

ANNOTATED UDO OUTLINE

WORKING DRAFT | LAST SAVED: 2024-03-06



CLARION

INTRODUCTION

This document provides an outline to structure Chatham County’s revised zoning and land development ordinances. The new Unified Development Ordinance (UDO) will consolidate the following 13 ordinances into a single document, providing a more user-friendly structure than the existing ordinances and making key information easier to find and understand.

1. Zoning Ordinance (ZO)
2. Subdivision Regulations (SR)
3. Compact Communities Ordinance (CCO)
4. Fire Prevention & Protection Ordinance (FPPO)¹
5. Flood Damage Prevention Ordinance (FDPO)
6. Hazardous Waste Management Ordinance (HWMO)²
7. Junk Yard Control Ordinance (JYCO)
8. Moratorium Ordinance (MO)³
9. Off-Premise Signs Ordinance (OPSO)
10. Soil Erosion & Sedimentation Control Ordinance (SESCO)
11. Stormwater Ordinance (SO)
12. Watershed Protection Ordinance (WPO)
13. Wireless Telecommunications Facilities Ordinance (WTFO)

The principles described in this Introduction guide the outline and UDO drafting.

Organization. The UDO is arranged logically by topic:

Similar subjects are arranged together by chapter—e.g., procedures, development standards, nonconformities—rather than scattered throughout the code, to the extent possible.

The more commonly used parts of the code are placed up front.

Material of a more technical nature, which is needed to provide effective standards and guidance for applicants and permitting officials, resides towards the rear of the code.

Code Length. Many believe a shorter code is more user-friendly. This may make the UDO quicker to review, but not necessarily easier to use during the development

¹ Note only a portion of this ordinance will be relocated to the UDO (see Section 4.3: *Fire Protection*).

² During drafting, the consultant team will work closely with the County attorney to determine whether State law preempts the County from regulating hazardous waste facilities.

³ Note this ordinance will be replaced with provisions specified in the North Carolina General Statutes (see Subsection 12.1.10: *Moratoria*).

review process. A longer code will answer many of the questions that arise during development review; a shorter code typically leaves questions unanswered—leading to frustration for the applicant and the reviewer.

That said, a development code should not be longer than necessary. The UDO will tame code length by using succinct sentences written in the active voice, consolidating similar requirements where possible, and consolidating long lists of standards into matrices.

The current ordinances often use long paragraphs, which makes them difficult to read and confusing at times. Several sections of the current ordinances present numerical standards in sentences (e.g., ZO Section 15: *Regulations Governing Signs*, SR Section 7.4: *Lots*, and WPO Section 302: *Watershed Areas Described*). This format also is difficult to read, and can add to the length of the code.

The alternative is a matrix, or table, of development standards. Matrices minimize the length of the code and help readers compare standards side-by-side. The current codes use a matrix format to present many numerical standards (e.g., ZO Section 14.1: *Off-Street Parking Requirements*, SR Section 7.3: *Blocks*, and SESCO Section 164.16: *Design and Performance Standards*). Where appropriate, matrices will be added to present other standards and requirements.

Cross-References. The UDO will balance the use of cross-references (as opposed to repeating standards throughout) with the goal of keeping like materials together. This reduces text length and minimizes the potential for inconsistencies when the UDO is amended. However, it does require the reader to consult multiple sections of the ordinance.

Right-Sized, Objective Standards. Standards are “right-sized” to regulate only what is needed. This not only reduces volume, but also reduces budget and staffing needs. Some code writers use “aspirational” language rather than prescriptive standards (i.e., “should” vs. “shall”). However, this type of standard can be difficult to enforce and can create inconsistencies in how it is administered. The UDO will use clear, objective standards, particularly when administrative (staff) approval is required.

Graphics. Graphics will illustrate the text language. The existing codes contain a handful of graphics, primarily in the Zoning Ordinance and Subdivision Regulations. The revised codes will carry forward existing graphics where possible.

Graphics can be very time-consuming to produce, so we typically save most graphics for the final document. Photographs of local examples also could be used to illustrate how a development standard works or what a particular use looks like. Note that graphics also add to code length, but improve clarity and usability.

Formatting and Numbering. We will prepare the UDO using Microsoft Word. The *UDO Drafting Rules & Style Guide* establishes drafting rules, including formatting, capitalization, and punctuation. The UDO Style Template (“CCNC UDO Template.dotx”) establishes the document’s design, including fonts, headers, footers, and page numbering.

The development-related ordinances do not appear in the County’s online code on the American Legal website. This offers flexibility to establish an organization and numbering system unique to the UDO. The Annotated Outline proposes using a numbering scheme based on International Standard ISO 2145, where:

Arabic numerals (1, 2, 3, ...) are used for the first three “heading” levels (chapter, section, subsection);

The main divisions (first-level headings or “chapters”) are numbered continuously starting from 1;

Each main division is divided further into subdivisions (second-level or “sections”), which are equally continuously numbered. This is continued for a third level of subdivision (“subsections”); and

A full stop [“.”] is placed between numbers that designate subdivisions of different levels. No full stop is placed after the number or letter that designates the final subdivision.⁴

The Chatham County UDO will be organized as shown in the example below. This numbering system allows for future additions to the UDO without the need to “reserve” section numbers at the end of each chapter, section, or subsection.

1 Title (“Chapter”)

1.1 Title (“Section”)

1.1.1 Subtitle (“Subsection”)

A. Topic and text (“paragraph”)

1. Subtopic and text (“subparagraph”)

(a) Text (avoid use of this level where possible)

(1) Text (avoid use of this level where possible)

⁴ Wikipedia, ISO 2145; available: https://en.wikipedia.org/wiki/ISO_2145

ANNOTATED OUTLINE

The Annotated Outline is a “blueprint” for the UDO drafting stage, but does not represent the final outline for the UDO. During drafting, chapters, sections, and subsections may be added, removed, or reorganized.

The outline uses the UDO Style Template mentioned above. It identifies each chapter and most sections in each chapter. In some cases, subsections and their titles are also identified.

The outline includes brief descriptions of the intent of the chapters, sections, or subsections, and indicates the current ordinance sections that are relocated to that particular chapter, section, or subsection. In many instances, existing language and standards will be carried forward. Antiquated language and inconsistencies will be addressed as the UDO is drafted. The outline also includes footnotes to describe proposed changes in more detail.

For reference, the current zoning and development ordinances are available online:

<https://www.chathamcountync.gov/government/departments-programs-i-z/planning/ordinances-regulations>

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HOW TO USE THIS UDO

This introductory portion explains how to read the Unified Development Ordinance and how to determine applicable requirements.

LAND DEVELOPMENT & ZONING IN NORTH CAROLINA

LAND DEVELOPMENT & ZONING IN CHATHAM COUNTY

HOW TO READ THIS UDO

DETERMINING THE REGULATIONS FOR A SPECIFIC SITE

DETERMINING WHICH PROCEDURES APPLY

CHAPTER 1 INTRODUCTION

1.1 TITLE

Provides the full name of the ordinance (“Chatham County Unified Development Ordinance”), in addition to any abbreviated titles (e.g., “UDO”).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 1 TITLE
SR SECTION 1.1 TITLE

1.2 PURPOSE

Describes the reasons for the Unified Development Ordinance and what it accomplishes (e.g., implementing the Comprehensive Plan; protecting property values, natural resources, and agricultural land).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO PAGE 1
SR SECTION 1.3 PURPOSE

1.3 AUTHORITY

Recites authority for UDO, including N.C.G.S. Chapter 160D.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO PAGE 1
SR SECTION 1.2 AUTHORITY

1.4 APPLICABILITY

Describes the area of jurisdiction for zoning and land development. Carries forward and clarifies, as needed, the State-mandated exemption for bona fide farms.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 2 JURISDICTION
ZO SECTION 3 BONA FIDE FARM EXEMPT
SR SECTION 1.4 JURISDICTION

1.5 RELATIONSHIP TO PLANS

Defines the relationship between the UDO and adopted plans, such as Plan Chatham and the Chatham County-Town of Cary Joint Land Use Plan.

