

# ZONING DISTRICTS



## Key Changes in Article 151.3:

- Consolidates all zoning-district related information (including density and dimensional standards) into a single article
- More intuitive district names
- Increased use of graphics and example illustrations
- New purpose statements that better describe the intent and configuration of each zoning district
- Introducing 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 commercial corridor overlay district along major highways
- No more application of most restrictive district standard to bifurcated lots

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# ARTICLE 151.3 ZONING DISTRICTS

## 3.1 GENERAL PROVISIONS<sup>74</sup>

### 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 procedure in **Section <>, Sustainability Incentives**.

### 3.1.4 GENERALLY APPLICABLE DIMENSIONAL STANDARDS<sup>75</sup>

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.
- 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.

<sup>74</sup> NOTE TO STAFF: This is a new section that establishes the types of zoning districts, and set out the general parameters applicable to all districts. It is typical to include language explaining the relationship of general zoning districts to conditional zoning districts, though the current UDO does not address conditional rezonings (though there are provisions dealing with applicant-proposed conditions in the zoning map amendment procedure). Additional discussion is necessary regarding the County’s desire to allow applicants to request conditional rezonings.

<sup>75</sup> NOTE TO STAFF: Page 57 of the Evaluation Report suggests carrying forward the average setback provisions in the current ordinance. Many of the setback standards in the more suburban and central districts have already been reduced, and as a result the need for average setbacks may be removed. Additional discussion is needed on this issue.

# ARTICLE 151.3 ZONING DISTRICTS

## Section 3.2 General Zoning Districts Established<sup>75F</sup>

### 3.2.1 Organization of District Standards

## 3.2 GENERAL ZONING DISTRICTS ESTABLISHED<sup>76</sup>

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
<b>SPECIAL DISTRICTS</b>	
CP	Conservation & Protection
<b>RESIDENTIAL DISTRICTS</b>	
WL	Working Lands
RR	Rural Residential
SR	Suburban Residential
NR	Neighborhood Residential
VR	Village Residential
<b>COMMERCIAL DISTRICTS</b>	
CC	Crossroads Commercial
VC	Village Commercial
HC	Highway Commercial
MC	Maritime Commercial
MX	Mixed-Use
LI	Light Industrial
HI	Heavy Industrial
<b>PLANNED DEVELOPMENT</b>	
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. The range of allowable uses for each general zoning district are identified in Table <>, Principal Use Table.
- E. Some zoning districts include district-specific standards that apply to all lands in the particular zoning district classification.

<sup>76</sup> 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.

## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.3 Official Zoning Map76F

#### 3.3.1 General77F

## 3.3 OFFICIAL ZONING MAP<sup>77</sup>

### 3.3.1 GENERAL<sup>78</sup>

- 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.

### 3.3.3 INTERPRETATION OF BOUNDARIES<sup>79</sup>

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 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**).
- I. 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**.

<sup>77</sup> NOTE TO STAFF: During preparation of the Evaluation Report, the issue of an annual re-certification of the Official Zoning Map by the BOC was raised as a possibility for consideration since the map is in digital form. While this is not a legal requirement, it could be something undertaken by the County. If the UDO includes the requirement and the recertification is not completed, it could create legal exposure. Nonetheless, we will be happy to include a subsection on this process in Section 3.3.

<sup>78</sup> 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.

<sup>79</sup> This section replaces Section 151.533 of the current ordinance and authorizes the UDO Administrator to interpret the Official Zoning Map.

## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.3 Official Zoning Map76F

#### 3.3.4 Changes to Official Map79F

- J. 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 MAP<sup>80</sup>

- 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.

<sup>80</sup> This section replaces Section 151.046 of the current ordinance.

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.4 Special Districts**

3.4.1 Conservation and Protection (CP) District266F

**3.4 SPECIAL DISTRICTS**

**3.4.1 CONSERVATION AND PROTECTION (CP) DISTRICT<sup>i</sup>**

<h1 style="margin: 0;">CP</h1> <h2 style="margin: 0;">Conservation &amp; Protection</h2>		<b>A. Purpose Statement</b>	
		<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>B. Dimensional Requirements</b>			
#	STANDARD TYPE	REQUIREMENT	
	Maximum Residential Density (units/acre)	N/A	
	Minimum Lot Area (square feet)	N/A	
	Minimum Lot Width (feet)	N/A	
<b>A</b>	Maximum Lot Coverage (% of lot area)	24 [1]	
<b>B</b>	Minimum Front Setback (feet)	100	
<b>C</b>	Minimum Corner Side Setback (feet)	100	
<b>D</b>	Minimum Interior Side Setback (feet)	25	
<b>E</b>	Minimum Rear Setback (feet)	25	
<b>F</b>	Minimum Principal Building Setback, Front-to-Back (feet) [2]	40	
<b>G</b>	Minimum Principal Building Setback, Side-to-Side (feet) [2]	20	
<b>H</b>	Minimum Accessory Building Setback (feet)	20	
<b>I</b>	Maximum Building Height (feet)	15	
<b>NOTES:</b>			
[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 the same lot.			



ARTICLE 151.3 ZONING DISTRICTS

Section 3.4 Special Districts

3.4.1 Conservation and Protection (CP) District 266F

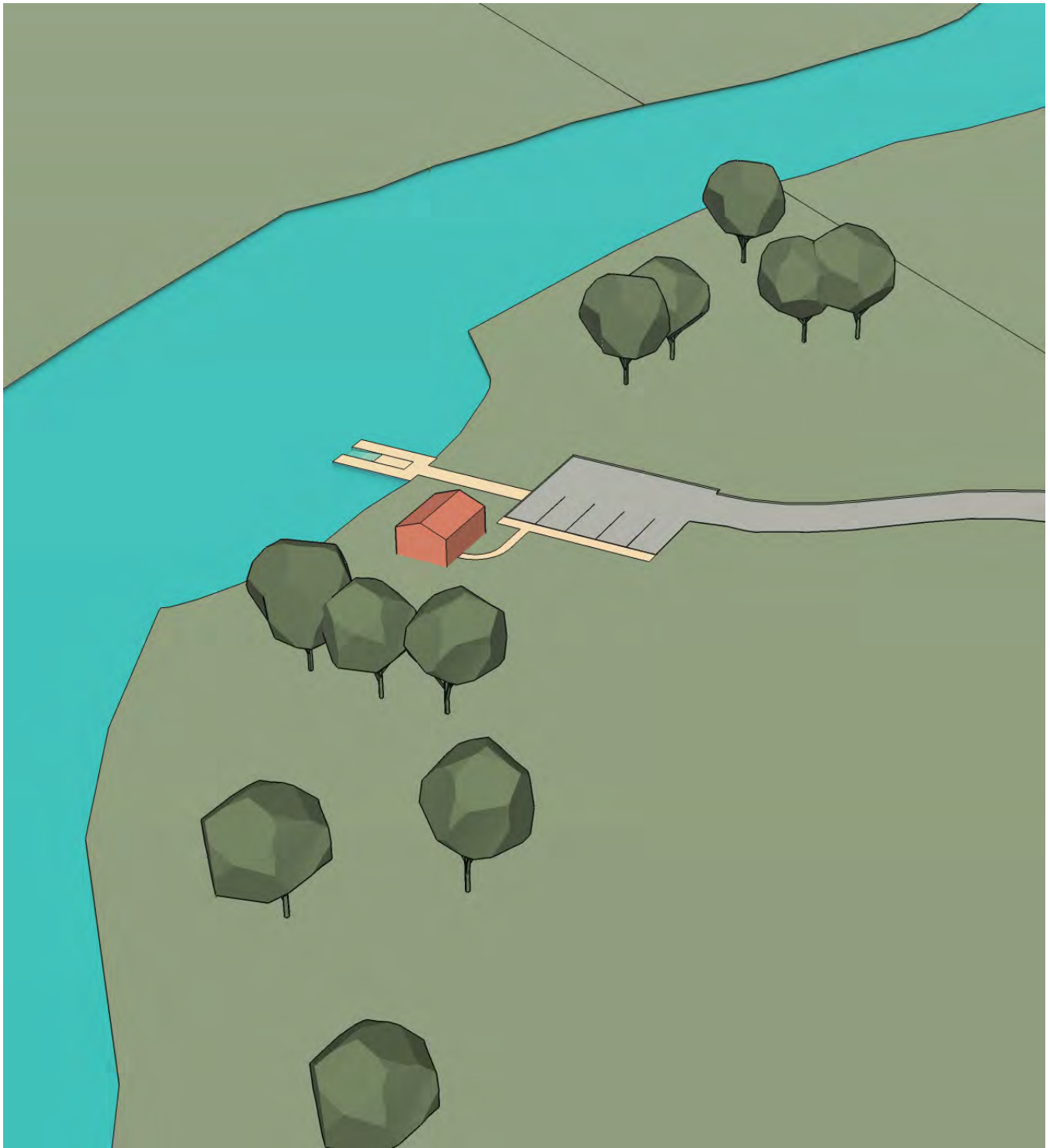
C. Lot Pattern Example	D. District Dimensional Standards
	
E. Preferred Development Examples	
  	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.4 Special Districts

3.4.1 Conservation and Protection (CP) District 266F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

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**Section 3.4 Special Districts**

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3.4.2 Reserved

**3.4.2 RESERVED**

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[placeholder for future use]

## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.5 Residential Districts<sup>80F</sup>

#### 3.5.1 General Purpose and Intent

## 3.5 RESIDENTIAL DISTRICTS<sup>81</sup>

### 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.

<sup>81</sup> 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.

