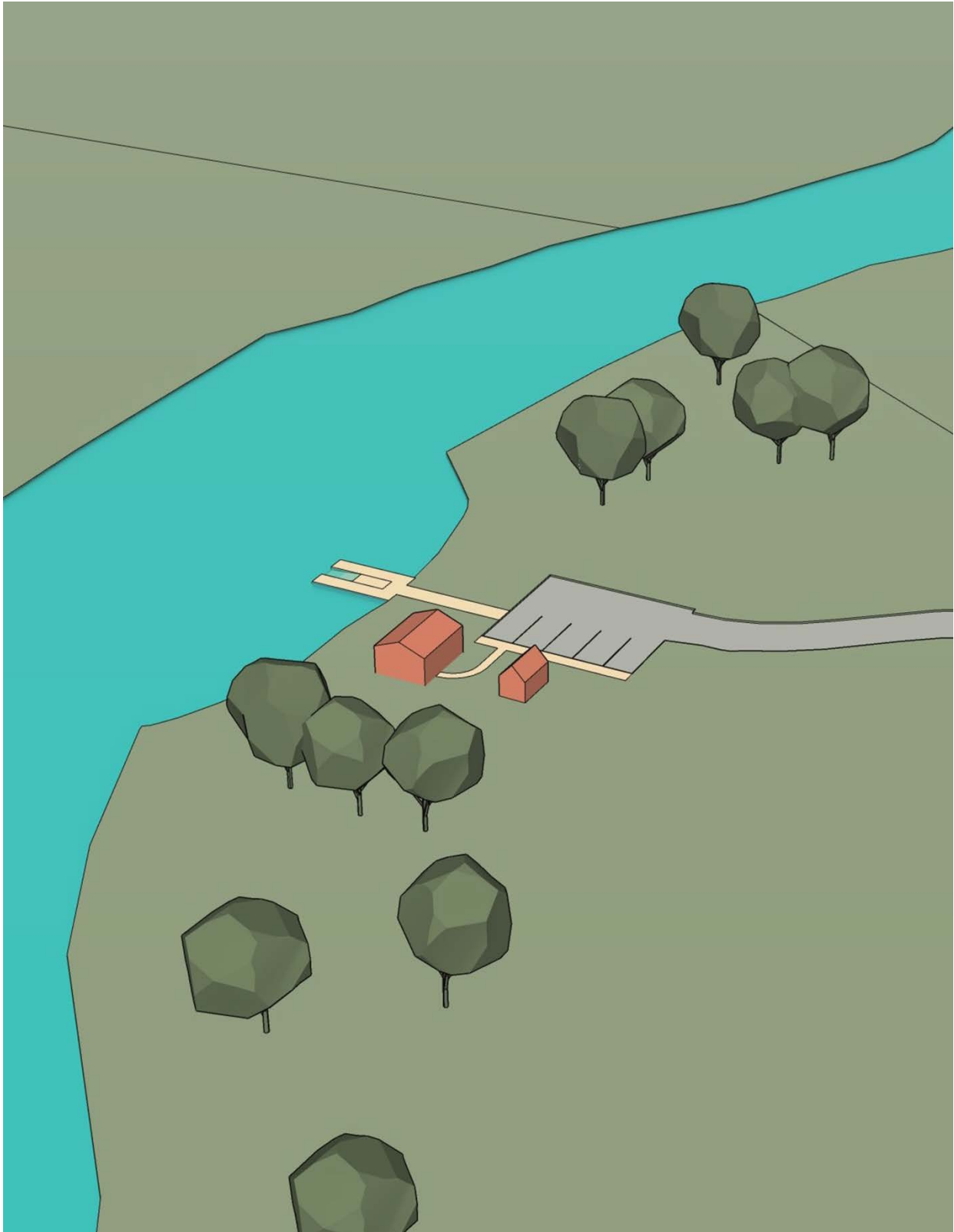
C. Lot Pattern Example	D. District Dimensional Standards
	
E. Preferred Development Examples	
	

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Section 3.4 Special Districts

3.4.1 Conservation and Protection (CP) District 241F

F. Development Configuration Example



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Section 3.4 Special Districts

3.4.2 Reserved

3.4.2 RESERVED

[placeholder for future use]

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts^{66F}

3.5.1 General Purpose and Intent

3.5 RESIDENTIAL DISTRICTS⁶⁷

3.5.1 GENERAL PURPOSE AND INTENT

The residential zoning districts included in this section are proposed to provide a comfortable, healthy, safe, and pleasant environment in which to live and recreate. Development in a residential district is expected to remain compatible with residential uses and promote local community character. More specifically, these standards are intended to:

- A.** Provide appropriately located lands for residential development that are consistent with the goals, objectives, and policies in the County's adopted policy guidance;
- B.** Ensure adequate light, air, privacy, and recreational and open space areas for each dwelling, and protect residents from the negative effects of noise, excessive population density, traffic congestion, flooding, and other significant adverse environmental impacts;
- C.** Protect residential areas from fires, explosions, toxic fumes and substances, and other public safety hazards;
- D.** Provide for increased residential housing choice, affordability, and diversity with varying housing densities, types, and designs, including accessory dwelling units;
- E.** Ensure adequate stormwater management facilities are installed to prevent flooding, property damage, and potential loss of life;
- F.** Provide for safe and efficient vehicular access and circulation and promote bicycle-, and pedestrian-friendly neighborhoods;
- G.** Provide for public services and facilities needed to serve residential areas and accommodate public and semi-public land uses that complement residential development or require a residential environment while protecting residential areas from incompatible nonresidential development;
- H.** Create neighborhoods and preserve existing community character while accommodating new development and redevelopment consistent with the County's goals and objectives; and
- I.** Preserve the unique character and historic resources of the traditional neighborhoods and the community.

⁶⁷ This section replaces the standards in Section 151.030 of the current ordinance. It provides more detail on the district purpose and intent statements and consolidates district purpose statements, district standards, and dimensional standards into a single location.

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Section 3.5 Residential Districts66F

3.5.2 Working Lands (WL) District242F

3.5.2 WORKING LANDS (WL) DISTRICTⁱⁱ

WL Working Lands	A. Purpose Statement
	The Working Lands (WL) district is established to accommodate agriculture, agriculturally-related uses, and limited forms residential development at very low densities in rural portions of the County. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening, and allows farmers to capture a portion of the land's development potential while continuing to farm. Conservation subdivisions allow a portion of a tract or site to be developed with single-family detached homes while the balance of the site is left as conservation or agricultural land. The district also accommodates a wide range of agricultural and agricultural-related uses like "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.

B. Dimensional Requirements

#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS [1]
A	Minimum Development Size (acres)	N/A	10
	Maximum Residential Density (units/acre)	0.2	1
C	Minimum Lot Area (acres)	5	1
D	Minimum Lot Width (feet) [2]	300	60
E	Maximum Lot Coverage (% of lot area) [3]	24	72
F	Minimum Open Space (% of development size) [4]	5	50
G	Minimum Front Setback (feet)	50	20
H	Minimum Corner Side Setback (feet)	50	20
I	Minimum Interior Side Setback (feet)	25	10
J	Minimum Rear Setback (feet)	25	15
K	Minimum Distance Between Buildings, Front-to-Back (feet) [5]	20	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [5]	15	5
M	Minimum Accessory Building Setback (feet)	10	3
N	Minimum Setback from Agricultural Activity (feet) [6]	50	50
	Maximum Building Height (feet)	35 [7]	35

NOTES:

[1] Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in [Section <>, Conservation Subdivision](#).

[2] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.

[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.

[4] Applied to residential subdivisions and nonresidential developments.

[5] Applied in cases where there are two or more principal buildings on the same lot.

[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.

[7] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.

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Section 3.5 Residential Districts66F

3.5.2 Working Lands (WL) District242F

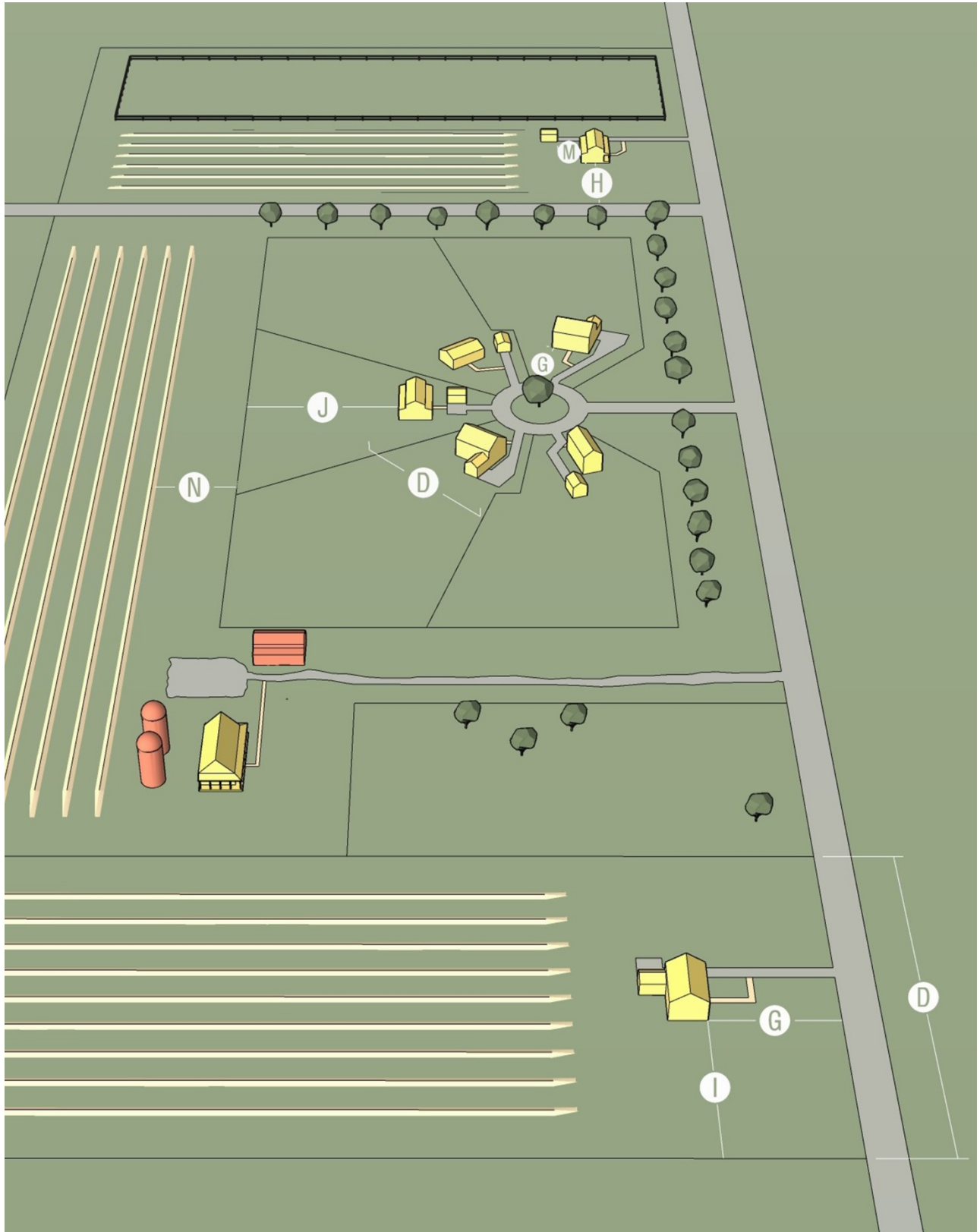
C. Lot Pattern Examples (traditional)	D. District Dimensional Standards
	
(conservation)	
	
E. Preferred Development Examples	
	
	

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3.5.2 Working Lands (WL) District242F

F. Development Configuration Example



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Section 3.5 Residential Districts66F

3.5.3 Rural Residential (RR) District243F

3.5.3 RURAL RESIDENTIAL (RR) DISTRICTⁱⁱⁱ

<h1 style="margin: 0;">RR</h1> <h2 style="margin: 0;">Rural Residential</h2>	A. Purpose Statement
	<p>The Rural Residential (RR) district is established to accommodate low density residential neighborhoods and supporting uses on lots near bona fide farms and agricultural areas in the rural portion of the County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the rural character of the County. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening. The district accommodates several differing agricultural uses, manufactured and mobile homes on individual lots, and single-family detached homes. It also allows supporting uses like educational facilities, parks, public safety facilities, and utilities. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the rural nature of the district.</p>

B. Dimensional Requirements			
#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS [1]
A	Minimum Development Size (acres)	N/A	10
	Maximum Residential Density (units/acre)	0.5	1
C	Minimum Lot Area (acres)	2	1
D	Minimum Lot Width (feet) [2]	125	60
E	Maximum Lot Coverage (% of lot area) [3]	24	72
F	Minimum Open Space (% of development size) [4]	5	50
G	Minimum Front Setback (feet)	50	20
H	Minimum Corner Side Setback (feet)	50	20
I	Minimum Interior Side Setback (feet)	25	10
J	Minimum Rear Setback (feet)	25	15
K	Minimum Distance Between Buildings, Front-to-Back (feet) [5]	20	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [5]	15	5
M	Minimum Accessory Building Setback (feet)	10	3
N	Minimum Setback from Agricultural Activity (feet) [6]	50	50
	Maximum Building Height (feet)	35 [7]	35

NOTES:

[1] Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in [Section <>, Conservation Subdivision](#).

[2] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.

[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.

[4] Applied to residential subdivisions and nonresidential developments.

[5] Applied in cases where there are two or more principal buildings on the same lot.

[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.

[7] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.

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Section 3.5 Residential Districts66F

3.5.3 Rural Residential (RR) District243F

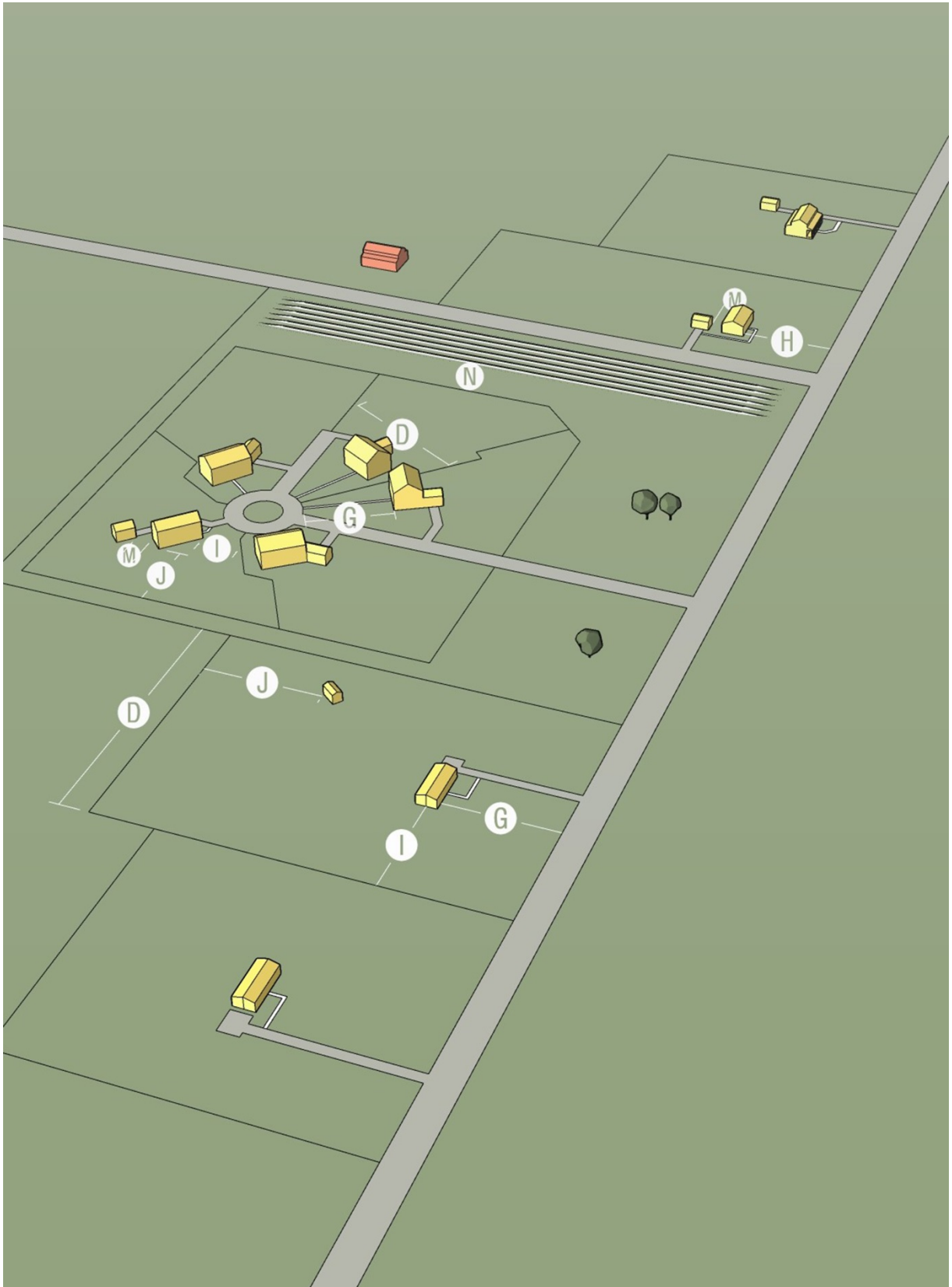
C. Lot Pattern Examples (traditional)	D. District Dimensional Standards
	
<p>(conservation)</p>	
	
E. Preferred Development Examples	
	
	

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Section 3.5 Residential Districts66F

3.5.3 Rural Residential (RR) District243F

F. Development Configuration Example



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Section 3.5 Residential Districts66F

3.5.4 Suburban Residential (SR) District244F

3.5.4 SUBURBAN RESIDENTIAL (SR) DISTRICT^{iv}

<p style="font-size: 48pt; margin: 0;">SR</p> <p style="font-size: 36pt; margin: 0;">Suburban Residential</p>	<p>A. Purpose Statement</p>
	<p>The Suburban Residential (SR) district is the County’s primary district for suburban residential neighborhoods located along primary roadways, shoreline areas, and in locations bordering rural areas. The district has a one-acre minimum lot area requirement, which is the basic threshold size for lots with on-site wastewater systems. Use of the conservation subdivision configuration is optional for residential subdivisions of more than five lots. While the district allows single-family detached homes, mobile homes on individual lots are prohibited and manufactured homes on individual lots require approval of a special use permit. Nonconforming mobile homes may remain but may not be expanded or replaced with another mobile home. The district accommodates equestrian uses, utilities, as well as various neighborhood-supporting institutional uses such as parks, schools, and public safety facilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the suburban nature of the district.</p>

B. Dimensional Requirements

#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS
A	Minimum Development Size (acres)	N/A	10
	Maximum Residential Density (units/acre)	1	1
C	Minimum Lot Area (acres)	2	1
D	Minimum Lot Width (feet) [2]	125	60
E	Maximum Lot Coverage (% of lot area) [3]	24	72
F	Minimum Open Space (% of development size) [4]	5	50
G	Minimum Front Setback (feet)	25	20
H	Minimum Corner Side Setback (feet)	25	20
I	Minimum Interior Side Setback (feet)	10	10
J	Minimum Rear Setback (feet)	10	10
K	Minimum Distance Between Buildings, Front-to-Back (feet) [5]	15	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [5]	10	5
M	Minimum Accessory Building Setback (feet)	10	3
N	Minimum Setback from Agricultural Activity (feet) [6]	50	50
	Maximum Building Height (feet)	35	35

NOTES:

[1] Residential developments of five or more lots shall be configured as a conservation subdivision in accordance with the standards in [Section <>, Conservation Subdivision](#).