1.6 RELATIONSHIP TO OTHER REGULATIONS

Cross-references other applicable County Code Chapters or policy documents.

1.7 WATER & SEWER REQUIREMENTS

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.7 WATER AND SEWER REQUIREMENTS

1.8 SEVERABILITY

Carries forward existing text.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 26 VALIDITY

SR SECTION 1.9 SEPARABILITY

1.9 REPEAL OF PREVIOUS ORDINANCES

Provides that zoning and land development regulations in effect prior to the effective date of the new UDO are repealed.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 24 REENACTMENT AND REPEAL OF EXISTING ZONING ORDINANCE

SR SECTION 1.5 ENACTMENT

SR SECTION 1.11 RESERVATIONS

1.10 PERMIT CHOICE & VESTED RIGHTS

Cross-references N.C.G.S. [§ 160D-108](#).

1.11 EFFECTIVE DATE

Establishes effective dates for the new UDO, consistent with state law.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 24 REENACTMENT AND REPEAL OF EXISTING ZONING ORDINANCE
ZO SECTION 27 EFFECTIVE DATE
SR SECTION 1.5 ENACTMENT

1.12 TRANSITIONAL PROVISIONS

Addresses the transition from the previous ordinances in effect prior to the effective date of the UDO.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 24 REENACTMENT AND REPEAL OF EXISTING ZONING ORDINANCE
ZO SECTION 27: EFFECTIVE DATE
SR SECTION 1.5: ENACTMENT
SR SECTION 1.10 SAVING PROVISION

1.12.1 GENERALLY

1.12.2 APPLICATIONS IN PROGRESS

1.12.3 APPROVALS GRANTED PRIOR TO EFFECTIVE DATE

1.12.4 VIOLATIONS CONTINUE

CHAPTER 2 ZONING DISTRICTS

2.1 GENERAL PROVISIONS

2.1.1 INTRODUCTION

Introduces and explains the zoning districts, and establishes general standards. This includes a cross-reference to the Use Table in Chapter 3.

2.1.2 DISTRICTS ESTABLISHED

Establishes the zoning districts. A table will classify the districts as conventional, conditional, or legacy districts.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 4 DISTRICTS ESTABLISHED

2.1.3 ZONING MAP & OTHER OFFICIAL MAPS

Formally establishes the zoning map and cross-references the procedures for amendments. Incorporates by reference flood insurance rate maps, watershed

boundary maps, and other maps officially adopted or promulgated by state and federal agencies that relate to the zoning and land development process.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 6.1 ZONING MAP

ZO SECTION 6.2 INCORPORATION BY REFERENCE

2.1.4 LOTS FOR MINOR UTILITY USES

Carries forward current provisions for minor utility lots in the Dimensional Standards for each conventional district.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTIONS 10.1.B, 10.2.B, 10.3.B, 10.4.B, 10.6.B, 10.7.B, 10.8.B, 10.9.B, AND 10.10.B

2.2 CONVENTIONAL DISTRICTS⁵

Carries forward current zoning districts and adds new districts to implement Plan Chatham goals. Renames the current residential districts to better align with the Future Land Use & Conservation Plan Map designations.

2.2.1 PP, PARKS & PROTECTED LANDS DISTRICT⁶

2.2.2 AG, AGRICULTURAL DISTRICT⁷

2.2.3 RA, AGRICULTURAL RESIDENTIAL DISTRICT⁸

2.2.4 R5, CONSERVATION RESIDENTIAL DISTRICT⁹

2.2.5 R2, RURAL RESIDENTIAL DISTRICT¹⁰

⁵ Each Conventional District will include a purpose statement, table of dimensional standards, cross-reference to Chapter 4: *Use Regulations*, and additional district-specific standards as applicable.

⁶ New district proposed to implement the “Park/Protected Lands” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) p. 58.

⁷ One of two new districts proposed to implement the “Agriculture” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) pp. 29-31.

⁸ One of two new districts proposed to implement the “Agriculture” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) pp. 29-31.

⁹ Renames the current R5 District to better reflect its purpose, which is to implement the “Conservation” Future Land Use & Conservation Map designation. Other changes to the district (e.g., to allowed uses or dimensional standards) may be proposed during Module 1.

¹⁰ Renames the current R2 District to align it with the “Rural” Future Land Use & Conservation Map designation. Other changes to the district (e.g., to allowed uses or dimensional standards) may be proposed during Module 1.

2.2.6 R1, SUBURBAN RESIDENTIAL DISTRICT¹¹**2.2.7 RV, RURAL VILLAGE DISTRICT¹²****2.2.8 OI, OFFICE & INSTITUTIONAL DISTRICT****2.2.9 NB, NEIGHBORHOOD BUSINESS DISTRICT****2.2.10 NC, NEIGHBORHOOD CENTER DISTRICT****2.2.11 AC, ACTIVITY CENTER DISTRICT****2.2.12 CB, COMMUNITY BUSINESS DISTRICT****2.2.13 RB, REGIONAL BUSINESS DISTRICT****2.2.14 RHC, RURAL HIGHWAY COMMERCIAL DISTRICT¹³****2.2.15 IL, LIGHT INDUSTRIAL DISTRICT****2.2.16 IH, HEAVY INDUSTRIAL DISTRICT****INCLUDES CURRENT COUNTY CODE SECTIONS:**

ZO SECTION 4 DISTRICTS ESTABLISHED

ZO SECTION 10 SCHEDULE OF DISTRICT REGULATIONS

COMPACT COMMUNITIES ORDINANCE

2.3 CONDITIONAL DISTRICTS¹⁴

Reduces the number of conditional zoning districts from eleven to four.

¹¹ Renames the current R1 District to better reflect its position in the hierarchy of residential zoning districts (i.e., higher density and smaller lot size than other residential districts). Other changes to the district (e.g., to allowed uses or dimensional standards) may be proposed during Module 1.

¹² New commercial district proposed to help implement the “Rural” Future Land Use & Conservation Map designation and address Focus Group concerns with the limitations of the current R1 zoning in these areas. See *Audit Report* p. 60.

¹³ New commercial district proposed to help implement the “Rural” Future Land Use & Conservation Map designation and address Focus Group concerns with the limitations of the current R1 zoning in these areas. See *Audit Report* p. 60.

¹⁴ The [Audit Report](#) recommends limiting the use of conditional zoning districts (see p. 59).

2.3.1 GENERAL PROVISIONS**2.3.2 CD-CR, COMPACT RESIDENTIAL CONDITIONAL DISTRICT¹⁵****2.3.3 CD-CMU, COMPACT MIXED USE CONDITIONAL DISTRICT¹⁶****2.3.4 CD-CN, COMPACT NON-RESIDENTIAL CONDITIONAL DISTRICT¹⁷****INCLUDES CURRENT COUNTY CODE SECTIONS:**

ZO SECTION 5 CONDITIONAL ZONING DISTRICTS

ZO SECTION 10 SCHEDULE OF DISTRICT REGULATIONS

2.4 LEGACY DISTRICTS

Maintains B1 and CD-B1 as legacy districts and designates all existing conditional districts as legacy districts.¹⁸ Property currently zoned in a legacy district will remain as zoned, unless and until the property owner requests or the County initiates a rezoning. Property cannot be rezoned to a legacy district, and existing legacy districts cannot be expanded.

¹⁵ New district proposed to implement the MU-1 (Mixed Use 1 District) recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates, and revises as needed, the current standards for Planned Residential Developments (PRD).

¹⁶ New district proposed to implement the MU-2 recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates some of the current standards from the Compact Communities Ordinance (CCO).