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.5 Residential Districts80F**

3.5.2 Working Lands (WL) District267F

**3.5.2 WORKING LANDS (WL) DISTRICT<sup>ii</sup>**

<p style="font-size: 48pt; margin: 0;">WL</p> <p style="font-size: 36pt; margin: 0;">Working</p> <p style="font-size: 36pt; margin: 0;">Lands</p>	<p><b>A. Purpose Statement</b></p>
	<p>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 <del>five or more</del> <b>than five</b> lots. 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.</p>

**B. Dimensional Requirements**

#	STANDARD TYPE	REQUIREMENTS FOR TRADITIONAL DEVELOPMENT	REQUIREMENTS FOR CONSERVATION SUBDIVISIONS [1]
<b>A</b>	Minimum Development Size (acres)	N/A	10
<b>B</b>	Maximum Residential Density (units/acre)	0.2	1
<b>C</b>	Minimum Lot Area (acres)	5	1
<b>D</b>	Minimum Lot Width (feet) [2]	300	60
<b>E</b>	Maximum Lot Coverage (% of lot area) [3]	24	<del>24</del> <b>7224</b>
<b>F</b>	Minimum Open Space (% of development size) [4]	15	50
<b>G</b>	Minimum Front Setback (feet)	50	20
<b>H</b>	Minimum Corner Side Setback (feet)	50	20
<b>I</b>	Minimum Interior Side Setback (feet)	25	10
<b>J</b>	Minimum Rear Setback (feet)	25	15
<b>K</b>	Minimum Principal Building Setback, Front-to-Back (feet) [5]	20	10
<b>L</b>	Minimum Principal Building Setback, Side-to-Side (feet) [5]	15	5
<b>M</b>	Minimum Accessory Building Setback (feet)	10	3
<b>N</b>	Minimum Setback from Agricultural Activity (feet) [6]	50	50
<b>O</b>	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 subdivision 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.



ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.2 Working Lands (WL) District267F

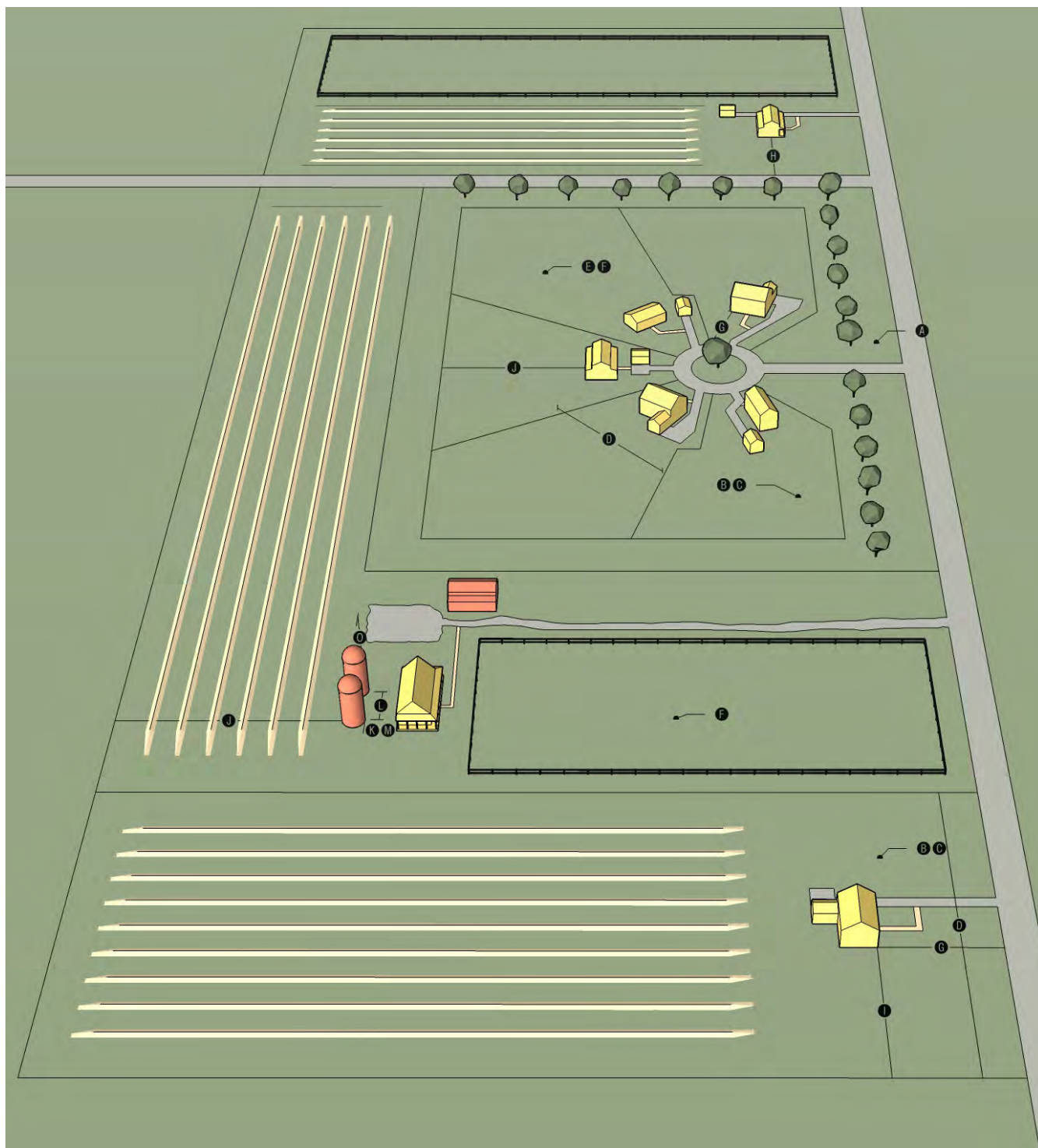
C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.2 Working Lands (WL) District267F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.5 Residential Districts80F**

3.5.3 Rural Residential (RR) District268F

**3.5.3 RURAL RESIDENTIAL (RR) DISTRICT<sup>iii</sup>**

<h1 style="margin: 0;">RR</h1> <h2 style="margin: 0;">Rural Residential</h2>	<b>A. Purpose Statement</b>
	<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 <del>five or more</del> <b>than five</b> lots. 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]
<b>A</b>	Minimum Development Size (acres)	N/A	10
<b>B</b>	Maximum Residential Density (units/acre)	0.5	1
<b>C</b>	Minimum Lot Area (acres)	2	1
<b>D</b>	Minimum Lot Width (feet) [2]	125	60
<b>E</b>	Maximum Lot Coverage (% of lot area) [3]	24	<del>24</del> <b>72</b>
<b>F</b>	Minimum Open Space (% of development size) [4]	15	50
<b>G</b>	Minimum Front Setback (feet)	50	20
<b>H</b>	Minimum Corner Side Setback (feet)	50	20
<b>I</b>	Minimum Interior Side Setback (feet)	25	10
<b>J</b>	Minimum Rear Setback (feet)	25	15
<b>K</b>	Minimum Principal Building Setback, Front-to-Back (feet) [5]	20	10
<b>L</b>	Minimum Principal Building Setback, Side-to-Side (feet) [5]	15	5
<b>M</b>	Minimum Accessory Building Setback (feet)	10	3
<b>N</b>	Minimum Setback from Agricultural Activity (feet) [6]	50	50
<b>O</b>	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 subdivision 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.


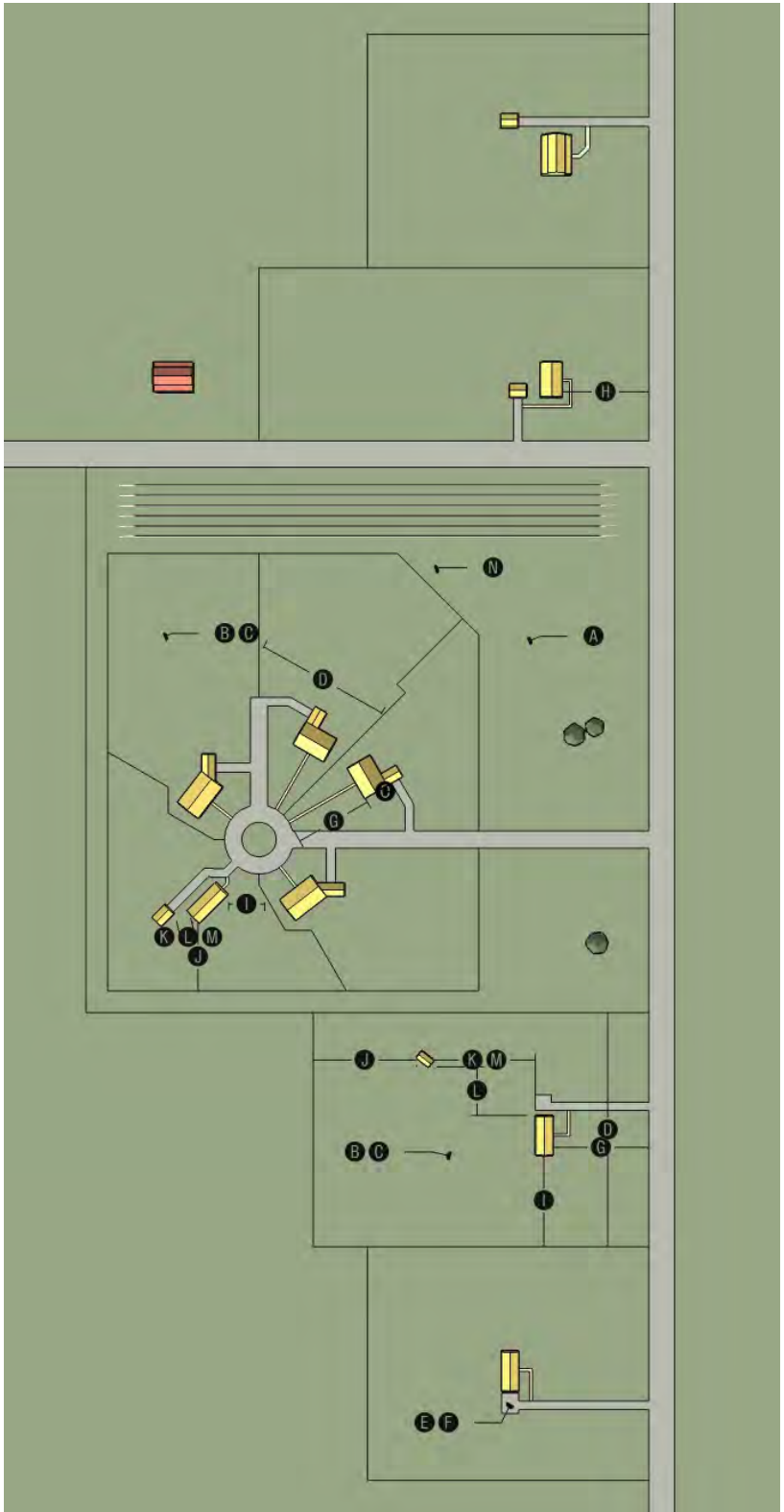

[7] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.



ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.3 Rural Residential (RR) District268F

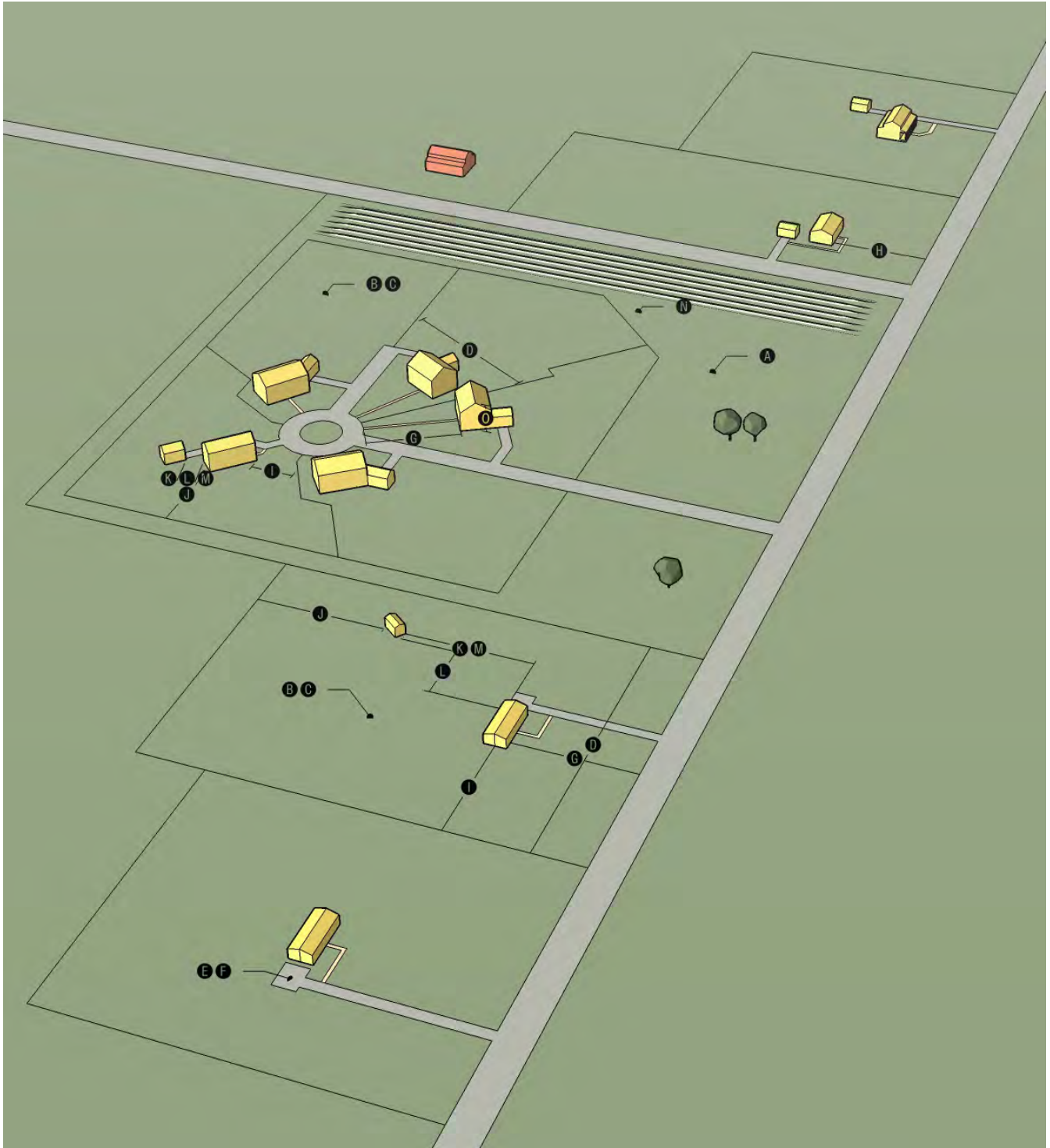
C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.3 Rural Residential (RR) District268F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.5 Residential Districts80F**

3.5.4 Suburban Residential (SR) District269F

**3.5.4 SUBURBAN RESIDENTIAL (SR) DISTRICT<sup>iv</sup>**

<h1 style="margin: 0;">SR</h1> <h2 style="margin: 0;">Suburban Residential</h2>	<b>A. Purpose Statement</b>
	<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 <del>five</del> <b>more than five</b> lots <del>or more</del>. 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
<b>A</b>	Minimum Development Size (acres)	N/A	10
<b>B</b>	Maximum Residential Density (units/acre)	1	1
<b>C</b>	Minimum Lot Area (acres)	2	1
<b>D</b>	Minimum Lot Width (feet) [2]	125	60
<b>E</b>	Maximum Lot Coverage (% of lot area) [3]	24	<del>72</del> <b>24</b>
<b>F</b>	Minimum Open Space (% of development size) [4]	15	50
<b>G</b>	Minimum Front Setback (feet)	25	20
<b>H</b>	Minimum Corner Side Setback (feet)	25	20
<b>I</b>	Minimum Interior Side Setback (feet)	10	10
<b>J</b>	Minimum Rear Setback (feet)	10	10
<b>K</b>	Minimum Principal Building Setback, Front-to-Back (feet) [5]	15	10
<b>L</b>	Minimum Principal Building Setback, Side-to-Side (feet) [5]	10	5
<b>M</b>	Minimum Accessory Building Setback (feet)	10	3
<b>N</b>	Minimum Setback from Agricultural Activity (feet) [6]	50	50
<b>O</b>	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 subdivision and nonresidential developments.

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


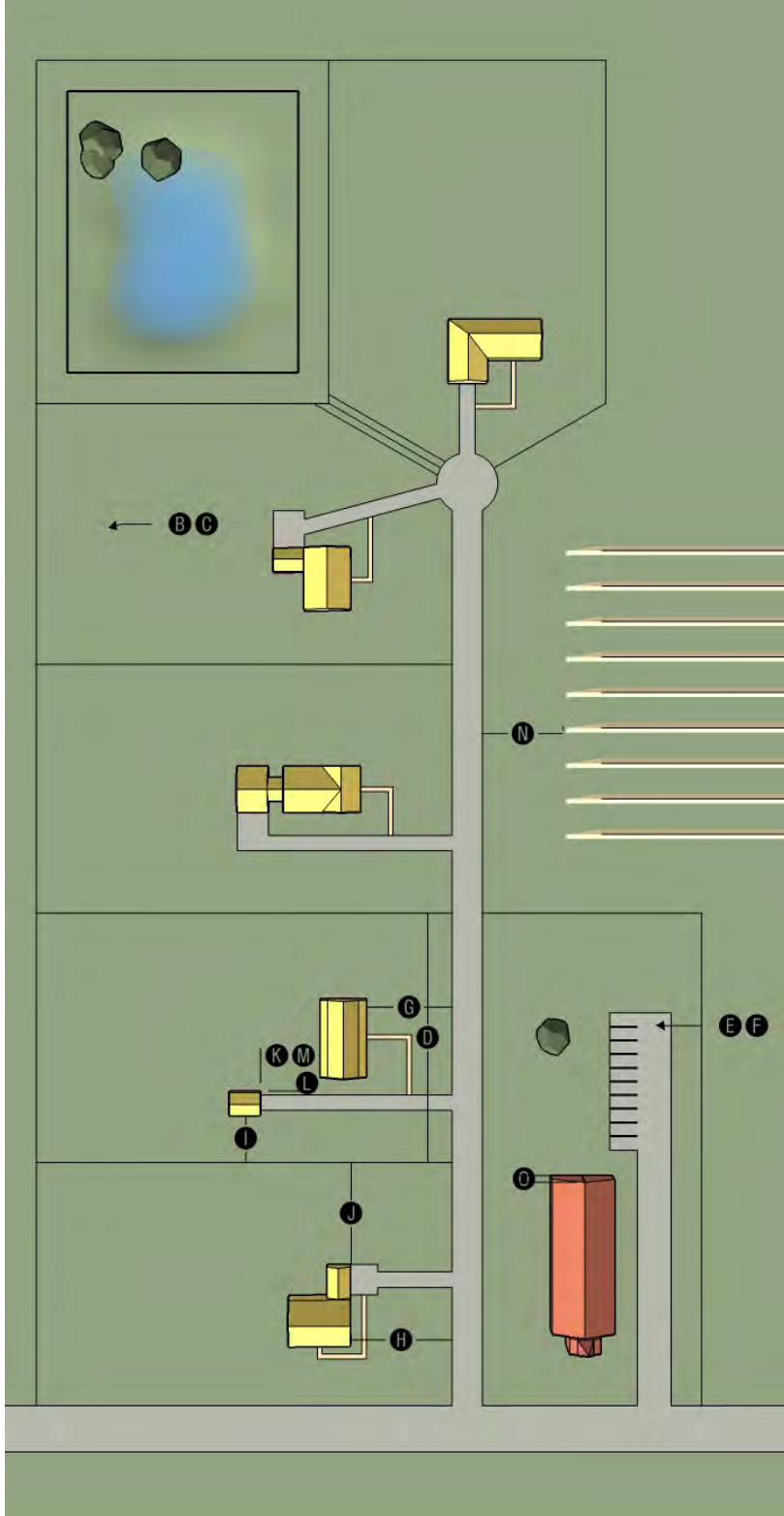



[6] Setback is applied from the perimeter of agricultural activity occurring on the same or an adjacent lot.



