

**2.26 SUMMARY DEVELOPMENT APPROVAL PROCEDURES****A. PURPOSE**

A generalized submittal deadline and decision timeframe is [available from the UDO Administrator](#). ~~provided for various development approval types. This table is provided for summary purposes and should accompany the actual binding ordinance text contained in this article which provides all applicable requirements.~~

Table 2.1 Submittal Deadline and Action Timeline			
Application Type	Number of Plan/Schematic Copies	Deadline for Submittal	Generalized Timeline for Action on Complete Application [1]
Zoning Permit, Sign Permit, Floodplain Permit, Tree Removal Permit	One (1) digital	NA	30 days
Minor and Major Site Plan	One (1) digital	14 days prior to TRC meeting	30 days
Special Use Permit (major change)	One (1) digital	30 days prior to TRC meeting	60 days
Exempt Plat, Expedited Minor Subdivision Plat	One (1) digital	NA	14 days
Minor Subdivision Preliminary Plat	One (1) digital	14 days prior to TRC meeting	30 days
Major Subdivision Preliminary Plat	One (1) digital	30 days prior to TRC meeting	75 days
Minor and Major Subdivision Final Plat	One (1) digital	14 days prior to TRC meeting	30 days
Text Amendment, Zoning Map Amendment (Rezoning)	One (1) digital	30 days prior to TRC Meeting	60–90 days [2]
Conditional Zoning District, Planned Unit Development (greater than four (4) units)	One (1) digital	30 days prior to TRC Meeting	75–90 days [2]
1. Any such timeline provided is not binding. See ordinance text for specific approval timeline requirements. This is provided for reference purposes.			

~~2. — Final decisions for any legislative action are at the discretion of the Town Council, including a determination whether to pursue action on any duly submitted application. Applicants for any legislative decision are not guaranteed action on any proposed application.~~

### 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.

# UDO CHANGES DISCUSSION – P&Z 5.8.25

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%

## UDO CHANGES DISCUSSION – P&Z 5.8.25

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	10	NA	50	60%	None

UDO CHANGES DISCUSSION – P&Z 5.8.25

					residential district					
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%	<del>65%</del> [5] <u>80%</u>
	Hotels and Motels Greater than 15 units	25,000	50	20	10	7.5	60 units/acre	50	40%	<del>65%</del> [5] <u>80%</u>
	Restaurants/Businesses	6,000	50	20	10	7.5	N/A	50	40%	<del>65%</del> [5] <u>80%</u>
	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 residential district.	None. 20 if lot line abuts a residential district.	None	50	None	<del>65%</del> [5] <u>80%</u>

## UDO CHANGES DISCUSSION – P&Z 5.8.25

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%.~~

### 3.16 IMPERVIOUS COVERAGE

#### A. PURPOSE

1. Development and redevelopment that increases the impervious coverage in the Town of Carolina Beach alters the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, soil erosion, stream channel erosion, nonpoint and point source pollution, and sediment transport and deposition, as well as reducing groundwater recharge.
2. These changes in impervious coverage contribute to stormwater runoff and increased quantities of water-borne pollutants and alterations in hydrology that are harmful to public health and safety as well as to the natural environment.
3. Therefore, the Town of Carolina Beach establishes this set of impervious coverage limitations.

#### B. APPLICABILITY

1. ~~With the exception of the CBD and HB zoning district,~~ all development activities within any ~~other~~ zoning district shall be subject to the impervious coverage limitations provided in this ~~section~~ this article. The impervious coverage limitations are applicable in addition to any specific stormwater management requirements of Article 6.
2. ~~Development may not exceed 65% impervious surface coverage of total lot area and the total amount of impervious surface must remain below the maximum impervious surface coverage allowed by any other regulatory agency.~~
- 2.3. ~~Lots with existing impervious coverage exceeding 65% that exceeds the allowance~~ Lots with existing impervious coverage exceeding 65% that exceeds the allowance may remove and replace their existing impervious coverage surface, but there shall be no expansion above the current impervious coverage percentage existing on the lot. For example, if a lot has an existing impervious coverage percentage of 85% then such lot owner may be permitted to remove and replace the existing impervious materials on the site up to 85% coverage, regardless of replacement location on the site. In such instances, a building stormwater, or zoning permit must be applied for and issued within a period of 180 days following removal of impervious material.

