

To: Pender County Planning Board
From: Patrick T. Davenport, Director
Date: December 17, 2008
RE: Update on Comprehensive Plan and UDO projects

The Comprehensive Plan (CPPC) and Unified Development Ordinance (DRRC) committees have convened for their first meetings. Several Planning Board members were in attendance as well. CPPC members were briefed on existing land use plans and various growth management issues. During their meeting, the DRRC members reviewed existing zoning and subdivision ordinances and were briefed on recent ordinance revisions.

The CPPC will be reviewing a S.W.O.T. exercise recently completed by staff and will receive a presentation from Dee Turner, Parks and Recreation Director regarding their needs and how the Comprehensive Land Use Plan can assist their facilities and programs. The next meeting for the CPPC will be January 7, 2009 @ 10AM. The DRRC will be providing a detailed critique of the zoning and subdivision ordinances. The DRRC next meeting will be January 29, 2009- 9AM-12:30PM.

Staff is available for questions or concerns.

PTD

4.8 RESIDENTIAL ZONING DISTRICTS

4.8.1. Residential District Intent Statements

A. RR: Rural Residential

The Rural Residential District is intended to accommodate nonresidential agricultural uses and low density residential development, as well as limited nonresidential uses that are supportive of the County's traditional agricultural orientation including farming, silviculture operations and related activities. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal, respectively, although clustered residential development served by public water and wastewater systems may be allowed.

B. R-7500, R-6000, and SBR-6000

The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems.

C. MR-3200

This district is established as an area in which the principal use of the land is for high density residential purposes, not to exceed fourteen dwelling units per acre. The district also provides for the development of less intensive residential uses, as well as for compatible supporting non-residential uses. Due to the higher intensity developments contained in this district, it is intended to be applied only to properties served by public sewer and water systems.

4.8.2. Permitted Uses

Only uses specifically listed in the use table in Section 5.2 as a permitted ("P"), permitted subject to limited use standards ("L"), or permitted subject to special exception permit ("S-PB" or "S-BA") shall be permitted in Residential districts.

4.8.3. Development Types

Standards within the residential districts allows a variety of development types. Two types of developments are permitted, as follows.

A. Conventional Development

Conventional development is a pattern of residential development that provides a majority of property owners with substantial yards on their own property.

B. Cluster Development

Cluster developments trade smaller lot sizes (with smaller yards) for additional common open space. A cluster development shall be a minimum size to ensure sufficient open space can be incorporated into the development design. A cluster development allows more housing types and increased design flexibility provided certain enhancements are incorporated into the design of the subdivision.

DEVELOPMENT TYPES



Example Lot Yield: 308 Lots



Example Lot Yield: 308 Lots

4.8.4. Conventional Development Standards

A. Applicability

Development utilizing the conventional standards shall be permitted in all residential districts utilizing the standards found in this Section. In addition to the standards contained in this Section, all other provisions in this Ordinance and all other applicable laws shall apply, except those that are incompatible with the provisions contained herein.

B. Dimensional Standards

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Projects utilizing the conventional development option shall meet the following standards:

Table 4-1 Conventional Single Family Residential Development on a Single Lot					
Conventional Development	RR	R-7500	R-6000	SBR-6000	MR-3200
<i>Lot Dimensions (w/o water & wastewater)</i>					
Lot width (min. ft.)	75	75	60	60	--
Lot area (min. s.f.) ¹	20,000	15,000	10,000	10,000	--
Density ²	2.2	2.9	4.4	4.4	6.2
Lot width for duplex (min. ft.)	115	--	60	--	70
Lot area for duplex	35,000	--	17,000	--	7,000
Density ²	--	--	--	--	6.2 ⁹
<i>Lot Dimensions (with water & wastewater)</i>					
Lot width (min. ft.)	75	75	60	60	--
Lot width for duplex	115	-- ⁹	120 ⁹	-- ⁹	75
Lot area (min. s.f.)	15,000	7,500	6,000	6,000	--
Lot area for duplex	22,500	-- ⁹	12,000 ⁹	-- ⁹	9,000
Density ²	2.9	5.8	7.3	7.3	13.6
Lot width for duplex	115	--	60	--	50
Lot area for duplex	22,500	-- ³	12,000	--	6,400
Density ²	2.9	--	7.3	--	13.6 ⁹
<i>Yards (minimum feet)</i>					
Front Yard	25	25	25	25	25
Rear Yard	25	9	9	9	20
<i>Side yard (minimum feet)</i>					
One Yard ⁴	10	5	5	5	5
Total (sum of both side yards)	--	10	10	10	12
Street Side Yard ⁵	15	15 ⁵	15 ⁵	15 ⁵	15
<i>Bulk (maximum)</i>					
Height (feet) ⁶	40 ⁷	40 ⁷	40 ⁷	40 ⁷	50 ⁸
Notes:					
¹ Per dwelling unit.					
² Approximate density (units per acre) is shown and figures have been rounded to the next highest tenth. Density calculated by dividing 43,560 (1 acre) by the minimum lot area.					
³ In the R-7500 and SBR-6000 zoning districts, duplexes are allowed only in a PUD (see Section 4.8.5).					
⁴ Legally established lots existing prior to January 1, 1994 with a width of less than 60 feet may reduce street side yard requirements to 12 feet.					
⁵ The "Total Side Yard" requirement is the sum of both side yards, added together. The "One Yard" requirement is the smallest that one of the yards has to be. In order to provide flexibility, side yard requirements are sometimes presented as "One Yard" and "Total Side Yard". This approach allows the owner or developer to move the house a little to one side of the lot or the other to preserve trees, add driveways, or other things. It also reduces the number of variances.					
⁶ Structures exceeding 30 feet or three stories in height shall have at least three means of fire apparatus access.					
⁷ If the building or structure is equipped with an internal fire suppression system, with a smoke or fire detection system, and with a fire alarm system, all complying with the International Fire Code with appendices, International Building Code with North Carolina Amendments, the Planning Director, in consultation with the Fire Marshall, may permit additional building height up to ten additional feet of height at the following rates: Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides);					

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Table 4-1 Conventional Single Family Residential Development on a Single Lot					
Conventional Development	RR	R-7500	R-6000	SBR-6000	MR-3200
Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).					
⁸ Additional Building Height up to a maximum height of 75 feet is allowed at the following rates:					
Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides);					
Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).					
International Fire Code with appendices and International Building Code with North Carolina Amendments apply.					
⁹ For all other residential development in the MR-3200 Zoning District, minimum lot width shall be the same minimum lot width as a duplex and Lot area (size) will be based on total number of units divided by density of development.					

C. Multiple Principle Structures in the RR District

The Planning Director may allow additional principal residential structures to be placed on a lot in the RR zoning districts in conformance with the following regulations.

1. For lots up to one acre in size, one principal residential structure shall be allowed. Lots greater than one acre up to ten acres, two principal structures shall be allowed. Beyond ten acres, one additional principal residential structure shall be allowed for each additional ten acres of lot size.
2. Each principal residential structure shall be provided access to a State maintained street or an approved, improved subdivision street in conformance with Section 6.2, Access.
3. Each principal residential structure shall be located on the property such that the lot could be subdivided into additional lots with adequate square footage and setbacks as specified for the underlying zoning district.
4. Each principal residential structure shall be provided with independent well and septic systems or independently connected to central water and sewer.
5. The Board of Adjustment may approve the placement of principal residential structures not in conformance with any or all of these requirements as a Special Exception (see Section 3.3).

D. Additional Standards

Additional residential district standards may apply to conventional development projects, including (but not limited to):

1. Open Space and Recreation Area, Section 4.8.6
2. Density Bonus, Section 4.8.7
3. Areas to be Reserved, 4.8.7
4. Residential Design Standards, Section 4.8.9
5. Accessory Structures and Uses, Section 4.8.10
6. Nonresidential Uses in Residential Districts, Section 4.8.11

4.8.5. Planned Unit Development

A. Intent

The intent of a Planned Unit Development (PUD) is to provide a development alternative to a conventional development. A PUD involves placing a cluster of home sites within a portion of the development site, allowing housing units on smaller lots than those permitted in a conventional development to promote environmental sensitivity, make more efficient use of the land and provide additional common open space. Other purposes of a PUD include the following:

1. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
2. To protect prime agricultural land and preserve farming as an economic activity.
3. To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
4. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
5. To protect scenic views.
6. To promote interconnected greenways and corridors throughout Brunswick County in accordance with the County-Wide Greenways Master Plan.
7. To create contiguous greenspace within and adjoining the development site.
8. To preserve important historic and archaeological sites.

B. Number of Dwelling Units (Density)

1. Determination

The number of dwelling units in a project utilizing the PUD development standards shall be calculated as follows:

- i. The number of dwelling units in a project shall be determined by dividing the gross site area of the development project by the number of units in the project.
- ii. Increases in the number of dwelling units permitted in a project may be considered through the density bonus provisions in Section 4.8.7, Density Bonus.