[2] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.

[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.

[4] Applied to residential subdivisions and nonresidential developments.


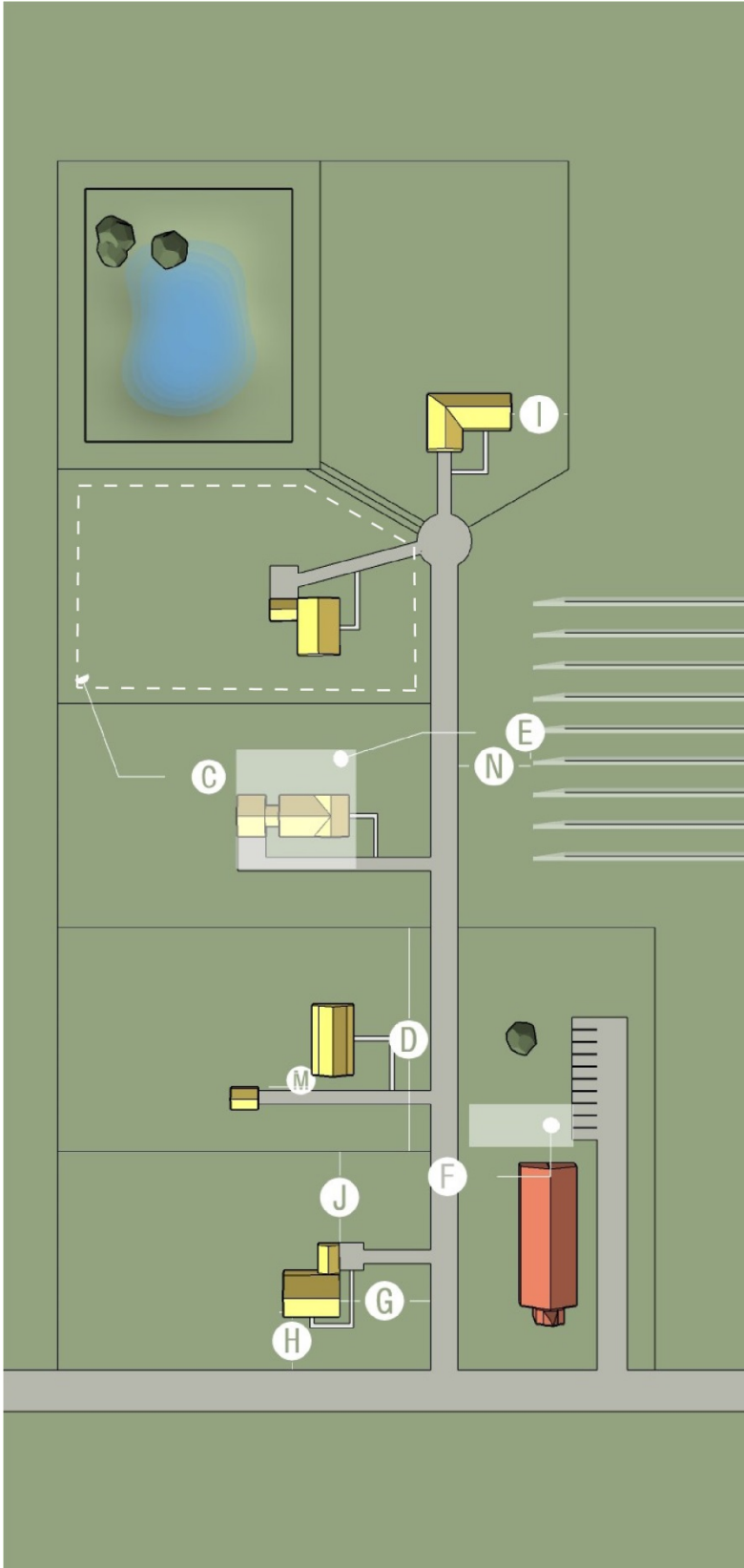

[5] Applied in cases where there are two or more principal buildings on the same lot.

[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.4 Suburban Residential (SR) District244F

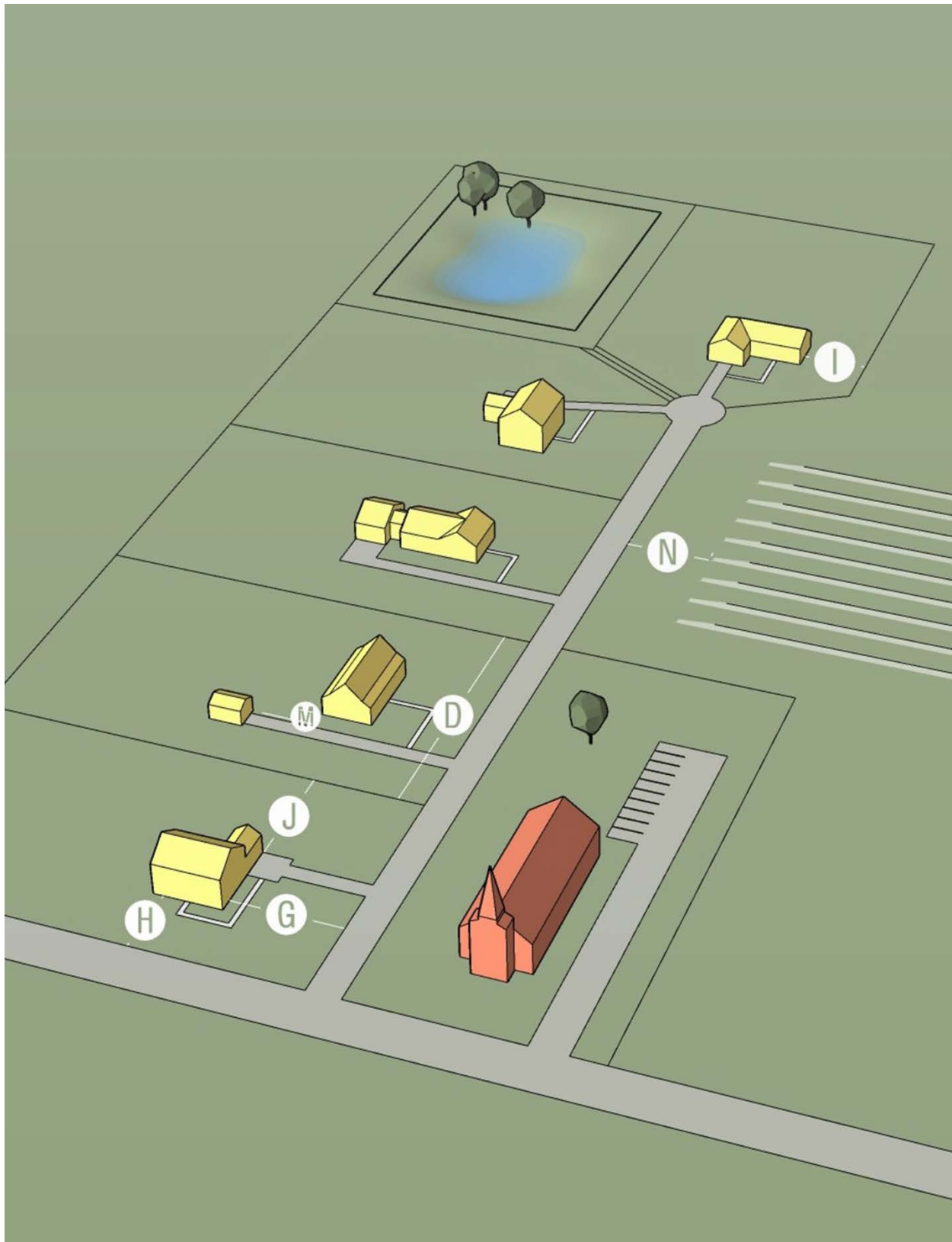
C. Lot Pattern Example	D. District Dimensional Standards
	
<p data-bbox="151 751 542 814">E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.4 Suburban Residential (SR) District244F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.5 Neighborhood Residential (NR) District245F


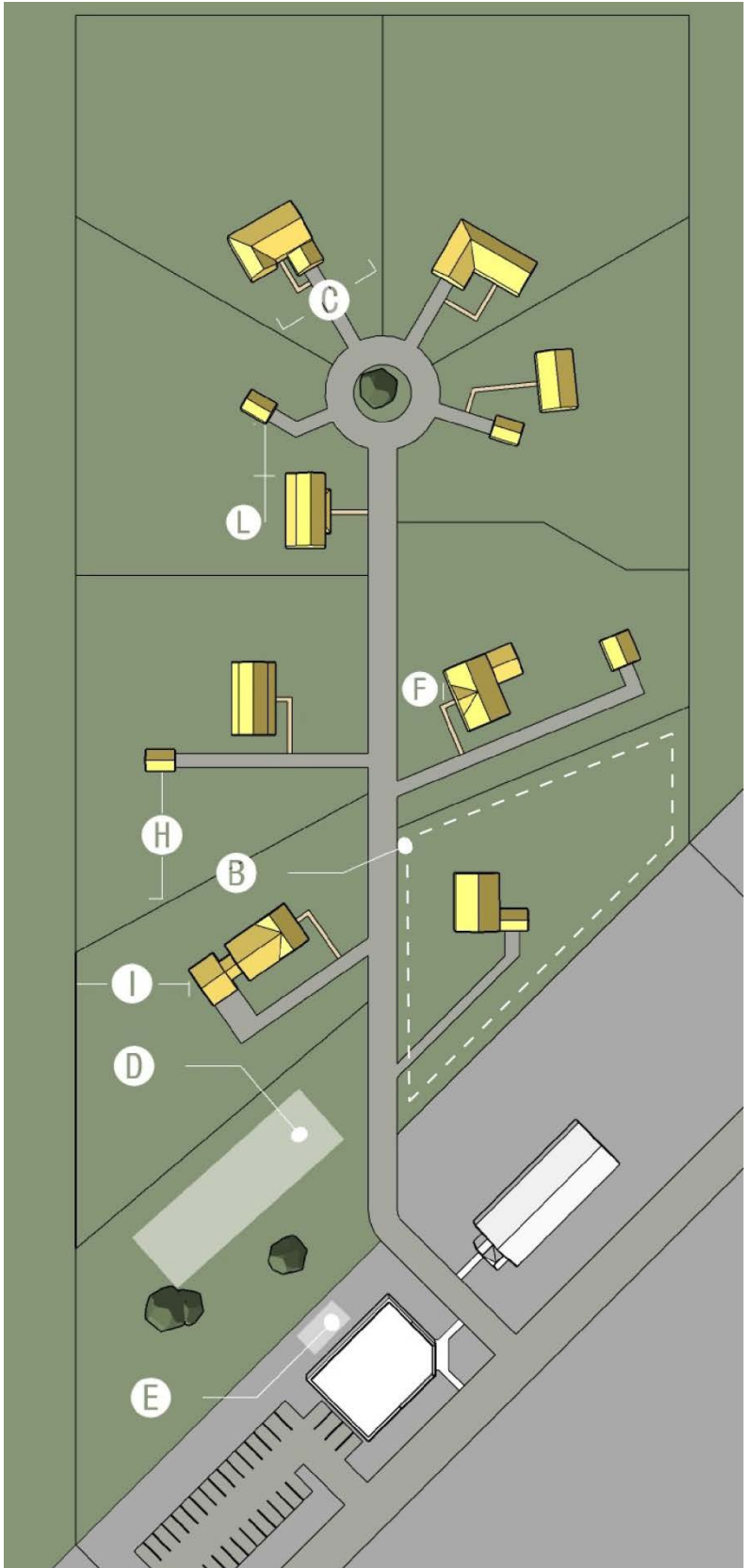



3.5.5 NEIGHBORHOOD RESIDENTIAL (NR) DISTRICT^v

<h1 style="margin: 0;">NR</h1> <h2 style="margin: 0;">Neighborhood Residential</h2>		<p>A. Purpose Statement</p> <p>The Neighborhood Residential (NR) district serves as a transition district from the rural and suburban portions of the County to areas proximate to village centers and major commercial corridors. The district is intended to accommodate single-family detached homes in a neighborhood setting at moderate densities. Mobile and manufactured homes on individual lots, conservation subdivisions, and agricultural uses are limited in order to preserve the district's neighborhood character. These uses are nonconforming and may remain, but not be replaced or expanded. The district's 40,000-square-foot minimum lot area may be reduced when lots are within one mile of a designated village center boundary and served by public sewer. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's single-family detached neighborhood character.</p>																																									
		<p>B. Dimensional Requirements</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">#</th> <th style="width: 60%;">STANDARD TYPE</th> <th style="width: 35%;">REQUIREMENT</th> </tr> </thead> <tbody> <tr> <td></td> <td>Maximum Residential Density (units/acre)</td> <td>1.08 [1]</td> </tr> <tr> <td style="text-align: center;">B</td> <td>Minimum Lot Area (square feet)</td> <td>40,000 [2]</td> </tr> <tr> <td style="text-align: center;">C</td> <td>Minimum Lot Width (feet) [3]</td> <td>125 [4]</td> </tr> <tr> <td style="text-align: center;">D</td> <td>Maximum Lot Coverage (% of lot area)</td> <td>24 [5]</td> </tr> <tr> <td style="text-align: center;">E</td> <td>Minimum Open Space (% of development area)</td> <td>5</td> </tr> <tr> <td style="text-align: center;">F</td> <td>Minimum Front Setback (feet)</td> <td>25 [6]</td> </tr> <tr> <td style="text-align: center;">G</td> <td>Minimum Corner Side Setback (feet)</td> <td>25 [6]</td> </tr> <tr> <td style="text-align: center;">H</td> <td>Minimum Interior Side Setback (feet)</td> <td>10</td> </tr> <tr> <td style="text-align: center;">I</td> <td>Minimum Rear Setback (feet)</td> <td>10</td> </tr> <tr> <td style="text-align: center;">J</td> <td>Minimum Distance Between Buildings, Front-to-Back (feet) [7]</td> <td>15</td> </tr> <tr> <td style="text-align: center;">K</td> <td>Minimum Distance Between Buildings, Side-to-Side (feet) [7]</td> <td>10</td> </tr> <tr> <td style="text-align: center;">L</td> <td>Minimum Accessory Building Setback (feet)</td> <td>10</td> </tr> <tr> <td></td> <td>Maximum Building Height (feet)</td> <td>35</td> </tr> </tbody> </table>		#	STANDARD TYPE	REQUIREMENT		Maximum Residential Density (units/acre)	1.08 [1]	B	Minimum Lot Area (square feet)	40,000 [2]	C	Minimum Lot Width (feet) [3]	125 [4]	D	Maximum Lot Coverage (% of lot area)	24 [5]	E	Minimum Open Space (% of development area)	5	F	Minimum Front Setback (feet)	25 [6]	G	Minimum Corner Side Setback (feet)	25 [6]	H	Minimum Interior Side Setback (feet)	10	I	Minimum Rear Setback (feet)	10	J	Minimum Distance Between Buildings, Front-to-Back (feet) [7]	15	K	Minimum Distance Between Buildings, Side-to-Side (feet) [7]	10	L	Minimum Accessory Building Setback (feet)	10	
#	STANDARD TYPE	REQUIREMENT																																									
	Maximum Residential Density (units/acre)	1.08 [1]																																									
B	Minimum Lot Area (square feet)	40,000 [2]																																									
C	Minimum Lot Width (feet) [3]	125 [4]																																									
D	Maximum Lot Coverage (% of lot area)	24 [5]																																									
E	Minimum Open Space (% of development area)	5																																									
F	Minimum Front Setback (feet)	25 [6]																																									
G	Minimum Corner Side Setback (feet)	25 [6]																																									
H	Minimum Interior Side Setback (feet)	10																																									
I	Minimum Rear Setback (feet)	10																																									
J	Minimum Distance Between Buildings, Front-to-Back (feet) [7]	15																																									
K	Minimum Distance Between Buildings, Side-to-Side (feet) [7]	10																																									
L	Minimum Accessory Building Setback (feet)	10																																									
	Maximum Building Height (feet)	35																																									
<p>NOTES:</p> <p>[1] Maximum residential density may be increased to 1.45 units per acre on lots served by public sewer and within 5,280 linear feet of a designated village center.</p> <p>[2] Minimum lot area may be reduced to 30,000 square feet on lots served by public sewer and located within 5,280 liner feet from a designated village center boundary.</p> <p>[3] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.</p> <p>[4] May be reduced to 100 feet on lots on lots served by public sewer and located within 5,280 feet from a designated village center boundary.</p> <p>[5] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[6] Setbacks are increased to 50 feet for lots along an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks).</p> <p>[7] Applied in cases where there are two or more principal buildings on the same lot.</p>																																											

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.5 Neighborhood Residential (NR) District245F

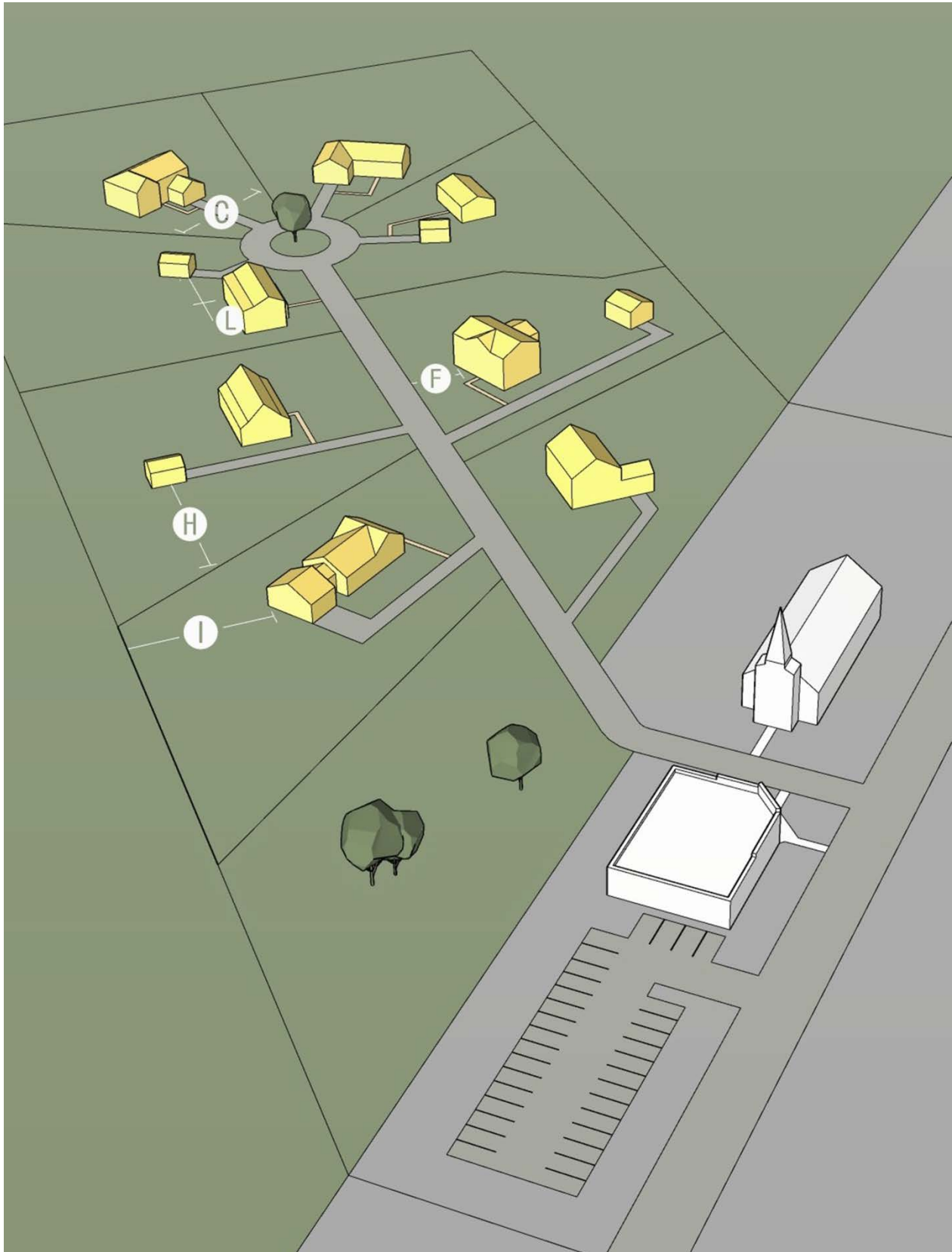
<p>C. Lot Pattern Example</p>	<p>D. District Dimensional Standards</p>
	