#### C. IMPERVIOUS COVERAGE PLAN

An impervious coverage plan shall be required prior to the issuance of any permits for new construction, redevelopment, or renovation/expansion projects where the impervious surface coverage is increased by greater than 325 square feet. For redevelopment whereby the impervious coverage expansion is less than 500 square feet, such plan may be a scaled plan prepared by the owner or any applicable professional. For all other impervious coverage additions, the plan must be prepared by a licensed surveyor, landscape architect, architect, or professional engineer. Removal and replacement requests for impervious coverage nonconformities shall require plan submittal from a licensed surveyor, landscape architect, architect, or professional engineer.

### 3.23 DRIVEWAYS

- A. Purpose. The purpose of this section is to provide standards for driveway placement and design in order to safely provide access to streets while minimizing interference to traffic flow.

- B. Applicability. The standards detailed in this section apply to any proposed driveway connecting to a town-maintained road. All driveways connecting to a state-maintained road will be required to meet both town and state driveway standards.
- C. Driveway design standards. These standards apply to all driveways connecting private property to public streets. All driveways [s aprons](#) shall be paved from the street edge to the property line per the design standards listed below. In no case shall a driveway have a width that exceeds 36 feet per lot, regardless of street frontage.

Table 3.9 Driveway Design Standards				
Use	Max width [1]	Flare	Thickness	Material
Residential Single/Two-Family	36 feet	3 feet x 3 feet	6 inches	Asphalt or Portland Cement Concrete, 3000psi
All other uses	36 feet [3]	10 feet x 30 feet, or as required to meet truck turning radius	6-8 inches	Asphalt or Portland Cement Concrete, fibrous, 4000psi[2]
[1] The net width of all driveways shall not to exceed the allowable maximum width at any point within the right-of-way. This measurement is determined at the property line/right-of-way line. There is no maximum width requirement beyond the street right-of-way line.				
[2] All driveways <a href="#">s aprons</a> shall be constructed of asphalt or Portland Cement Concrete with a 3000psi minimum. High intensity, commercial uses may be required to use fibrous concrete with a 4000psi minimum upon review and direction by the Operations Director.				
[3] Width must also be in accordance with Appendix D of the current North Carolina Fire Code.				

### 3.24 OFF-STREET PARKING

#### A. PURPOSE

1. The purpose of this section is to:
  - a) Provide off-street parking standards which will alleviate traffic congestion in the streets and promote safe and unrestricted traffic flow.
  - b) Provide for the efficient storage of vehicles while minimizing the detrimental effects of off-street parking on adjacent properties.
  - c) Control the impacts of stormwater drainage and soil erosion and promotes visual enhancement through adequate landscaping.



## UDO CHANGES DISCUSSION – P&Z 5.8.25

- d) Ensure the proper and adequate development of off-street parking throughout the town and its environs.

### B. APPLICABILITY

1. The off-street parking standards contained herein shall apply to all new construction and uses, changes of use, expansions, additions and renovations to existing structures and uses.
2. Exemption of parking requirements in the Central Business District. Where properties are located within the CBD, [except for hotels, motels, and bed and breakfast inns](#), off-street parking requirements are not applicable if public parking spaces are located within 500 feet of the use as measured in a straight line from the closest point of the building to the closest public parking space. Where such use does not have building, then the measurement shall be from the property line of said use.

### E. GENERAL PROVISIONS AND REQUIREMENTS

1. Minimum parking space size. The minimum size parking space for 90-degree parking or other diagonal parking spaces shall be nine (9) feet in width and 18 feet in length. Parallel parking spaces shall not be less than eight (8) feet in width and 22 feet in length. Golf cart spacing may be six (6) feet in width by 14 feet in length.
2. For nonresidential uses only, [except for hotels, motels, and bed and breakfast inns](#), up to 20% of the required parking may be utilized for golf cart/low-speed vehicle parking or compact vehicle parking. Each space shall be designated, "compact vehicle or golf cart/LSV only." In utilizing the 20% exception, all nonresidential uses must provide a bicycle rack with a minimum of four (4) spaces.