2. No Guarantee

There is no guarantee that the maximum density can be achieved on a particular site due to considerations such as required open space, site area devoted to easements or roadways, and other site specific issues.

C. Recreation Area

Open space and recreation area shall be provided as required in the subject district (per the PUD dimensional table). See Section 4.8.6, Open Space and Recreation Area for additional requirements applicable to all open space and recreation areas.

D. Water and Wastewater

Generally, public or community water and wastewater service shall be required in all PUD. However, the Planning Board may waive this requirement during the PUD approval process.

E. Ownership of Development Site

The development site to be subdivided may be held in single ownership or in multiple ownership. If held in multiple ownership, the site shall be developed according to a single plan with common authority and common responsibility.

F. PUD Dimensional Table

The following table(s) indicate the dimensional requirements for a development using the PUD standards.

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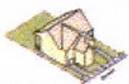
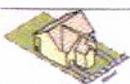
1. Description of Terms

- i. Proposed Housing Types where the note "Permitted" is indicated shall be required to obtain Planned Unit Development approval subject to Section L.
- ii. Proposed Housing Types where the note "Not Permitted" is indicated are prohibited in the subject zoning district.
- iii. Standards under the heading "Entire Development" apply to the whole of the proposed development. For instance in the RR District, the entire development must be at least 25 acres.
- iv. Standards under the heading "Individual Lots" apply to each residential lot within the proposed subdivision.

2. Dimensional Tables

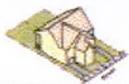
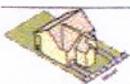
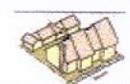
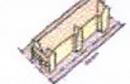
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Dimensional Tables for planned unit developments are on the following pages:

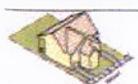
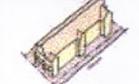
RR PUD OPTION						
	Single-Family Detached or Zero Lot Line	Traditional House	Semi-Attached House	Duplex	Townhouse	Multifamily (Rental or Condominium)
RR						
<i>Allowed?</i>	PERMITTED	PERMITTED	PERMITTED	PERMITTED	PERMITTED	NOT PERMITTED
<i>Entire Development</i>						
Minimum Size (acres)	25	25	25	25	25	--
Maximum Density	2.8	2.8	2.8	2.8	2.8	--
<i>Individual Lots</i>						
<i>Dimensions</i>						
Lot width (minimum)	55	48	65	130	30 (per unit)	--
Lot area (per unit)	--	--	--	--	3,400	--
<i>Yards (minimum)</i>						
Front yard	18	18	18	18	20	--
Rear yard	15	15	15	15	20	--
Side yard	7 ¹	6	10 ²	15	15 ²	--
<i>Height (maximum feet)</i> ⁴	40 ³	40 ³	40 ³	40 ³	40 ³	--
Notes:						
¹ Zero lot line single family shall be in conformance with Section 5.3.3.K, Special Standards for Zero Lot Line Homes. ² For Semi-Attached House or Townhouse structures, the side yard requirement adjacent to the same structure type shall be zero. ³ Buildings or facilities exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access for each structure. ⁴ If the building or structure is equipped with an internal fire suppression system, with a smoke or fire detection system, and with a fire alarm system, all complying with the International Fire Code with appendices, International Building Code with North Carolina Amendments, the Planning Director, in consultation with the Fire Marshal, may permit additional building height up to ten additional feet of height at the following rates: Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides); Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).						

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R-7500 PUD OPTION						
	Single-Family Detached or Zero Lot Line	Traditional House	Semi-Attached House	Duplex	Townhouse	Multifamily (Rental or Condominium)
R-7500						
ALLOWED?	PERMITTED	PERMITTED	PERMITTED	PERMITTED	PERMITTED	PERMITTED
<i>Entire Development</i>						
Minimum Size (acres)	10	10	10	10	10	10
Maximum Density	5.8	5.8	5.8	5.8	5.8	5.8
<i>Individual Lots</i>						
Dimensions						
Lot width (minimum)	50	45	55	60	25 (per unit)	30 (per unit) ²
Lot area (per unit)	--	--	--	--	3,000	2,800
Yards (minimum feet)						
Front yard	18	14	18	18	20	20
Rear yard	12	10	12	12	12	20
Side yard	6 ¹	5	6 ³	10	15 ³	15
Height (maximum feet)	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	50, ^{4,5}
Notes:						
¹ Zero lot line single family shall be in conformance with Section 5.3.3.K, Special Standards for Zero Lot Line Homes.						
² The total required lot width shall not exceed 100 feet.						
³ For Semi-Attached House or Townhouse structures, the side yard requirement adjacent to the same structure type shall be zero.						
⁴ Buildings or facilities exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access for each structure.						
⁵ Additional Building Height up to a maximum height of 75 feet is allowed at the following rates:						
Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, sides);						
Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).						
International Fire Code with appendices and International Building Code with North Carolina Amendments apply.						
⁶ If the building or structure is equipped with an internal fire suppression system, with a smoke or fire detection system, and with a fire alarm system, all complying with the International Fire Code with appendices, International Building Code with North Carolina Amendments, the Planning Director, in consultation with the Fire Marshal, may permit additional building height up to ten additional feet of height at the following rates:						
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Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).						

