

**Article 4 Zoning District**

**4.3 Development Types**

**4.3.3. 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**

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 &amp; wastewater)</i>					
Lot width (min. ft.)	75	75	60	60	60
Lot area (min. s.f.) <sup>1,9</sup>	20,000	15,000	10,000	10,000	10,000 <sup>10</sup>
Density <sup>2</sup>	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 <sup>2</sup>	--	--	--	--	6.2 <sup>8</sup>
<i>Lot Dimensions (with water &amp; wastewater)</i>					
Lot width (min. ft.)	75	75	60	60	60
Lot area (min. s.f.) <sup>9</sup>	15,000	7,500	6,000	6,000	6,000 <sup>10</sup>
Density <sup>2</sup>	2.9	5.8	7.3	7.3	13.6
Lot width for duplex (min. ft.)	115	--	60	--	50
Lot area for duplex	22,500	-- <sup>3</sup>	12,000	--	6,400
Density <sup>2</sup>	2.9	--	7.3	--	13.6 <sup>8</sup>
<i>Yards (minimum feet)</i>					
Front Yard <sup>9</sup>	25	25	25	25	25
Rear Yard <sup>9</sup>	25	9	9	9	20
<i>Side yard (minimum feet)</i>					
One Yard <sup>4</sup>	10	5	5	5	5
Total (sum of both side yards)	--	10	10	10	12
Street Side Yard <sup>5</sup>	15	15 <sup>5</sup>	15 <sup>5</sup>	15 <sup>5</sup>	15
<i>Bulk (maximum)</i>					
Height (feet) <sup>6</sup>	40 <sup>7</sup>	40 <sup>7</sup>	40 <sup>7</sup>	40 <sup>7</sup>	50 <sup>7</sup>
Notes:					
<sup>1</sup> Per dwelling unit.					
<sup>2</sup> 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.					
<sup>3</sup> In the R-7500 and SBR-6000 zoning districts, duplexes are allowed only in a PD (see Section 4.3.1).					
<sup>4</sup> 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.					
<sup>5</sup> 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.					
<sup>6</sup> Structures exceeding 30 feet or three stories in height shall have at least three means of fire apparatus access. North Carolina Building Codes apply. Structures above 75 feet subject to Fire Marshal approval.					
<sup>7</sup> Additional building height above the maximum up to 75 feet is allowed by right and above 75 feet with Planning Board approval 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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limited use standards (“L”), or permitted subject to special use permit (“SUP”) shall be permitted in Residential districts.

**4.4.3. Accessory Structures and Uses**

The following accessory structures and uses shall be permitted in any residential district. All accessory structures and uses shall meet the applicable standards as set forth in Section 5.4, Accessory Uses.

1. Accessory use customarily associated with a principal use.
2. Accessory dwellings subject to the provisions of Section 5.4.2.
3. Accessory structures subject to provisions of Section 5.4.1.
4. Home occupations subject to the provisions of Section 5.4.4.
5. Recycling drop-off collection stations subject to the requirements of Section 6.18.1.
6. Fences and walls subject to the provisions of Section 6.10.

**4.4.4. Nonresidential Uses in Residential Districts**

**A. Dimensional Standards**

Unless specifically modified in Section 5.3, Limited Use Standards, permitted nonresidential uses in a residential district shall meet the following standards.

	RR	R-7500	R-6000	SBR-6000	MR-3200
Lot Dimensions (minimum)					
Lot area (square feet)	30,000	17,500	15,000	15,000	10,500
Lot width (feet)	100	75	60	60	60
Yards (minimum feet)					
Front yard	40	35	30	30	25
Rear yard	40	20	20	20	20
Side yard					
One side	30	20	15	15	10
Total	80	50	35	35	25
Street side yard	30	30	20	20	15
Bulk (maximum)					
Height (feet)	35 <sup>1,2</sup>	35 <sup>1,2</sup>	35 <sup>1,2</sup>	35 <sup>1,2</sup>	35 <sup>1,2</sup>
<sup>1</sup> Additional building height above the maximum up to 75 feet is allowed by right and above 75 feet with the Planning Board approval at the rate one additional foot of height for every one foot of additional yard depth (side, front, and rear) unless located in a Viewshed Protection Overlay where two additional feet of yard depth shall be required for each additional foot in height (see Section 4.8.7).					
<sup>2</sup> Buildings or facilities exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access for each structure. North Carolina Building Codes. Structures above 75 feet subject to Fire Marshal approval.					