¹⁷ New district proposed to implement the MU-3 recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates some of the current standards from the Mixed Use Conditional District (CD-MU).

¹⁸ The [Audit Report](#) recommends limiting the use of conditional zoning districts (see p. 59).

2.4.1 GENERAL PROVISIONS**2.4.2 B1, GENERAL BUSINESS DISTRICT****2.4.3 CD-B1, GENERAL BUSINESS CONDITIONAL DISTRICT****2.4.4 CD-CB, COMMUNITY BUSINESS CONDITIONAL DISTRICT****2.4.5 CD-CC, COMPACT COMMUNITIES CONDITIONAL DISTRICT¹⁹****2.4.6 CD-IL, LIGHT INDUSTRIAL CONDITIONAL DISTRICT****2.4.7 CD-IH, HEAVY INDUSTRIAL CONDITIONAL DISTRICT****2.4.8 CD-MU, MIXED USE CONDITIONAL DISTRICT****2.4.9 CD-NB, NEIGHBORHOOD BUSINESS CONDITIONAL DISTRICT****2.4.10 CD-O&I, OFFICE & INSTITUTIONAL CONDITIONAL DISTRICT****2.4.11 CD-R5, RESIDENTIAL CONDITIONAL DISTRICT****2.4.12 CD-R2, RESIDENTIAL CONDITIONAL DISTRICT****2.4.13 CD-R1, RESIDENTIAL CONDITIONAL DISTRICT****2.4.14 CD-RB, REGIONAL BUSINESS CONDITIONAL DISTRICT****INCLUDES CURRENT COUNTY CODE SECTIONS:**

ZO SECTION 5 CONDITIONAL ZONING DISTRICTS

ZO SECTION 10 SCHEDULE OF DISTRICT REGULATIONS

CHAPTER 3 USE REGULATIONS²⁰

3.1 GENERAL PROVISIONS

Explains the intent and applicability of this Chapter—i.e., to establish the uses allowed in each zoning district, to add supplemental regulations that apply to certain uses, to clarify issues relating to uses (e.g., permitted accessory uses), and to implement state and federal law regarding certain land uses.

¹⁹ Proposed here is to replace the CD-CC with a new set of three compact community districts (see Sections 2.2 and 2.3).

²⁰ The use-specific standards for principal, accessory, and temporary uses are provided in their own sections (rather than as a subsection under the use type) so that each individual use will have its own numbered subsection. This makes the standards easier for users to locate and cite.

3.1.1 PURPOSE**3.1.2 APPLICABILITY****3.1.3 OTHER APPLICABLE REGULATIONS & PERMITTING REQUIREMENTS****3.1.4 RELATIONSHIP OF RESIDENTIAL BUILDINGS TO LOTS**

Carries forward current provisions related to multiple principal dwellings on a lot.

3.2 PRINCIPAL USE TABLES

Carries forward, consolidates, and audits the list of uses permitted in each zoning district. Adjusts uses in districts as needed.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 10 SCHEDULE OF DISTRICT REGULATIONS (FIRST PARAGRAPH)

ZO SECTION 10.13 TABLE 1: ZONING TABLE OF PERMITTED USES

3.2.1 INTRODUCTION

Carries forward explanation of how to read the use table.

3.2.2 CLASSIFICATION OF NEW & UNLISTED USES²¹

Authorizes the Zoning Administrator to classify new and unlisted principal uses. Provides criteria to assist the Zoning Administrator in making determinations regarding new and unlisted uses.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.1 RELATIONSHIP OF BUILDINGS TO LOT

ZO SECTION 8.6 INTERPRETING PERMITTED USES

²¹ This is a significant change from the current provisions in ZO Section 8.6: *Interpreting Permitted Uses*, which states “[a]ny use that is not specifically listed in a district shall be deemed to be prohibited.” Proposed here is to establish a process for the Zoning Administrator to determine whether and how unlisted uses are allowed, including rules for determining whether an unlisted use simply falls within the definition of a permitted use or requires a Special Use Permit. This business-friendly approach allows the County to quickly accommodate new and emerging land uses that are similar to other types of uses already allowed. When an unlisted use is unlike any other use already listed in the use table, the Planning Board and Board of Commissioners could consider allowing the use through a UDO text amendment.

3.2.3 PREEMPTION

Specifies that uses regulated by the State of North Carolina and exempt from local control are allowed, subject to state regulations.

3.2.4 DESCRIPTIONS OF PRINCIPAL USE CATEGORIES

Describes the 16 use categories into which all principal uses are divided.

3.2.5 ACCOMMODATIONS & LODGING PRINCIPAL USES

3.2.6 AGRICULTURE & HORTICULTURE PRINCIPAL USES

3.2.7 ARTS, ENTERTAINMENT, & RECREATION PRINCIPAL USES

3.2.8 BUSINESS, PROFESSIONAL, SCIENTIFIC, & TECHNICAL PRINCIPAL USES

3.2.9 GOVERNMENT PRINCIPAL USES

3.2.10 HEALTHCARE PRINCIPAL USES

3.2.11 HEAVY COMMERCIAL, MANUFACTURING, & INDUSTRIAL PRINCIPAL USES

3.2.12 INSTITUTIONAL & CIVIC PRINCIPAL USES

3.2.13 NATURAL RESOURCES EXTRACTION PRINCIPAL USES

3.2.14 MIXED PRINCIPAL USES

3.2.15 RESIDENTIAL PRINCIPAL USES

3.2.16 RETAIL, SERVICE, AND FOOD & BEVERAGE PRINCIPAL USES

3.2.17 TRANSPORTATION, WAREHOUSING, & STORAGE PRINCIPAL USES

3.2.18 UTILITY PRINCIPAL USES

3.2.19 VEHICLE-RELATED PRINCIPAL USES

3.2.20 WASTE MANAGEMENT PRINCIPAL USES

3.3 USE-SPECIFIC STANDARDS FOR PRINCIPAL USES

Carries forward current use-specific standards and adds uses recommended in the [Audit Report](#) (p. 65). Uses may be added or removed from this Section during drafting.

3.3.1 APPLICABILITY

3.3.2 AMUSEMENTS, OUTDOOR

3.3.3 ANIMAL HUSBANDRY, SPECIALIZED

3.3.4 BED & BREAKFAST HOMES & INNS

3.3.5 BOARDING & BREEDING KENNELS

3.3.6 CHURCHES & OTHER PLACES OF WORSHIP**3.3.7 CORNER STORES****3.3.8 COTTAGE COURTS****3.3.9 EMERGENCY OPERATIONS FACILITIES****3.3.10 EVENTS CENTER****3.3.11 FAMILY CARE HOMES****3.3.12 FARM MARKETS****3.3.13 GAS STATIONS²²****3.3.14 HAZARDOUS WASTE FACILITIES²³****3.3.15 HUNTING OR FISHING CLUBS****3.3.16 INERT DEBRIS LANDFILLS****3.3.17 JUNKYARDS & AUTO WRECKING FACILITIES²⁴****3.3.18 LAND CLEARING DEBRIS LANDFILLS****3.3.19 NEIGHBORHOOD RECREATION AMENITIES****3.3.20 PARKS & RECREATION AREAS****3.3.21 RECREATION CAMPS & GROUNDS****3.3.22 SCHOOLS, PUBLIC & PRIVATE****3.3.23 SEXUALLY-ORIENTED BUSINESSES****3.3.24 SHOOTING RANGES, OUTDOOR****3.3.25 SOLAR ENERGY SYSTEMS, LEVEL 2 & LEVEL 3****3.3.26 TOBACCO RETAILERS²⁵****INCLUDES CURRENT COUNTY CODE SECTIONS:**

ZO SECTION 8.1.4 REGULATION OF RECREATIONAL VEHICLES (RVs) [RELATIONSHIP OF BUILDINGS TO LOT]

²² This Subsection proposes to add use-specific regulations for gas stations, such as separation requirements between gas stations and between gas stations and other uses, such as dwellings. This Subsection is added pursuant to public input received following completion of the Audit Report.