R-6000 / SBR-6000 PUD OPTION						
	Single-Family Detached or Zero Lot Line	Traditional House	Semi-Attached House	Duplex	Townhouse	Multifamily (Rental or Condominium)
R-6000 / SBR-6000						
<i>Allowed?</i>	PERMITTED	PERMITTED	PERMITTED	PERMITTED	PERMITTED	PERMITTED
<i>Entire Development</i>						
Minimum Size (acres)	10	10	10	10	10	10
Maximum Density	7.3	7.3	7.3	7.3	7.3	7.3
<i>Individual Lots</i>						
<i>Dimensions</i>						
Lot width	42	40	54	60	22 (per unit)	25 (per unit) ²
Lot area (per unit)	--	--	--	--	2,200	2,000
<i>Yards (minimum)</i>						
Front yard	15	12	15	15	20	20
Rear yard	10	10	10	10	15	15
Side yard	5 ¹	5	5 ³	7	10 ³	10
<i>Height (maximum feet)</i>	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	40 ^{4,6}	50 ^{4,5}
Notes:						
¹ Zero lot line single family shall be in conformance with Section 5.3.3.K, Special Standards for Zero Lot Line Homes.						
² The total required lot width shall not exceed 100 feet.						
³ For Semi-Attached House or Townhouse structures, the side yard requirement adjacent to the same structure type shall be zero.						
⁴ Buildings or facilities exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access for each structure.						
⁵ Additional Building Height up to a maximum height of 75 feet is allowed at the following rates:						
Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides);						
Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).						
International Fire Code with appendices and International Building Code with North Carolina Amendments apply.						
⁶ If the building or structure is equipped with an internal fire suppression system, with a smoke or fire detection system, and with a fire alarm system, all complying with the International Fire Code with appendices, International Building Code with North Carolina Amendments, the Planning Director, in consultation with the Fire Marshal, may permit additional building height up to ten additional feet of height at the following rates:						
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Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).						

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MR-3200 PUD OPTION						
	Single-Family Detached or Zero Lot Line	Traditional House	Semi-Attached House	Duplex	Townhouse	Multifamily (Rental or Condominium)
MR-3200						
<i>Allowed?</i>	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	PERMITTED	PERMITTED	PERMITTED
<i>Entire Development</i>						
Minimum Size (acres)				10	10	10
Maximum Density				13.6	13.6	13.6
<i>Individual Lots</i>						
<i>Dimensions</i>						
Lot width				60	20 (per unit)	20 (per unit) ²
Lot area (per unit)				5,000	1,800	1,600
<i>Yards (minimum)</i>						
Front yard				15	18	20
Rear yard				10	15	20
Side yard				5	10 ³	10
<i>Height (maximum feet)</i>				40 ^{4,5}	40 ^{4,5,6}	50 ^{5,6}
Notes:						
¹ Zero lot line single family shall be in conformance with Section 5.3.3.K, Special Standards for Zero Lot Line Homes. ² The total required lot width shall not exceed 100 feet. ³ For Semi-Attached House or Townhouse structures, the side yard requirement adjacent to the same structure type shall be zero. ⁴ If the building or structure is equipped with an internal fire suppression system, with a smoke or fire detection system, and with a fire alarm system, all complying with the International Fire Code with appendices, International Building Code with North Carolina Amendments, the Planning Director, in consultation with the Fire Marshal, may permit additional building height up to ten additional feet at the rate of one additional foot of height for every one foot of additional yard depth (front, side, and rear). ⁵ Buildings or facilities exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access for each structure. ⁶ Additional Building Height up to a maximum height of 75 feet is allowed at the following rates: Non-Viewshed Protection Overlay areas at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides); Viewshed Protection Overlay (see Section 4.12.6.) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides). International Fire Code with appendices and International Building Code with North Carolina Amendments apply.						