<p>E. Preferred Development Examples</p>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.5 Neighborhood Residential (NR) District245F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.6 Village Residential (VR)246F

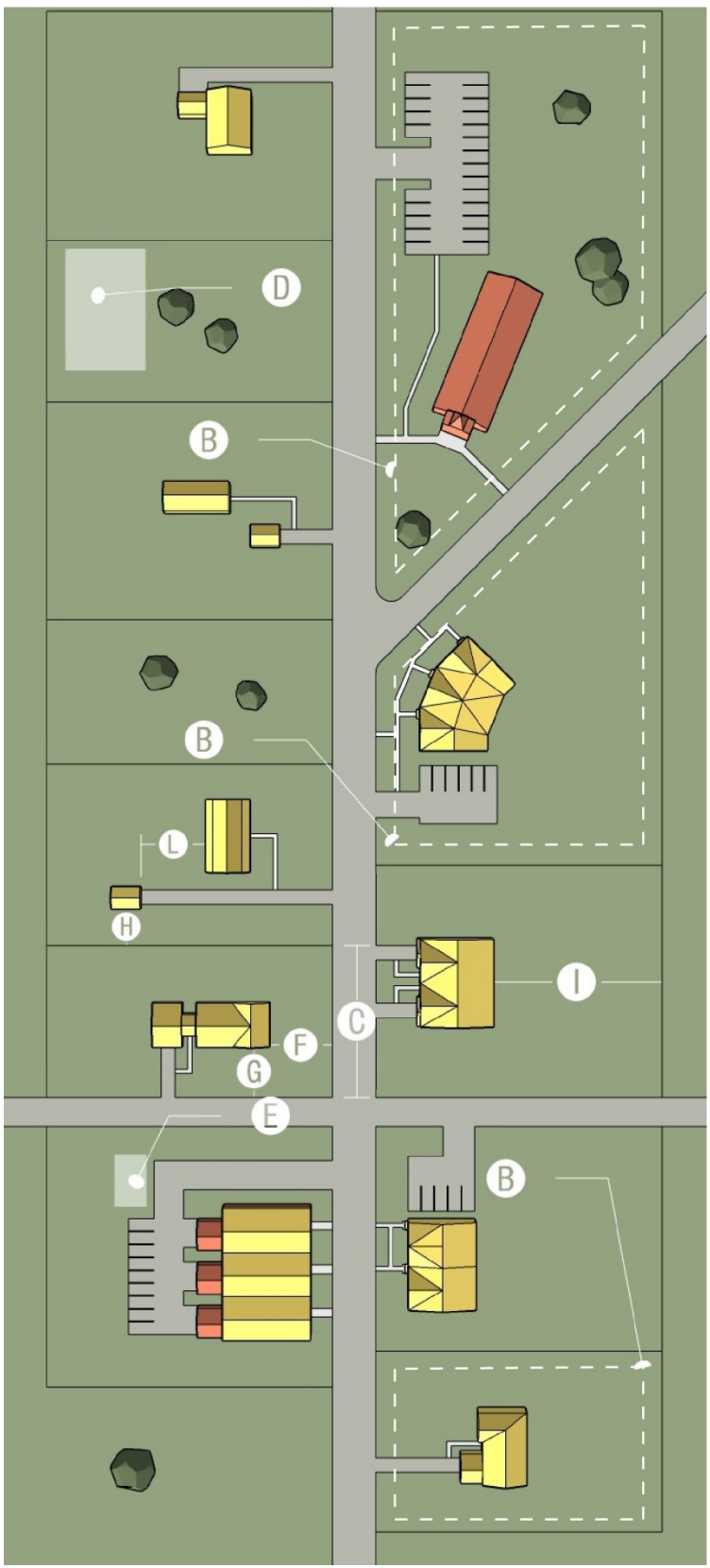
3.5.6 VILLAGE RESIDENTIAL (VR)^{vi}

<h1 style="margin: 0;">VR</h1> <h2 style="margin: 0;">Village Residential</h2>		A. Purpose Statement		
		<p>The Village Residential (VR) district is established to accommodate a wide range of residential and institutional use types at modest densities on lots within and adjacent to designated village centers. The district allows duplexes, live/work units, single-family attached, and single-family detached dwellings, but does not allow mobile homes, manufactured homes, or conservation subdivisions. As a means of creating compact, functional neighborhoods, the district also allows a wide variety of institutional uses, including community centers, day care, schools, assisted living, religious institutions, parks, and utilities. Lots served by public sewer may have reduced minimum lot sizes and building height is measured from the base flood elevation. District regulations are intended to support the County's investment in infrastructure by encouraging the development of compact, vibrant neighborhoods with a variety of house sizes and types that are located in close proximity to complementary institutional uses. Low density development comprised of uniform building types or styles is discouraged.</p>		
B. Dimensional Requirements				
#	STANDARD TYPE	REQUIREMENT		
		SINGLE-FAMILY DETACHED	ALL OTHER RESIDENTIAL	NON-RESIDENTIAL
	Maximum Residential Density (units/acre)	1.45 [1]		N/A
Ⓑ	Minimum Lot Area (square feet)	30,000 [2]	15,000 per unit [3]	30,000
Ⓒ	Minimum Lot Width (feet)	100 [4] [5]	100 [6]	125
Ⓓ	Maximum Lot Coverage (% of lot area)	24 [7]		
Ⓔ	Minimum Open Space (% of development area)	5		3
Ⓕ	Minimum Front Setback (feet) [8]	20	20 [9]	25
Ⓖ	Minimum Corner Side Setback (feet) [8]	20	20 [9]	25
Ⓗ	Minimum Interior Side Setback (feet)	10	10 [9] [10]	15
Ⓘ	Minimum Rear Setback (feet)	10	10 [9]	15
Ⓝ	Minimum Distance Between Buildings, Front-to-Back (feet) [11]	N/A	30	
Ⓚ	Minimum Distance Between Buildings, Side-to-Side (feet) [11]	N/A	15	
Ⓛ	Minimum Accessory Building Setback (feet)	8		10
	Maximum Building Height (feet)	35 [12]		
NOTES:				
[1] Maximum residential density may be increased to 4.35 units per acre on lots served by public sewer.				
[2] Minimum lot area may be reduced to 10,000 square feet on lots served by public sewer.				
[3] Minimum lot area may be reduced to 8,000 square feet on lots served by public sewer.				
[4] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.				
[5] May be reduced to 75 feet on lots on lots served by public sewer and located within 5,280 feet from a designated village center boundary.				
[6] Applied to the entire development or parent parcel. In no instance shall an individual lot have a width of less than 25 feet.				
[7] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.				
[8] Setbacks are increased by an additional 25 feet from lot lines adjacent to an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks).				
[9] Setbacks are measured from the perimeter of the development to an individual structure.				
[10] Setbacks are 0 feet from lot lines occupied by party walls.				
[11] Applied in cases where there are two or more principal buildings on the same lot.				
[12] Height is measured from base flood elevation (BFE).				

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.6 Village Residential (VR)246F

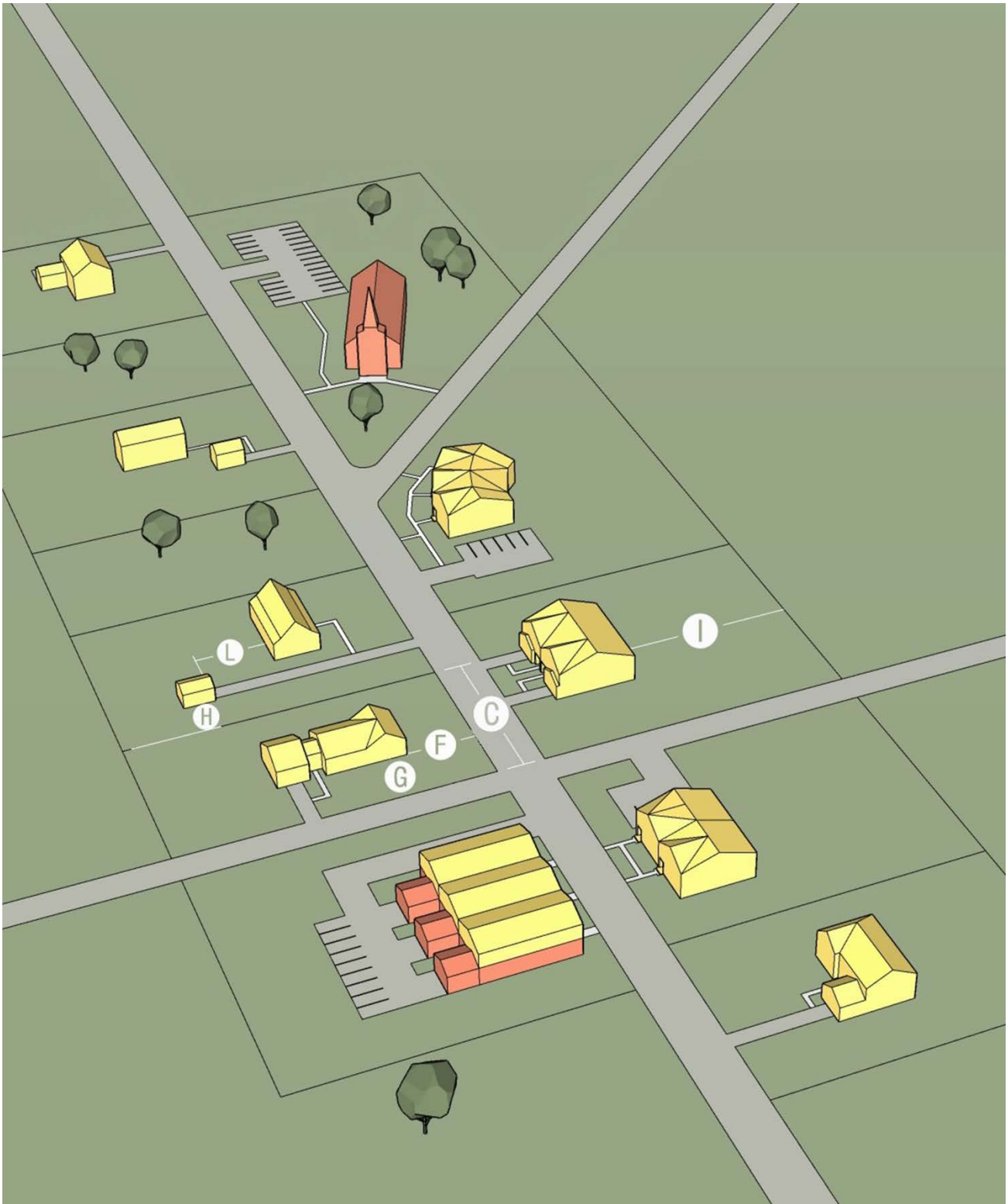
C. Lot Pattern Example	D. District Dimensional Standards
	
E. Preferred Development Examples	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.6 Village Residential (VR)246F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts66F

3.5.7 Reserved

3.5.7 RESERVED

[placeholder for future use]

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts^{67F}

3.6.1 General Purpose and Intent

3.6 COMMERCIAL DISTRICTS⁶⁸

3.6.1 GENERAL PURPOSE AND INTENT

The commercial zoning districts are established for the general purpose of ensuring there are lands in the County that provide a wide range of office, retail, service, and related uses to meet household and business needs, and more specifically to:

- A.** Provide appropriately located lands for the full range of commercial uses needed by the County's residents, businesses, and workers, consistent with the goals, objectives, and policies of the County's adopted policy guidance;
- B.** Strengthen the County's economic base and provide employment, shopping, dining, and medical treatment opportunities close to home for residents of the County;
- C.** Protect the County's established community character by encouraging commercial and more intense forms of development to locate in appropriate areas like village centers and along established corridors;
- D.** Create suitable environments for various types of commercial uses, and protect them from the adverse effects of incompatible uses;
- E.** Expand tourism and recreation-related uses in appropriate locations throughout the County;
- F.** Foster compact, sustainable mixed-use development in the County's designated village centers;
- G.** Raise the bar for commercial development quality along the County's commercial corridors and in rural crossroads areas;
- H.** Ensure adequate stormwater management facilities are installed to prevent flooding, property damage, and potential loss of life;
- I.** Provide for safe and efficient vehicular access and circulation and promote alternative forms of transportation, including bicycles and pedestrian options; and
- J.** Minimize the impact of commercial development on residential uses, agriculture, sensitive natural environments, and the County's community character.

⁶⁸ This section replaces the standards in Section 151.031 of the current ordinance. It provides more detail on the district purpose and intent statements and consolidates district purpose statements, district standards, and dimensional standards into a single location.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.2 Crossroads Commercial (CC) District247F

3.6.2 CROSSROADS COMMERCIAL (CC) DISTRICT^{vii}

<h1 style="font-size: 4em; margin: 0;">CC</h1> <h1 style="font-size: 3em; margin: 0;">Crossroads</h1> <h1 style="font-size: 3em; margin: 0;">Commercial</h1>		A. Purpose Statement	
		<p>The Crossroads Commercial (CC) district is intended for low intensity, neighborhood-serving commercial development around significant roadway intersections in rural and suburban portions of the County. The district's small scale and limited range of use types provides convenient access to basic goods and services to nearby residents in ways that protect the County's scenic character and rural character. The district allows restaurants, offices, personal services, indoor recreation, retail, and visitor accommodation uses, as well as agricultural support uses, and institutional uses. As a means of providing additional housing options, the district allows live/work dwellings and upper story residential. Industrial development, single-family homes, and higher density residential uses are not permitted. The district is limited in size (up to four acres) and must be within 500 linear feet of a significant street intersection. New commercial development is built close to the street and subject to commercial design standards to raise the bar for development quality. District regulations discourage uses that are too intense or that draw the majority of their patrons from outside the immediate area.</p>	
B. Dimensional Requirements			
#	STANDARD TYPE	REQUIREMENT	
		NONRESIDENTIAL DEVELOPMENT	RESIDENTIAL AND MIXED-USE DEVELOPMENT
A	Maximum District Size (acres)	4	
	Maximum Residential Density (units/acre)	N/A	1.4 [1]
C	Minimum Lot Area (square feet)	40,000	30,000 [2]
D	Minimum Lot Width (feet)	125	100
E	Maximum Lot Coverage (% of lot area)	24 [3]	
F	Minimum Open Space (% of development area)	3	5
G	Minimum Front Setback (feet)	20	25
H	Minimum Corner Side Setback (feet)	20	25
I	Minimum Interior Side Setback (feet)	10	10
J	Minimum Rear Setback (feet)	10	10
K	Min. Distance Between Buildings, Front-to-Back (feet) [4]	0 [5]	10
L	Minimum Distance Between Buildings, Side-to-Side (feet) [4]	0 [5]	10
M	Minimum Accessory Building Setback (feet)	3	5
	Maximum Building Height (feet)	35 [6] [7]	
<p>NOTES:</p> <p>[1] Maximum density may be increased to 2.17 units per acre on lots served by public sewer.</p> <p>[2] Minimum Lot area may be reduced to 20,000 square feet on lots served by public sewer.</p> <p>[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[4] Applied in cases where there are two or more principal buildings on a single lot.</p> <p>[5] If a building setback is provided, it shall be at least five feet or in accordance with applicable fire codes.</p> <p>[6] Height is measured from base flood elevation (BFE).</p> <p>[7] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.</p>			

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.2 Crossroads Commercial (CC) District247F

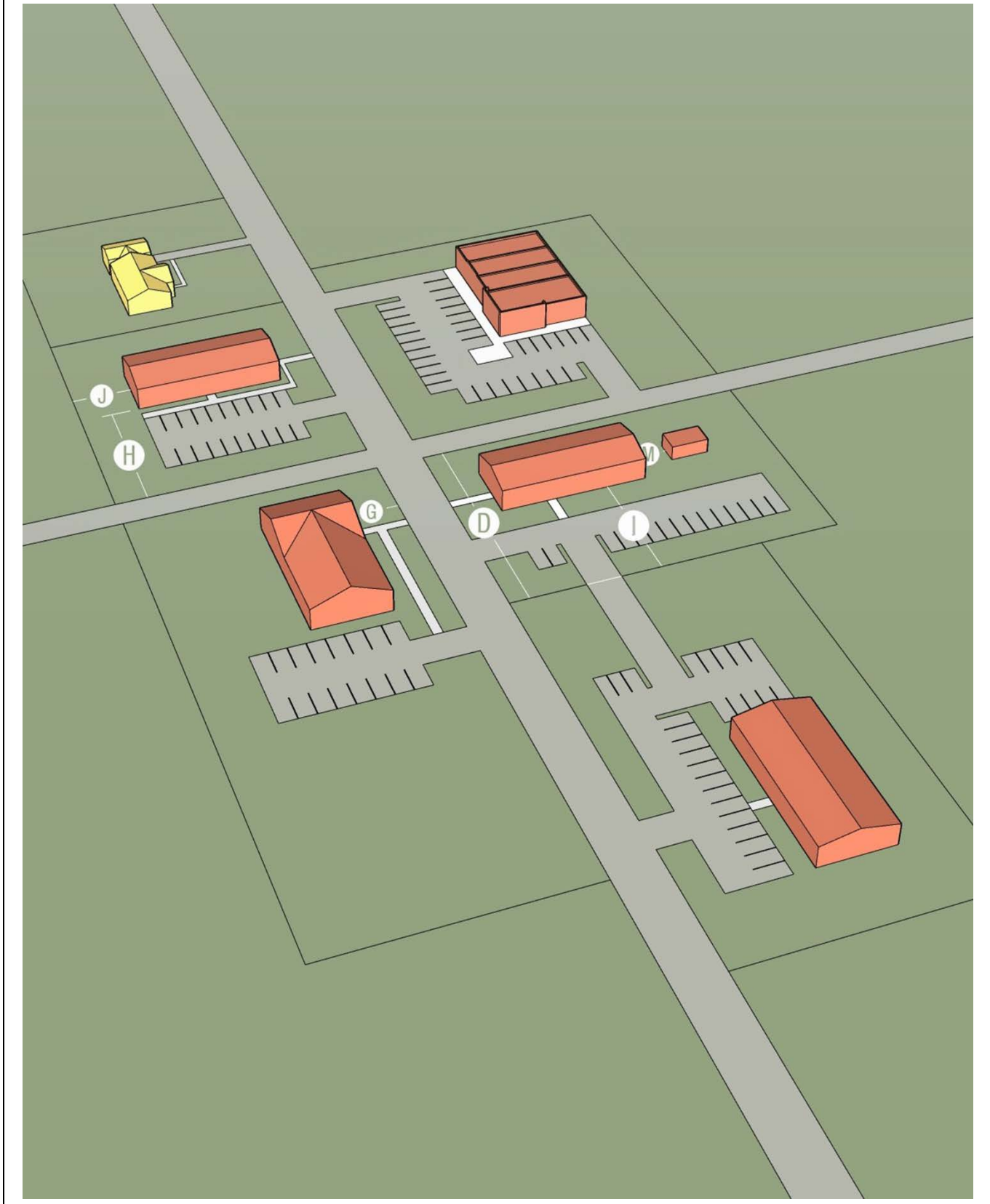
C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.2 Crossroads Commercial (CC) District247F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.3 Village Commercial (VC) District248F