ARTICLE 151.3 ZONING DISTRICTS

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3.5.4 Suburban Residential (SR) District269F

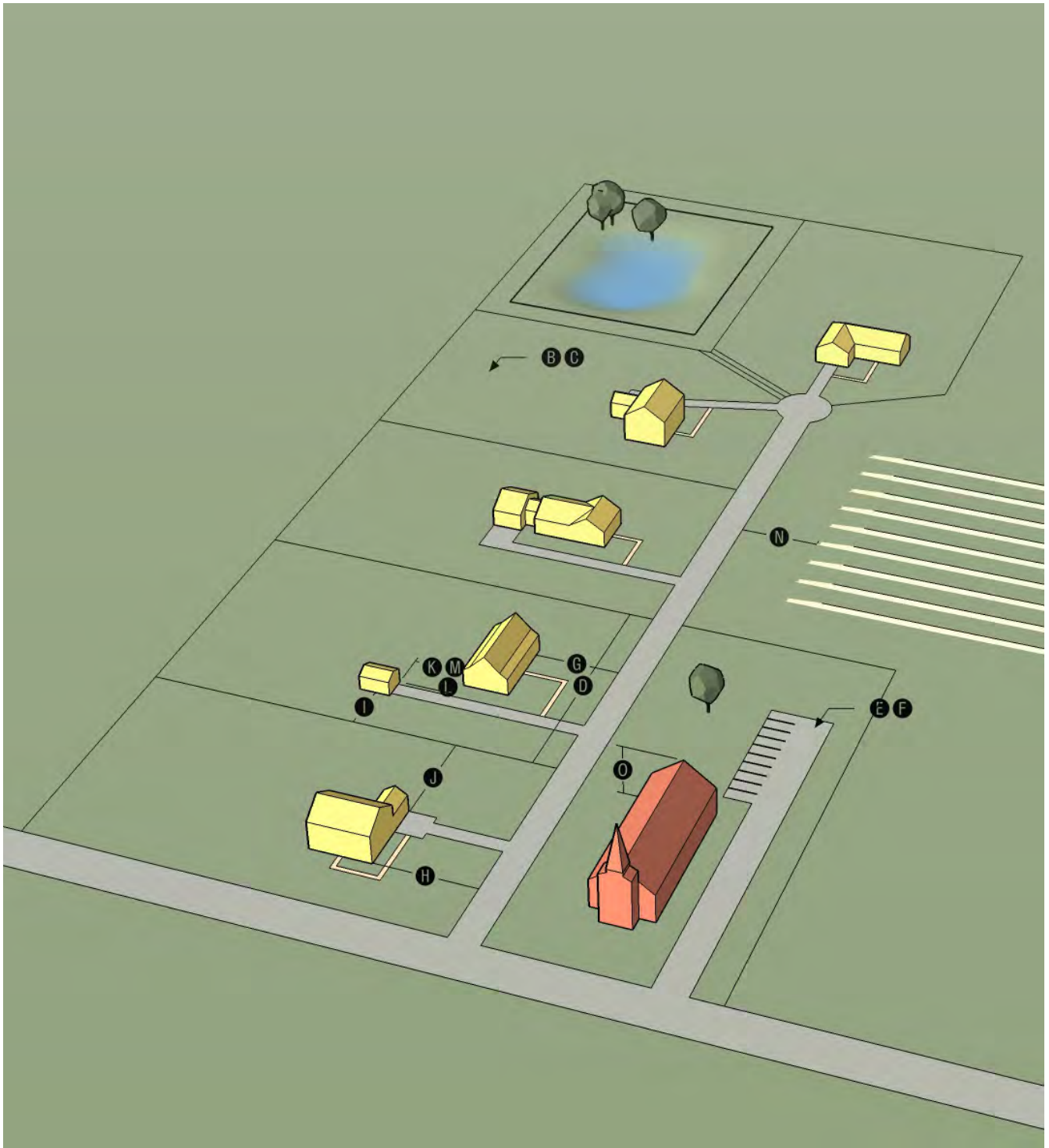
<p><b>C. Lot Pattern Example</b></p>	<p><b>D. District Dimensional Standards</b></p>
	
<p><b>E. Preferred Development Examples</b></p>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.4 Suburban Residential (SR) District269F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.5 Residential Districts80F**

3.5.5 Neighborhood Residential (NR) District270F

**3.5.5 NEIGHBORHOOD RESIDENTIAL (NR) DISTRICT<sup>v</sup>**

<h1 style="margin: 0;">NR</h1> <h2 style="margin: 0;">Neighborhood Residential</h2>		<p><b>A. Purpose Statement</b></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>B. Dimensional Requirements</b></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 align="center">A</td> <td>Maximum Residential Density (units/acre)</td> <td align="center">1.08 [1]</td> </tr> <tr> <td align="center">B</td> <td>Minimum Lot Area (square feet)</td> <td align="center">40,000 [2]</td> </tr> <tr> <td align="center">C</td> <td>Minimum Lot Width (feet) [3]</td> <td align="center">125 [4]</td> </tr> <tr> <td align="center">D</td> <td>Maximum Lot Coverage (% of lot area)</td> <td align="center">24 [5]</td> </tr> <tr> <td align="center">E</td> <td>Minimum Open Space (% of development area)</td> <td align="center">15</td> </tr> <tr> <td align="center">F</td> <td>Minimum Front Setback (feet)</td> <td align="center">25 [6]</td> </tr> <tr> <td align="center">G</td> <td>Minimum Corner Side Setback (feet)</td> <td align="center">25 [6]</td> </tr> <tr> <td align="center">H</td> <td>Minimum Interior Side Setback (feet)</td> <td align="center">10</td> </tr> <tr> <td align="center">I</td> <td>Minimum Rear Setback (feet)</td> <td align="center">10</td> </tr> <tr> <td align="center">J</td> <td>Minimum Principal Building Setback, Front-to-Back (feet) [7]</td> <td align="center">15</td> </tr> <tr> <td align="center">K</td> <td>Minimum Principal Building Setback, Side-to-Side (feet) [7]</td> <td align="center">10</td> </tr> <tr> <td align="center">L</td> <td>Minimum Accessory Building Setback (feet)</td> <td align="center">10</td> </tr> <tr> <td align="center">M</td> <td>Maximum Building Height (feet)</td> <td align="center">35</td> </tr> </tbody> </table>		#	STANDARD TYPE	REQUIREMENT	A	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)	15	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 Principal Building Setback, Front-to-Back (feet) [7]	15	K	Minimum Principal Building Setback, Side-to-Side (feet) [7]	10	L	Minimum Accessory Building Setback (feet)	10	M
#	STANDARD TYPE	REQUIREMENT																																									
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K	Minimum Principal Building Setback, Side-to-Side (feet) [7]	10																																									
L	Minimum Accessory Building Setback (feet)	10																																									
M	Maximum Building Height (feet)	35																																									
<p><b>NOTES:</b></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 liner 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, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).</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 Districts80F

3.5.5 Neighborhood Residential (NR) District270F

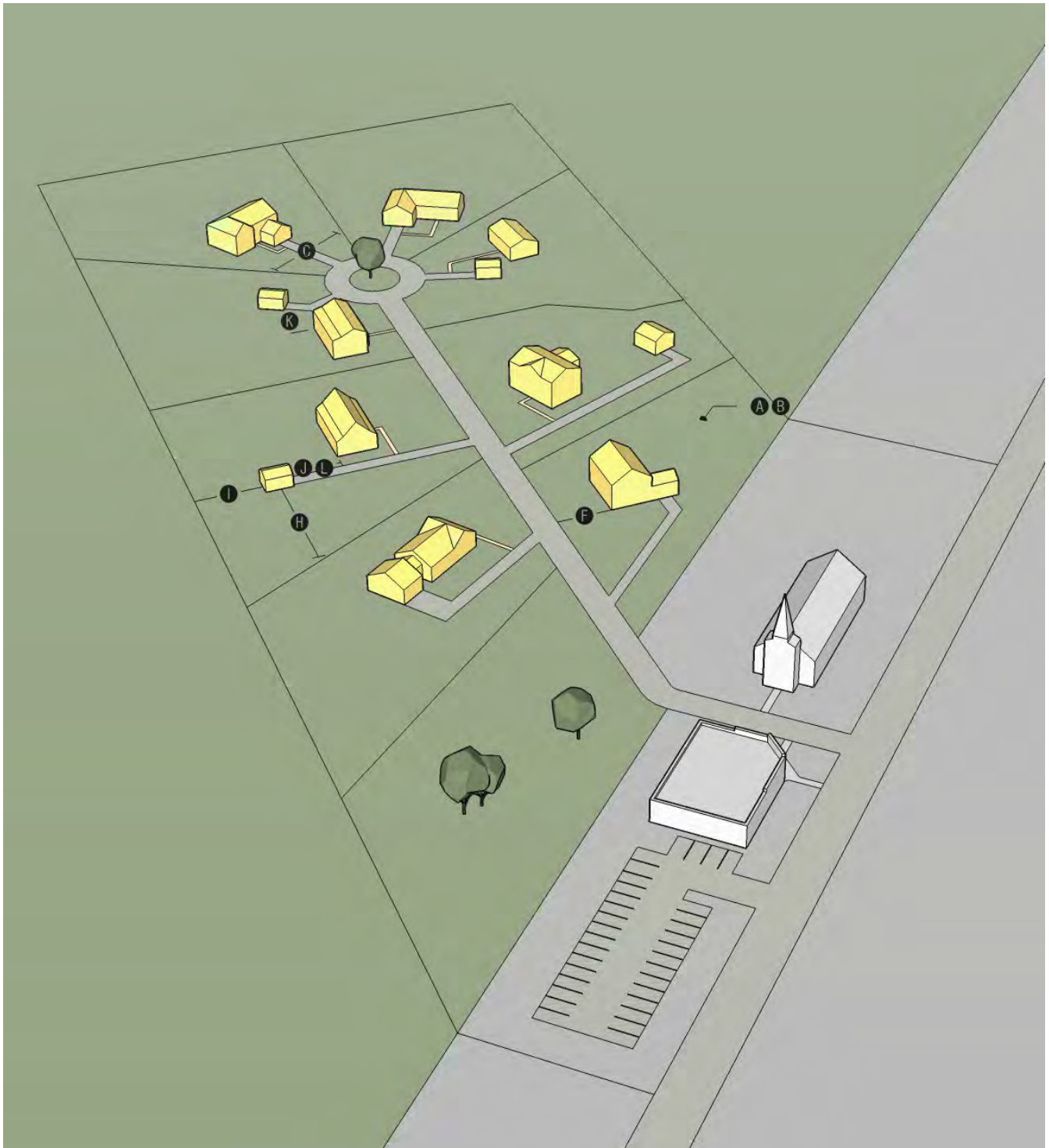
<p><b>C. Lot Pattern Example</b></p>	<p><b>D. District Dimensional Standards</b></p>
	
<p><b>E. Preferred Development Examples</b></p>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.5 Neighborhood Residential (NR) District270F

