



Text Amendment: Residential PUDs and Multi-Family

December 8th, 2020
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Background

- *State Statute changes from 153/160A to 160D for Zoning*
- *Many, many changes required in local ordinances*
- *Reviewing Table of Permissible Uses*
- *Previous Directions – Small PUDs and multifamily developments “should not require CUP”*



What is changing?

Changing

- Unit Density which triggers requirement for additional scrutiny
- Procedural changes for smaller-scale, less intensive developments

Not Changing

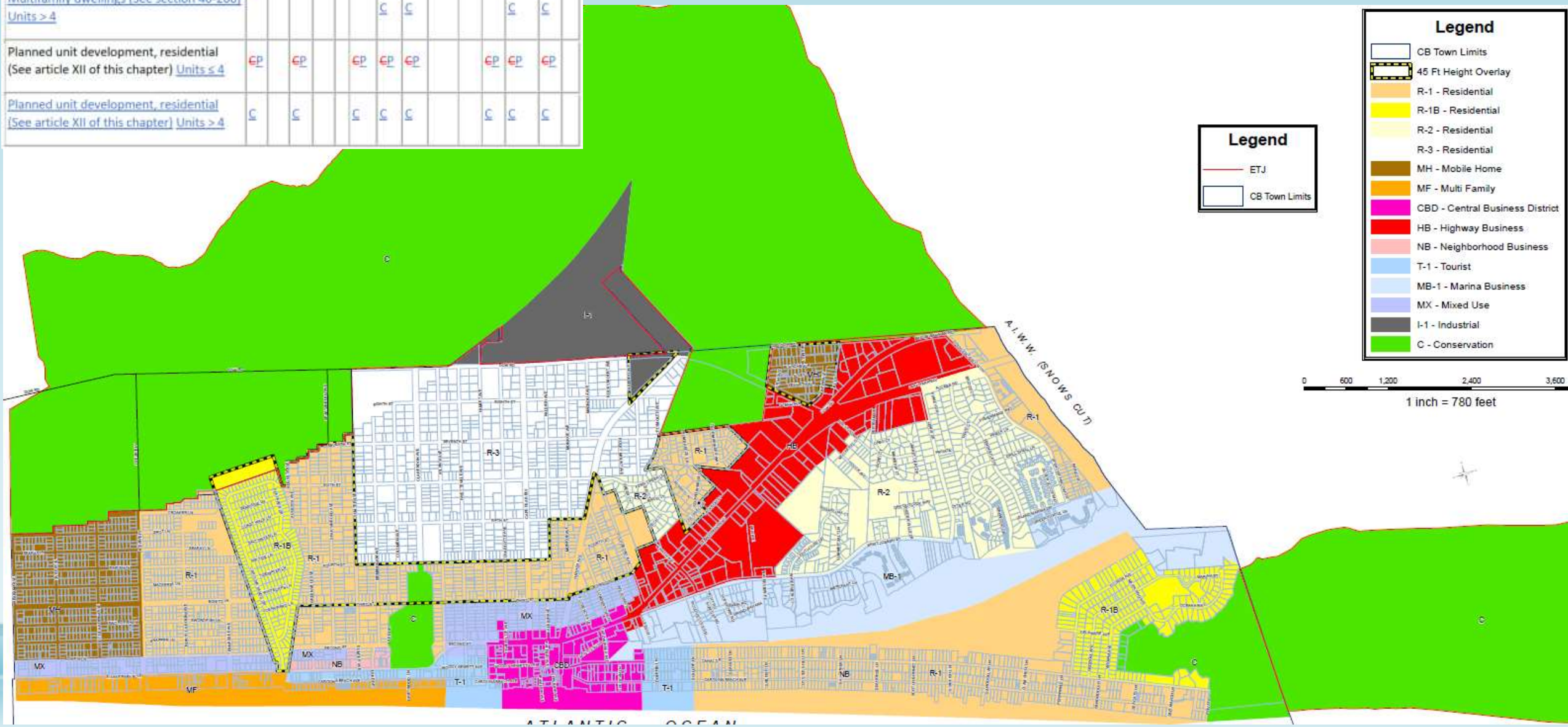
- Use location/zone is not changing
- Standards for building/fire/flood/zoning review prior to permit issuance are not changing

Updated Language

ARTICLE III. – Zoning District Regulations Sec. 40-72. – Table of permissible uses.