3.6.3 VILLAGE COMMERCIAL (VC) DISTRICT^{viii}

<h1 style="margin: 0;">VC</h1> <h2 style="margin: 0;">Village</h2> <h2 style="margin: 0;">Commercial</h2>	A. Purpose Statement			
	<p>The Village Commercial district intended to foster high quality, compact, pedestrian-oriented development on lots within designated village centers. Development in the VC district is human-scaled and designed to promote visual interest for pedestrians. Ground-level retail and personal services that promote pedestrian activity along the street are highly encouraged and large, monolithic, automobile-oriented developments are prohibited. New development in the district is located close to the street, provides passers-by with clear views into the building's ground floor, and fosters sidewalk dining, outdoor seating, and interaction among pedestrians. The district requires urban-style open space (greens, seating areas, plazas, pocket parks, roof gardens, etc.) to be included as a part of new development. In addition to commercial uses, the district allows a variety of moderate-density residential development. New commercial, mixed-use, and multi-family developments in the district are subject to the design standards in Article 151.5: Development Standards.</p>			
B. Dimensional Requirements				
#	STANDARD TYPE	REQUIREMENT		
		RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
	Maximum Residential Density (units/acre)	2.17 [1]	4.35	N/A
B	Minimum Lot Area (square feet)	20,000 per unit [2]	40,000	
C	Minimum Lot Width (feet)	100 [3] [4] [5]	100 [3] [6]	
D	Maximum Lot Coverage (% of lot area) [7]	24 [8]	24	
E	Minimum Open Space (% of development area)	5	3	
F	Minimum Front Setback (feet) [10]	10 [11]	None	None
G	Maximum Front Setback (feet)	None	35	35 [9]
H	Minimum Corner Side Setback (feet) [10]	10	15	15
I	Minimum Interior Side Setback (feet) [11] [12]	10	5; 10 from residential development	
J	Minimum Rear Setback (feet)	10 [11]	10	
K	Min. Distance Between Buildings, Front-to-Back (feet) [13]	20		
L	Min. Distance Between Buildings, Side-to-Side (feet) [13]	10		
M	Minimum Accessory Building Setback (feet)	10	5	
	Maximum Building Height (feet) [14]	35	40	35
<p>NOTES:</p> <p>[1] Maximum residential density may be increased to 4.35 units per acre on lots served by public sewer.</p> <p>[2] Minimum lot area per unit may be reduced to 10,000 square feet on lots served by public sewer.</p> <p>[3] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.</p> <p>[4] Single-family attached dwelling lots shall maintain a minimum width of 16 feet.</p> <p>[5] Applied to the entire development or parent parcel. In no instance shall an individual lot for a dwelling other than attached single-family residential have a width of less than 25 feet.</p> <p>[6] May be reduced to 75 feet on lots on lots served by public sewer.</p> <p>[7] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[8] May be increased to 30% on lots of less than 20,000 square feet in area.</p> <p>[9] May be increased to the minimum necessary to accommodate two rows of parking in cases where outdoor dining or seating areas of at least 20 feet in depth are provided in front of the building.</p> <p>[10] Minimum setbacks are increased by an additional 25 feet from lot lines adjacent to an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks).</p> <p>[11] Setbacks are measured from the perimeter of the development to an individual structure.</p> <p>[12] Setbacks are 0 feet from lot lines occupied by party walls.</p> <p>[13] Applied in cases where there are two or more principal buildings on a single lot.</p> <p>[14] Height is measured from base flood elevation (BFE).</p>				

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.3 Village Commercial (VC) District248F

C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.3 Village Commercial (VC) District248F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.4 Mixed Use (MX) District249F

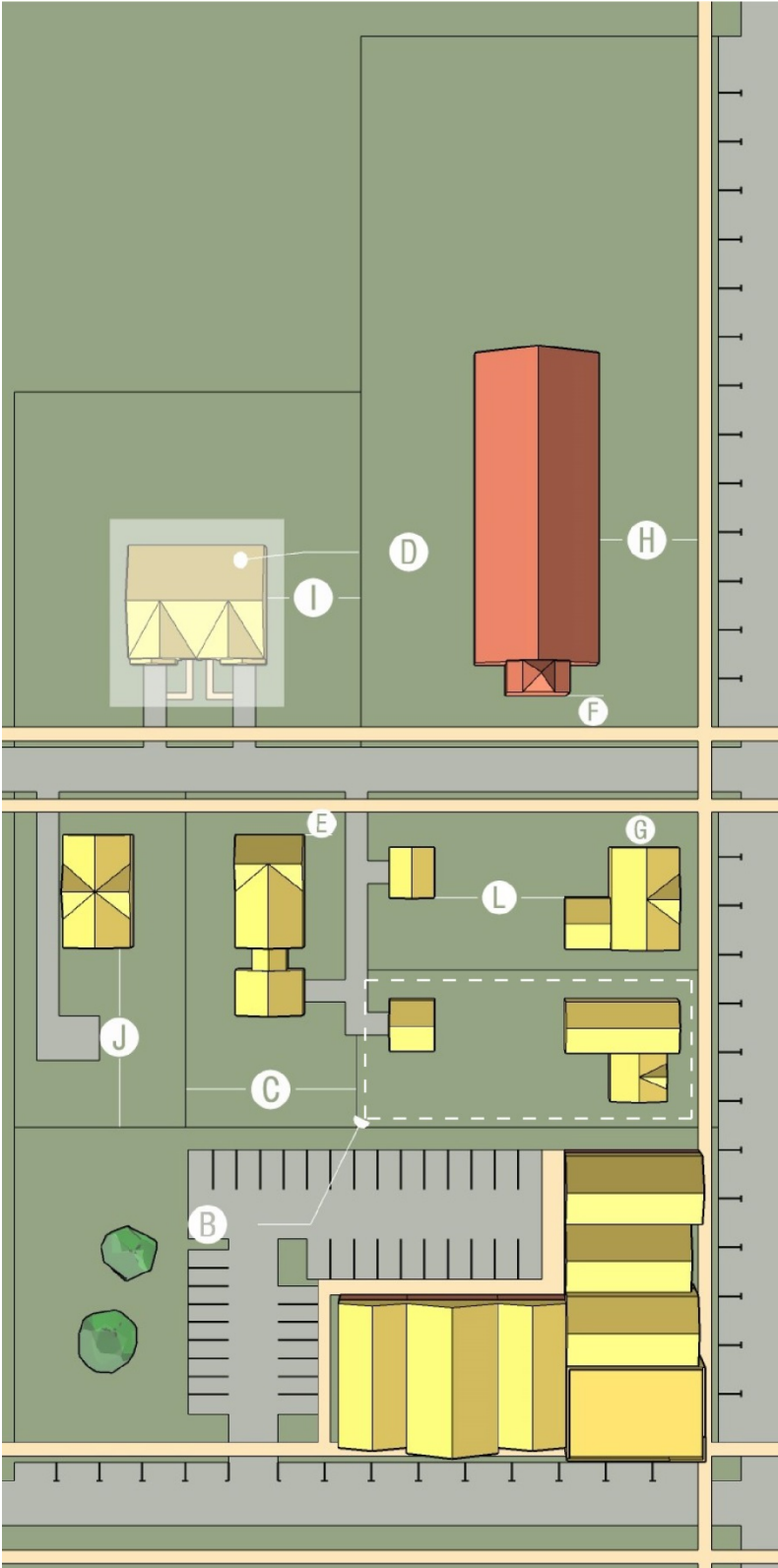


3.6.4 MIXED USE (MX) DISTRICT^{ix}

<h1 style="font-size: 48px; margin: 0;">MX</h1> <h2 style="font-size: 36px; margin: 0;">Mixed Use</h2>	A. Purpose Statement			
	<p>The Mixed Use district accommodates a diverse mix of uses on lands well served by public sewer and located within the core portions of the County’s designated village centers. The district is intended to foster functional neighborhoods where County residents and visitors can live, work, shop, and recreate without travelling large distances between differing uses. Buildings are built close to the sidewalk and one another and served by public gathering areas that create places for people to congregate and interact. Off-street parking and service areas are located to the sides and rears of buildings to help ensure a continuity of building facades along street edges and to avoid areas that are unsafe or undesirable for pedestrians. The district encourages a fine-grained network of streets and pedestrian ways that allow a wide freedom of movement and choices in transportation mode. Uses are located in close proximity to one another and rely on design techniques to maintain compatibility instead of large yards, deep setbacks, and suburban-style vegetative buffers. The district allows a wide variety of housing types to promote population density and to support nearby retail, dining, and entertainment establishments. The district discourages the establishment of single-use, monolithic, and automobile-oriented forms of development that require large areas of off-street parking, large floorplates, or that fail to cater to pedestrians.</p>			
B. Dimensional Requirements				
#	STANDARD TYPE	REQUIREMENT		
		RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
	Maximum Residential Density (units/acre)	4.35	5.44	N/A
Ⓑ	Minimum Lot Area (square feet)	10,000 per unit	40,000	
Ⓒ	Minimum Lot Width (feet)	60 [1]	50	75
Ⓓ	Maximum Lot Coverage (% of lot area) [2]	24	40	24
	Minimum Open Space (% of development area)	None		
Ⓔ	Minimum Front Setback (feet) [3]	10 [4]	None	None
Ⓕ	Maximum Front Setback (feet) [3]	20	10	20
Ⓖ	Minimum Corner Side Setback (feet) [3]	15	10	10
Ⓗ	Minimum Interior Side Setback (feet) [5]	10	5; 10 from residential development	
Ⓘ	Minimum Rear Setback (feet)	10		
Ⓝ	Min. Distance Between Buildings, Front-to-Back (feet) [6]	10		
Ⓚ	Min. Distance Between Buildings, Side-to-Side (feet) [6]	5		
Ⓛ	Minimum Accessory Building Setback (feet)	5	3	
	Maximum Building Height (feet) [7]	35	45	35
<p>NOTES: [1] Single-family attached dwelling lots shall maintain a minimum width of 16 feet. [2] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements. [3] Minimum setbacks are increased by an additional 25 feet from lot lines adjacent to an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks). [4] Setbacks are measured from the perimeter of the development to an individual structure. [5] Setbacks are 0 feet from lot lines occupied by party walls. [6] Applied in cases where there are two or more principal buildings on a single lot. [7] Height is measured from base flood elevation (BFE).</p>				

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.4 Mixed Use (MX) District249F

C. Lot Pattern Example	D. District Dimensional Standards
<p>[placeholder]</p>	
E. Preferred Development Examples	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.4 Mixed Use (MX) District249F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.5 Highway Commercial (HC) District250F

3.6.5 HIGHWAY COMMERCIAL (HC) DISTRICT^x

<h1 style="margin: 0;">HC</h1> <h2 style="margin: 0;">Highway Commercial</h2>		A. Purpose Statement	
		<p>The Highway Commercial district is applied to lots along the County’s major roadways (e.g., US 158, US 17, NC 34, and NC 343) and is intended for automobile-oriented commercial development as well as large floorplate commercial uses and uses that require or generate truck traffic. The district also accommodates agricultural and institutional uses as well as higher density residential uses with a special use permit. New development in the HC district is grouped and configured to ensure regular lateral vehicular and pedestrian access along major transportation routes as a means of establishing a well-connected transportation system. New development is configured to maintain high visual quality along the major roadway, or is fully screened from view. Sufficient spacing and screening is included along lot lines shared with adjacent residential zoning districts to ensure compatibility. New commercial and multi-family developments in the district are subject to the design standards in Article 151.5: Development Standards.</p>	
B. Dimensional Requirements			
#	STANDARD TYPE	REQUIREMENT	
		RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE DEVELOPMENT
	Maximum Residential Density (units/acre)	1.08 [1]	
Ⓑ	Minimum Lot Area (square feet)	40,000 [2]	40,000
Ⓒ	Minimum Lot Width (feet)	125	
Ⓓ	Maximum Lot Coverage (% of lot area)	24 [3]	
Ⓔ	Minimum Open Space (% of development area)	5	3
Ⓕ	Minimum Front Setback (feet) [5]	50	50
Ⓖ	Minimum Corner Side Setback (feet) [5]	25 [4]	
Ⓕ	Minimum Interior Side Setback (feet) [5] [6]	10	5; 10 from residential
Ⓖ	Minimum Rear Setback (feet) [5]	10	20; 50 from residential
Ⓙ	Min. Distance Between Buildings, Front-to-Back (feet) [7]	20	
Ⓚ	Min. Distance Between Buildings, Side-to-Side (feet) [7]	10	
Ⓛ	Minimum Accessory Building Setback (feet)	10	5
	Maximum Building Height (feet)	35 [8]	
<p>NOTES:</p> <p>[1] Maximum residential density may be increased to 1.45 units per acre on lots served by public sewer.</p> <p>[2] Minimum lot area per unit may be reduced to 30,000 square feet on lots served by public sewer.</p> <p>[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[4] Minimum setbacks are increased by an additional 25 feet from lot lines adjacent to an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks).</p> <p>[5] Setbacks are measured from the perimeter of the development to an individual structure.</p> <p>[6] Setbacks are 0 feet from lot lines occupied by party walls.</p> <p>[7] Applied in cases where there are two or more principal buildings on a single lot.</p> <p>[8] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.</p>			

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.5 Highway Commercial (HC) District250F

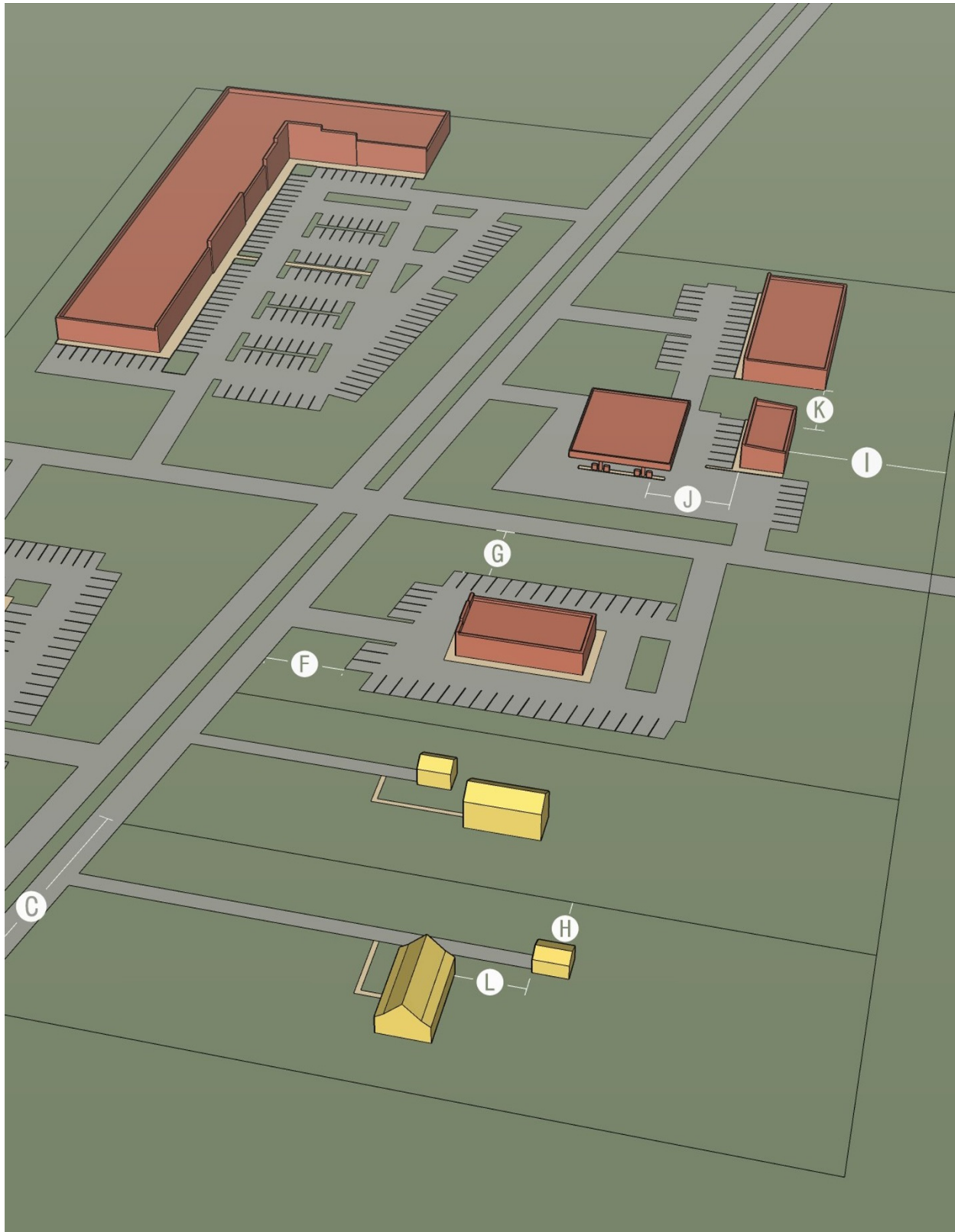
<p>C. Lot Pattern Example</p>	<p>D. District Dimensional Standards</p>
	
<p>E. Preferred Development Examples</p>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.5 Highway Commercial (HC) District250F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.6 Maritime Commercial (MC) District251F