F. Development Configuration Example





**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.5 Residential Districts80F**

3.5.6 Village Residential (VR)271F

**3.5.6 VILLAGE RESIDENTIAL (VR)<sup>vi</sup>**

<h1 style="margin: 0;">VR</h1> <h2 style="margin: 0;">Village Residential</h2>	<b>A. Purpose Statement</b>			
	<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>B. Dimensional Requirements</b>				
#	STANDARD TYPE	REQUIREMENT		
		SINGLE-FAMILY DETACHED	ALL OTHER RESIDENTIAL	NON-RESIDENTIAL
<b>A</b>	Maximum Residential Density (units/acre)	1.45 [1]		N/A
<b>B</b>	Minimum Lot Area (square feet)	30,000 [2]	15,000 per unit [3]	30,000
<b>C</b>	Minimum Lot Width (feet)	100 [4] [5]	100 [6]	125
<b>D</b>	Maximum Lot Coverage (% of lot area)	24 [7]		
<b>E</b>	Minimum Open Space (% of development area)	15		10
<b>F</b>	Minimum Front Setback (feet) [8]	20	20 [9]	25
<b>G</b>	Minimum Corner Side Setback (feet) [8]	20	20 [9]	25
<b>H</b>	Minimum Interior Side Setback (feet)	10	10 [9] [10]	15
<b>I</b>	Minimum Rear Setback (feet)	10	10 [9]	15
<b>J</b>	Minimum Principal Building Setback, Front-to-Back (feet) [11]	N/A	30	
<b>K</b>	Minimum Principal Building Setback, Side-to-Side (feet) [11]	N/A	15	
<b>L</b>	Minimum Accessory Building Setback (feet)	8		10
<b>M</b>	Maximum Building Height (feet)	35 [12]		
<b>NOTES:</b>				
[1] Maximum residential density may be increased to 2.17 units per acre on lots served by public sewer.				
[2] Minimum lot area may be reduced to 20,000 square feet on lots served by public sewer.				
[3] Minimum lot area may be reduced to 12,000 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 linear 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, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).				
[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 Districts80F

3.5.6 Village Residential (VR)271F

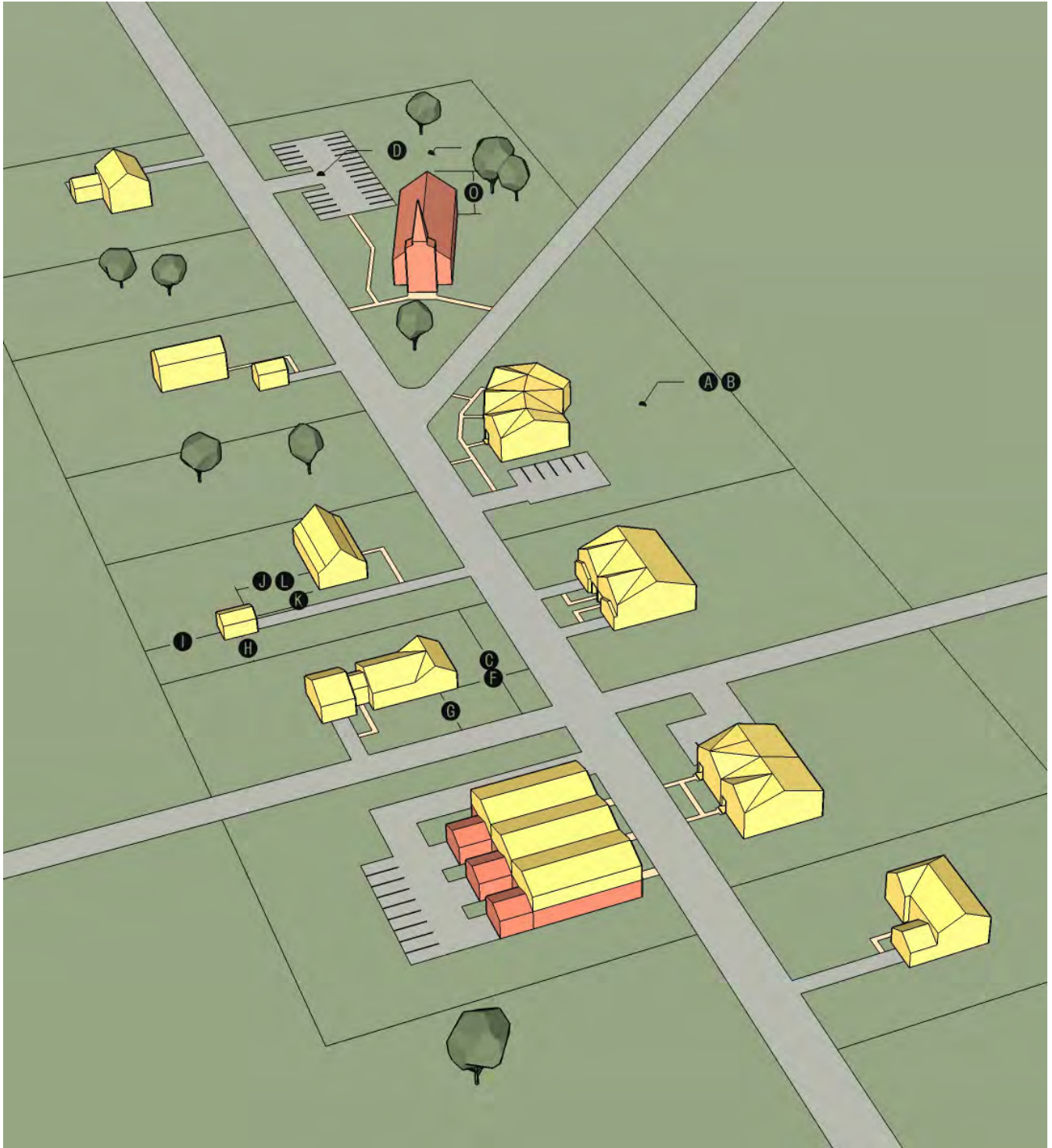
C. Lot Pattern Example	D. District Dimensional Standards
	
<b>E. Preferred Development Examples</b>	
	
	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.5 Residential Districts80F

3.5.6 Village Residential (VR)271F

F. Development Configuration Example



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**ARTICLE 151.3 ZONING DISTRICTS**

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**Section 3.5 Residential Districts80F**

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3.5.7 Reserved

**3.5.7 RESERVED**

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## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.6 Commercial Districts<sup>81F</sup>

#### 3.6.1 General Purpose and Intent

## 3.6 COMMERCIAL DISTRICTS<sup>82</sup>

### 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 pedestrian options; and
- J.** Minimize the impact of commercial development on residential uses, agriculture, sensitive natural environments, and the County's community character.

<sup>82</sup> 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 Districts81F**

3.6.2 Crossroads Commercial (CC) District272F

**3.6.2 CROSSROADS COMMERCIAL (CC) DISTRICT<sup>vii</sup>**

<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>		<b>A. Purpose Statement</b>	
		<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>B. Dimensional Requirements</b>			
#	STANDARD TYPE	REQUIREMENT	
		NONRESIDENTIAL DEVELOPMENT	RESIDENTIAL AND MIXED-USE DEVELOPMENT
<b>A</b>	Maximum District Size (acres)	4	
<b>B</b>	Maximum Residential Density (units/acre)	N/A	1.4 [1]
<b>C</b>	Minimum Lot Area (square feet)	40,000	30,000 [2]
<b>D</b>	Minimum Lot Width (feet)	125	100
<b>E</b>	Maximum Lot Coverage (% of lot area)	24 [3]	
<b>F</b>	Minimum Open Space (% of development area)	10	15
<b>G</b>	Minimum Front Setback (feet)	20	25
<b>H</b>	Minimum Corner Side Setback (feet)	20	25
<b>I</b>	Minimum Interior Side Setback (feet)	10	10
<b>J</b>	Minimum Rear Setback (feet)	10	10
<b>K</b>	Minimum Principal Building Setback, Front-to-Back (feet) [4]	0 [5]	10
<b>L</b>	Minimum Principal Building Setback, Side-to-Side (feet) [4]	0 [5]	10
<b>M</b>	Minimum Accessory Building Setback (feet)	3	5
<b>N</b>	Maximum Building Height (feet)	35 [6] [7]	
<p><b>NOTES:</b>                  [1] Maximum density may be increased to 2.17 units per acre on lots served by public sewer.                  [2] Minimum Lot area may be reduced to 20,000 square feet on lots served by public sewer.                  [3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.                  [4] Applied in cases where there are two or more principal buildings on a single lot.                  [5] If a building setback is provided, it shall be at least five feet.                  [6] Height is measured from base flood elevation (BFE).                  [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 Districts81F