²³ During drafting, the consultant team will work closely with the County attorney to determine whether State law preempts the County from regulating hazardous waste facilities.

²⁴ Consolidates Chatham County Code Chapter 111: *Junk Yard Control* with other zoning and development-related regulations. Modernizes current standards and updates for compliance with State law as needed.

²⁵ Use regulations for tobacco retailers are proposed pursuant to input from Public Health Department staff. This is one of a number of provisions the UDO will propose related to improving health and increasing equity in the land development and zoning process. Use regulations could include a minimum separation distance between tobacco retailers and/or between tobacco retailers and other uses, such as dwellings and schools. See:

https://changelabsolutions.org/sites/default/files/CLS-BG214-Tobacco_Retail_Density-Factsheet_FINAL_20190131.pdf

ZO SECTION 17.5 SPECIFIC CONDITIONS FOR CONDITIONAL USES LISTED IN RESIDENTIAL DISTRICTS
 ZO SECTION 17.6 STANDARDS FOR SOLAR ENERGY USES
 ZO SECTION 17.7 STANDARDS FOR EVENTS CENTER LIMITED
 ZO SECTION 17.8 STANDARDS FOR SEXUALLY ORIENTED BUSINESSES
 CHATHAM COUNTY CODE CHAPTER 111: JUNK YARD CONTROL

3.4 ACCESSORY USES & STRUCTURES

Carries forward, consolidates, clarifies, and augments existing regulations for accessory uses.

3.4.1 APPLICABILITY

3.4.2 MAJOR & MINOR ACCESSORY USES & STRUCTURES DEFINED

3.4.3 ZONING COMPLIANCE PERMIT REQUIRED

3.4.4 DIMENSIONAL STANDARDS

3.4.5 ACCESSORY USE TABLE

3.5 USE-SPECIFIC STANDARDS FOR ACCESSORY USES & STRUCTURES²⁶

3.5.1 BACKYARD CHICKEN KEEPING

3.5.2 CHILD CARE CENTER LOCATED IN A RESIDENCE

3.5.3 FAMILY CHILD CARE HOMES

3.5.4 FARMSTANDS

3.5.5 HOME OCCUPATIONS

3.5.6 PERSONAL OUTDOOR SHOOTING RANGES

3.5.7 PRIVATE-USE AIRPORTS²⁷

3.5.8 RECREATIONAL VEHICLES

3.5.9 SOLAR ENERGY SYSTEMS, LEVEL 1²⁸

CURRENT COUNTY CODE SECTIONS TO INCLUDE:

²⁶ Uses may be added or removed from this Section during drafting.

²⁷ This use is added pursuant to staff input. This would include drones, ultralights, single-engine planes, and small dual engine planes flown as an accessory use (i.e., there's a home or business on the property). The use may include associated structures (e.g., hangars), may involve land clearing for runways, and may generate noise impacts.

²⁸ Note the recent N.C. Supreme Court ruling regarding solar access:

<https://energynews.us/2022/06/21/n-c-supreme-court-rules-in-favor-of-solar-access-against-homeowners-association/>. Staff noted “[t]he Audit Report mentions solar in the clean energy section, with more of a focus on solar farms and parking lot covers, but also suggests ‘incentives for passive

ZO SECTION 16 HOME OCCUPATIONS
ZO SECTION 17.6 STANDARDS FOR SOLAR ENERGY USES

3.6 TEMPORARY USES & STRUCTURES

3.6.1 PURPOSE

Carries forward, consolidates, and expands existing regulations for temporary uses. Adds provisions for common temporary uses, such as seasonal tree and pumpkin sales lots, mobile vending, and filming and production activities.

3.6.2 EXEMPTIONS

3.6.3 ZONING COMPLIANCE PERMIT REQUIRED

3.6.4 PROPERTY OWNER CONSENT REQUIRED

3.6.5 TEMPORARY USE TABLE

Adds a use table to provide criteria for temporary uses.

3.6.6 DEVELOPMENT & DESIGN STANDARDS

Specifies requirements for structures, parking, and lighting.

solar uses' in building design and 'increased height allowances to accommodate energy generation systems like rooftop solar panels.' With this ruling, a lot more homes in our county will be eligible to build solar on their rooftops, so specifically tailoring incentivization toward those newly eligible homes and new developments could have a huge impact on energy use in the County."

3.7 USE-SPECIFIC STANDARDS FOR TEMPORARY USES & STRUCTURES²⁹

3.7.1 FARMERS’ & ARTISANS’ MARKETS

3.7.2 LAYDOWN & STORAGE YARDS

3.7.3 MOBILE VENDING

3.7.4 SEASONAL FARMSTANDS

3.8 WIRELESS TELECOMMUNICATIONS FACILITIES

Carries forward the current Chatham County Wireless Telecommunications Facilities Ordinance, last updated in April 2019.

INCLUDES CURRENT COUNTY CODE SECTIONS:

CHATHAM COUNTY WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE

3.8.1 AUTHORITY & PURPOSE

3.8.2 PERMITS

3.8.3 MISCELLANEOUS PROVISIONS

3.8.4 WIRELESS FACILITIES & WIRELESS SUPPORT STRUCTURES IN EXISTENCE ON THE DATE OF ADOPTION OF THIS ORDINANCE

3.8.5 ENFORCEMENT & REMEDIES

CHAPTER 4 DEVELOPMENT & DESIGN STANDARDS

4.1 GENERAL PROVISIONS

4.1.1 PURPOSE

4.1.2 APPLICABILITY

4.1.3 ACCESS TO PROPERTY

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.4 ACCESS TO PROPERTY

²⁹ Uses may be added or removed from this Section during drafting.

4.2 BUILDING DESIGN³⁰

Adds new architectural standards for non-residential, mixed use, and multi-family buildings in certain zoning districts and/or certain geographic areas.

4.2.1 PURPOSE

4.2.2 APPLICABILITY

4.2.3 DESIGN PRINCIPLES

4.2.4 BUILDING ORIENTATION

4.2.5 PEDESTRIAN ENTRY & ACCESS

4.2.6 BUILDING FOUNDATION LANDSCAPING

4.2.7 BUILDING FRONTAGE TYPES

4.2.8 ROOFS

4.2.9 WALL PLANES

4.2.10 BUILDING COMPOSITION

4.2.11 SIGN BAND AREA

4.2.12 WINDOW OPENINGS

4.2.13 EXTERIOR MATERIALS

4.2.14 HIGH-VISIBILITY CORNER SITES

4.2.15 ROOF-MOUNTED UTILITY & SERVICE AREAS

4.2.16 AUTO-ORIENTED CANOPY STRUCTURES

4.2.17 OUTDOOR DISPLAY & STORAGE

4.2.18 SOLAR ENERGY SYSTEMS

4.3 FIRE PROTECTION

Includes portions of County Code Chapter 93: Fire Prevention and Protection. County staff will identify which provisions should be relocated.

4.3.1 PURPOSE

4.3.2 APPLICABILITY

4.3.3 TBD

INCLUDES CURRENT COUNTY CODE SECTIONS:

PORTIONS OF CHAPTER 93: FIRE PREVENTION AND PROTECTION

³⁰ See discussion of proposed standards in the [Audit Report](#) (pp. 77-78).