## 3.49 RECONSTRUCTION, MAINTENANCE, FULL OR PARTIAL DEMOLITION AND RENOVATION OF NONCONFORMING SITUATIONS

- A. Intent: Nonconforming uses created by a change in regulations may continue to exist and shall be subject to all other provisions of this article. Nonconforming regulations pertaining to fences are found in the fence section within Division 2 of this article. The Town strongly values the improvement of nonconforming structures as long as those improvements are not associated with negative impacts to adjacent properties. To help manage the multitude of issues with improving nonconforming structures some latitude for design improvements can be utilized.
- B. Any building or structure for which normal repair, renovation, demolition and reconstruction, or routine maintenance is proposed in an amount less than 100% of the current tax or certified appraised value of the building or structure, regardless of the reason for such repair or maintenance, shall meet the following:
  1. No increase in the density with which the building or structure was originally constructed,
  2. No increase in building height except when elevating a structure to meet Article 5: Flood Damage Prevention,
  3. If the repairs exceed 50% of the current tax or certified appraisal value but not greater than 100%, then the structure must comply with setback provisions where abutting a non-street lot line in addition to complying with the minimum off-street parking requirements, and

## UDO CHANGES DISCUSSION – P&Z 5.8.25

4. No additional nonconformities are created except for the following:
  - a. For buildings or structure that are nonconforming due to exceeding lot coverage, an additional 2% lot coverage may be added if the following are met:
    - i. No additional nonconformities result from the added lot coverage.
    - ii. Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added (i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added).
    - iii. Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.
    - iv. Additional lot coverage shall only be added to the principal building(s).
    - v. Additional lot coverage shall not encroach any further toward a property line than the existing principal building(s).
- C. In the event normal repairs, renovations, full or partial demolition will result in new construction to a nonconforming structure exceeding 100% of the current tax or certified appraised value of the building or structure in any period of 12 consecutive months (except as otherwise allowed in subsection (E) of this section), regardless of the reason for such repairs, renovations, full or partial demolition, or maintenance, the owner shall be entitled to undertake new construction using the same building density with which the building or structure was originally constructed, provided that the following provisions are met:
  1. The number of living units or non-residential spaces are not increased.
  2. No additional nonconformities are created.
  3. All current minimum setbacks are met for the zoning district in which the structure is located.
  4. Maximum building height of the structure shall not exceed those of the zoning district in which it is located.
  5. Landscaping and buffer requirements shall meet the minimum requirements of the zoning district in which it is located.
  6. All parking requirements shall meet the minimum requirements of the district in which it is located.
  7. Lot coverage shall not exceed that of the original construction that is being replaced.
  8. All stormwater requirements of the town shall be met.
- D. In any event, normal repair, renovation, or new construction shall be consistent with regulations as established by the State Building Code, state division of coastal management, the Federal Emergency Management Act, the flood damage prevention ordinance or any other state, or federal regulation that would supersede the provisions of this article.
- E. Any nonconforming structure or structures containing a nonconforming or conforming use which was lawful on the adoption date of this article or was made unlawful by subsequent changes to the Carolina Beach Town Code can be rebuilt in the event it is damaged or destroyed, whether in whole or in part, by fire, wind, flood, or other calamity or catastrophic

## UDO CHANGES DISCUSSION – P&Z 5.8.25

event. Any such restoration, reconstruction, or repair shall be subject to the following requirements:

1. The construction shall be based upon and be substantially similar to the prior structure with no increase in nonconforming uses or nonconforming situations.
  2. The footprint of the foundation shall not be increased.
  3. Any such work shall comply with the electrical, plumbing, heating/air-conditioning, and building code in effect at the time of the construction work. Said restoration, reconstruction, or repair shall meet all other regulations as specified by the state division of coastal management, the Federal Emergency Management Act, the flood damage prevention ordinance or any other state, or federal regulation that would supersede the provisions of this article.
  4. Reconstruction of a structure in accordance with this subsection (E) may cause new height nonconformities in order to meet all state and federal flood regulations. In this scenario, the structure may exceed height regulations of the district by no more than what is required to meet flood requirements.
  5. The number of living units or nonresidential spaces shall not be increased and no additional nonconformities shall be created.
- F. Reconstruction of a nonconforming building, structure or use under the provisions of subsection (E) of this section shall be subject to the following restrictions:
1. A letter of intention to reconstruct with certification of the original building or footprint is required to be delivered to the Building Inspector and UDO Administrator within 180 days from the date the building was damaged or destroyed. Prior to such letter of intent, buildings shall be made safe so as not to endanger the public or jeopardize public safety. Said 180-day period may be extended by an action of the Town Council.
  2. A building permit is to be obtained from the Building Inspector within 365 days from the date the building or structure was damaged or destroyed, and if the building permit is not obtained within the 365 days, the reconstruction will have to be conforming. Any extensions to this time may be granted by the Town manager for up to 365 additional days, if the applicant provides a letter giving reason why the building permit has been unobtainable.

