

To: Town of Carolina Beach Planning and Zoning Commission
From: Cape Fear Council of Governments: Wes MacLeod, AICP, ASLA
Date: May 29, 2024
Re: Final Draft – Unified Development Ordinance (UDO)

Please find the attached draft of the Town’s first Unified Development Ordinance (UDO). To create the Town’s first UDO, the respective Chapters relating to land use (Chapters 30, 32, 36, and 40) contained in the Town’s General Code will be repealed and the existing relevant language incorporated into the new UDO. This ordinance process began in July 2022, with the first Planning and Zoning Commission held in October 2022. An audit of all existing land development ordinances was completed to identify areas in need of change. The Town’s staff and Planning and Zoning Commission have provided valuable oversight throughout the nearly two-year long process.

This editorial draft contains strikethrough (language proposed for deletion) and underline (new language) formatting. A public hearing held before the Planning and Zoning Commission and Town Council is required prior to adoption.

UNIFIED DEVELOPMENT ORDINANCE UPDATES

The following items have been completed as part of the draft update:

- Updates and modification for overall organization and clarity. Reduction in overall text and clarification of many ambiguous and unclear provisions.
- Consolidation of procedures, roles, responsibilities, and administrative items into one article (Article 2).
- Revision to the table of permitted uses to consolidate use types where feasible and incorporate additional uses required by case law or NC General Statutes.
- Establishment of impervious coverage limit of 65% for all zoning districts, with the exception of the HB, CBD, and T-1 zoning district. The 65% limit is based upon an assessment of existing site conditions throughout the Town’s planning jurisdiction.
- Restriction on the use of site fill to raise the elevation of a lot. The placement of fill is restricted to one foot above the crown of the adjacent street or alley. An exception is

provided for lots impacted by tidal flooding. The CBD and HB zoning districts are exempt from this requirement.

- Consolidation of development standards such as fences, parking, sidewalks, and driveways into one article (Article 3).
- Update to off-street parking requirements to allow up to 20% of the required parking spaces to be utilized for golf cart or LSV parking.
- Restriction of the use of private streets in future subdivisions.
- Removal of the allowance of bonding or financial guarantees for the installation of infrastructure.
- Update to the Wireless article in accordance with NC General Statutes.

Please do not hesitate to send any comments, questions, or concerns to our office regarding the draft Unified Development Ordinance (UDO). Lastly, it has been a pleasure to work with Town staff and the Planning and Zoning Commission on this important task.

Best Regards,

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