3.6.6 MARITIME COMMERCIAL (MC) DISTRICT^{xi}

<h1 style="margin: 0;">MC</h1> <h2 style="margin: 0;">Maritime</h2> <h3 style="margin: 0;">Commercial</h3>		A. Purpose Statement	
		<p>The Maritime Commercial district accommodates commercial operations which depend on a waterfront location or that use the County's waterways for operation. The district encourages the establishment and continuation of coastal-dependent and water-related uses of a marine theme and character that provide physical and visual access to rivers, streams, and sounds. Uses allowed in the MC district are configured in ways to avoid negative impacts on County waters and adjacent low density residential uses. The district also allows institutional uses, recreational uses, and higher density residential uses with a special use permit. Uses are configured with sufficient spacing and screening along lot lines shared with adjacent residential zoning districts to ensure compatibility. New commercial and multi-family developments in the district are subject to the design standards in Article 151.5: Development Standards.</p>	
B. Dimensional Requirements			
#	STANDARD TYPE	REQUIREMENT	
		RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE DEVELOPMENT
	Maximum Residential Density (units/acre)	1.08 [1]	2.17
B	Minimum Lot Area (square feet)	40,000 [2]	20,000 per unit [3]; otherwise 40,000
C	Minimum Lot Width (feet) [4]	125 [5]	
D	Maximum Lot Coverage (% of lot area)	24 [6]	
E	Minimum Open Space (% of development area)	5	3
F	Minimum Front Setback (feet)	25 [7]	20
G	Minimum Corner Side Setback (feet)	25 [7]	20
H	Minimum Interior Side Setback (feet)	10	10; 30 from single family residential
I	Minimum Rear Setback (feet)	10	
J	Min. Distance Between Buildings, Front-to-Back (feet) [8]	15	0
K	Min. Distance Between Buildings, Side-to-Side (feet) [8]	10	0
L	Minimum Accessory Building Setback (feet)	10	5 [9]
	Maximum Building Height (feet) [10]	35	35
<p>NOTES:</p> <p>[1] Maximum residential density may be increased to 1.45 units per acre on lots served by public sewer.</p> <p>[2] Minimum lot area may be reduced to 30,000 square feet on lots served by public sewer.</p> <p>[3] Minimum lot area per unit may be reduced to 10,000 square feet on lots served by public sewer.</p> <p>[4] Lots on a cul-de-sac street shall maintain a minimum frontage of 35 feet and shall maintain 80 percent of the required minimum lot width at a point located 50 feet from the street right-of-way edge.</p> <p>[5] May be reduced to 100 feet on lots on lots served by public sewer.</p> <p>[6] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p> <p>[7] Setbacks are increased to 50 feet for lots along an arterial street (US 17, NC 34, NC 343, Old Swamp Road, Sandy Hook Road, and the portion of US 158 east of the railroad tracks).</p> <p>[8] Applied in cases where there are two or more principal buildings on a single lot.</p> <p>[9] If a building setback is provided, it shall be at least five feet or in accordance with applicable fire codes.</p> <p>[10] Height is measured from base flood elevation (BFE).</p>			

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.6 Maritime Commercial (MC) District251F

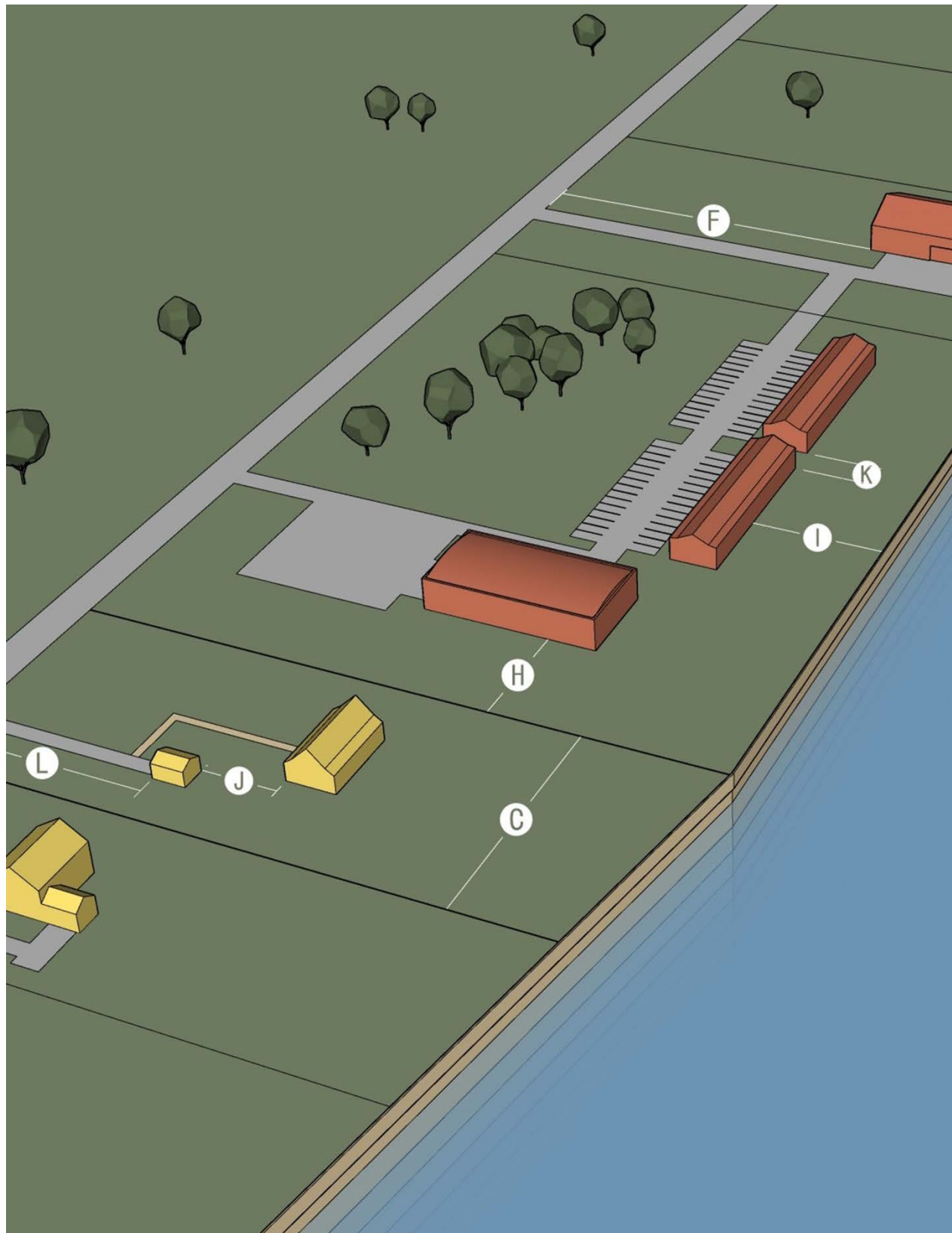
C. Lot Pattern Example	D. District Dimensional Standards
	
<p data-bbox="151 804 540 867">E. Preferred Development Examples</p> 	
 	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.6 Maritime Commercial (MC) District251F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.7 Light Industrial (LI) District252F

3.6.7 LIGHT INDUSTRIAL (LI) DISTRICT^{xii}

<p style="font-size: 48pt; margin: 0;">LI</p> <p style="font-size: 36pt; margin: 0;">Light Industrial</p>	A. Purpose Statement	
	<p>The Light Industrial district is established to accommodate agricultural and light manufacturing uses, including assembly, fabrication, processing, distribution, storage, and wholesales sale of finished or semi-finished products from previously prepared materials. The district also allows commercial activities intended to serve the primary businesses in the district and their employees. Uses allowed in the district do not require large amounts of land or large building areas for operation nor large yard areas for isolation or protection from adjoining premises or activities. Activities take place almost entirely indoors and result in minimal exterior movement of vehicles, materials, and goods in areas around the district. Buildings are situated so as to have minimal visual impacts, and are well-screened from adjacent lower intensity uses. Heavy industrial uses and uses with significant adverse impacts on adjoining lands are prohibited. Single-family detached homes and other low-intensity uses which could interfere with industrial operations are also prohibited.</p>	
B. Dimensional Requirements		
#	STANDARD TYPE	REQUIREMENT
A	Minimum Lot Area (square feet)	40,000
B	Minimum Lot Width (feet)	125
C	Maximum Lot Coverage (% of lot area)	24 [1]
D	Minimum Front Setback (feet)	25
E	Minimum Corner Side Setback (feet)	25
F	Minimum Interior Side Setback (feet)	10; 40 from a residential zoning district
G	Minimum Rear Setback (feet)	
H	Min. Distance Between Buildings, Front-to-Back (feet)	20
I	Min. Distance Between Buildings, Side-to-Side (feet)	20
J	Minimum Accessory Building Setback (feet)	10
	Maximum Building Height (feet)	35
<p>NOTES: [1] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.</p>		

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.7 Light Industrial (LI) District252F

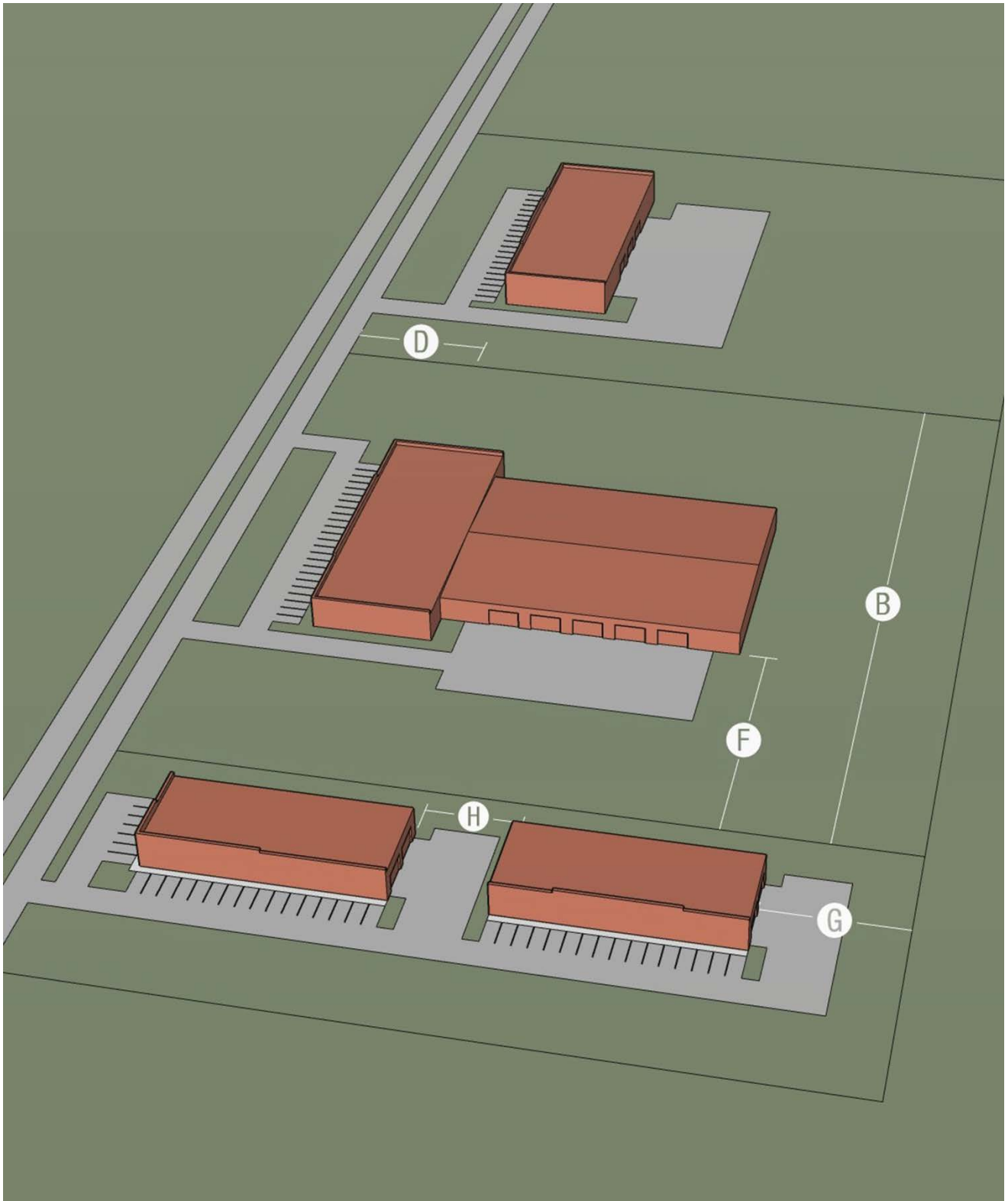
C. Lot Pattern Example	D. District Dimensional Standards
	 <p>The diagram illustrates three building footprints within a lot, with various dimensions labeled: A (width of the first building), B (width of the second building), C (width of the third building), D (width of the lot), E (width of the second building's extension), F (width of the second building's extension), G (width of the third building), and H (width of the third building's extension).</p>
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.7 Light Industrial (LI) District252F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.8 Heavy Industrial (HI) District253F


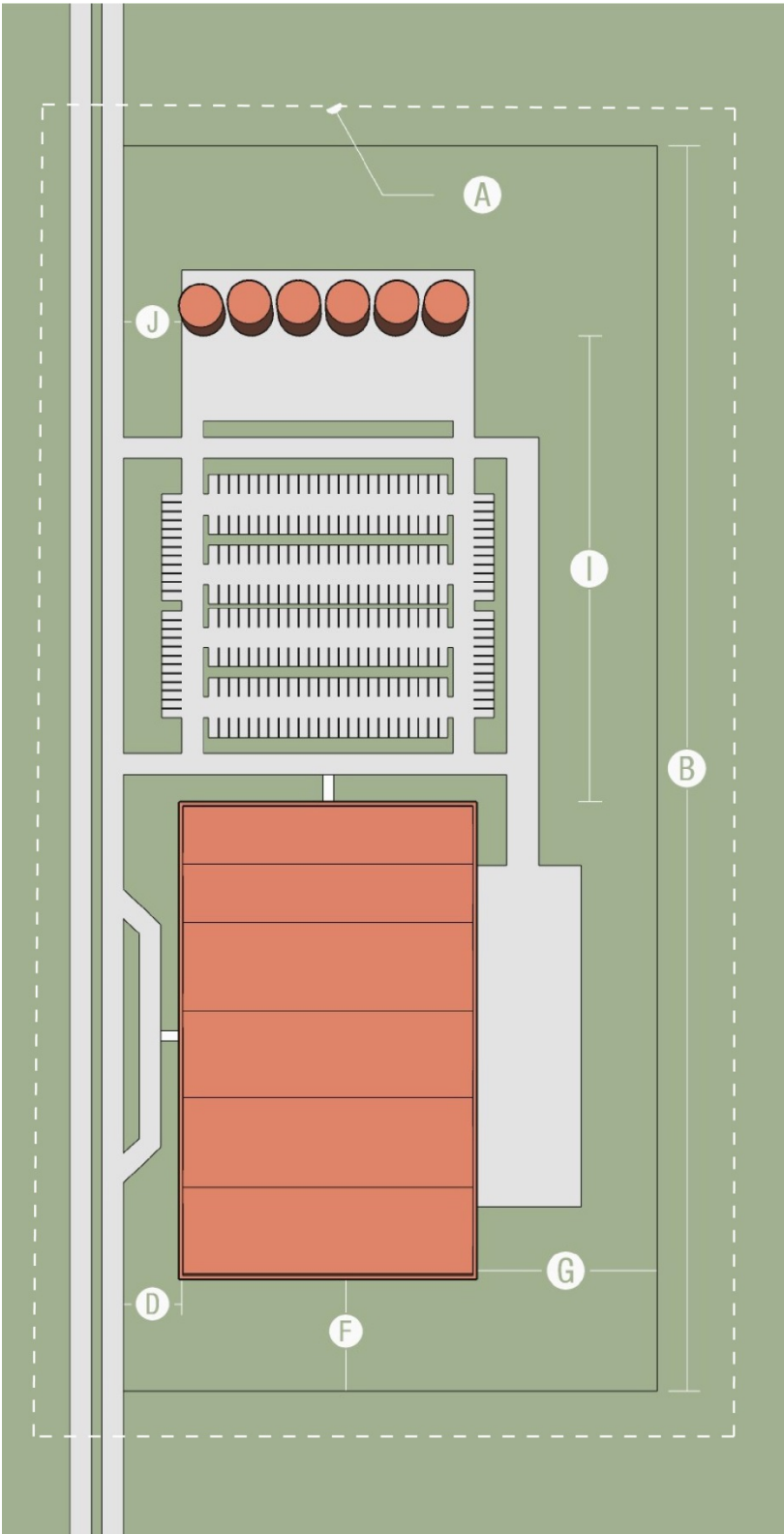

3.6.8 HEAVY INDUSTRIAL (HI) DISTRICT^{xiii}

<h1 style="margin: 0;">HI</h1> <h1 style="margin: 0;">Heavy</h1> <h1 style="margin: 0;">Industrial</h1>		A. Purpose Statement
		<p>The Heavy Industrial district is established to accommodate agricultural processing, heavy manufacturing, and extractive industry (mining, quarrying, and oil and gas exploration, subject to use-specific standards). The district accommodates large-scale industrial uses including outdoor operations or storage with extensive movement of vehicles, materials, and goods, truck traffic and greater potential for adverse environmental and visual impacts on neighboring lands. The district allows limited forms of heavier commercial use types and residential development is prohibited (except for caretaker quarters as an accessory use). District standards are intended to prevent the establishment of any use types that would interrupt industrial operations. Extractive operations may only take place in accordance with State-issued permits and shall be returned to their pre-extraction state upon completion.</p>
B. Dimensional Requirements		
#	STANDARD TYPE	REQUIREMENT
Ⓐ	Minimum Lot Area (square feet)	87,120
Ⓑ	Minimum Lot Width (feet)	125
Ⓒ	Maximum Lot Coverage (% of lot area)	24 [1]
Ⓓ	Minimum Front Setback (feet)	25; 50 for an extractive use
Ⓔ	Minimum Corner Side Setback (feet)	25; 50 for an extractive use
Ⓕ	Minimum Interior Side Setback (feet)	10; 50 from a residential zoning district or for an extractive use
Ⓖ	Minimum Rear Setback (feet)	
Ⓗ	Minimum Distance Between Buildings, Front-to-Back (feet) [2]	20
Ⓘ	Minimum Distance Between Buildings, Side-to-Side (feet) [2]	20
Ⓝ	Minimum Accessory Building Setback (feet)	10
	Maximum Building Height (feet)	50
NOTES: [1] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements. [2] Applied in cases where there are two or more principal buildings on a lot.		