### 3.6 ACCESSORY USE STANDARDS

#### A. ACCESSORY USE OR STRUCTURE, GENERAL STANDARDS

1. These general standards apply to allow accessory uses and structures.
2. In no case shall there be more than one (1) customary accessory building on the lot except for the exemptions provided herein.
  - a) The following shall be exempted from the one (1) customary accessory building:
    - i) Fence.
    - ii) Flagpole.
    - iii) Dog house not to exceed 16 square feet.
    - iv) Pump house not to exceed 16 square feet.

## UDO CHANGES DISCUSSION – P&Z 5.8.25

- v) Playhouse not to exceed 36 square feet nor eight (8) feet in height.
  - vi) Private swimming pools and their associated decks, fencing, and equipment.
  - vii) Structural beach crossover.
  - viii) Marinas.
  - ix) Electric (EV) charging station.
  - b) The exemptions shall not have sewer, electrical, and plumbing, except for marinas, beach crossovers, pools, and pump houses, where applicable.
  - c) These exemptions are not considered as part of the lot coverage for bulk purposes. Impervious coverage limitations are still applicable.
- B. ACCESSORY USE OR STRUCTURE, NONRESIDENTIAL**
- 1. Accessory structures associated with nonresidential uses shall:
    - a) Be included when calculating the total allowable lot coverage.
    - b) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
    - c) Not exceed the size of the primary structure.
    - d) Not be used as a dwelling unit.
- C. ACCESSORY USE OR STRUCTURE, RESIDENTIAL**
- 1. Accessory structures associated with residential uses shall:
    - a) Be included when calculating the total allowable lot coverage, and shall not constitute a proportionate size greater than 25% of the principal building's lot coverage, regardless of the lot size.
    - b) Be limited to 15 feet in height.
    - c) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
    - d) Not be occupied, leased, rented, or otherwise used for profit, income, or for gain.
    - e) Not be used as a dwelling unit.
    - f) Contain no more than three (3) internal plumbing fixtures (water heater is exempt).
    - g) Meet State Building Code requirements if any dimension is greater than 12 feet.
- 3.13 - DIMENSIONAL REQUIREMENTS**
- D. SETBACK EXCEPTIONS**
- 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.

## UDO CHANGES DISCUSSION – P&Z 5.8.25

- 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.

### 3.8 PLANNED UNIT DEVELOPMENT STANDARDS

#### A. PURPOSE

1. Residential, business, and industrial planned unit developments are intended to encourage innovation, flexibility of design, and better land use by allowing deviations from the standard requirements of the town's specific zoning districts. The purpose of providing for these uses is to promote:
  - a) Improved compatibility of new development with existing residential neighborhoods, commercial enterprises, and industrial uses.
  - b) Flexibility of design to take greatest advantage of a site's natural and developmental qualities.
  - c) Accumulation of large areas of usable permanent open space to preserve important natural resources.
  - d) Efficient use of land that may result in lower development and public service cost.
2. All proposed planned unit developments units shall comply with the dimensional requirements, density specifications, and lot coverage requirements for the district in which the use is to be located. With the exception of townhouse lots, any lots created within a planned unit development shall be subject to the minimum lot size for the district in which the site is located.
3. No principal structure shall be located closer than 15 feet to another principal structure on site.
4. Where a planned unit development proposes structures to be located on the same lot and behind another existing or proposed structure, a minimum 12 foot ~~permanent access-easement~~ drive aisle shall be established and perpetually maintained to grant access to the adjoining street frontage and driveway connection.
5. Planned unit developments shall not be permissible where a property is subject to an existing nonconforming situation. Any existing nonconforming situation shall be ameliorated prior to the issuance of a zoning permit for a planned unit development.

### 3.15 FILL AND GRADE

#### A. PURPOSE

To prevent the unrestricted placement of fill material and to reduce the potential for increased flooding conditions throughout the planning jurisdiction, the Town of Carolina Beach hereby establishes this set of fill, grade, and excavation requirements.