3.6.2 Crossroads Commercial (CC) District272F

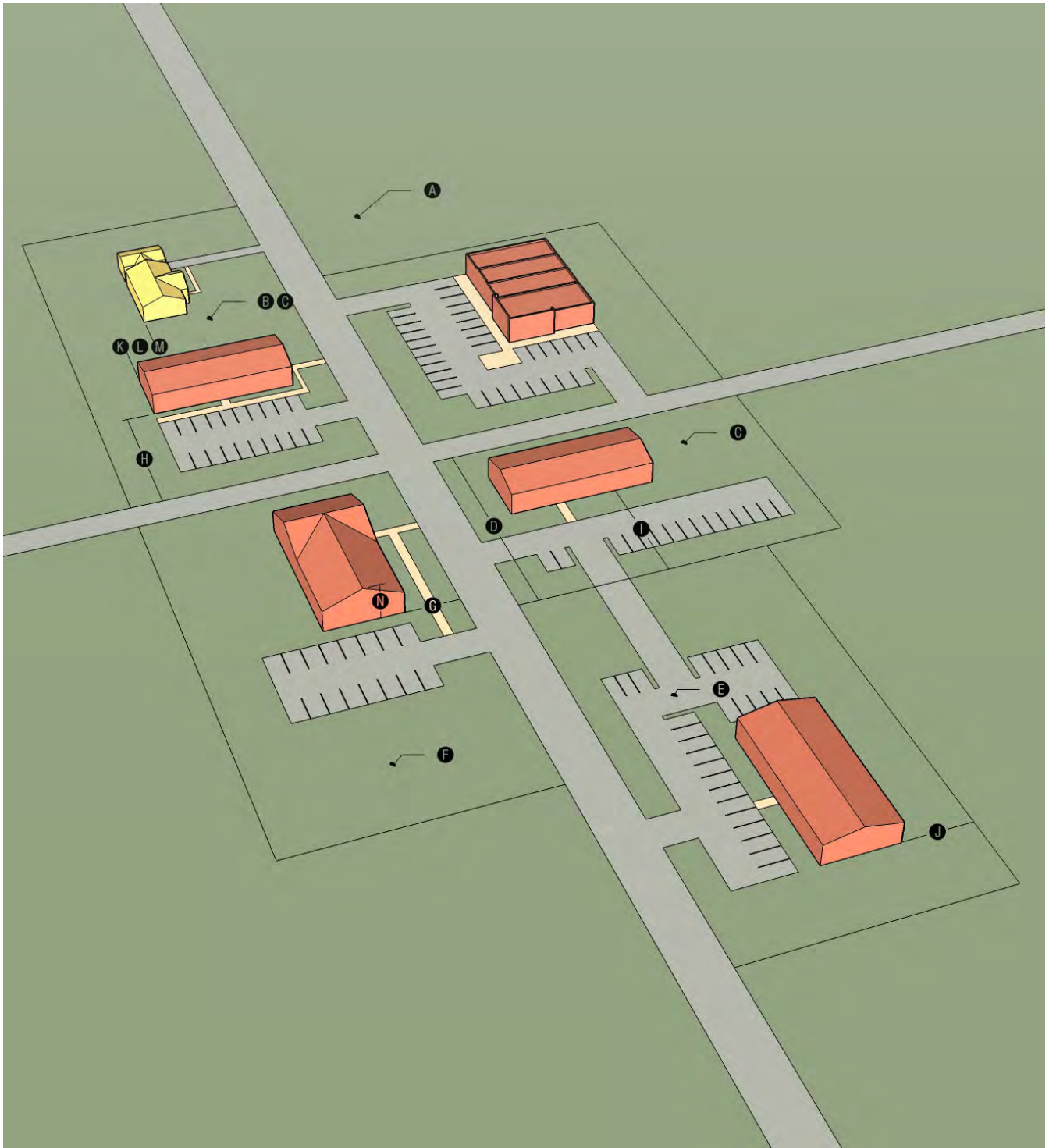
C. Lot Pattern Example	D. District Dimensional Standards
	
<p>E. Preferred Development Examples</p>	
	

ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts81F

3.6.2 Crossroads Commercial (CC) District272F

F. Development Configuration Example





**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.3 Village Commercial (VC) District273F

**3.6.3 VILLAGE COMMERCIAL (VC) DISTRICT<sup>viii</sup>**

<p style="font-size: 2em; margin: 0;">VC</p> <p style="font-size: 1.5em; margin: 0;">Village</p> <p style="font-size: 1.5em; margin: 0;">Commercial</p>	<b>A. Purpose Statement</b>			
	<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>B. Dimensional Requirements</b>				
#	STANDARD TYPE	REQUIREMENT		
		RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
<b>A</b>	Maximum Residential Density (units/acre)	2.17 [1]	4.35	N/A
<b>B</b>	Minimum Lot Area (square feet)	20,000 per unit [2]	40,000	
<b>C</b>	Minimum Lot Width (feet)	100 [3] [4] [5]	100 [3] [6]	
<b>D</b>	Maximum Lot Coverage (% of lot area) [7]	24 [8]	24	
<b>E</b>	Minimum Open Space (% of development area)	10		
<b>F</b>	Minimum Front Setback (feet) [10]	10 [11]	None	None
<b>G</b>	Maximum Front Setback (feet)	None	35	35 [9]
<b>H</b>	Minimum Corner Side Setback (feet) [10]	10	15	15
<b>I</b>	Minimum Interior Side Setback (feet) [11] [12]	10	5; 10 from residential development	
<b>J</b>	Minimum Rear Setback (feet)	10 [11]	10	
<b>K</b>	Min. Principal Building Setback, Front-to-Back (feet) [13]	20		
<b>L</b>	Minimum Principal Building Setback, Side-to-Side (feet) [13]	10		
<b>M</b>	Minimum Accessory Building Setback (feet)	10	5	
<b>N</b>	Maximum Building Height (feet) [14]	35	40	35
<p><b>NOTES:</b></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, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).</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 Districts81F

3.6.3 Village Commercial (VC) District273F

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



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts81F

3.6.3 Village Commercial (VC) District273F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.4 Mixed Use (MX) District274F

**3.6.4 MIXED USE (MX) DISTRICT<sup>ix</sup>**

<h1 style="font-size: 4em; margin: 0;">MX</h1> <h2 style="font-size: 2em; margin: 0;">Mixed Use</h2>	<b>A. Purpose Statement</b>			
	<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 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>B. Dimensional Requirements</b>				
#	STANDARD TYPE	REQUIREMENT		
		RESIDENTIAL DEVELOPMENT	MIXED-USE DEVELOPMENT	NONRESIDENTIAL DEVELOPMENT
<b>A</b>	Maximum Residential Density (units/acre)	4.35	5.44	N/A
<b>B</b>	Minimum Lot Area (square feet)	10,000 per unit	40,000	
<b>C</b>	Minimum Lot Width (feet)	60 [1]	50	75
<b>D</b>	Maximum Lot Coverage (% of lot area) [2]	24	40	24
	Minimum Open Space (% of development area)	None		
<b>E</b>	Minimum Front Setback (feet) [3]	10 [4]	None	None
<b>F</b>	Maximum Front Setback (feet) [3]	20	10	20
<b>G</b>	Minimum Corner Side Setback (feet) [3]	15	10	10
<b>H</b>	Minimum Interior Side Setback (feet) [5]	10	5; 10 from residential development	
<b>I</b>	Minimum Rear Setback (feet)	10		
<b>J</b>	Min. Principal Building Setback, Front-to-Back (feet) [6]	10		
<b>K</b>	Minimum Principal Building Setback, Side-to-Side (feet) [6]	5		
<b>L</b>	Minimum Accessory Building Setback (feet)	5	3	
<b>M</b>	Maximum Building Height (feet) [7]	35	45	35
<b>NOTES:</b>				
[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, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).				
[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).				

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.4 Mixed Use (MX) District274F

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



ARTICLE 151.3 ZONING DISTRICTS

Section 3.6 Commercial Districts81F

3.6.4 Mixed Use (MX) District274F

F. Development Configuration Example



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.5 Highway Commercial (HC) District275F





**3.6.5 HIGHWAY COMMERCIAL (HC) DISTRICT<sup>x</sup>**

<h1 style="margin: 0;">HC</h1> <h2 style="margin: 0;">Highway</h2> <h2 style="margin: 0;">Commercial</h2>		<b>A. Purpose Statement</b>	
		<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>B. Dimensional Requirements</b>			
#	STANDARD TYPE	REQUIREMENT	
		RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE DEVELOPMENT
<b>A</b>	Maximum Residential Density (units/acre)	1.08 [1]	
<b>B</b>	Minimum Lot Area (square feet)	40,000 [2]	40,000
<b>C</b>	Minimum Lot Width (feet)	125	
<b>D</b>	Maximum Lot Coverage (% of lot area)	24 [3]	
<b>E</b>	Minimum Open Space (% of development area)	10	5
<b>F</b>	Minimum Front Setback (feet) [5]	50	50
<b>G</b>	Minimum Corner Side Setback (feet) [5]	25 [4]	
<b>H</b>	Minimum Interior Side Setback (feet) [5] [6]	10	5; 10 from residential
<b>I</b>	Minimum Rear Setback (feet) [5]	10	20; 50 from residential
<b>J</b>	Minimum Principal Building Setback, Front-to-Back (feet) [7]	20	
<b>K</b>	Minimum Principal Building Setback, Side-to-Side (feet) [7]	10	
<b>L</b>	Minimum Accessory Building Setback (feet)	10	5
<b>M</b>	Maximum Building Height (feet)	35 [8]	
<b>NOTES:</b>			
[1] Maximum residential density may be increased to 1.45 units per acre on lots served by public sewer.			
[2] Minimum lot area per unit may be reduced to 30,000 square feet on lots served by public sewer.			
[3] The maximum lot coverage may be increased with approval from NCDEQ and compliance with all applicable stormwater management requirements.			
[4] Minimum setbacks are increased by an additional 25 feet from lot lines adjacent to an arterial street (US 17, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).			
[5] Setbacks are measured from the perimeter of the development to an individual structure.			
[6] Setbacks are 0 feet from lot lines occupied by party walls.			
[7] Applied in cases where there are two or more principal buildings on a single lot.			
[8] Maximum building height may be increased to 50 feet for agricultural or agricultural-related uses.			

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

**3.6.5 Highway Commercial (HC) District275F**

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



**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.5 Highway Commercial (HC) District275F

**F. Development Configuration Example**

placeholder

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts<sup>81F</sup>**

3.6.6 Maritime Commercial (MC) District<sup>276F</sup>

**3.6.6 MARITIME COMMERCIAL (MC) DISTRICT<sup>xi</sup>**

<h1 style="margin: 0;">MC</h1> <h1 style="margin: 0;">Maritime</h1> <h1 style="margin: 0;">Commercial</h1>		<b>A. Purpose Statement</b>	
		<p>The Maritime Commercial district accommodates commercial operations which depend on a waterfront location or that use of 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>B. Dimensional Requirements</b>			
#	STANDARD TYPE	REQUIREMENT	
		RESIDENTIAL DEVELOPMENT	NONRESIDENTIAL AND MIXED-USE DEVELOPMENT
<b>A</b>	Maximum Residential Density (units/acre)	1.08 [1]	2.17
<b>B</b>	Minimum Lot Area (square feet)	40,000 [2]	20,000 per unit [3]; otherwise 40,000
<b>C</b>	Minimum Lot Width (feet) [4]	125 [5]	
<b>D</b>	Maximum Lot Coverage (% of lot area)	24 [6]	
<b>E</b>	Minimum Open Space (% of development area)	15	10
<b>F</b>	Minimum Front Setback (feet)	25 [7]	20
<b>G</b>	Minimum Corner Side Setback (feet)	25 [7]	20
<b>H</b>	Minimum Interior Side Setback (feet)	10	10; 30 from single family residential
<b>I</b>	Minimum Rear Setback (feet)	10	
<b>J</b>	Min. Principal Building Setback, Front-to-Back (feet) [8]	15	0
<b>K</b>	Minimum Principal Building Setback, Side-to-Side (feet) [8]	10	0
<b>L</b>	Minimum Accessory Building Setback (feet)	10	5 [9]
<b>M</b>	Maximum Building Height (feet) [10]	35	35
<p><b>NOTES:</b></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, US 158, NC 34, NC 343, Old Swamp Road, Sandy Hook Road).</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.</p> <p>[10] Height is measured from base flood elevation (BFE).</p>			