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.8 Heavy Industrial (HI) District253F

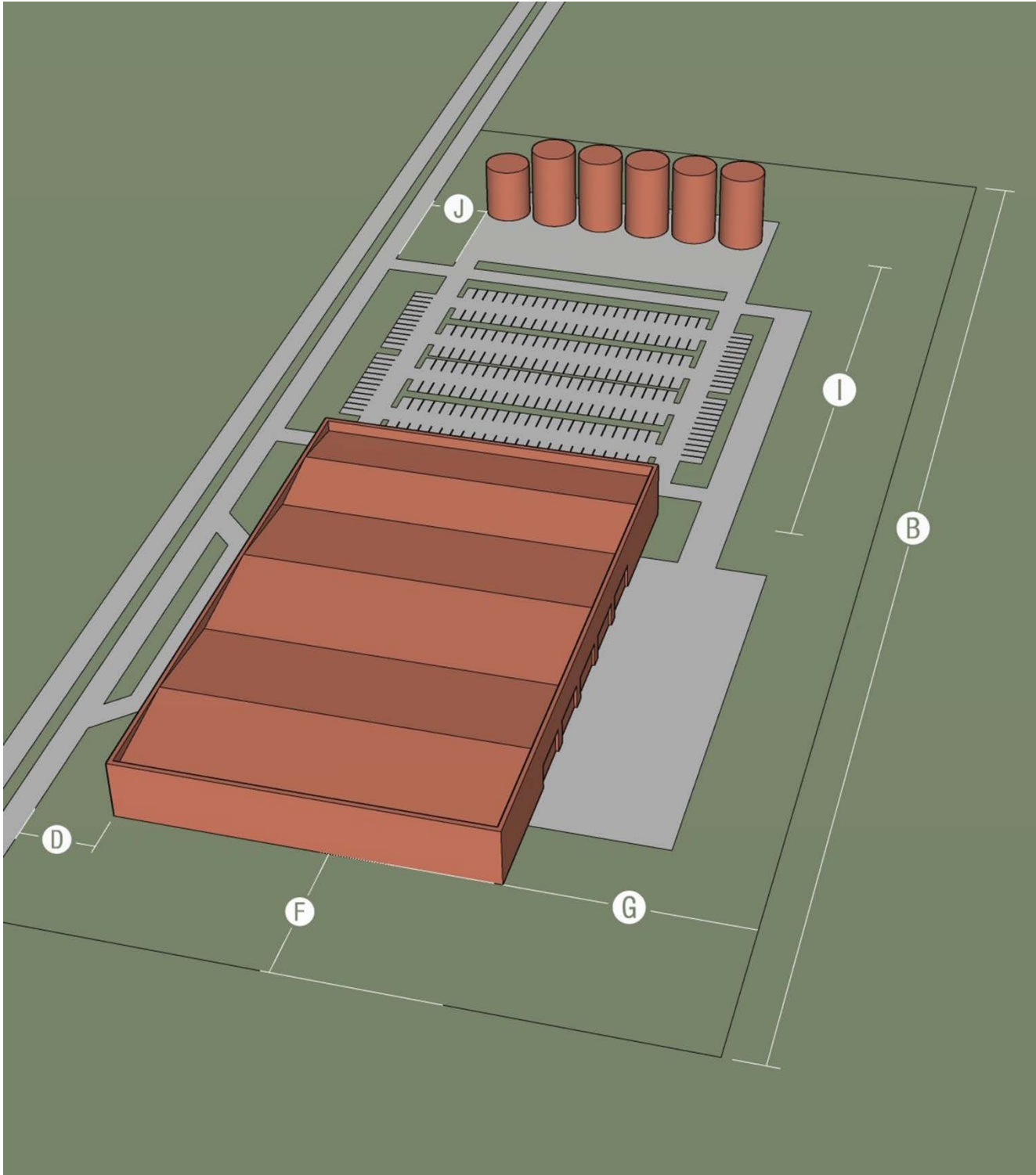
C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts67F

3.6.8 Heavy Industrial (HI) District253F

F. Development Configuration Example



ARTICLE 151.3 ZONING DISTRICTS

Section 3.7 Planned Development (PD) District68F

3.7.1 Purpose and Intent

3.7 PLANNED DEVELOPMENT (PD) DISTRICT⁶⁹

3.7.1 PURPOSE AND INTENT

The Planned Development (PD) district is established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives by:

- A. Reducing or diminishing inflexibility or uniform design that sometimes results from the strict application of zoning and development standards designed primarily for individual lots;
- B. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;
- C. Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;
- D. Providing for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
- E. Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, estuaries, shorelines, special flood hazard area, and historic features.

3.7.2 GENERAL STANDARDS FOR ALL PLANNED DEVELOPMENT DISTRICTS

A. Planned Development Master Plan

The planned development master plan shall:

1. Include a statement of planning objectives for the district;
2. Identify the general location of individual development areas, identified by land use(s) and/or development density or intensity;
3. Depict the general configuration and relationship of the principal elements of the proposed development, including general building types;
4. Identify for the entire PD district and each development area the acreage, types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use type), residential density, and nonresidential intensity;
5. Identify the general location, amount, and type (whether designated for active, passive, or urban recreation) of open space;
6. Identify the location of environmentally sensitive lands, wildlife habitat, and resource protection lands;
7. Identify the on-site transportation circulation system, including the general location of all public and private streets, existing or projected transit corridors, pedestrian and vehicular circulation features, and how they will connect with existing and planned County systems;
8. Identify the general location of on-site potable water and wastewater facilities, and how they will connect to County systems;
9. Identify the general location of on-site stormwater management facilities, and how they will interface with and impact incoming stormwater flows and natural or constructed outfalls; and
10. Identify the general location of all other on-site public facilities serving the development, including but not limited to parks, schools, and facilities for fire protection, police protection, EMS, and solid waste management.

B. Densities/Intensities

1. The densities for residential development and the intensities for nonresidential development applicable in each development area of a PD district shall be as established in the master plan, and shall be consistent with County plans.
2. Dwelling units within a PD may be concentrated or evenly distributed throughout the development, provided the maximum allowable density for the development as a whole is not exceeded.

C. Dimensional Standards

The dimensional standards applicable in each development area of a PD district shall be as established in the master plan. The master plan shall include at least the following types of dimensional standards:

1. Minimum lot area;
2. Minimum lot width;

⁶⁹ This section replaces the current planned unit development provisions in Sections 151.036 and 151.298 of the current ordinance. The most significant change between the current ordinance and this draft UDO is the establishment of a planned development as a rezoning subject to a master plan and terms and conditions statement rather than through a conditional use permit. Additional detail on changes to the procedure for establishing a planned development district are described in the Planned Development procedure in Article 151.2: Procedures.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.7 Planned Development (PD) District68F

3.7.2 General Standards for All Planned Development Districts

3. Minimum and maximum setbacks;
4. Maximum lot coverage;
5. Maximum building height;
6. Maximum individual building size;
7. Floor area ratio; and
8. Minimum setbacks from adjoining residential development or residential zoning districts.

D. Development Standards

1. All development in a PD district shall comply with the development standards of Article 151.5: Development Standards, the subdivision and infrastructure design standards of Article 151.6: Subdivision Requirements, and the environmental protection standards in Article 151.7: Environmental Provisions, unless modified in accordance with this section.
2. In no instance shall a planned development district seek to modify, waive, or reduce any of the following standards:
 - a. Section <>, Special Flood Hazard Area Overlay (SFHA);
 - b. Section <>, Stormwater Management;
 - c. Section <>, Signage; or
 - d. Section <>, Homeowner's or Property Owner's Association.

E. Consistency with Adopted Policy Guidance

The PD zoning district designation, the master plan, and the terms and conditions document shall be consistent with the Camden County 2035 Comprehensive Land Use Plan, and any applicable functional plans and small area plans adopted by the County.

F. Compatibility with Surrounding Areas

Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. Where there are issues of compatibility, the master plan shall provide for transition areas at the edges of the PD district that provide for appropriate buffering and/or ensure a complementary character of uses. Determination of complementary character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, hours of operation, exterior lighting, siting of service areas, or other aspects identified by the Board of Commissioners.

G. Development Phasing Plan

If development in the PD district is proposed to be phased, the master plan shall include a development phasing plan that identifies the general sequence or phases in which the district is proposed to be developed, including how residential and nonresidential development will be timed, how infrastructure (public and private) and open space will be provided and timed, and how development will be coordinated with the County's capital improvements program.

H. Conversion Schedule

The master plan may include a conversion schedule that identifies the extent to which one type of residential use may be converted to another type of residential use or one type of nonresidential use may be converted to another type of nonresidential use (i.e., residential to residential, or nonresidential to nonresidential). These conversions may occur within development areas, between development areas, and between development phases, as identified by the approved development phasing plan, and are consistent with established extents of conversion set down in the conversion schedule.

I. On-Site Public Facilities

1. Design and Construction

The master plan shall establish the responsibility of the developer/landowner to design and construct or install required and proposed on-site public facilities in compliance with applicable County, State, and federal regulations.

2. Dedication

The master plan shall establish the responsibility of the developer/landowner to dedicate to the public the right-of-way and easements necessary for the construction or installation of required and proposed on-site public facilities in compliance with applicable County, State, and federal regulations.

3. Modifications to Street Standards

Revisions to public street standards shall be subject to NCDOT approval.

J. Planned Development Terms and Conditions

The terms and conditions document shall incorporate by reference or include, but not be limited to the following:

1. Conditions related to approval of the application for the PD zoning district classification;
2. The master plan, including any density/intensity standards, dimensional standards, and development standards established in the master plan;
3. Conditions related to the approval of the master plan, including any conditions related to the form and design of development shown in the master plan;

ARTICLE 151.3 ZONING DISTRICTS

Section 3.7 Planned Development (PD) District68F

3.7.2 General Standards for All Planned Development Districts

4. Provisions addressing how transportation, potable water, wastewater, stormwater management, and other infrastructure will be provided to accommodate the proposed development as well as maintained over the life of the development;
5. Provisions related to environmental protection and monitoring; and
6. Any other provisions the Board of Commissioners determines are relevant and necessary to the development of the PD in accordance with applicable standards and regulations.

K. **Uses**

The uses allowed in a PD district are identified in **Table <>, Principal Use Table**, as allowed subject to a planned development master plan. Allowed uses shall be identified in the master plan or terms and conditions document and are subject to any use regulations applicable to the PD district. Allowed uses shall be consistent with County plans, the purpose of the PD district, and subject to any additional limitations or requirements set forth in **Section <>, Use-Specific Standards**.

L. **Amendments to Approved Master Plan**

Amendments or modifications to a master plan shall be considered in accordance with the standards in **Section <>, Amendments**.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.8 Overlay Districts

3.8.1 General Purpose and Intent^{69F}

3.8 OVERLAY DISTRICTS

3.8.1 GENERAL PURPOSE AND INTENT⁷⁰

A. Purpose

Overlay zoning districts are superimposed over either all or a portion of one or more underlying general zoning districts with the intent of supplementing generally applicable development regulations with additional development regulations that address special area-specific conditions, features, or plans while maintaining the character and purposes of the underlying zoning district.

B. Establishment of Overlay Zoning Districts

Table <>, **Overlay Zoning Districts Established**, sets out the overlay districts in this UDO.

TABLE <>: OVERLAY ZONING DISTRICTS ESTABLISHED	
DISTRICT NAME	ABBREVIATION
Commercial Fishing Overlay	CFO
Special Flood Hazard Area Overlay	SFHA
Local Historic District Overlay	LHO
Watershed Protection Overlay	WPO

C. Relationship to General Zoning Districts

1. Regulations governing development in an overlay zoning district shall apply in addition to the regulations governing development in the underlying general zoning district, unless otherwise expressly stated.
2. If the standards governing an overlay zoning district expressly conflict with those governing an underlying general zoning district, the standards governing the overlay district shall control, unless otherwise stated.
3. Where land is classified into multiple overlay zoning districts and the standards governing one overlay zoning district expressly conflict with those governing another overlay district, the more restrictive standard shall apply.

3.8.2 COMMERCIAL FISHING OVERLAY (CFO)⁷¹

A. Purpose and Intent

The intent of the Commercial Fishing Overlay (CFO) district is to allow certain commercial fishing uses in the County in limited locations and under restrictive circumstances, to ensure that nearby properties are not adversely affected.

B. Establishment

1. New commercial fishing overlay districts or additions to an existing commercial fishing overlay district shall only be made in accordance with **Section <>, Zoning Map Amendment**.
2. All existing zoning compliance permits, special use permits, floodplain development permits, or other permits issued by the County for the purpose of home-based commercial fishing are hereby repealed and any lot located within a commercial fishing overlay district for which a permit was issued shall be considered to have a zoning compliance permit allowing commercial fishing in accordance with this Ordinance.
3. All lawfully-established home-based commercial fishing uses in operation after **[insert the effective date of this Ordinance]** located on a lot outside a CFO shall be considered a nonconforming use subject to the standards in **Section <>, Nonconforming Uses**.

C. Minimum District Size

1. A new CFO district shall consist of an area not less than ten contiguous acres.
2. Additions to an existing CFO district shall be made in increments of not less than one acre.

⁷⁰ This is a new section that introduces the slate of overlay districts and addresses their relationship to the base districts and potential conflicts between standards.

⁷¹ This section carries forward the standards in Section 151.035, Commercial Fishing Overlay District, from the current ordinance with no substantive changes.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.8 Overlay Districts

3.8.3 Special Flood Hazard Area Overlay (SFHA)71F

D. Building Standards

1. Within one year of the issuance of a zoning compliance permit for a use permitted in the CFO district, a residence or work building of not less than 600 square feet shall be erected on a lot in the district.
2. The building shall be erected in compliance with the State Building Code.
3. If located within a special flood hazard area, the building shall also comply with the provisions of **Section <>, Special Flood Hazard Area Overlay (SFHA)**.

E. Connection to Community or Public Water and Sewer

1. If connection to a community or public water supply system or sanitary sewer system is available to the lot where the building is located, the building shall be connected.
2. If a public or community sewer line is extended to serve a lot within a CFO and a building on the lot does not connect, all authorization to conduct commercial fishing activities shall expire and become null and void within one year of the date the public or community sewer line is extended.

F. Screening

1. All commercial fishing and related activities shall take place behind a fence that shall fully conceal all commercial fishing activities occurring on the property from the street and adjacent lands outside the CFO.
2. Except for off-street parking spaces serving visitors or retail customers, the following activities shall also be fully screened in accordance with subsection (1) above:
 - a. Employee parking;
 - b. Power washing of boats, equipment or gear; and
 - c. Maintenance and repair work on boats.

G. Lighting

Outdoor lighting shall be shielded or oriented so as to prevent glare from being directed onto adjacent properties.

H. Uses

1. Commercial Fishing as Principal Use

Development located within the CFO designation shall principally be used for the purpose of commercial fishing.

2. Residential Use

Any residential function on land in a CFO shall be considered as an accessory use, and shall not exceed 50 percent of the lot.

3. Storage of Waste

- a. There shall be no overnight storage of seafood waste, except in a completely enclosed container that shall be secured in a way that odors shall not emit from the container.
- b. No commercial seafood waste may be disposed of or otherwise placed in any convenience site operated by or for the County.

4. Power Washing

Power washing of boats, equipment, or gear shall comply with the screening requirements in this section, and are only permitted to occur between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

5. Docking of Boats

Any boats docked alongside the property shall be docked parallel to the property with the bow and stern securely fastened to the property without any other boat or vessel in between the boat and the property.

6. Wholesale and Retail Sales

The wholesale and retail sale of fish and shellfish is a permitted use in the CFO.

7. Restaurants

Restaurant uses are permitted in the CFO district, but seating areas shall not exceed 25 percent of the total area actively used for commercial fishing purposes.

8. Prohibited Uses

Camping and transient lodging are prohibited within the CFO district.

I. Fees Prohibited

It shall be prohibited to charge admission, dockage, or wharfage fees within the CFO district.

3.8.3 SPECIAL FLOOD HAZARD AREA OVERLAY (SFHA)⁷²

⁷² NOTE: These standards are taken from a document provided by staff. Note that the numbering system in the document provided by County staff has been revised for consistency with the balance of the UDO, and there have been some changes (shown in redline) to cross references or section headings. These revisions are NOT substantive, but made solely for clarity or consistency with the structure used in the balance of the UDO.

ARTICLE 151.3 ZONING DISTRICTS

Section 3.8 Overlay Districts

3.8.3 Special Flood Hazard Area Overlay (SFHA)71F

A. Flood Damage Prevention

1. Findings of Fact

- a. The flood prone areas within the jurisdiction of Camden County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

2. Statement of Purpose

It is the purpose of this subchapter to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- a. Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- b. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- d. Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- e. Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or which may increase flood hazards to other lands.

3. Objectives

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. To minimize prolonged business losses and interruptions;
- e. To minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- g. To insure that potential buyers are aware that property is in a Special Flood Hazard Area.

B. General Provisions

1. Lands to which this Subchapter Applies

This subchapter shall apply to all special flood hazard areas within the county.

2. Special Flood Hazard Area Identified

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) Agreement between the State of North Carolina and FEMA in its FIS dated December 21, 2018 for Camden County and associated DFIRM panels, including any digital data developed as part of the Flood Insurance Study, which are adopted by reference and declared a part of this section. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of Camden County are also adopted by reference and declared a part of this section.

3. Establishment of Floodplain Development Permit

A Floodplain Development Permit shall be required in conformance with the provisions of this subchapter prior to the commencement of any development activities within special flood hazard areas as determined in **Section <>, Special Flood Hazard Area Identified.**

4. Compliance

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

5. Abrogation and Greater Restrictions

This subchapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this subchapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

6. Interpretation

In the interpretation and application of this chapter, all provisions shall be:

- a. Considered as minimum requirements;
- b. Liberally construed in favor of the governing body; and

ARTICLE 151.3 ZONING DISTRICTS

Section 3.8 Overlay Districts

3.8.3 Special Flood Hazard Area Overlay (SFHA)71F

c. Deemed neither to limit nor repeal any other powers granted under state statutes.

7. **Warning and Disclaimer of Liability**

The degree of flood protection required by this subchapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This subchapter does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This subchapter shall not create liability on the part of Camden County or by any officer or employee thereof for any flood damages that result from reliance on this subchapter or any administrative decision lawfully made hereunder.

8. **Penalties for Violation**

Violation of the provisions of this subchapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this subchapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Camden County from taking such other lawful action as is necessary to prevent or remedy any violation.

C. **Administration**

1. **Designation of Floodplain Administrator**

The County Building Inspector or his or her designee, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this subchapter.

2. **Floodplain Development Application, Permit and Certification Requirements**

a. Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within special flood hazard areas. The following items/information shall be presented to the Floodplain Administrator to apply for a floodplain development permit.

b. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development.

1. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;

2. The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section <>, Special Flood Hazard Area Identified, or a statement that the entire lot is within the special flood hazard area;

3. Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section <>, Special Flood Hazard Area Identified;

4. The boundary of the floodway(s) or non-encroachment area(s) as determined in § 151.382(B);

5. The Base Flood Elevation (BFE) where provided as set forth in Section <>, General Provisions, Section <>, Administration, or Section <>, General Standards4;

6. The old and new location of any watercourse that will be altered or relocated as a result of proposed development;

7. Certification of the plot plan by a registered land surveyor or professional engineer.

c. Proposed elevation, and method thereof, of all development within a special flood hazard area including but not limited to:

1. Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;

2. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;

3. Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed;

d. If floodproofing, a floodproofing certificate along with detailed back-up computations and operational plans that specify the location on a FIRM panel, and entity responsible for maintenance and operation of such plans. Floodproofing certificate and back-up computations and operational plans shall be certified by a registered professional engineer or architect to ensure that the non-residential floodproofed development will meet the floodproofing criteria in Section <>, General Provisions.

e. A foundation plan drawn to scale which shall include details of the proposed foundation system to ensure all provisions of this subchapter are met. These details include but are not limited to:

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1. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/piers);
 2. Openings to facilitate the unimpeded movements of floodwaters, in accordance with **Section <>, General Provisions**, when solid foundation perimeter walls are used;
 - f. Usage details of any enclosed space below the regulatory flood protection elevation.
 - g. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;
 - h. Copies of all other local, state and federal permits required prior to floodplain development permit issuance (i.e. wetlands, erosion and sedimentation control, CAMA, riparian buffers, mining, etc.)
 - i. Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure the standards in **Section <>, General Provisions** of this subchapter are met.
 - j. A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.
- 3. Permit Requirements**
The Floodplain Development Permit shall include, but not be limited to:
- a. A description of the development to be permitted under the floodplain development permit issuance.
 - b. The special flood hazard area determination for the proposed development per available data specified in **Section <>, General Provisions**.
 - c. The regulatory flood protection elevation required for the reference level and all attendant utilities.
 - d. The regulatory flood protection elevation required for the protection of all public utilities.
 - e. All certification submittal requirements with timelines.
 - f. A statement that no fill material shall encroach into the floodway or nonencroachment area of any watercourse, if applicable.
 - g. The minimum foundation opening requirements, when applicable.
- 4. Certification Requirements**
- a. An Elevation Certificate (FEMA Form 81-31, as amended) or Floodproofing Certificate (FEMA Form 81-65, as amended) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, or floodproofed elevation, in relation to mean sea level. Elevation certification shall be prepared by, or under direct supervision of, a registered land surveyor or professional engineer and certified by same. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit.
 - b. An Elevation Certificate (FEMA Form 81-31, as amended) or Floodproofing Certificate (FEMA Form 81-65, as amended) is required after the reference level is completed. Within ten calendar days of establishment of the reference level elevation, or floodproofing, by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, or floodproofed elevation, whichever is applicable in relation to mean sea level. Elevation certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the ten-day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.
 - c. A Final As-Built Elevation Certificate (FEMA Form 81-31, as amended) or Floodproofing Certificate (FEMA Form 81-65, as amended) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation or floodproofed elevation of the reference level and all attendant utilities. Elevation certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to

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certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

- d. If a manufactured home is placed within an A, AE, or AI-30 zone and the elevation of the chassis is above 36 inches in height, an engineered foundation certification is required per **Section <>, Specific Standards.**
- e. If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- f. **Certification Exemptions**
The following structures, if located within A, AE or AI-30 zones, are exempt from the elevation/floodproofing certification requirements specified in divisions (1) and (2) below:
 - 1. Recreational vehicles meeting requirements of **Section <>, Specific Standards;**
 - 2. Temporary structures meeting requirements of **Section <>, Specific Standards;** and
 - 3. Accessory structures less than 150 square feet meeting requirements of **Section <>, Specific Standards.**

5. Duties and Responsibilities of the Floodplain Administrator

The Floodplain Administrator shall perform the following duties, including but not be limited to:

- a. Review all floodplain development applications and issue permits for all proposed development within special flood hazard areas to assure that the requirements of this subchapter have been satisfied.
- b. Advise permittee that additional federal or state permits (i.e., wetlands, erosion and sedimentation control, CAMA, riparian buffers, mining, etc.) may be required, and if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the floodplain development permit.
- c. Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- d. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- e. Prevent encroachments within floodways and non-encroachment areas unless the certification and flood hazard reduction provisions are met.
- f. Obtain actual elevation (in relation to mean sea level) of the reference level (including basement) of all attendant utilities of all new or substantially improved structures, in accordance with **Section <>, Floodplain Development Application, Permit and Certification Requirements.**
- g. Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures and all utilities have been floodproofed, in accordance with **Section <>, Floodplain Development Application, Permit and Certification Requirements.**
- h. Obtain actual elevation (in relation to mean sea level) of all public utilities, in accordance with **Section <>, Floodplain Development Application, Permit and Certification Requirements.**
- i. When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with **Section <>, Floodplain Development Application, Permit and Certification Requirements** and **Section <>, Specific Standards.**
- j. Where interpretation is needed as to the exact location of boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this subchapter.
- k. When Base Flood Elevation (BFE) data has not been provided in accordance with **Section <>, Special Flood Hazard Area Identified**, obtain, review, and reasonably utilize any Base Flood Elevation (BFE) data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to **Section <>, Standards for Riverine Floodplains with BFE but Without Established Floodways or Non-encroachment Areas**, in order to administer the provisions of this subchapter.
- l. When Base Flood Elevation (BFE) data is provided but no floodway nor non-encroachment area data has been provided in accordance with **Section <>, Special Flood Hazard Area Identified**, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this subchapter.

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- m. When the exact location of boundaries of the Special Flood Hazard Areas conflict with the current, natural topography information at the site, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. Maintain a copy of the Letter of Map Amendment issued from FEMA in the floodplain development permit file.
 - n. Permanently maintain all records that pertain to the administration of this subchapter and make these records available for public inspection.
 - o. Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
 - p. Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this subchapter, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
 - q. Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable state or local law may also be revoked.
 - r. Make periodic inspections throughout all special flood hazard areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
 - s. Follow through with corrective procedures of [Section <>, Certification Requirements](#).
- 6. Corrective Procedures**
- a. **Violations to be Corrected**

When the Floodplain Administrator finds violations of applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law pertaining to their property.
 - b. **Actions in Event of Failure to take Corrective Action**

If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:

 1. That the building or property is in violation of the Flood Damage Prevention Ordinance;
 2. That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 3. That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
 - c. **Order to take corrective Action**

If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not to exceed 60 days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
 - d. **Appeal**

Any owner who has received an order to take corrective action may appeal the order to the BOA by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The BOA shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
 - e. **Failure to comply with Order**

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If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, he or she shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

7. Variance Procedures

- a. The Board of Adjustment as established by Camden County, hereinafter referred to as the “appeal board”, shall hear and decide requests for variances from the requirements of this subchapter.
- b. Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- c. Variances may be issued for:
 1. The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
 2. Functionally dependent facilities if determined to meet the definition as stated in **Section <>, Definitions** of this chapter.
 3. Any other type of development, provided it meets the requirements stated in this section.
- d. In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this subchapter, and:
 1. The danger that materials may be swept onto other lands to the injury of others;
 2. The danger to life and property due to flooding or erosion damage;
 3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 4. The importance of the services provided by the proposed facility to the community;
 5. The necessity to the facility of a waterfront location as a functionally dependent facility, where applicable;
 6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 7. The compatibility of the proposed use with existing and anticipated development;
 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 11. The costs of providing governmental services during and after flood conditions in including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- e. A written report addressing each of the above factors shall be submitted with the application for a variance.
- f. Upon consideration of the factors listed above and the purposes of this subchapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this subchapter.
- g. Variances shall not be issued within any designated floodway or nonencroachment area if any increase in flood levels during the base flood discharge would result.
- h. **Conditions for Variances**
 1. Variances may not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
 2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 3. Variances shall only be issued upon:
 - A. A showing of good and sufficient cause;
 - B. A determination that failure to grant the variance would result in exceptional hardship; and
 - C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 4. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be

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- commensurate with the increased risk resulting from the reduced reference level elevation. Such notification shall be maintained with a record of all variance actions.
5. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
 - i. A variance may be issued for solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
 1. The use serves a critical need in the community.
 2. No feasible location exists for the use outside the Special Flood Hazard Area.
 3. The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection level.
 4. The use complies with all other applicable federal, state and local laws.
 5. The County of Camden has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least 30 days prior to granting the variance.

D. General Standards

1. Standards for All Areas and Uses

In all Special Flood Hazard Areas the following provisions are required:

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- c. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages.
- d. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.), hot water heaters, electric outlets/switches.
- e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- g. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- h. Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this subchapter, shall meet the requirements of "new construction" as contained in this subchapter.
- i. Nothing in this subchapter shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this subchapter and located totally or partially within the floodway, non-encroachment area, or stream setback, provided that the bulk of the building or structure below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this subchapter.
- j. New solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted in Special Flood Hazard Areas, except by variance as specified in **Section <>, (3.8.4.C.5.i)**. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified according to **Section <>, (3.8.4.C.2.c)** of this subchapter.
- k. All development proposals shall be consistent with the need to minimize flood damage.
- l. All development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- m. All development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- n. Whenever any portion of a floodplain is filled in with fill dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.
- o. Excavation and filling in the floodplain areas, areas noted as AE in the FIRM maps, may be allowed at the approval of the county. Cut and fill for new development in the floodplain will only

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be acceptable if the net volume available within the floodplain remains the same (<https://msc.fema.gov/portal/advanceSearch>). The volumes will be judged from one foot contour to the next. No credit will be provided for excavation below the normal water elevation of the creek or below the ground water table, whichever is higher. The Engineer will provide the areas and volumes at one foot contour intervals for the existing conditions and demonstrate through volume calculations that the proposed condition equals or provides more storage volume for the development. The calculation and demonstration shall begin at the normal elevation, or invert elevation, and proceed by even one foot increments to the FIRM reported base flood elevation for the immediate area. The cut and fill within the floodplain area must take place within the general confines of the development or within 500 feet of the river station shown on the FEMA maps.

- p. A parcel which lies within the AE Flood Zone and is within a portion of a creek or river which has riverine hydraulic characteristics may fill one time only up to 5% of the flood zone area within the parcel's boundary. This is a onetime only occurrence and supersedes [Section <>, Lot Grading](#). This exception is provided to allow a reasonable engineering design of a property and a connection or roadway from one area to another. This exception should not be construed to include floodways and non-encroachment zones. Filling over 5% will require a balance of cut and fill as dictated by [Section <>, Lot Grading](#).

2. Specific Standards

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in [Section <>, Special Flood Hazard Area Identified](#), or [Section <>, Administration](#), the following provisions are required:

a. Residential Construction

New construction or substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in [Section <>, Definitions](#).

b. Non-residential Construction

New construction or substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation. Structures located in A and AE Zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure below the required food protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in [Section <>, \(3.8.4.C.2.c\)](#).

c. Manufactured Homes

1. New or replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in [Section <>, Definitions](#).
2. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, 1995 Edition, and any revision thereto adopted by the Commissioner of Insurance pursuant to Section 143-143.15 of the North Carolina General Statutes or a certified engineered foundation. Additionally, when the elevation would be met by an elevation of the chassis 36 inches or less above the grade at the site, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36 inches in height, an engineering certification is required.
3. All foundation enclosures or skirting shall be in accordance with [Section <>, \(3.8.4.C.2.d\)](#).
4. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within floodprone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local emergency management coordinator.

d. Elevated Buildings

Enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection.

1. Shall not be designed or used for human habitation, but shall only be designed and used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of

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maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;

2. Shall be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
3. Shall include measures to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. To meet this requirement, the foundation must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 - A. Provide a minimum of two openings on different sides of each enclosed area subject to flooding;
 - B. The total net area of all openings must be at least one square inch for each square foot of each enclosed area subject to flooding;
 - C. If a building has more than one enclosed area, each area must have openings on exterior walls to allow floodwater to enter directly;
 - D. The bottom of all required openings shall be no higher than one foot above the adjacent grade;
 - E. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
 - F. **Foundation Enclosures**
 1. Made of vinyl or other flexible skirting are not considered an enclosure for regulatory purposes, and, therefore, does not require openings.
 2. Made of masonry or wood underpinning, regardless of structural status, are considered an enclosure and therefore require openings as outlined above.

e. **Additions/Improvements**

1. Additions and/or improvements to pre-FIRM structures whereas the addition and/or improvements in combination with any interior modifications to the existing structure:
 - A. Are not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
 - B. Are a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
2. Additions to post-FIRM structures with no modifications to the existing structure shall require only the addition to comply with the standards for new construction.
3. Additions and/or improvements to post-FIRM structures whereas the addition and/or improvements in combination with any interior modifications to the existing structure:
 - A. Are not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction.
 - B. Are a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
4. Where a fire wall or independent perimeter load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and only the addition must comply with the standards for new construction.

f. **Recreational Vehicles**

Recreational vehicles placed on sites within a Special Flood Hazard Area shall either:

1. Be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions); or
2. Meet all the requirements for new construction, including anchoring and elevation requirements of Section <>, (3.8.4.C.2.c), Section <>, Standards for All Areas and Uses, and Section <>, Manufactured Homes.

g. **Temporary Non-residential Structures**

Prior to the issuance of a floodplain development permit for a temporary structure, applicants must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

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1. A specified time period for which the temporary use will be permitted. Time specified should be minimal with total time on site not to exceed one year;
2. The name, address, and phone number of the individual responsible for the removal of the temporary structure;
3. The time frame prior to the event at which a structure will be removed (i. e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
4. A copy of the contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed; and
5. Designation, accompanied by documentation of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

h. **Accessory Structures**

When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas) and shall not be temperature controlled;
2. Accessory structures shall be designed to have low flood damage potential;
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
4. Accessory structures shall be firmly anchored in accordance with this subchapter or by bolting the building to a concrete slab or by over the top ties. When bolting to a concrete slab, one-half inch bolts six feet on center with a minimum of two per side shall be required. If over the top ties are used a minimum of two ties with a force adequate to secure the building is required; and
5. All service facilities such as electrical equipment shall be installed in accordance with **Section <>, (3.8.4.D.1.d)**; and
6. Openings to relieve hydrostatic pressure during a flood shall be provided below regulatory flood protection elevation in conformance with **Section <>, 3.8.4.D.2.d.1)**.
7. An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or floodproofing certificate.
8. Accessory structures over 150 square feet and up to 1,000 square feet or less with a value of less than \$15,000 may be permitted below the base flood elevation as defined in **Section <>, Definitions**, provided they satisfy the criteria outlined above.
9. Accessory structures greater than 1,000 square feet shall meet the elevation requirements as defined in **Section <>, Definitions**, or flood proofing requirements set forth in **Section <>, (3.8.4.C.2.c)**.

3. **Standards for Floodplains without Established Base Flood Elevations**

- a. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of 20 feet each side from top of bank or five times the width of the stream whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b. The base flood elevation shall be determined based on one of the following criteria set in priority order:
 1. If Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this subchapter and shall be elevated or floodproofed in accordance with elevations established in accordance with **Section <>, Administration**.
 2. All subdivision, manufactured home park and other development proposals located within Special Flood Hazard Areas shall provide Base Flood Elevation (BFE) data if development is greater than five acres or has more than 50 lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference per **Section <>, Special Flood Hazard Area Identified**, to be utilized in implementing this subchapter.
 3. When Base Flood Elevation (BFE) data is not available from a federal, state, or other source as outlined above, the reference level, including basement, shall be elevated at least two feet above the highest adjacent grade (natural grade if known).

4. **Standards for Riverine Floodplains with BFE but without Established Floodways or Non-encroachment Areas**

Along rivers and streams where Base Flood Elevation (BFE) data is provided but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all

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other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

5. Floodways and Non-encroachment Areas

Located within the special flood hazard areas established in **Section <>, Special Flood Hazard Area Identified**, are areas designated as floodways or non-encroachment areas. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions shall apply to all development within such areas:

- a. No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the Floodplain Administrator prior to issuance of floodplain development permit.
- b. If **Section <>, General Standards**, is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this subchapter.
- c. No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision provided the following provisions are met:
 1. The anchoring and the elevation standards of **Section <>, Manufactured Homes**; and
 2. The no encroachment standards of **Section <>, General Standards**, are met.

E. Legal Provisions

a. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance

This subchapter in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted December 4, 1985 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this subchapter shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of Camden County enacted on December 4, 1985, as amended, which are not reenacted herein are repealed.

b. Effect Upon Outstanding Building Permits

Nothing herein contained shall require any change in the plans, construction, size or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this subchapter; provided, however, that when construction is not begun under such outstanding permit within a period of six months subsequent to passage of this subchapter or any revision thereto, construction or use shall be in conformity with the provisions of this subchapter.

F. Special Provisions for Subdivisions

1. An applicant for a special use permit authorizing a major subdivision and an applicant for minor subdivision final plat approval shall be informed by the Administrator of the use and construction restrictions contained in **Section <>, General Provisions**, and **Section <>, Administration**, if any portion of the land to be subdivided lies within a floodplain.
2. Subject to the following sentence, a major development permit for a major subdivision and final plat approval for any subdivision may not be given if:
 - a. The land to be subdivided lies within a zone where residential uses are not permissible and it reasonably appears that the subdivision is designed to create residential building lots;
 - b. Any portion of one or more of the proposed lots lies within a floodway or floodplain; and
 - c. It reasonably appears that one or more lots described in divisions (2.a and b) above could not practicably be used as a residential building site because of the restrictions set forth in **Section <>, General Provisions**, and **Section <>, Administration**. The foregoing provision shall not apply if a notice that the proposed lots are not intended for sale as residential building lots is recorded on the final plat, or if the developer otherwise demonstrates to the satisfaction of the authority issuing the permit or approving the final plat that the proposed lots are not intended for sale as residential building lots.

G. Water Supply and Sanitary Sewer Systems in Floodways and Floodplains

1. Whenever any portion of a proposed development is located within a floodway or floodplain, the agency or agencies responsible for certifying to the county the adequacy of the water supply and sewage disposal systems for the development shall be informed by the developer that a specified area within the development lies within a floodplain.
2. Thereafter, approval of the proposed system by that agency shall constitute a certification that:

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3.8.4 Local Historic Overlay (LHO)72F

- a. The water supply system is designed to minimize or eliminate infiltration of flood waters into it;
- b. The sanitary sewer system is designed to eliminate infiltration of flood waters into it and discharges from it into flood waters; and
- c. Any on-site sewage disposal system is located to avoid impairment to it or contamination from it during flooding.

3.8.4 LOCAL HISTORIC OVERLAY (LHO)⁷³

(Placeholder)

3.8.5 WATERSHED PROTECTION OVERLAY (WPO)⁷⁴

A. Authority

Authority to adopt and enforce these standards is granted to the County by the General Assembly in accordance with the Watershed Protection Rules in Section 143-211 et seq., of the North Carolina General Statutes, as well as the General Ordinance Authority provisions in Section 153A-121 of the North Carolina General Statutes.

B. Purpose

The purpose of the Watershed Protection Overlay (WPO) district is to ensure the availability of public water supplies at a safe and acceptable level of water quality. More specifically, these standards are intended to:

1. Ensure compliance with all applicable State and federal laws governing the protection of water supply watersheds;
2. Protect those portions of designated water supply watersheds which lie closest to existing and proposed water supply reservoirs from activities which could degrade water quality in the reservoirs;
3. Minimize pollution entering drinking water sources to assure the public health; and
4. Encourage a low intensity of land development in the most sensitive portions of the water supply watershed.

C. Applicability

1. The provisions of this section shall apply within the WPO as established by the North Carolina Environmental Management Commission and shall be defined and established on the map entitled, County of Camden, North Carolina Watershed Protection Map, (the Watershed Map).
2. No subdivision within the WPO shall be filed or recorded until it has been approved in accordance with the provisions of this section. The Clerk of Superior Court shall not order or direct the recording of a plat if recording it would be in conflict with these standards.
3. These regulations are not intended to interfere with any easement, covenants, or other agreements between parties. However, if these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

D. Exemptions

1. Existing development in place as of *(insert the effective date of this Ordinance)* is not subject to the requirements of this section; however, expansions to existing development within the WPO must meet the requirements of this section. The built-upon area of existing development is not required to be included in the density calculations.
2. If a nonconforming lot of record is not contiguous to any other lot owned by the same party, then that lot of record shall not be subject to the development restrictions of this section if it is developed for single-family residential purposes.

⁷³ As detailed in the Evaluation Report, the LHO is not anticipated to be applied to any lands at the present time, but will be set up within the UDO for the County's use in the future.

