

3.13 DIMENSIONAL REQUIREMENTS

A. GENERAL

1. The following dimensional standards shall be regarded as the minimum required for each zoning district. The minimum lot sizes, widths, setbacks, or other open spaces required by this ordinance, including those provisions regulating intensity of use, for each and every building hereafter erected or structurally altered shall not be encroached upon, unless specifically authorized by this ordinance.
2. The location of required front, side, and rear setbacks on irregularly shaped lots shall be determined by the UDO Administrator. Such determinations shall be based on the spirit and intent of the district regulations to achieve spacing and locations of buildings or groups of buildings on individual lots. This provision shall be adhered to, particularly in the case of lots which have lost land surface area due to the actions of tidal waters.

Table 3.3 Dimensional Standards for Lots and Principal Structures, Residential Districts									
Zoning District	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Max. Height (feet) [1]	Max. Lot Coverage	Max. Impervious Coverage
R-1	5,000	50	20	10	7.5	15 units/acre	50 [4]	40%	65%
R-1B	5,000	50	20	10	7.5	8.7 units/acre	50	40%	65%
R-2	7,000	70	25	10	7.5	6.2 units/acre	45	40%	65%
R-3	12,000	80	25	10	7.5	3.6 units/acre	40	40%	65%
C	80,000	200	30	20	20	0.5 units/acre	50	15%	65%
MH	5,000	50	20	10	7.5	15 units/acre	50	40%	65%
MF	5,000	50	10	10	7.5	17 units/acre	50	40%	65%

1. Maximum height may differ if the structure is located within the height overlay district contained on the town's official zoning map.
2. Landscaping buffer requirements of this ordinance may be greater than the required side or rear yard setbacks.
3. All corner lots shall not have less than a 12.5 foot setback on a side street lot line.
4. The building height maximum may be exceeded by up to eight (8) feet when renovating existing multi-family residential structures of more than 35 units when the additional height is directly attributable to ensuring compliance with the North Carolina Elevator requirements for adequate overhead clearance. Building height allowance does not include elevator equipment.

Table 3.4 Dimensional Standards for Lots and Principal Structures, Other Districts										
Zoning District	Primary Permitted Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Height (feet) [1]	Max. Lot Coverage	Max. Impervious Coverage
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential district	None, or same as abutting residential district	NA	50 [4]	None	None
NB	Single-family, Neighborhood Goods and Services	5,000	50	20	10	7.5	8.7 units/acre	50	40%	65%
HB	Highway Commercial	10,000	100	30	15, or 20 if abutting a residential district	10	NA	50	60%	None
MB-1	Water-Oriented Businesses, Single-family/Two-family	10,000	100	30	10	10	17 units/acre	50	40%	65%
MX	Residential, Commercial Services, Tourism Accommodations	5,000	50	20	10	7.5	17 units/acre	50	40%	65%
T-1	Hotels and Motels 15 units or less	20,000	100	20	10	7.5	32 units/acre	50	40%	65% [5]
	Hotels and Motels Greater than 15 units	25,000	50	20	10	7.5	60 units/acre	50	40%	65% [5]
	Restaurants/Businesses	6,000	50	20	10	7.5	N/A	50	40%	65% [5]
	Residential	6,000	50	20	10	7.5	29 units/acre	50	40%	65% [5]
I-1	Industrial	None.	50	30	None. 20 if lot line abuts a	None. 20 if lot line abuts a	None	50	None	65% [5]

					residential district.	residential district.				
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1. Maximum height may differ if structure is located within the height overlay district contained on the town's official zoning map.
2. Landscaping buffer requirements of this ordinance may be greater than the required side or rear yard setbacks.
3. Except within the CBD district, all corner lots shall not have less than a 12.5 foot setback on a side street lot line.
4. In the CBD district, the maximum 50-foot height limitation may be exceeded for sprinklered structure(s) which shall be subject to a conditional zoning approval.
5. In the T-1 zoning district, the impervious coverage percentage may exceed 65% but not more than 80%.

B. ADDITIONAL DIMENSIONAL REQUIREMENTS

1. In addition to the dimensional standards set forth by zoning district, the following special dimensional standards are established:
 - a) Corner lots. Except within the CBD district, all corner lots shall not have less than a 12.5 foot setback on a side street lot line. Accessory structures on corner lots shall also be subject to this requirement.
 - b) Front setbacks on through lots. On through lots, the minimum front setbacks for the respective zoning districts shall apply wherever such lots have frontage on a street.
 - c) Sight distance at intersections. On corner lots abutting to vehicular traffic rights-of-way, no planting, fence, wall, sign, or structure or other type of obstructions not specifically exempted shall be permitted in the space between 30 inches above ground level and 10 feet above ground level within a sight distance triangle that abuts a right-of-way. A sight distance triangle shall be the visually unobstructed area of a street/driveway corner as determined by measuring a distance of 30 feet along the intersecting curb lines, or edges of pavement of the intersecting street/driveway if curbs are not present, and connecting the two (2) points by a straight line to form a triangular shaped area over the corner. One (1) support post not to exceed five (5) square feet may be utilized in the sight triangle to support the cantilever floors above. Structures deemed essential for public utilities, as determined by the Public Works or Public Utilities Director, may be exempt.
 - d) Jurisdictional wetlands shall not be considered a part of a lot or open space for the purpose of meeting open space or density requirements, except where modified (i.e., filled or drained) by permission from U.S. Army Corps of Engineers or the state division of coastal management.

