

8.1.2 Applicability

The landscaping and buffering requirements found in this Article shall apply to all development within Pender County with the exception of bona fide farming activities, properties listed on the National Register of Historic Places (NRHP) and residential development of one housing type in the Residential Performance Districts. Developments attempting to qualify for the National Register of Historic Places exemption must provide a copy of the National Parks Service listing, along with a narrative briefly requesting the aforementioned relief and how the landscaping standards would conflict with the historic significance of the property. Landscaping and buffer requirements shall apply in all business, planned development, industrial, and non-residential uses in other zoning districts when:

- A. A new principle structure is built; or
- B. An existing principal structure is expanded sufficiently to increase its interior square footage by fifty percent (50%) or more, in any one or more expansions; or
- C. An existing use is expanded sufficiently to increase its square footage by fifty percent (50%) or more, in any one or more expansions; or
- D. A change in use from residential related to office, service, commercial or industrial, or from office, service or commercial to industrial; or
- E. In any residential development with two or more types of housing development;
- F. A use is discontinued on a site for a consecutive period of one hundred eighty (180) days per Section 10.3.4 and a new use is proposed;

8.2.2 Location

Buffers shall be located within the outer perimeter of a lot or parcel, parallel to and extending to the lot or parcel boundary line. Buffers shall not be located on any portion of an existing, dedicated or reserved public or private street or right-of-way. Buffers may be located and constructed within any required setback.

Exception: When landscaping and buffer requirements shall apply per Section 8.1.2 and when a site is five (5) acres or larger, the required buffer may be located within the outer perimeter of the limit of disturbance of the project area on the lot or parcel. If the limit of disturbance is expanded, the buffer shall be adjusted accordingly.