4.4 LANDSCAPING & SCREENING³¹

*Carries forward and augments landscaping and screening requirements.*³²

4.4.1 PURPOSE

4.4.2 APPLICABILITY

4.4.3 LANDSCAPE PLAN

4.4.4 GENERAL LANDSCAPING STANDARDS

4.4.5 BUILDING FOUNDATION LANDSCAPING

4.4.6 PARKING LOT LANDSCAPING

4.4.7 PERIMETER BUFFERS

4.4.8 SCREENING OF SITE FEATURES

4.4.9 LANDSCAPING MAINTENANCE

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.1 UN-NUMBERED LAST SENTENCE (RELATIONSHIP OF BUILDINGS TO LOT)

ZO SECTION 12 LANDSCAPING AND BUFFERING STANDARDS

4.5 EXTERIOR LIGHTING³³

Carries forward and modernizes current exterior lighting regulations. Provides standards tailored to different areas of Chatham County.

4.5.1 PURPOSE

4.5.2 APPLICABILITY

4.5.3 EXEMPTIONS

4.5.4 PROHIBITED EXTERIOR LIGHTING

4.5.5 EXTERIOR LIGHTING DESIGN PRINCIPLES

4.5.6 GENERAL STANDARDS FOR ALL EXTERIOR LIGHTING

4.5.7 LIGHTING ZONES

4.5.8 LIGHTING LEVELS

4.5.9 LIMITS TO OFF-SITE IMPACTS

4.5.10 ADDITIONAL LIGHTING STANDARDS FOR CERTAIN LAND USES

³¹ The use of the term “screening” rather than “buffering” is intended to clearly distinguish these standards from riparian buffer requirements as well as convey the intent of these standards, which is to screen certain land uses from one another.

³² See discussion of proposed changes in the [Audit Report](#) (pp. 73-76).

³³ See discussion of proposed changes in the [Audit Report](#) (p. 79).

4.5.11 PERMANENT SIGN AND BILLBOARD LIGHTING**4.5.12 LANDSCAPE LIGHTING****4.5.13 HOLIDAY/FESTIVE LIGHTING****4.5.14 STREET LIGHTING****4.5.15 EXTERIOR LIGHTING PLAN REQUIRED****INCLUDES CURRENT COUNTY CODE SECTIONS:**

ZO SECTION 13 LIGHTING

4.6 PARKING & LOADING³⁴**4.6.1 PURPOSE****4.6.2 APPLICABILITY****4.6.3 PARKING PLAN REQUIRED****4.6.4 PARKING RATIOS**

Updates/modernizes existing parking ratios as needed.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 14.1. OFF-STREET PARKING REQUIREMENTS

4.6.5 PARKING LOT IMPROVEMENT, DESIGN, AND LOCATIONAL REQUIREMENTS

Specifies parking space surfacing and marking requirements, parking space dimensions, parking lot layout requirements, and cross-references the Building Code for accessible parking space requirements. Cross-references parking lot landscaping requirements in 4.4.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 14.1. OFF-STREET PARKING REQUIREMENTS

ZO SECTION 14.2 PARKING LOT IMPROVEMENT, DESIGN, AND LOCATIONAL REQUIREMENTS

4.6.6 ELECTRIC VEHICLE CHARGING STATIONS

Adds requirements for the installation of EV charging stations in new parking lots, as recommended in the [Audit Report](#) (p. 81).

³⁴ See discussion of proposed changes in the [Audit Report](#) (pp. 80-81).

4.6.7 ALTERNATIVE PARKING PLANS

Carries forward and significantly expands provisions allowing shared parking. Authorizes applicants to submit alternative parking plans to meet the requirements of this Section (e.g., shared parking plans, remote parking plans, parking demand studies).

INCLUDES CURRENT COUNTY CODE SECTIONS:
ZO SECTION 14.1. OFF-STREET PARKING REQUIREMENTS

4.6.8 VEHICLE QUEUING

Establishes requirements for vehicle queuing spaces for uses with drive-through facilities.

4.6.9 OFF-STREET LOADING

Carries forward and expands off-street loading requirements as needed.

INCLUDES CURRENT COUNTY CODE SECTIONS:
ZO SECTION 14.3 OFF-STREET LOADING REQUIREMENTS

4.7 SIGNS³⁵

Comprehensively revises the sign regulations to ensure they align with best practices, changes in land development policy, and current case law.

4.7.1 PURPOSE

4.7.2 APPLICABILITY

4.7.3 EXEMPT SIGNS

4.7.4 PROHIBITED SIGNS

4.7.5 GENERAL SIGN STANDARDS

4.7.6 PERMANENT SIGN STANDARDS

4.7.7 INCIDENTAL SIGNS

4.7.8 TEMPORARY SIGNS

4.7.9 BILLBOARDS

INCLUDES CURRENT COUNTY CODE SECTIONS:
ZO SECTION 13.12 PERMANENT SIGN AND BILLBOARD LIGHTING

³⁵ See discussion of proposed changes in the [Audit Report](#) (p. 82).

ZO SECTION 15 REGULATIONS GOVERNING SIGNS
CHATHAM COUNTY OFF-PREMISE SIGNS ORDINANCE

CHAPTER 5 GENERAL SUBDIVISION STANDARDS³⁶

5.1 GENERAL PROVISIONS

This Chapter carries forward and revises, as needed, the current Subdivision Regulations.

5.1.1 AUTHORITY

5.1.2 PURPOSE

5.1.3 APPLICABILITY

5.1.4 APPROVAL REQUIRED

5.1.5 SUITABILITY OF THE LAND

5.1.6 SUMMARY OF AVAILABLE SUBDIVISION DESIGNS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SECTION 8.4 ACCESS TO PROPERTY

SR SECTION 1.4 JURISDICTION

SR SECTION 7.1 SUITABILITY OF THE LAND

5.2 SUBDIVISION TYPES

5.2.1 APPLICABILITY

5.2.2 MAJOR SUBDIVISIONS

5.2.3 MINOR SUBDIVISIONS

5.2.4 FAMILY SUBDIVISIONS

5.2.5 SIMPLE PLAT REVIEW

5.2.6 EXEMPT SUBDIVISIONS

5.2.7 RECORDING OF NON-BUILDING LOTS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 4 TYPES OF SUBDIVISIONS

³⁶ See discussion of proposed changes in the [Audit Report](#) (pp. 44-56).

5.3 GENERAL DESIGN REQUIREMENTS FOR ALL SUBDIVISIONS

5.3.1 APPLICABILITY

5.3.2 BLOCKS

5.3.3 LOT CONFIGURATION & FRONTAGES

5.3.4 MINIMUM LOT DIMENSIONS & AREAS

5.3.5 AGRICULTURE-FRIENDLY DESIGN

5.4 SUBDIVISION DESIGNS

Carries forward current conventional and conservation subdivision types. Adds agricultural-friendly subdivisions to implement Plan Chatham recommendations. Adds compact subdivisions to align with the three new compact zoning districts. Adds townhouse subdivisions to address the unique characteristics of townhouse developments.

5.4.1 CONVENTIONAL SUBDIVISIONS

5.4.2 CONSERVATION SUBDIVISIONS

5.4.3 AGRICULTURAL SUBDIVISIONS

5.4.4 EQUESTRIAN SUBDIVISIONS

5.4.5 COMPACT SUBDIVISIONS

5.4.6 TOWNHOUSE SUBDIVISIONS

5.4.7 NON-RESIDENTIAL SUBDIVISIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 7.3 BLOCKS

SR SECTION 7.4 LOTS

SR SECTION 7.6 ZONING OR OTHER REGULATIONS

SR SECTION 7.7 CONSERVATION SUBDIVISION—ALTERNATIVE STANDARDS FOR DEVELOPMENT

SECTION 8.4 ACCESS TO PROPERTY

SR SECTION 9 SPECIAL DEVELOPMENT STANDARDS PLANNED UNIT DEVELOPMENTS

SR SECTION 10 COMPACT COMMUNITIES

5.5 PUBLIC USE AND SERVICE AREAS

5.5.1 RESERVATION OF SCHOOL SITES

5.5.2 EASEMENTS, DEDICATIONS, & RESERVATIONS

5.5.3 UTILITY EASEMENTS

5.5.4 PEDESTRIAN EASEMENTS

5.5.5 DRAINAGE EASEMENTS

5.5.6 SIGHT DISTANCE EASEMENTS AT INTERSECTIONS

5.5.7 DEDICATION OF WATERWAYS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 7.5 PUBLIC USE AND SERVICE AREAS

CHAPTER 6 CONSERVATION & OPEN SPACE³⁷

6.1 OPEN SPACE

6.1.1 PURPOSE

6.1.2 APPLICABILITY

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 7.5.A(2) PUBLIC USE AND SERVICE AREAS (RECREATION SITES)