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.6 Maritime Commercial (MC) District276F

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

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.6 Maritime Commercial (MC) District276F

**F. Development Configuration Example**

placeholder

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.7 Light Industrial (LI) District277F

**3.6.7 LIGHT INDUSTRIAL (LI) DISTRICT<sup>xii</sup>**




<p style="font-size: 48px; margin: 0;">LI</p> <p style="font-size: 36px; margin: 0;">Light Industrial</p>	<p><b>A. Purpose Statement</b></p>	
	<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>	
<p><b>B. Dimensional Requirements</b></p>		
#	STANDARD TYPE	REQUIREMENT
<b>A</b>	Minimum Lot Area (square feet)	40,000
<b>B</b>	Minimum Lot Width (feet)	125
<b>C</b>	Maximum Lot Coverage (% of lot area)	24 [1]
<b>D</b>	Minimum Front Setback (feet)	25
<b>E</b>	Minimum Corner Side Setback (feet)	25
<b>F</b>	Minimum Interior Side Setback (feet)	10; 40 from a residential zoning district
<b>G</b>	Minimum Rear Setback (feet)	
<b>H</b>	Minimum Principal Building Setback, Front-to-Back (feet)	20
<b>I</b>	Minimum Principal Building Setback, Side-to-Side (feet)	20
<b>J</b>	Minimum Accessory Building Setback (feet)	10
<b>K</b>	Maximum Building Height (feet)	35
<p><b>NOTES:</b>                  [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 Districts81F**

3.6.7 Light Industrial (LI) District277F

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

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.7 Light Industrial (LI) District277F

**F. Development Configuration Example**

placeholder

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.8 Heavy Industrial (HI) District278F





**3.6.8 HEAVY INDUSTRIAL (HI) DISTRICT<sup>xiii</sup>**

<h1 style="margin: 0;">HI</h1> <h1 style="margin: 0;">Heavy</h1> <h1 style="margin: 0;">Industrial</h1>		<b>A. Purpose Statement</b>
		<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>B. Dimensional Requirements</b>		
#	STANDARD TYPE	REQUIREMENT
	Maximum Residential Density (units/acre)	N/A
<b>A</b>	Minimum Lot Area (square feet)	87,120
<b>B</b>	Minimum Lot Width (feet)	125
<b>C</b>	Maximum Lot Coverage (% of lot area)	24 [1]
<b>D</b>	Minimum Front Setback (feet)	25; 50 for an extractive use
<b>E</b>	Minimum Corner Side Setback (feet)	25; 50 for an extractive use
<b>F</b>	Minimum Interior Side Setback (feet)	10; 50 from a residential zoning district or for an extractive use
<b>G</b>	Minimum Rear Setback (feet)	
<b>H</b>	Minimum Principal Building Setback, Front-to-Back (feet) [2]	20
<b>I</b>	Minimum Principal Building Setback, Side-to-Side (feet) [2]	20
<b>J</b>	Minimum Accessory Building Setback (feet)	10
<b>K</b>	Maximum Building Height (feet)	50
<p><b>NOTES:</b>                  [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.</p>		

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

**3.6.8 Heavy Industrial (HI) District278F**

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

**ARTICLE 151.3 ZONING DISTRICTS**

**Section 3.6 Commercial Districts81F**

3.6.8 Heavy Industrial (HI) District278F

**F. Development Configuration Example**

placeholder



## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.7 Planned Development (PD) District82F

#### 3.7.1 Purpose and Intent

## 3.7 PLANNED DEVELOPMENT (PD) DISTRICT<sup>83</sup>

### 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 the inflexibility or uniform design that sometimes results from 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 or passive 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 connect to county systems; 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;

<sup>83</sup> 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) District82F

#### 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;
  - 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 and between development areas, as long as they occur within the same development phase, 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

In approving a master plan, the Board of Commissioners may approve modifications or reductions of street design standards—including those for right-of-way widths, pavement widths, required materials, and turning radii, with NCDOT approval, on finding that:

- a. The master plan provides for adequate separation/integration of vehicular, pedestrian, and bicycle traffic;
- b. Access for emergency service vehicles is not substantially impaired;
- c. Adequate parking is provided for the uses proposed; and
- d. Adequate space for public utilities is provided within the street right-of-way.

#### J. Planned Development Terms and Conditions

## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.7 Planned Development (PD) District82F

#### 3.7.2 General Standards for All Planned Development Districts

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

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;
4. Provisions addressing how transportation, potable water, wastewater, stormwater management, and other infrastructure will be provided to accommodate the proposed 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 established in the master plan and are subject to any use regulations applicable to the PD district. Allowed uses shall be consistent with county plans, the purpose of the particular type of PD district, and subject to any additional limitations or requirements set forth in **Section <>, Use-Specific Standards**, for the particular type of PD district.

#### 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<sup>84</sup>

## 3.8 OVERLAY DISTRICTS

### 3.8.1 GENERAL PURPOSE AND INTENT<sup>84</sup>

#### 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 Corridor Overlay	CCO
Commercial Fishing Overlay	CFO
Special Flood Hazard Area Overlay	FPOSFO
Local Historic District Overlay	LHO

#### 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 CORRIDOR OVERLAY (CCO)<sup>85</sup>

#### A. Purpose and Intent

#### B. Applicability

#### C. Exemptions

#### D. Boundary

#### E. General Standards

#### F. Setbacks

#### G. Site Configuration

#### H. Landscaping

#### I. Screening

#### J. Access and Circulation

#### K. Building Standards

### 3.8.3 COMMERCIAL FISHING OVERLAY (CFO)<sup>86</sup>

<sup>84</sup> 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.

<sup>85</sup> This is a new overlay district intended for application to land located within 1,000 feet of a major commercial corridor. These standards will be delivered as part of Module 2 of the draft UDO.

<sup>86</sup> 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 Commercial Fishing Overlay (CFO)85F

#### A. Purpose and Intent

The intent of this 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 on 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 in accordance with **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.

#### 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**.

#### 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.

## ARTICLE 151.3 ZONING DISTRICTS

### Section 3.8 Overlay Districts

#### 3.8.4 Special Flood Hazard Area Overlay (FPOSFO)86F

**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.

### 3.8.4 SPECIAL FLOOD HAZARD AREA OVERLAY (FPOSFO)<sup>87</sup>

**A. Purpose and Intent**

**1. Generally**

The flood prone areas in 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. 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. Purpose**

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

- a. Restricting or prohibiting 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. Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- d. Controlling filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- e. Preventing or regulating the construction of flood barriers that will unnaturally divert floodwaters or which may increase flood hazards to other lands.

**3. Intent**

It is the intent of these standards to:

- a. Protect human life and health;
- b. Minimize expenditure of public money for costly flood control projects;
- c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. Minimize prolonged business losses and interruptions;
- e. 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. Maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- g. Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

**B. Applicability**

1. This section shall apply to all special flood hazard areas within the County.
2. The special flood hazard areas are those areas that are:
  - a. Identified by the Federal Emergency Management Agency (FEMA) or produced under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Hazard Boundary Map (FHBM) or Flood Insurance Study (FIS) and its accompanying flood maps such as the Flood Insurance Rate Map(s) (FIRM) and/or the Flood Boundary

<sup>87</sup> This section replaces Section 151.033, [Floodplain and Floodway Overlay Districts](#), and Sections 151.380, [Flood Damage Prevention through 151.387, Water Supply and Sanitary Sewer Systems in Floodways and Floodplains](#), of the current ordinance. This section establishes a special flood hazard area overlay district and consolidates the floodplain-related provisions here. Standards pertaining to floodplain development permits, elevation certificates, and floodplain variances have been relocated to Article 151.2: Procedures. Standards pertaining to enforcement have been relocated to Article 151.9: Enforcement. The powers and duties of the Floodplain Administrator are relocated to Article 151.11: Authorities. Submittal requirements listed in current Section 151.383, [Administration](#), have not been carried forward and are indicated for inclusion in a procedures manual.

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Floodway Map(s) (FBFM), for Camden County dated October 5, 2004, which, with accompanying supporting data, and any revision thereto, including letters of map amendment or revision, are adopted by reference and declared to be a part of this Section; or

- b. Defined through standard engineering analysis for private developments or by governmental agencies, but which have not yet been incorporated in the FIRM. This includes, but is not limited to:
  1. Detailed flood data generated as a requirement of **Section <>, Floodplain Development Permit**;
  2. Preliminary FIRMs where more stringent than the effective FIRM; or
  3. Post-disaster flood recovery maps.

#### **C. Compliance Required**

~~No structure or land located within a SFO shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with these standards, the terms of this Ordinance and other applicable regulations in this Ordinance.~~

#### **C.D. County Liability Limited**

The degree of flood protection required by this section 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 manmade or natural causes. This section 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 section 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 section or any administrative decision lawfully made hereunder.

#### **D.A. Compliance Required**

~~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.~~

#### **E. Conflict with Other Standards**

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

#### **F. Interpretation of these Provisions**

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

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under the General Statutes of the State of North Carolina.

#### **G. General SFO Standards**

##### **1. Standards Applied to All Uses All Special Flood Hazard Areas**

~~The following standards are applied to all use types located in all Special Flood Hazard Areas an SFO, the following provisions are required:~~

##### **a. Generally**

1. ~~All development proposals in the SFO shall be consistent with the need to minimize flood damage.~~  
~~All development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.~~
2. ~~All development proposals in the SFO shall have adequate drainage provided to reduce exposure to flood hazards.~~
3. ~~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.~~

##### **b. Repair or Replacement of Buildings or Structures**

~~Nothing in this section shall prevent the repair, reconstruction, or replacement of a building or structure existing on (insert the effective date of this Ordinance) 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 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 section.~~

##### **c. New Construction and Substantial Improvement**

- All new construction and substantial improvements ~~to existing structures~~ shall be:
- ~~a.1. Anchored to prevent flotation, collapse, or lateral movement; of the structure.~~
  - ~~b.2. All new construction and substantial improvements shall be c. Constructed with materials and utility equipment resistant to flood damage; and-~~

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### 3.8.4 Special Flood Hazard Area Overlay (FPOSFO)86F

~~c.3.~~ All new construction or substantial improvements shall be ~~c~~constructed ~~with~~by methods and practices that minimize flood damages.

