

Town of Spring Lake

PENDING TOWN CODE OF ORDINANCES TEXT AMENDMENT

P12-42

"Chapter 42 Zoning Code, CD Conservancy District"
(several ordinance sections)

CASE HEADING:

P12-42: REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE II. ZONING DISTRICTS, SECTION 42-35 BY CREATING SUB-SECTION (17) ENTITLED: *CD CONSERVANCY DISTRICT*; ARTICLE III. PERMITTED PRINCIPAL USES AND STRUCTURES, SECTION 42-63. DISTRICT USE REGULATIONS, INSERTING A COLUMN ENTITLED *CD* AND SPECIFYING THE USES ALLOWED IN THE CD ZONING DISTRICT; ARTICLE VIII. LOT AND YARD REGULATIONS, BY CREATING SUB-SECTION (8) ENTITLED: *LOT AREA EXCEPTION IN CONSERVANCY DISTRICTS*; ARTICLE VIII. LOT AND YARD REGULATIONS, SECTION 42-192. DISTRICT DIMENSIONAL PROVISIONS BY INSERTING A ROW ENTITLED: *CD* AND ESTABLISHING YARD SETBACKS FOR THE CD ZONING DISTRICT; AND ARTICLE XI. SIGN REGULATIONS, SECTION 42-293, SUB-SECTIONS (1) AND (1)D. MAKING CERTAIN EXISTING SIGN REGULATIONS APPLICABLE IN THE CD ZONING DISTRICT; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

CURRENT MEETING INFORMATION:

Joint Planning Board Public Hearing, June 19, 2012, 6:55 pm, 2nd floor Hearing Room, Historic Courthouse, 130 Gillespie Street, Fayetteville

ADDITIONAL INFORMATION:

This amendment, if approved, will provide the town a tool for protection of environmentally sensitive areas. Also because the district exists in the county on certain properties in close proximity to the town, initial zoning for annexations can be more consistently processed.

The complete text of the amendment follows this page.

P12-42

Spring Lake Zoning Ordinance Text Amendment (CD Conservancy District)

P12-42: REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE II. ZONING DISTRICTS, SECTION 42-35 BY CREATING SUB-SECTION (17) ENTITLED: *CD CONSERVANCY DISTRICT*; ARTICLE III. PERMITTED PRINCIPAL USES AND STRUCTURES, SECTION 42-63. DISTRICT USE REGULATIONS, INSERTING A COLUMN ENTITLED *CD* AND SPECIFYING THE USES ALLOWED IN THE CD ZONING DISTRICT; ARTICLE VIII. LOT AND YARD REGULATIONS, BY CREATING SUB-SECTION (8) ENTITLED: *LOT AREA EXCEPTION IN CONSERVANCY DISTRICTS*; ARTICLE VIII. LOT AND YARD REGULATIONS, SECTION 42-192. DISTRICT DIMENSIONAL PROVISIONS BY INSERTING A ROW ENTITLED: *CD* AND ESTABLISHING YARD SETBACKS FOR THE CD ZONING DISTRICT; AND ARTICLE XI. SIGN REGULATIONS, SECTION 42-293, SUB-SECTIONS (1) AND (1)D. MAKING CERTAIN EXISTING SIGN REGULATIONS APPLICABLE IN THE CD ZONING DISTRICT; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMEND Article II. Zoning Districts, Section 42-35. Statement of district intent; purpose and zone characteristics by CREATING sub-section (17), entitled: *CD conservancy district*, with the text to read as follows:

(17) *CD Conservancy District*. This district is designed to preserve and protect identifiable natural resources from urban encroachment. The general intent of the district is to provide open area uses for such resource areas that will continue to provide limited development potential while preserving existing conditions to the extent feasible. Areas to be zoned in this district shall be identifiable as swamp, marsh, flood land, poor or very severe soils areas or managed and unmanaged woodland on USGS (Geological Survey) maps, soil maps prepared by the USDA (Department of Agriculture) Soil Conservation Service or other appropriate sources and on file in the County Planning Department.

AMEND Article III. Permitted principal uses and structures, Section 42-63. District use regulations by INSERTING a column into the table entitled: *CD*, with the uses allowed as indicated below with the "X" signifying the use is permitted and "C" designating the use as a special use permit requiring Board of Adjustment approval:

<i>Permitted Uses</i>	<u>CD</u>
Hatchery operations	<u>X</u>
Home occupation, incidental	<u>X</u>
Nursery operation (plants) retail and production	<u>X</u>
Public and community utility stations or substations	<u>X</u>
Quarry operations	<u>C</u>
Private recreation or swimming club, nonprofit	<u>C</u>
Public recreation (such as neighborhood center buildings, parks, museums, playgrounds), on a nonprofit basis and similar facilities operated	<u>X</u>
Recreation or amusement enterprise conducted outside a building and for profit, and not otherwise listed herein	<u>X</u>
<u>Recreation vehicle park and/or campgrounds</u>	<u>C</u>
Sawmill or planing activities	<u>X</u>
Special information sign, insert	<u>C</u>
Telephone exchange operations	<u>C</u>

AMEND Article VIII. Lot and Yard Regulations, Section 42-190. Lot Regulations, by CREATING sub-section (8) entitled: *Lot area exception in conservancy districts* with the text to read as follows:

(8) *Lot area exception in conservancy districts.* In the CD conservancy district, the area may be used as part of any contiguous zoning district for calculating density of an entire development and satisfying setback requirements for lots within the development. That portion of such lots within the development falling within the CD district shall only be used for open space uses, and no principal or accessory structures shall be permitted, except boat landing piers when permitted by applicable Federal, State, or local regulations.

AMEND Article VIII. Lot and Yard Regulations, Section 42-192. District dimensional provisions, by INSERTING a new row at the end of the table with the district designation of “CD” and the dimensional provisions as indicated below:

Sec. 42-192. District dimensional provisions

<i>Minimum Yard Regulations</i>					
		<i>Front Yard Setback in Feet²</i>		<i>Side Yard Width in Feet³</i>	<i>Rear Yard Depth in Feet⁴</i>
<i>District</i>	<i>Minimum Areas¹</i>	<i>Measured From R/W Line</i>	<i>Measured From Street Centerline</i>		
<u>CD</u>		<u>50</u>	<u>80</u>	<u>50</u>	<u>50</u>

AMEND Article XI. Sign Regulations, Section 42-293. Signs permitted by districts, sub-section (1) *Residential and mixed use or planned neighborhood development districts*, by INSERTING *conservancy* in the sub-section title as indicated below:

- (1) *Residential, conservancy and mixed use or planned neighborhood development districts.*

AMEND Article XI. Sign Regulations, Section 42-293. Signs permitted by districts, sub-section (1) *Residential and mixed use or planned neighborhood development districts*, sub, sub-section d. *Institutional, commercial and industrial signs located in rural residential, and mixed use or planned neighborhood development districts* by INSERTING *conservancy* in the sub, sub-section title and the first paragraph as indicated below:

- d. *Institutional, commercial and industrial signs located in rural residential, ~~and~~ mixed use or planned neighborhood development and conservancy districts. Any institutional, commercial or industrial use, which is a permitted or special use or an approved use through conditional zoning in a rural residential, ~~or~~ residential or conservancy [district] may erect and maintain signs as follows:*