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Residential Uses														
Multifamily dwellings (See section 40-260) <u>Units ≤ 4</u>							P	EP				EP	EP	
<u>Multifamily dwellings (See section 40-260)</u> <u>Units > 4</u>							<u>C</u>	<u>C</u>				<u>C</u>	<u>C</u>	
Planned unit development, residential (See article XII of this chapter) <u>Units ≤ 4</u>	EP		EP			EP	EP	EP				EP	EP	EP
<u>Planned unit development, residential</u> <u>(See article XII of this chapter) Units > 4</u>	<u>C</u>		<u>C</u>			<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>	<u>C</u>	<u>C</u>

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Residential Uses														
Multifamily dwellings (See section 40-260) <u>Units ≤ 4</u>							P	CP				CP	CP	
Multifamily dwellings (See section 40-260) <u>Units > 4</u>							C	C				C	C	
Planned unit development, residential (See article XII of this chapter) <u>Units ≤ 4</u>	CP	CP					CP	CP	CP			CP	CP	CP
Planned unit development, residential (See article XII of this chapter) <u>Units > 4</u>	C	C					C	C	C			C	C	C



Legend

- ETJ
- CB Town Limits

Legend

- CB Town Limits
- 45 Ft Height Overlay
- R-1 - Residential
- R-1B - Residential
- R-2 - Residential
- R-3 - Residential
- MH - Mobile Home
- MF - Multi Family
- CBD - Central Business District
- HB - Highway Business
- NB - Neighborhood Business
- T-1 - Tourist
- MB-1 - Marina Business
- MX - Mixed Use
- I-1 - Industrial
- C - Conservation

Amend Chapter 40, Article VIII Sec. 40-72

- (1) It is recommended that Planning and Zoning open the public hearing for comments.
- (2) Close the public hearing
- (3) Consider approval or denial of the proposal and make a motion according to the appropriate statement.

New Statutory Requirements

The General Assembly amended G.S. 153A-341 and 160A-383 to add more specificity to the law regarding the mandated plan consistency statements. The amended statute still requires approval of a statement and the statement still must describe plan consistency and explain why the proposed action is **reasonable and in the public interest**. However, the form of the required statement has changed. The statement must take one of three forms:

- A Statement of Approval – The Commission, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of a Text Amendment: To amend Chapter 40 Article VIII Sec. 40-72 – PUDs and Multi-Family developments in the Town of Carolina Beach, it is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. (If applicable - List any recommended restrictions or requirements)
- A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.
- A Statement of Denial – Town Council deny the adoption of the following ordinance amendment based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long range planning documents.

Action

A Statement of Approval – The Commission, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of a Text Amendment: To amend Chapter 40 Article VIII Sec. 40-72 – PUDs and Multi-Family developments in the Town of Carolina Beach, it is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. (If applicable - List any recommended restrictions or requirements) or

- A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width ⁶	Min. Front Yard	Min. Rear Yard	Min. Side Yards* (Corner Lot— Min. 12.5 ft.) ⁴	Residential Max. Density	Max. Height	Max. Lot Coverage
R-1	Single-Family Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	50 ft. ¹	40%
R-2	Single-Family	7,000 sq. ft.	70 ft.	25 ft.	10 ft.	7.5 ft.	6.2 units/acre	45 ft.	40%
MH	Manufactured Homes Single-Family/Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	50 ft. ¹	40%
MF	Multi-Family Single-Family/Two-Family	5,000 sq. ft.	50 ft.	10 ft.	10 ft.	7.5 ft.	17 units/acre	50 ft.	40%
MX	Mixed Use	5,000 sq. ft.	50 ft.	20 ft.	10 ft. ³	7.5 ft. ³	17 units/acre	50 ft.	40%
HB	Highway Commercial	10,000 sq. ft.	100 ft.	30 ft.	15 ft., or 20 ft. if abutting a residential district	10 ft.	NA	50 ft. ²	60%
MB	Water-Oriented Businesses, Single-Family/Two-Family	10,000 sq. ft.	100 ft.	30 ft.	10 ft.	10 ft.	17 units/acre	50 ft. ²	40%
T-1	Single/Multi-Family	6,000 sq. ft.	50 ft.	20 f.	10 ft.	7.5 ft.	29 units/acre	50 ft.	40%