**Commentary: Refer to Table 4-1 in Section 4.3.3.B of the Ordinance for setback requirements for Wireless Transmission Facilities in residential districts.**

**4.5 COMMERCIAL ZONING DISTRICTS**

**4.5.1. Districts**

**A. C-LD: Commercial-Low Density**

This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business.

**B. N-C: Neighborhood-Commercial**

The N-C, Neighborhood-Commercial District is primarily intended to accommodate very low intensity office, retail and personal service uses within and adjoining residential areas. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including low intensity office, retail, and personal service uses, without disrupting the character of the neighborhood. Compatibility with nearby residences is reflected in design standards for both site layout and buildings. In addition, uses in the N-C District will have minimal infrastructure demands.

**C. C-I: Commercial-Intensive**

The C-I District is intended for uses which require close access to major highways. Anticipated uses include those which are necessary to service more intensive commercial and industrial districts, such as warehousing, storage, moving, service and repair, distribution, wholesaling, marketing of specialty goods and light manufacturing plants.

**4.5.2. Permitted Uses in Commercial Districts**

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 use permit (“SUP”) shall be permitted in Commercial districts.

**4.5.3. Development Standards**

**A. Applicability**

The following standards shall apply to all development within a Commercial zoning district. 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**

Projects shall meet the following standards.

Commercial Districts	C-LD	N-C	C-I
<i>Lot Dimensions (w/o water/wastewater)</i>			
Lot area (min. s.f.)	15,000	15,000	20,000
Lot width (min. ft.)	100	100	100
<i>Lot Dimensions (with water/wastewater)</i>			
Lot area (min. s.f.)	7,500	15,000	10,000
Lot width (min. ft.)	100	100	100
<i>Yards (min. ft.)</i>			
Front Yard	25	25	50
Rear Yard	6	6	50
Side yard			
One Yard <sup>3</sup>	10	10	10
Total (sum of both side yards)	22	22	25
Street Side Yard	25 <sup>1</sup>	25 <sup>1</sup>	10 <sup>1</sup>
<i>Height (maximum feet)</i>	50 <sup>2,4</sup>	50 <sup>2,4</sup>	50 <sup>2,4</sup>
Notes:			
<sup>1</sup> In cases where a Street Side Yard is required, the minimum interior side yard is equal to the One Yard dimension.			

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<sup>2</sup> Structures exceeding 30 feet or three stories in height shall provide at least three means of fire apparatus access. North Carolina Building Codes apply. Structures above 75 feet subject to Fire Marshal approval.

<sup>3</sup> 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.

<sup>4</sup> Additional Building Height above the maximum up to 75 feet is allowed by right and above 75 feet with the Planning Board approval 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 4.8.7) areas at a rate of one additional foot of height for every two foot of additional yard depth (front, rear, and sides).

**4.5.4. Special Standards in the C-LD Zoning District**

**A. Yards**

Required front, rear, and side yards abutting streets may be used for parking shelters and lighting devices, provided that visibility across a required front yard or side yard abutting a street shall not be impeded between the heights of 3 feet and 8 feet, and provided further, no signs shall be permitted in any required yard. Where this District borders a Residential District, including across streets, walls shall be provided so that no lights from automotive or other sources on commercial premises shall shine into windows in the Residential District, and no rear or side service areas on commercial premises shall be visible from the ground within Residential Districts. No structure (excluding fences or walls) shall be erected nearer than six feet to any Residential District boundary.

**4.5.5. Residential Structures in Commercial Zoning Districts**

Residential development in a commercial district may be permitted as a primary use in accordance with the Use Table in Section 5.2, subject to the standards and requirements applicable to the district in which it is located. Residential uses serving as an accessory structure or use to a nonresidential primary use shall comply with the standards set forth in Section 4.4.3, Accessory Structures and Uses.

**A. Dimensional Requirements**

The dimensional requirements contained in the table below shall apply to all residential or mixed residential commercial development permitted in commercial districts.