⁷⁴ While not included in the Code Evaluation, the decision to incorporate these standards was made during the drafting process given their relationship to development potential in the County. This section consolidates the watershed protection standards in Chapter 152 of the County Code of Ordinances with the balance of the UDO provisions. Chapter 152 is drafted as a stand-alone ordinance, so it repeats a lot of other provisions such as those pertaining to subdivision, map boundary interpretation, administration, and enforcement. The following revisions have been made to the current text: a new Watershed Development Permit has been added to Article 151.2: Procedures. The watershed occupancy permit has not been carried forward since the UDO does not have a certificate of occupancy. The UDO Administrator has been designated as the Watershed Administrator, and the duties of the Watershed Administrator have been relocated to Article 151.11: Authorities. The material on the Watershed Review Board has not been carried forward since the board does not exist. The language in the current provisions pertaining to the subdivision of land is replaced by the other subdivision procedural material in Article 151.2. The language on Watershed Map boundary interpretation has been consolidated with other map interpretation provisions in Article 151.3: Zoning Districts. The material on enforcement is replaced by the standards in Article 151.9: Enforcement. The definitions are relocated Article 151.10: Definitions and Rules of Measurement.

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3. Any lot or parcel created as part of a transfer plat after *(insert the effective date of this Ordinance)* shall be exempt from these rules if it is developed for one single-family detached residence and it is exempt from other subdivision regulations.
4. Any lot or parcel created as part of any other type of subdivision that is exempt from the subdivision provisions in this Ordinance shall be subject to the land use and impervious surface requirements of this section and shall meet the minimum buffer requirements in this section, to the maximum extent practicable.

E. Watershed Areas Distinguished

Land located within the WPO shall be divided up into one of the following two classifications as shown on the Watershed Map:

1. The WS-IV CA Watershed Critical Area; and
2. The WS-IV PA Watershed Protected Area.

F. Procedures for Development

1. Any development proposed inside the WPO shall require a Water Supply Watershed Protection Permit as described in *Section <>, Water Supply Watershed Protection Permit*.
2. Applicants for development inside the WPO may request to reduce or deviate from the standards described in *Section <>, Water Supply Watershed Protection Regulations*, by following the procedure described in *Section <>, Variance*.

G. Principal Use Provisions

All land within the WPO shall comply with the following use requirements.

1. Watershed Critical Area

a. Agricultural Uses

1. Agricultural uses shall be permitted, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990.
2. All agricultural activities conducted after January 1, 1993 shall maintain a ten-foot vegetative buffer (or equivalent as determined by the Soil and Water Conservation Commission) along the banks of all perennial streams located within the WPO as indicated on the most recent versions of United States Geological Survey (U.S.G.S.) 1:24,000 (7.5 minute) scale topographic maps or as determined by County studies.
3. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.
4. Silviculture is subject to the provisions of the Forest Practices Guidelines Related to Water Quality in Section 15 NCAC 11.6101-.0209 of the North Carolina Administrative Code.

b. Residential Uses

All residential uses listed in *Table <>, Principal Use Table*, shall be permitted within the Watershed Critical Area of WPO, subject to the standards in *Section <>, Density and Lot Coverage Limitations*.

c. Nonresidential Uses

Except for the uses listed in *Section <>, Prohibited Uses*, landfills, and new uses proposed for the application of sludge to the land, all nonresidential uses in *Table <>, Principal Use Table*, shall be permitted within the Watershed Critical Area portion of the WPO, subject to the standards in *Section <>, Density and Lot Coverage Limitations*.

d. Roadways

1. Where possible, roads should be located outside of critical areas and watershed buffer areas.
2. Roads constructed within these areas shall be designed and constructed so to minimize their impact on water quality.

2. Watershed Protected Area

a. Agricultural Uses

1. Agricultural uses shall be permitted, subject to provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990.
2. Silviculture is subject to the provisions of the Forest Practices Guidelines Related to Water Quality in Section 15 NCAC 11.6101-.0209 of the North Carolina Administrative Code.

b. Residential Uses

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All residential uses listed in **Table <>, Principal Use Table**, shall be permitted within the Watershed Protected Area of WPO, subject to the standards in **Section <>, Density and Lot Coverage Limitations**.

c. Nonresidential Uses

1. Except for the uses listed in **Section <>, Prohibited Uses**, all nonresidential uses in **Table <>, Principal Use Table**, shall be permitted within the Watershed Protected Area portion of the WPO, subject to the standards in **Section <>, Density and Lot Coverage Limitations**.
2. The storage of toxic and hazardous materials is prohibited unless a spill containment plan is implemented.

d. Roadways

Roads constructed within these areas shall be designed and constructed so to minimize their impact on water quality.

H. Development Standards

The standards in this section shall apply to all new development in the WPO established after (*insert the effective date of this Ordinance*).

1. Public Health, Generally

No activity, situation, structure, or land use shall be allowed within the WPO which poses a threat to water quality or the public health, safety, and welfare. Such conditions may arise from any of the following:

- a. Inadequate on-site sewage systems which utilize ground absorption;
- b. Inadequate sedimentation and erosion control measures;
- c. The improper storage or disposal of junk, trash, or other refuse within a buffer area;
- d. The absence or improper implementation of a spill containment plan for toxic and hazardous materials;
- e. The improper management of stormwater runoff; or
- f. Any other situation found to pose a threat to water quality.

2. Density and Lot Coverage Limitations

All new development on land within the WPO shall be configured in accordance with the standards in **Table <>, Development Configuration in the WPO**:

TABLE <>: DEVELOPMENT CONFIGURATION IN THE WPO				
PORTION OF THE WPO	TYPE OF DEVELOPMENT	MAX. # OF DWELLING UNITS PER ACRE (#)	MINIMUM LOT AREA (SF)	MAX. BUILT-UPON AREA (% OF TOTAL ACREAGE IN TRACT)
Critical Area	Single-Family Residential	2	21,780 [1]	No Limit
	All Other Development	No Limit	No Limit	24%
Protected Area	Single-Family Residential	2	21,780 [1]	No Limit
	Single-Family Residential with no Curb & Gutter	3	14,550 [1]	No Limit
	All Other Development	No Limit	No Limit	24% [2]
<p>NOTES:</p> <p>[1] May be reduced in a cluster development, but in no instance shall the minimum lot area be less than what is required for a conservation subdivision.</p> <p>[2] May be increased to 36% in cases where curb and gutter is not provided.</p>				

3. Buffers Required

- a. A minimum 30-foot vegetative buffer for development activities is required along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by County studies. Desirable artificial stream bank or shoreline stabilization is permitted.
- b. No new development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists. These

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activities should minimize built-upon surface area, direct runoff away from the surface waters, and maximize the utilization of stormwater best management practices.

4. **Stormwater Drainage Required**

The application for development in a WPO shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters and incorporates best management practices to minimize water quality impacts.

5. **Erosion and Sedimentation Control**

The application shall, where required, be accompanied by a written statement that a Sedimentation and Erosion Control Plan has been submitted to and approved by the NC Department of Environmental Quality.

6. **Standards for Existing Development**

a. **Continuance**

Any existing development as defined in this section may be continued and maintained subject to these provisions.

Expansions to structures classified as existing development must meet the requirements of this section. However, the built-upon area of the existing development is not required to be included in the density calculations in **Table <>, Development Configuration in the WPO.**

b. **Vacant Lots**

Vacant lots depicted on recorded plats or deeds may be used for any of the uses allowed in the watershed area in which it is located, provided:

1. Where the lot area is below the minimum specified in this Ordinance, the Watershed Administrator shall issue a watershed protection permit prior the establishment of the use.
2. Whenever two or more contiguous residential vacant lots of record are in single ownership at any time after the adoption of this Ordinance and such lots individually have less area than the minimum requirements for residential purposes for the watershed area in which such lots are located, the lots shall be combined to create one or more lots that meet the standards of this section, or if this is impossible, reduced to the extent possible the nonconformity of the lots.

c. **Occupied Lots**

Lots occupied for residential purposes on **(insert the effective date of this Ordinance)** may continue to be used, provided that whenever two or more adjoining lots of record, one of which is occupied, are in single ownership at any time after the adoption of this section, and such lots individually or together have less area than the minimum requirements for residential purposes for the watershed area in which they are located, the lots shall be combined to create lots which meet the minimum size requirements or which minimize the degree of nonconformity.

d. **Nonconforming Uses**

Lawfully-established nonconforming uses established prior to **(insert the effective date of this Ordinance)** shall be considered nonconforming uses, and may be continued in accordance with the following:

1. When a nonconforming use of land has been changed to any allowed use, it shall not thereafter revert to any prohibited or nonconforming use;
2. A nonconforming or prohibited use of land shall be changed only to an allowed use; and
3. When a nonconforming use ceases for a period of at least one year, it shall not be reestablished.

e. **Reconstruction of Nonconformity**

Any existing building or built-upon area not in conformance with the restrictions of this section that has been damaged or removed may be repaired and/or reconstructed only in accordance with the standards in **Article 151.8: Nonconformities**, except that there are no restrictions on single-family residential development, provided:

1. Repair or reconstruction is initiated within 12 months and completed within two years of such damage; and
2. The total amount of space devoted to a built-upon area may not be increased unless stormwater control that equals or exceeds the previous development is provided.

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ZONING DISTRICT ENDNOTES

The following endnotes summarize the changes from the zoning districts in the current zoning ordinance to the zoning districts in the draft UDO.

ⁱ CONSERVATION & PROTECTION (CP)

This district is proposed to replace the current Conservation (CD) district. While the Conservation district is codified, it is not included in the current OZM. It is also included with the provisions pertaining to commercial districts. The new CP district is intended for unbuildable lands like the Great Dismal Swamp or the game lands in the southeast of the County. The new CP district could also be used by an applicant to classify open space or otherwise unbuildable land (such as land within a special flood hazard area) within a larger development. The district allows the use of CP land for parks and recreation-related uses as well as agricultural uses with a special use permit. This draft UDO removes the minimum lot area and minimum lot width standards found in the current ordinance, but includes new dimensional standards (setbacks, lot coverage, height) to address the range of allowable uses.

ⁱⁱ WORKING LANDS (WL)

This district is proposed to replace the current General Use (GUD) district. The name change is proposed to capture the real intent of the district, which is primarily a district for bona fide farms, forestry, and agriculturally-related activities, along with the ability to accommodate very low residential development in the form of conservation subdivisions (currently referred to as open space subdivisions) and manufactured homes on individual lots. The district also allows a variety of other supporting uses like schools, day care, parks, utilities, and public safety facilities. The front setback is proposed for reduction from 100 feet to 50 feet. The conservation subdivision development form establishes a maximum lot size of one acre per lot, though the ability to accommodate smaller lots is desirable (where possible) as a means of preserving more open space. The key objective for the conservation subdivision option is to minimize the appearance of the subdivision from nearby roadways as a means of preserving the rural character of the district. Required setbacks are also reduced in conservation subdivisions.

ⁱⁱⁱ RURAL RESIDENTIAL (RR)

This district is the renamed Basic Residential (R-3-2) district. The “2” in the name means the minimum lot area for the current district is two acres. The district is intended for low density residential development adjacent to agriculture. While the current R-3-2 district does not allow the placement of mobile or manufactured homes, this draft version of the UDO suggests mobile and manufactured homes on individual lots be allowed in this district as a means of dispersing these uses. As with the Working Land district, these standards require all developments of 5 or more residential lots to be configured as conservation subdivisions. Initial suggestions from staff were to reduce the front setback from 50 feet to 25 feet; however, we suggest the current front setback be maintained for uses outside of a conservation subdivision in order to help preserve rural character and ensure sufficient space for roadway widening if ever necessary.

^{iv} SUBURBAN RESIDENTIAL (SR)

This district is the renamed Basic Residential (R-3-1) district, which is the County’s primary zoning district for residential neighborhoods along roadway corridors around village centers and in areas surrounding the most rural portions of the County. The district has a one-acre minimum lot area requirement, which is the basic threshold size for lots with on-site wastewater systems according to Albemarle Regional Health Services. The draft UDO carries forward the SR district with two important changes: conservation subdivisions are optional and mobile homes on individual lots are prohibited (mobile home parks where dwellings are on leaseholds are already prohibited throughout the County). The prohibition of mobile homes on individual lots could create some nonconformities. Manufactured homes are allowed through approval of a special use permit. In addition to these

changes, this draft UDO reduces front setbacks from 50 feet to 25 feet and carries forward the pre-2003 ten-foot rear and side setbacks.

^v NEIGHBORHOOD RESIDENTIAL (NR)

This district is proposed to replace the current Mixed Single-Family (R-2) district found in areas proximate to the three designated village centers (Camden, South Mills, and Shiloh). Despite its current name, the district does not currently allow a wide variety of residential uses (single-family detached dwellings and some forms of mobile homes). Given its location proximate to designated village centers, this draft UDO suggests a series of revisions to make the district slightly more compact and less suburban – for example, removal of the ability to locate mobile and manufactured homes, limitations on agricultural uses, and the ability to reduce the minimum lot area from 40,000 square feet to 30,000 square feet if served by sewer and located within 5,280 linear feet from a designated village center boundary. As with the other districts, this draft UDO suggests simplification of the setbacks by removal of the parallel set of setbacks based on plat dates and conversion of street setbacks to front and corner side setbacks. The setbacks have been reduced to for parity with the Suburban Residential (SR) district.

^{vi} VILLAGE RESIDENTIAL (VR)

This district is proposed to replace the current Mixed Village Residential (R-1) district. The current UDO describes lands zoned R-1 as areas that do not intrude into agricultural areas around village centers. Page 53 of the Evaluation Report identifies this district as intended solely for lands located within a village center. The Comprehensive Plan indicates that village centers are to be the areas of highest density and intensity in the County. Based on its location within designated village centers, the VR district accommodates a wide variety of residential uses including duplexes, live/work units, single-family attached, and single-family detached dwellings. The district does not allow mobile homes, manufactured homes, conservation subdivisions, or agricultural uses. As a means of creating compact, functional neighborhoods, the district allows a wide variety of institutional uses (community centers, day care, schools, assisted living, religious institutions, parks, and utilities). This draft of the UDO proposes a 10,000 square foot reduction in minimum lot area (to 30,000 sf) along with an additional 10,000 sf reduction in minimum area requirements for lots served by public sewer. Setbacks have been reduced by 20 percent across the board. Maximum heights are increased by allowing maximum height to be measured from base flood elevation.

^{vii} CROSSROADS COMMERCIAL (CC)

The Crossroads Commercial district replaces the Neighborhood Commercial (NCD) district. The district is intended to accommodate neighborhood-serving low intensity commercial uses within 500 linear feet of primary street intersections (sub-collector and higher) located outside village centers and away from primary commercial corridors. The current zoning map identifies several isolated parcels designated as NCD within neighborhoods that are primarily related to water or water-dependent uses. Page 54 of the Evaluation Report suggests that these isolated NCD parcels be rezoned to the new Marine Commercial (MC) district since they are engaged in water-related activity and not located within 500 linear feet of a primary street intersection. The maximum district size of up to four acres is carried forward, as is the 40,000 square foot minimum lot size (although there is ability to reduce that requirement to 30,000 if public sewer serves the lot). The same setback simplification recommendations (removal of differential setbacks based on plat date and conversion of street setbacks to front and corner side setbacks) are also carried forward. The current FAR of 0.5 is not carried forward. Commercial development will be subject to the new commercial design standards in Article 151.5: Development Standards, which will incorporate and expand on the commercial design standards for the district in Section 151.031.B.2.

^{viii} VILLAGE COMMERCIAL (VC)

The Village Commercial district replaces the Community Core (CCD) district. The district accommodates moderate intensity nonresidential and residential development within the County's three designated village centers (Camden, South Mills, and Shiloh). The district is intended to promote compact, pedestrian-oriented development that is human-scale and avoids automobile dominated streetscapes. Buildings are built close to the street, include ground-level retail and personal services uses that help to establish the area as a vibrant center for shopping, recreation, and human interaction. Vertically-integrated mixed-uses, including live/work units and upper-story residential are strongly encouraged, and multi-family development is allowed with a special use permit. Agriculture, low density commercial, industrial, and monolithic building forms are prohibited. Village centers areas are intended to be served by well-connected street and sidewalk systems that support outdoor dining and activity on the street front. In recognition of the desire for the VC district to foster compact, walkable development, the dimensional requirements (including lot area and setbacks requirements) have been reduced. The district requires urban-style (greens, seating areas, plazas, pocket parks, roof gardens, etc.) open space resources to be included as a part of new development. Building heights are measured from the base flood elevation. The

commercial and multi-family design standards in Section 151.031.B.1 are carried forward and supplemented with new design standards in Article 151.5: Development Standards.

^{ix} MIXED USE (MX)

The Mixed Use district is a new district included in the draft UDO. While no land is currently designated MX, the district is available for applicants who own land within a designated village center and wish to file a map amendment application to establish the district. The County may wish to waive the application fees for these applications. The district is intended as the highest density/intensity district in the County and should only be located within the core of a designated village center. The district does not include mandatory use mixing requirements (as these can run contrary to market forces), but does require the ground floor of all buildings in the district to be built to the commercial building code, regardless of the intended use type. This makes it easy for ground-floor residential uses to be converted to nonresidential use as demand for nonresidential space grows. The district allows the widest variety of residential, institutional, and commercial use types and is structured to provide incentives, in the form of reduced dimensional standards and some softened development standards like parking and landscaping, for developments comprised of mixed uses. Unlike the other zoning districts, the MX district does not include open space requirements. There are mixed-use design standards in Article 151.5: Development Standards, in addition to commercial and residential design standards.

^x HIGHWAY COMMERCIAL (HC)

The Highway Commercial district appends the current Highway Commercial (HC) district in Section 151.031.B.3. The Highway Commercial district is applied to lots along the County's major roadways and is intended for automobile-oriented commercial development as well as large floorplate commercial uses and uses that require or generate truck traffic. One of the primary objectives for the HC district is to raise the bar for development quality, particularly with respect to the appearance of new development. The first 1,000 linear feet of land adjacent to US 158, US 17, NC 34, and NC 343 is recommended for inclusion in the proposed Commercial Corridor Overlay (CCO) that address the appearance of development by applying design standards or requiring development to be fully screened from the adjacent major roadway. As a means of preserving compatibility along the back side of lots lining a major roadway, the CCO district includes limitations on outdoor activity and storage along lot lines abutting residential zoning districts. Other standards in the draft UDO address regular placement of roadway stubs to help ensure the establishment of adequate roadway and pedestrian networks along major transportation facilities.

^{xi} MARITIME COMMERCIAL (MC)

This MC district carries forward the standards in Section 151.031(B)(4) of the current UDO, and changes the district name from Marine Commercial to Maritime Commercial. The current UDO includes no information on the district dimensional standards so the provisions from the Neighborhood Residential (NR) district are used for residential development and the provisions from Crossroads Commercial (CC) are used for nonresidential and mixed-use development.

^{xii} LIGHT INDUSTRIAL (LI)

The LI district carries forward Section 151.032(A) of the current UDO, and changes the district name from I-1 to LI or "Light Industrial" to be more intuitive. The district includes a more detailed purpose statement and a new minimum separation distance for allowable uses of 40 feet from an adjacent residential zoning district.

^{xiii} HEAVY INDUSTRIAL (HI)

The HI district carries forward the standards in Section 151.032(B) of the current ordinance with a more defined purpose statement. It also incorporates the mining overlay district standards in Section 151.034, since the mining overlay district is not proposed to be carried forward. Extractive industrial use types like mining and quarrying are permitted as special uses in the HI district. District standards include new minimum separation standards for allowable uses of 50 feet from an adjacent residential zoning district as well as an increased maximum height limit of 50 feet.