C. REDUCTION OF FRONT YARD SETBACK

1. A front yard setback may be reduced to no less than the calculated average front yard setback distance for existing buildings on all lots located wholly or partly within 200 feet, as measured from each side lot line, of the subject property. Calculating the average front yard setback shall be subject to the following criteria:
 - a) All lots being in the same zoning district.
 - b) All lots shall front on the same side of the same street.
 - c) All lots shall be considered as having the minimum required front yard setback if the lot is vacant.
 - d) In no instance shall the calculated average front yard setback be reduced to less than 50% of the required setback.

D. REDUCTION OF SIDE YARD SETBACK

1. A side yard setback may be reduced to no less than five feet when the width of the lot is less than thirty feet.
 - a) Roof overhangs shall be the only permitted setback exception in the reduced setback and shall have a maximum encroachment of 1.5'.
 - b) Flag lots shall be required to meet the minimum setback requirements for the district.

~~D.~~ E. SETBACK EXCEPTIONS

1. Allowable intrusions into required yard setbacks. Any structure or portion of a structure may be located within a setback area up to 30 inches above the ground level of the graded lot. Examples include a platform deck without guardrails, a raised wooden sidewalk, and/or pool decking.

2. It is not the intent of this provision to allow or encourage structures to overbuild on lots but, rather, to provide for minor architectural embellishments and necessary mechanical appurtenances within required setbacks that are consistent with the State Building Code.

Table 3.5 Setback Exceptions	
Type	Distance of allowed encroachment (feet)
Heating and air conditioning units, heat pumps and meters with or without platforms	4
Utility platform stairs and support post	3
Cantilevered architectural features cumulatively not more than 25% per side of the building*	2.5
Roof overhangs	2.5
Roof overhangs with cantilevers	3
Termination of a set of stairs	2.5
Outdoor shower enclosures	4
Electric car charging station	4

*Cantilevers, excluding roof overhangs, shall be the only intrusion in the table above that is used in determining lot coverage. In addition, where front setbacks have been reduced as result of this article, no front cantilevers shall be allowed.

3. Fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard setback.
4. One (1) trellis may be permitted per lot that encroaches into a setback area as long as it meets the following regulations:
 - a) Maximum trellis height nine (9) feet.
 - b) Twenty-four inches spacing between all horizontal cross rafters on the top of the trellis with no other temporary or permanent structural members allowed, including lattice, cloth, fabric canvas, etc.
 - c) Vertical supports shall not occupy more than 10% per side of the structure. The purpose of this condition is to maintain openness of the trellis structure.
 - d) A trellis shall be freestanding with no connections to other structures.
 - e) A trellis may encroach four (4) feet into either the side or rear yard, but not both.
 - f) Where a trellis is placed in the side yard, the rear yard setback for that zoning district shall be observed. Where a trellis is placed in the rear yard, the side setback for that zoning district shall apply.

E. F. HEIGHT REGULATIONS

1. With the exception of a conditional zoning proposal within the CBD zoning district, structures shall not exceed 50 feet in height.
2. Within the CBD zoning district, any proposed structure which exceeds 50 feet in height shall be equipped with sprinkler fire suppression systems, and plans of said proposal shall be submitted for review and approval as a conditional zoning request.
3. Structures in the height overlay district as defined by the official town zoning map shall not exceed 45 feet in height.
4. Exceptions to height requirements. Exceptions to the building heights are as follows:

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- a) Regulations, including height limitations, for wireless telecommunication towers and facilities as provided in this ordinance.
 5. Setback requirements for structures exceeding maximum height regulations. Setbacks may be increased as a condition of approval for structures exceeding maximum height requirements. Where structures are permitted to exceed the 50 feet maximum height regulation the following shall apply:
 - a) The minimum required front setback shall be increased by one (1) foot for each foot in height exceeding the maximum height requirements.
 - b) The minimum required side setback shall be increased by one (1) foot cumulatively for each foot in height exceeding the maximum height requirements.

~~F.~~ G. DEVELOPMENT LINE AND/OR CAROLINA BEACH BUILDING LINE

No individual or privately owned structure shall encroach over the Carolina Beach Development Line as recorded in deed book 62, page 145 in the New Hanover County Register of Deeds. Allowed exceptions are limited to beach crossovers, piers, and sand fencing permitted under CAMA regulations. This is the oceanfront setback line required for the Town of Carolina Beach.

~~G.~~ H. STRUCTURAL BEACH CROSSOVER

1. Structural Beach Crossover. It is the intent of this section to recognize that there is a need for allowances to be granted to protect the dunes system with proper location and design of structures while preserving scenic and natural ecological conditions of the barrier dune and beach systems. Structural beach crossover shall be permitted across sand dunes so long as they are designed and constructed in a manner that entails negligible alteration on the sand dune subject to the following regulations:
 - a) The crossover shall be no greater than six (6) feet in width.
 - b) Height above grade shall be at least 12 inches, but no more than an average of 18 inches.
 - c) Handrails and guardrails shall be open on any private access and shall be limited to 42 inches in height, unless otherwise required by the State Building Code.
 - d) Horizontal development shall meet the following:
 - i) Maximum 200 square feet west of the CAMA static vegetation line.
 - ii) Maximum 40 square feet east of the CAMA static vegetation line.
 - iii) Horizontal development shall not cumulatively exceed 200 square feet.
 - e) East of the CAMA static vegetation line, no vertical development shall be allowed with the exception of handrails up to 42 inches.
 - f) The crossover shall be raised on posts or pilings of five (5) feet or less depth, so that wherever possible only the posts or pilings touch the frontal dune.
 - g) Public crossovers, municipal boardwalks, and fishing piers are exempt from the beach crossover requirements.

(Ord. No. 24-1230, 7-9-2024)