6.1.3 MINIMUM AMOUNT OF OPEN SPACE REQUIRED

6.1.4 TYPES OF OPEN SPACE

6.1.5 COMPOSITION & USE OF OPEN SPACE

6.1.6 SELECTION OF NATURAL AREA & RESOURCE PROTECTION AREA FOR PRESERVATION

6.1.7 LOCATION & DESIGN OF CONSERVATION & OPEN SPACE

6.1.8 OPEN SPACE PLAN REQUIRED

INCLUDES CURRENT COUNTY CODE SECTIONS:

³⁷ This Chapter consolidates and modernizes existing conservation and open space requirements. See discussion of proposed changes in the [Audit Report](#) (pp. 25-28).

SR SECTION 7.5.A(2) PUBLIC USE AND SERVICE AREAS (RECREATION SITES) \

6.2 CEMETERY BUFFERS

6.2.1 PURPOSE

6.2.2 APPLICABILITY

6.2.3 CEMETERY BUFFER STANDARDS

6.3 TREE PROTECTION³⁸

6.3.1 FINDINGS & PURPOSE

6.3.2 APPLICABILITY

6.3.3 TREE SAVE AREAS

6.3.4 REMOVAL OF TREES

6.3.5 LOT TREES

6.3.6 APPLICATION REQUIREMENTS

6.3.7 TREE PROTECTION DURING CONSTRUCTION

6.3.8 PLANT MATERIAL INSTALLATION

6.3.9 USE OF TREE SAVE AREAS

6.3.10 APPEALS

6.4 LONG-TERM PRESERVATION & MAINTENANCE

6.4.1 PURPOSE

6.4.2 APPLICABILITY

6.4.3 GENERALLY

6.4.4 PERMANENT PROTECTION REQUIRED

6.4.5 MAINTENANCE STANDARDS

6.4.6 FAILURE TO MAINTAIN CONSERVATION & OPEN SPACE

³⁸ *The Chatham County Board of Commissioners recently appointed a working group to draft tree protection regulations for the County. This Chapter will incorporate the [Tree Protection Ordinance Working Group's](#) draft language, as well as provisions from the Chatham County Appearance*

CHAPTER 7 INFRASTRUCTURE & PUBLIC IMPROVEMENTS

7.1 APPLICABILITY & GENERAL REQUIREMENTS

This Chapter carries forward requirements for developers to install infrastructure in new developments.

7.1.1 SUMMARY TABLE OF REQUIRED IMPROVEMENTS BY DEVELOPMENT TYPE

7.1.2 COMPLETION OF IMPROVEMENTS

7.1.3 COSTS OF IMPROVEMENTS

7.1.4 ACCEPTANCE OF DEDICATION OFFERS

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.4 ACCESS TO PROPERTY

7.1.5 STREET IMPROVEMENTS

7.1.6 ACCESS REQUIRED

7.1.7 STREET CLASSIFICATIONS

7.1.8 CONNECTIVITY REQUIRED

7.1.9 DEDICATIONS & DESIGN FOR EXISTING & FUTURE STREETS

7.1.10 STREET ALIGNMENT & NAMING

7.1.11 PUBLIC STREETS

7.1.12 PRIVATE STREETS

7.1.13 PRIVATE EASEMENTS

7.1.14 REVIEW BY THE DEPARTMENT OF TRANSPORTATION

Commission's Design Guidelines. See discussion of proposed standards in the [Audit Report](#) (pp. 73-76).

7.2 OTHER REQUIRED IMPROVEMENTS

7.2.1 MONUMENTS & LOT MARKERS

7.2.2 PEDESTRIAN & MULTI-MODAL SYSTEMS

7.2.3 STORMWATER DRAINAGE SYSTEMS

7.2.4 STREET NAME SIGNS & TRAFFIC SIGNS

7.2.5 UTILITIES

7.2.6 WASTEWATER SYSTEMS

7.2.7 WATER SUPPLY SYSTEMS

7.2.8 TEMPORARY IMPROVEMENTS

7.2.9 DEFERRAL OR WAIVER OF REQUIRED IMPROVEMENTS

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.7 WATER AND SEWER REQUIREMENTS

SR SECTION 7.2 RURAL ROADS

SR SECTION 8 DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

7.3 PERFORMANCE GUARANTEES FOR COMPLETION OF IMPROVEMENTS

7.3.1 APPLICABILITY

7.3.2 GENERALLY

7.3.3 FORM OF PERFORMANCE GUARANTEE

7.3.4 AMOUNT OF PERFORMANCE GUARANTEE

7.3.5 COVERAGE OF PERFORMANCE GUARANTEE

7.3.6 DURATION OF PERFORMANCE GUARANTEE

7.3.7 EXTENSION OF PERFORMANCE GUARANTEE

7.3.8 RETURN OR RELEASE OF PERFORMANCE GUARANTEE

7.3.9 FAILURE TO COMPLETE IMPROVEMENTS

7.3.10 LEGAL RESPONSIBILITIES

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 3 SECURITY FOR COMPLETION OF IMPROVEMENTS

SR SECTION 8.1.I GUARANTEE IN LIEU OF COMPLETED IMPROVEMENTS

7.4 INSPECTION OF IMPROVEMENTS

7.4.1 GENERAL PROCEDURE

7.4.2 RELEASE OR REDUCTION OF PERFORMANCE GUARANTEE

CHAPTER 8 WATERSHED PROTECTION

This Chapter carries forward and revises, as needed, the current Watershed Protection Ordinance.

8.1 PURPOSE

- 8.1.1 GENERAL**
- 8.1.2 PURPOSE**

8.2 APPLICABILITY

- 8.2.1 GENERAL**
- 8.2.2 EXCEPTIONS**

8.3 WATERSHED AREAS

- 8.3.1 WATERSHED AREAS CLASSIFICATION**
- 8.3.2 INTERPRETATION & AMENDMENT OF WATERSHED AREA BOUNDARIES**

8.4 WATERSHED INTENSITY AND USE STANDARDS

- 8.4.1 INTENSITY STANDARDS**
- 8.4.2 USE STANDARDS**
- 8.4.3 USE REGULATIONS**

8.5 WATERSHED DEVELOPMENT STANDARDS

- 8.5.1 STORMWATER MANAGEMENT**
- 8.5.2 CONSERVATION SUBDIVISION**
- 8.5.3 VEGETATED SETBACKS**
- 8.5.4 PUBLIC HEALTH REGULATIONS**

8.6 RIPARIAN BUFFER STANDARDS

- 8.6.1 APPLICABILITY**
- 8.6.2 BUFFERS ESTABLISHED**
- 8.6.3 VEGETATION & ACTIVITIES WITHIN THE RIPARIAN BUFFER ON LANDS
OUTSIDE THE JORDAN LAKE WATERSHED**

8.6.4 VEGETATION & ACTIVITIES WITHIN THE RIPARIAN BUFFER ON LANDS WITHIN THE JORDAN LAKE WATERSHED

8.6.5 MITIGATION

8.7 ADMINISTRATION

8.7.1 REVIEW & DECISION-MAKING BODIES

8.7.2 PROCEDURES

CHAPTER 9 STORMWATER MANAGEMENT³⁹

9.1 AUTHORITY & PURPOSE

This Chapter carries forward and revises, as needed, the current Stormwater Ordinance.