#### **d. Equipment and Utilities**

~~1.~~ All development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

~~d.2.~~ All ~~E~~lectrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, ~~including but 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, / and switches~~ 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.3.~~ All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

~~f.4.~~ 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.5.~~ On-site waste disposal systems shall be located and constructed to avoid impairment ~~to them or contamination from them during flooding,~~ to the maximum extent practicable.

~~h.~~ Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this Section, shall meet the requirements of "new construction" as contained in this Section.

~~i.~~ Nothing in this Section shall prevent the repair, reconstruction, or replacement of a building or structure existing on ~~(insert the effective date of this Ordinance)~~ 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 Section.

~~j.a.~~ 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 ~~<>~~, Floodplain Variance. 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 ~~<>~~, Floodplain Certification.

~~k.a.~~ All development proposals shall be consistent with the need to minimize flood damage.

~~l.a.~~ 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.a.~~ All development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

~~n.a.~~ 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.

#### **2. Specific Standards**

Compliance with the following provisions is required in ~~In~~ all Special Flood Hazard Overlay A areas where Base Flood Elevation (BFE) data has been provided, ~~as set forth in accordance with Section <3.8.4.B>, Applicability (§151.382(B)), or Section <>, (Current §151.383),~~ the following provisions are required:

##### **a. Residential Construction**

New construction or substantial improvement of any residential structure (including manufactured homes and mixed use development) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 151.10, Definitions and Measurement.

##### **b. Nonresidential Construction**

**1.** New construction or substantial improvement of any commercial, industrial, or other nonresidential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation.

**2.** 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 flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting



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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 in accordance with Section <>, Floodplain Development Permit.~~

#### 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 Article 151.10, Definitions and Measurement.~~
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 ~~G.S. §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 <>, (151.383(B)(4)),~~ ~~the requirements for floodproofing in this Ordinance.~~
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 below Regulatory Flood Elevation**

Enclosed areas, of new construction or substantially improved structures, ~~which are~~ below the regulatory flood protection ~~elevation shall comply with the following requirements:~~

1. ~~Enclosed areas S~~ shall not be designed or used for human habitation, but ~~shall only~~ ~~may~~ 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 maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).~~ The interior portion of ~~such the~~ enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas.;
2. ~~Enclosed areas S~~ shall be constructed entirely of flood resistant materials below the regulatory flood protection elevation.;
3. ~~Enclosed areas below the regulatory flood protection elevation S~~ 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 and Improvements**

##### ~~e.1.~~ **Pre-FIRM Nonconforming Structures**

##### **A. Substantial Improvements**

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Additions or improvements to a nonconforming pre-FIRM structure that constitute a substantial improvement shall require both the addition or improvement and the original pre-FIRM structure to comply with the SFO standards in this section.

#### **B. Not Substantial Improvements**

Additions or improvements to a nonconforming pre-FIRM structure that do not constitute a substantial improvement shall be designed to minimize flood damages and shall not increase the amount of nonconformity of the original pre-FIRM structure.

~~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 nonconforming 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. Post-FIRM Structures**

##### **A. No Modifications to Original Structure**

~~2.1. 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.~~

~~2. Where a fire wall or independent perimeter loadbearing 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.~~

##### **B. Substantial Improvements**

Additions or improvements to a post-FIRM structure that constitute a substantial improvement shall require both the addition or improvement and the original structure to comply with the standards for new construction.

##### **C. Not Substantial Improvements**

Additions or improvements to a post-FIRM structure that do not constitute a substantial improvement shall require only the addition or improvement 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 loadbearing 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 ~~the a Special Flood Hazard Area~~SFO 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 ~~§ 151.383(B) and § 151.384(A) and (B)(3)~~Section <>, Standards Applied to all Uses, and Section <>, Manufactured Homes.

#### **g. Temporary Nonresidential 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:

1. A specified time period for which the temporary use will be ~~permitted~~remain on site. ~~The time specified should be minimal with total time on site not to exceed one year;~~

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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 (~~e.g., i.e. a~~ 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 d~~ Documentation of a location outside the ~~Special Flood Hazard Area, SFO to which~~ where the temporary structure will be moved.

#### h. Accessory Structures

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

1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas);<sup>88</sup>
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 section~~ 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 and heating equipment shall be installed in accordance with ~~§151.384(A)(4)~~ Section <>, Equipment and Utilities; ~~and~~
6. In cases where an accessory structure is located below the regulatory flood protection elevation, ~~Openings to relieve hydrostatic pressure during a flood shall be provided below regulatory flood protection elevation in conformance with § 151.384(B)(4)(a)~~ Section <>, Enclosed Areas below Regulatory Flood Elevation.
7. Elevation or floodproofing certifications, prepared in accordance with Section <>, Elevation Certificates, are required for all accessory structures unless the An accessory structure has with a footprint less than 150 square feet that satisfies and complies with the criteria outlined above ~~standards in this subsection does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with § 151.383(B)(3).~~

#### i. Waste-Related Use Types

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 <>, Floodplain Variance. 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 in accordance with the requirements in Section <>, Floodplain Elevation Certificates.

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

#### a. Encroachments Limited

1. No encroachments, including fill, new construction, substantial improvements, or new development shall be permitted within an area the greater of:
  - A. ~~distance of Twenty-20~~ feet from each side ~~from of the~~ top of bank; or
  - B. ~~Five~~ times the width of the stream;
- a.2. ~~whichever is greater,~~ Encroachments may be permitted in this area upon unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating that such the encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

#### b. Determination of the Base Flood Elevation

- b. The base flood elevation shall be determined based on one of the following criteria, which are set listed in priority order:

<sup>88</sup> NOTE TO STAFF: This provisions categorically prohibits the location of accessory dwelling units in the SFO. . . Several other coastal communities have decided to remove this provision so that accessory dwelling units can be accommodated. Additional discussion is needed regarding this provisions

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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~~ section and shall be elevated or floodproofed in accordance with elevations established in accordance with ~~§ 151.383~~ Section <>, Floodplain Development Permit.
2. All subdivision, ~~manufactured home park~~ and other development proposals located within ~~Special Flood Hazard Areas~~ the SFO shall provide Base Flood Elevation (BFE) data if development is greater than five acres or has more than 50 lots ~~or~~ manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference ~~per § 151.382(B) to be utilized in implementing this subchapter~~ in accordance with Section <3.8.4.B>, Applicability.
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 Nonencroachment Areas

Along rivers and streams where Base Flood Elevation (BFE) data is provided but neither floodway nor nonencroachment 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 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~~ County.

#### 5. Floodways and Nonencroachment Areas

~~Areas designated as SFO contain floodways and nonencroachment areas. Located within the special flood hazard areas established in §151.382(B) are areas designated as floodways or nonencroachment areas. The floodways and nonencroachment areas are extremely hazardous areas due to the velocity of floodwaters~~ that have erosion potential and can carry debris and potential projectiles during flooding events. The following provisions ~~shall~~ apply to all development within such areas floodways and nonencroachment 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 a floodplain development permit.
- b. ~~If § 151.384 is satisfied,~~ if permitted within a floodway or nonencroachment area, all development shall comply with all applicable ~~flood hazard reduction provisions of this subchapter~~ standards in this section.
- c. ~~No new manufactured homes shall be permitted in a floodway or nonencroachment area, but a~~ except replacement manufactured homes may be established in accordance with the standards in Section <>, Manufactured Homes, and all other applicable provisions of this Ordinance. in an existing manufactured home park or subdivision provided the following provisions are met:
  1. ~~The anchoring and the elevation standards of § 151.384(B)(3); and~~
  2. ~~c. The no-encroachment standards of § 151.384 are met.~~

#### H. Subdivisions in the FPOSFO<sup>89</sup>

1. An applicant ~~for a special use permit authorizing a major subdivision and an applicant for minor subdivision final plat approval~~ proposing to subdivide land in the SFO shall be informed by the UDO Administrator or Building Inspector, as appropriate, of the use and construction restrictions contained in Section <>, General Provisions SFO Standards, and Section <>, Floodplain Development Permit, 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~~ Approval of a subdivision of land in an SFO may be denied 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 nonencroachment area; and

<sup>89</sup> This section carries forward Section 151.386 from the current UDO.



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#### 3.8.5 Local Historic Overlay (LHO)<sup>90F</sup>

~~c.~~ It reasonably appears that one or more lots ~~described in a. and b. above~~ could not practicably be used as a residential building site because of the restrictions set forth in ~~Section <>, General Provisions~~~~SFO Standards~~, and ~~Section <>, Floodplain Development Permit~~.

~~c-d.~~ ~~Nothing shall limit the subdivision of land in the SFO for lots intended solely for nonresidential purposes, provided the final plat establishing the subdivision includes a notation that none of 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.~~

#### I. ~~Public Water and Wastewater Utilities in the FPSFO~~<sup>90</sup>

1. Whenever any portion of a proposed development is located within ~~a floodway or floodplain~~~~the SFO~~, the agency or agencies responsible for certifying to the ~~e~~County the adequacy of the water supply and ~~sewage wastewater~~ disposal systems for the development shall be informed by the ~~developer~~~~applicant~~ that a specified area within the development lies within ~~the SFO~~~~a floodplain~~.
2. ~~Thereafter~~~~Following notification by the applicant for development~~, approval of the proposed system by that agency shall constitute a certification that:
  - 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 onsite ~~sewage~~~~wastewater~~ disposal system is located to avoid impairment to it or contamination from it during flooding.

### 3.8.5 LOCAL HISTORIC OVERLAY (LHO)<sup>91</sup>

(Placeholder)

### 3.8.6 WATERSHED PROTECTION OVERLAY (WPO)

<sup>90</sup> This section carries forward Section 151.387 from the current UDO.

<sup>91</sup> 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.

# 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.

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## <sup>i</sup> 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.

## <sup>ii</sup> 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.

## <sup>iii</sup> 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.

## <sup>iv</sup> 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

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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.

<sup>v</sup> 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.

<sup>vi</sup> 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.

<sup>vii</sup> 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.

<sup>viii</sup> 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

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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.

<sup>ix</sup> 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.

<sup>x</sup> 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.

<sup>xi</sup> 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.

<sup>xii</sup> 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.

<sup>xiii</sup> 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.