## UDO CHANGES DISCUSSION – P&Z 5.8.25

### B. FILL, GRADING, AND EXCAVATION

1. No lot, parcel, or tract of land may be disturbed by grading, filling, and excavation without a town fill and grade permit.
2. Permits for fill and grade shall be accompanied by a scaled grading plan depicting elevation change prepared by a licensed surveyor, landscape architect, or professional engineer.
3. The amount of fill added to a lot shall not be greater than one (1) foot above the crown of the highest adjoining street or access easement or even with the highest adjacent lot. For lots where the adjacent lot elevation exceeds one (1) foot above the crown of the adjoining street, then the fill added to the subject property may not exceed that of the highest adjacent lot or four (4) feet above the crown of the highest adjoining ~~lot~~ street, whichever is less. Fill shall be added based upon the existing grade of each lot. The CBD and HB zoning districts shall be exempt from these requirements.

### 3.47 NONCONFORMING LOTS

- A. Use by right when all setbacks can be met. Where the owner of a lot of record identified as nonconforming by the county tax parcel identification numbers as they exist on December 13, 2005, does not own sufficient land to enable the owner to conform to the dimensional requirements established by this chapter, such lot may be developed as a single-family residence, provided the lot can be used in conformance with all of the regulations (other than the area or width requirements) applicable to the district in which the lot is located, such use may be made as of right. Nonconforming lots created by transfer on or after December 14, 2005, shall not be developed.
- B. Recombination of lots required when possible. Whenever this article creates a nonconforming lot, and the owner of the nonconforming lot also owns land having continuous frontage to it, and a portion of this other land can be combined with the nonconforming lot to create a conforming lot (without thereby creating other nonconformities), the owner of the nonconforming lot, or his successor in interest, shall combine the lots in accordance with the town's subdivision ordinance to create one (1) or more conforming lots prior to developing the property. This section does not apply to those parcels identified as nonconforming lots of record as of July 14, 2004, and any subsequent nonconforming lots of recorded created between July 14, 2004, and December 14, 2005.
- C. Odd lots groupings. Where lots of record having the same street front have been combined in odd-numbered contiguous groups (3, 5, 7, etc.) existing conformities within the group (i.e. a minimum of two (2) adjoining lots) shall be maintained and the remaining single lot may be developed as a nonconforming lot as provided in subsection (a) of this section.
- D. Subdivide platted lots. Where original platted lots in common ownership create an area over the minimum lot size, but will not meet the lot size or frontage requirements when subdivided, then the owner may subdivide the platted lots in accordance with the town's subdivision ordinance to create lots that are no more than 25% less than the minimum lot size for that district.
- E. Reduction of required lot area when lost to shore erosion. Where lots abut the estuarine tidal waters as defined by this ordinance or by the Carolina Beach Erosion Control and Hurricane Wave Protection Projects and where lot depth has been lost due to the encroachment of such waters, making such lot area non-conforming to the zoning district

## UDO CHANGES DISCUSSION – P&Z 5.8.25

requirements, the existing lot area may be considered conforming to meet the minimum lot area requirements of the zoning district in which located. However, the front and side yards of the zoning district shall apply.

- F. Reduction of required lot area. Where lots abut estuarine and/or ocean tidal waters, as defined in this ordinance, and where lot depth has been lost due to the encroachment of such waters, making such lot area nonconforming to the zoning district requirements, the existing lot area may be considered conforming to meet the minimum lot area requirements of the zoning district in which located. However, the front and side setbacks of the zoning district shall apply. Lots which have lost area due to estuarine and ocean tidal waters or Carolina Beach Erosion Control and Hurricane Wave Protection Projects may be developed in accordance with all applicable permitted uses of the zoning district in which located, provided that the actual lot area extending to the Carolina Beach development/building line or Kure Beach's Beach Re-nourishment Easement Line shall be utilized when computing the density for multifamily dwellings per lot. The UDO Administrator shall make the determination of actual lot area.
- G. For sound-front lots, a 50% reduction in the front yard may be permitted where full compliance with off-street parking requirements can be met.
- H. Where the Carolina Beach development/building line creates a reduction in lot area that results in a non-conforming lot a 50% reduction in the front yard setback may apply where full compliance with off-street parking requirements can be met.
- I. Lots which have lost area due to estuarine tidal waters or Carolina Beach Erosion Control and Hurricane Wave Protection Projects may be developed in accordance with all applicable permitted uses of the zoning district in which located, provided that the actual lot area above the mean high water level shall be utilized when computing the density for multifamily dwellings per lot. The UDO Administrator shall make the determination of actual lot area subject to appeal.