Use	District	Minimum Lot Width (ft.)		Minimum Lot Area per dwelling unit (s.f.)		Yard (ft.)		
		With Water and Sewer	Without Water and Sewer	With Water and Sewer	Without Water and Sewer	Front	Rear	Side
All residential, except multifamily	CLD/CI	60	60	7.2	6,000 <sup>3</sup>	25 <sup>3</sup>	6 <sup>3</sup>	5 <sup>1,2</sup>
	N-C	75	75	5.8	7,500 <sup>3</sup>	25 <sup>3</sup>	25 <sup>3</sup>	10 <sup>2</sup>
Multifamily/ Mixed commercial-residential	CLD/CI	100	150	13.6	3,200	Per District		
	N-C	100	100	13.6	7,000			

Notes:  
<sup>1</sup> Street side yards shall have a minimum width of 15 feet. Lots of record (lawfully established prior to January 1, 1994) may be permitted a reduced street side yard of 12 feet.  
<sup>2</sup> Single family attached and townhouses may be permitted with a side yard of zero on the side adjacent to an adjoining dwelling of the same type.  
<sup>3</sup> If the lot area does not meet the minimum square footage requirement of the current zoning district and fronts both a street and a designated Brunswick County Viewshed Protection Overlay watercourse, the parcel owner may choose which yard is considered the front. The opposite yard will be considered the rear. In no case may the setback be less than the minimum yard requirement for either the front or rear yard as specified in the Unified Development Ordinance.

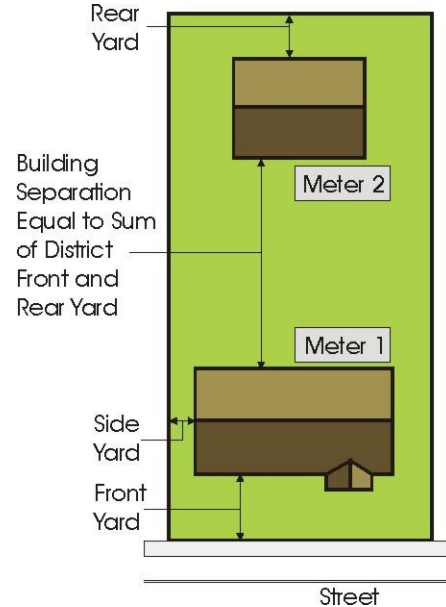
## 5.4 ACCESSORY STRUCTURES AND USES

Accessory uses shall be permitted as a subordinate use to the primary use existing on the site. Certain accessory uses shall be subject to the additional standards described in this Section. Accessory uses shall be operated in a way that presents no nuisance to the surrounding properties or larger community.

### 5.4.1. Accessory Structures

All accessory buildings and structures, including accessory dwellings (see below) shall be subject to the following additional requirements:

- A. In all residential districts except RR, the building or structure shall not be located between the front wall of the primary structure and the street, except in instances where a designated Viewshed Protection Overlay watercourse, as defined in Section 4.8.7 of the UDO, is adjacent to a parcel. The public waterway must be clearly denoted on the site plan submitted at the time of application for a building permit for the accessory structure and all applicable setbacks must be met. The addressing of the parcel will be based on the street on which the parcel is accessed.
- B. The building or structure may be located in a required side or rear yard. However, a separation of at least five feet shall be required between the building or structure and an adjoining lot line.
- C. In all Residential districts accessory buildings or structures may not exceed the height limit for the zoning district. Setback requirements are as follows:



Zoning District	Yard	Setback Requirement
R-7500; R-6000; SBR-6000; MR-3200	Front	<ul style="list-style-type: none"> <li>Per Zoning District <u>and</u> behind front wall of home <sup>[1]</sup></li> </ul>
	Side/Rear	<ul style="list-style-type: none"> <li>5' from the property line</li> <li>Maximum building height = 35'</li> </ul>
RR	Front	<ul style="list-style-type: none"> <li>Per Zoning District</li> </ul>
	Side/Rear	<ul style="list-style-type: none"> <li>5' from the property line</li> <li>Maximum building height = 35'</li> </ul>
NC; C-LD; C-I; RU-I; I-G; CP	Front/Side/Rear	<ul style="list-style-type: none"> <li>Per Zoning District</li> <li>Maximum building height = 50'</li> </ul>

<sup>[1]</sup> Exception in instances where designated Viewshed Protection Overlay is adjacent to a parcel. See Section 5.4.1.A. for details.