9.1.1 STATUTORY AUTHORITY

9.1.2 FINDINGS OF FACT

9.1.3 STATEMENT OF PURPOSE

9.1.4 APPLICABILITY & JURISDICTION

9.1.5 OTHER APPLICABLE REGULATIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SO ARTICLE 1 AUTHORITY AND PURPOSE

SO SECTION 402 RIPARIAN BUFFER REQUIREMENTS

SO SECTION 406 FLOODPLAIN REQUIREMENTS

9.2 STORMWATER DESIGN STANDARDS

9.2.1 PURPOSE

9.2.2 DESIGN MANUALS

9.2.3 REDEVELOPMENT

9.2.4 GENERAL DESIGN STANDARDS

³⁹ Recode Chatham may significantly revise or further reorganize this Chapter and related provisions. See discussion of proposed changes in the [Audit Report](#) (pp. 36-38).

9.2.5 STORMWATER QUALITY SYSTEMS**9.2.6 STORMWATER QUANTITY SYSTEMS****9.2.7 STORMWATER CONVEYANCE SYSTEMS****9.2.8 ALTERNATIVE DESIGN STANDARDS****9.2.9 SINGLE-FAMILY RESIDENTIAL LOT STANDARDS FOR STORMWATER
MANAGEMENT****INCLUDES CURRENT COUNTY CODE SECTIONS:**

SO SECTION 400 STORMWATER DESIGN STANDARDS

SO SECTION 401 DESIGN MANUALS

SO APPENDIX C SINGLE FAMILY RESIDENTIAL LOT GUIDELINES FOR STORMWATER MANAGEMENT

9.3 STORMWATER APPROVAL, PLAN SUBMITTAL, & REVIEW**9.3.1 STORMWATER APPROVAL****9.3.2 STORMWATER MANAGEMENT PLAN****9.3.3 AS-BUILT & FINAL PLAT APPROVAL****9.3.4 STORMWATER PERMITS****9.3.5 STORMWATER PERMIT TRANSFER****INCLUDES CURRENT COUNTY CODE SECTIONS:**

SO SECTION 403 STORMWATER PERMIT, PLAN SUBMITTAL AND REVIEW

SO SECTION 405 AS-BUILT AND FINAL PLAT REQUIREMENTS

9.4 MAINTENANCE & INSPECTIONS**9.4.1 OPERATION & MAINTENANCE AGREEMENT****9.4.2 INSPECTIONS****INCLUDES CURRENT COUNTY CODE SECTIONS:**

SO ARTICLE 5 MAINTENANCE AND INSPECTIONS

9.5 ILLICIT DISCHARGES**9.5.1 PROHIBITED & ALLOWED DISCHARGES****9.5.2 ILLICIT CONNECTIONS****9.5.3 SPILLS & ACCIDENTAL DISCHARGES****INCLUDES CURRENT COUNTY CODE SECTIONS:**

SO ARTICLE 7 ILLICIT DISCHARGES

9.6 STORMWATER UTILITY SERVICE FEE

9.6.1 AUTHORITY

9.6.2 PURPOSE

9.6.3 JURISDICTION

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO ARTICLE 8 STORMWATER UTILITY SERVICE FEE

9.7 ADMINISTRATION

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO ARTICLE 3 ADMINISTRATION AND PROCEDURES

9.8 VARIANCES & APPEALS

9.8.1 VARIANCES

9.8.2 APPEALS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO SECTION 404 VARIANCES
SO SECTION 602 APPEALS

9.9 VIOLATIONS & ENFORCEMENT

9.9.1 GENERALLY

9.9.2 CIVIL PENALTIES

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO SECTION 600 GENERAL
SO SECTION 601 CIVIL PENALTIES

9.10 DEFINITIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO ARTICLE 2 DEFINITIONS

9.11 CHATHAM COUNTY RAINFALL DATA

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO APPENDIX A CHATHAM COUNTY RAINFALL DATA

9.12 CURVE NUMBERS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO APPENDIX B CURVE NUMBERS

9.13 GUIDELINES FOR THE 10% RULE

INCLUDES CURRENT COUNTY CODE SECTIONS:
SO APPENDIX D 10% RULE GUIDELINES

CHAPTER 10 SOIL EROSION & SEDIMENTATION CONTROL⁴⁰

10.1 GENERAL PROVISIONS

This Chapter carries forward and revises, as needed, the current Soil Erosion and Sedimentation Control Ordinance.

10.1.1 TITLE

10.1.2 PURPOSE

10.1.3 SCOPE & EXCLUSIONS

10.1.4 ADDITIONAL MEASURES

10.1.5 SEVERABILITY

10.1.6 EFFECTIVE DATE

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.1 TITLE
SESCO SECTION 164.2 PURPOSE
SESCO SECTION 164.4 SCOPE AND EXCLUSIONS

⁴⁰ Staff is currently working on revisions to the Soil Erosion and Sedimentation Control Ordinance, and those revisions will be incorporated into this Chapter. In addition, Recode Chatham may significantly revise or further reorganize this Chapter and related provisions. See discussion of proposed changes in the [Audit Report](#) (pp. 39-42).

SESCO SECTION 164.17 ADDITIONAL MEASURES
SESCO SECTION 164.23 EFFECTIVE DATE

10.2 BORROW & WASTE AREAS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.7 BORROW AND WASTER AREAS

10.3 OPERATION IN SURFACE WATERS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.8 OPERATION IN SURFACE WATERS

10.4 EXISTING UNCOVERED AREAS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.9 EXISTING UNCOVERED AREAS

10.5 MANDATORY STANDARDS FOR LAND-DISTURBING ACTIVITY

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.5 MANDATORY STANDARDS

10.6 SLOPE STANDARDS

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.6 SLOPE STANDARDS

10.7 DESIGN & PERFORMANCE STANDARDS FOR EROSION & SEDIMENTATION CONTROL DEVICES

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.16 DESIGN AND PERFORMANCE STANDARDS

10.8 RESPONSIBILITY FOR MAINTENANCE

INCLUDES CURRENT COUNTY CODE SECTIONS:
SESCO SECTION 164.18 RESPONSIBILITY FOR MAINTENANCE

10.9 EROSION & SEDIMENTATION CONTROL PLANS

10.9.1 PLAN REQUIRED

10.9.2 BASIC CONTROL OBJECTIVES

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.10 EROSION AND SEDIMENTATION CONTROL PLANS

10.10 LAND-DISTURBING PERMITS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.12 PERMITS

10.11 RESIDENTIAL LOT DISTURBANCE PERMITS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.13 RESIDENTIAL LOT DISTURBANCE PERMITS

10.12 CERTIFICATES OF COMPLIANCE & COMPLETION

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.25 CERTIFICATES OF COMPLIANCE AND COMPLETION

10.13 FEES

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.14 FEES

10.14 PLAN APPEALS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.19 PLAN APPEALS

10.15 INSPECTIONS & INVESTIGATIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.20 INSPECTIONS AND INVESTIGATIONS

10.16 INJUNCTIVE RELIEF

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.21 INJUNCTIVE RELIEF

10.17 PENALTY

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.99 PENALTY

10.18 RESTORATION AFTER NON-COMPLIANCE

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.22 RESTORATION AFTER NON-COMPLIANCE

10.19 DEFINITIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:

SESCO SECTION 164.3 DEFINITIONS

CHAPTER 11 FLOOD DAMAGE PREVENTION⁴¹

11.1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, & OBJECTIVES

This Chapter carries forward and revises, as needed, the current Flood Damage Prevention Ordinance.

11.1.1 STATUTORY AUTHORIZATION

11.1.2 FINDINGS OF FACT

11.1.3 STATEMENT OF PURPOSE

11.1.4 OBJECTIVES

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

⁴¹ See discussion of proposed changes in the [Audit Report](#) (p. 43).

11.2 GENERAL PROVISIONS

11.2.1 LANDS TO WHICH THIS CHAPTER APPLIES

11.2.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

11.2.3 ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT

11.2.4 COMPLIANCE

11.2.5 ABROGATION & GREATER RESTRICTIONS

11.2.6 INTERPRETATION

11.2.7 WARNING & DISCLAIMER OF LIABILITY

11.2.8 PENALTIES FOR VIOLATION

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 3 GENERAL PROVISIONS

11.3 ADMINISTRATION

11.3.1 DESIGNATION OF FLOODPLAIN ADMINISTRATOR

11.3.2 FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT, & CERTIFICATION REQUIREMENTS

11.3.3 DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

11.3.4 CORRECTIVE PROCEDURES

11.3.5 VARIANCE PROCEDURES

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 4 ADMINISTRATION

11.4 PROVISIONS FOR FLOOD HAZARD REDUCTION

11.4.1 GENERAL STANDARDS

11.4.2 SPECIFIC STANDARDS

11.4.3 STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS

11.4.4 STANDARDS FOR FLOODPLAINS WITH BFE BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS

11.4.5 FLOODWAYS AND NON-ENCROACHMENT AREAS

11.4.6 STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)

11.4.7 STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AH)

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 5 PROVISIONS FOR FLOOD HAZARD REDUCTION

11.5 LEGAL STATUS PROVISIONS

11.5.1 EFFECT ON RIGHTS AND LIABILITIES UNDER THE PREVIOUS FLOOD DAMAGE PREVENTION ORDINANCE

11.5.2 EFFECT UPON OUTSTANDING BUILDING PERMITS

11.5.3 SEVERABILITY

11.5.4 EFFECTIVE DATE

11.5.5 ADOPTION

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 6 LEGAL STATUS PROVISIONS

11.6 DEFINITIONS

INCLUDES CURRENT COUNTY CODE SECTIONS:

FDPO ARTICLE 2 DEFINITIONS

CHAPTER 12 PROCEDURES⁴²

12.1 GENERAL PROVISIONS

12.1.1 PURPOSE

Consolidates most UDO procedures and maps each with a common workflow. Some procedures, such as those related to Soil Erosion and Sedimentation Control, will remain with related provisions in their own chapters.

12.1.2 APPLICABILITY

Specifies this Chapter applies for all zoning and land development procedures.

12.1.3 SUMMARY OF PROCEDURES

Summarizes, in a table format, the various zoning and land development procedures.

12.1.4 COMPLETENESS REVIEW

Clarifies what constitutes a complete application and specifies a review process for staff to make a completeness determination. This works in conjunction with the submittal requirements in Chapter 18.

12.1.5 PRE-APPLICATION MEETINGS

Establishes pre-application meeting requirements for certain types of applications.

12.1.6 COMMUNITY MEETINGS

Carries forward and expands requirements for community meetings for certain types of applications.

⁴² See discussion of proposed changes in the [Audit Report](#) (pp. 83-94).

12.1.7 NOTICE PROVISIONS

Establishes general rules for notification and publication.

12.1.8 PUBLIC HEARINGS

Establishes rules or guidelines for providing and accepting testimony at required hearings.

12.1.9 VESTED RIGHTS AND PERMIT CHOICE

Carries forward and updates, as needed for compliance with State statutes, current procedures for establishing vested rights.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 19.12 VESTED RIGHTS AND PERMIT CHOICE (AMENDMENT TO ZONING ORDINANCE)
 ZO SECTION 19.13 VESTED RIGHTS AND SITE SPECIFIC VESTING PLANS
 ZO SECTION 22 EFFECTS UPON OUTSTANDING BUILDING PERMITS
 ZO SECTION 23 EFFECTS UPON OUTSTANDING SPECIAL USE PERMITS
 SR SECTION 1.10 SAVING PROVISION

12.1.10 MORATORIA

Replaces the current Chatham County Moratorium Ordinance with the provisions specified in [N.C.G.S. 160D-107](#). Alternatively, may simply cross-reference the State statute to limit the need for UDO text amendments if the statute changes.

12.2 ZONING COMPLIANCE PERMITS⁴³

Clarifies the procedure for receiving zoning compliance approval.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 13.16 PERMITTING AND APPROVAL PROCESS (LIGHTING)
 ZO SECTION 20.2 CERTIFICATE OF ZONING COMPLIANCE
 ZO SECTION 16 HOME OCCUPATIONS
 JYCO 111.06 PROCEDURES; REGISTRATION AND PERMITTING

⁴³ Anticipated to incorporate site plan review for new development, home occupation permits, sign permits, junkyard permits, manufactured home parks and subdivisions without improvements, and any other administrative permit process that involves zoning review.

12.3 SPECIAL USE PERMITS

Carries forward and revises, as needed, the procedure for special use permit approval.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 17 SPECIAL USE PERMITS

ZO SECTION 23 EFFECTS UPON OUTSTANDING SPECIAL USE PERMITS

12.4 REZONINGS (CONVENTIONAL DISTRICTS)

Carries forward and revises, as needed, the procedure for rezoning.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 19 AMENDMENT TO ZONING ORDINANCE

12.5 REZONINGS (CONDITIONAL DISTRICTS)

Carries forward and revises, as needed, the procedure for rezoning to a conditional district.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 5 CONDITIONAL ZONING DISTRICTS

ZO SECTION 19 AMENDMENT TO ZONING ORDINANCE

12.6 MINOR SUBDIVISIONS

Carries forward and revises, as needed, the procedure for approval of a minor subdivision.

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 5.1 GENERAL PURPOSE (PROCEDURE FOR SUBDIVISIONS)

SR SECTION 5.3 MINOR SUBDIVISIONS

12.7 MAJOR SUBDIVISIONS

Carries forward and revises, as needed, the procedure for approval of a major subdivision. Cross-references the Chatham County Road Name Ordinance, which is administered by the Emergency Management Department.

12.7.1 MAJOR SUBDIVISION CONCEPT PLAN**12.7.2 MAJOR SUBDIVISION FIRST PLAT****12.7.3 MAJOR SUBDIVISION CONSTRUCTION PLAN****12.7.4 MAJOR SUBDIVISION FINAL PLAT****INCLUDES CURRENT COUNTY CODE SECTIONS:**

SR SECTION 5.1 GENERAL PURPOSE (PROCEDURE FOR SUBDIVISIONS)

SR SECTION 5.2 MAJOR SUBDIVISION

12.8 UDO INTERPRETATIONS

Establishes a formal process to obtain the UDO Administrator's interpretation of a particular UDO provision or set of provisions.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 20.3 DUTIES OF ZONING ADMINISTRATOR, ZONING OFFICIAL, BOARD OF ADJUSTMENT, AND COURTS AS TO MATTERS OF APPEAL

12.9 UDO TEXT AMENDMENTS

Carries forward and revises, as needed, the procedure for amending ordinance text.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 19 AMENDMENT TO ZONING ORDINANCE

SR SECTION 1.12 AMENDMENTS

12.10 VARIANCES

Carries forward the procedure for requesting variances from the Board of Adjustment.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 18 BOARD OF ADJUSTMENT

SR SECTION 1.13 VARIANCES AND APPEALS

SO SECTION 404 VARIANCES

JYCO SECTION 111.10 RELIEF; VARIANCE; DECISION

WPO SECTION 507(B) VARIANCES

12.11 APPEALS OF ADMINISTRATIVE DECISIONS

Carries forward and consolidates the procedures for appealing staff decisions to the Board of Adjustment.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 18 BOARD OF ADJUSTMENT

ZO SECTION 20.3 DUTIES OF ZONING ADMINISTRATOR, ZONING OFFICIAL, BOARD OF ADJUSTMENT, AND COURTS AS TO MATTERS OF APPEAL

SR SECTION 1.13 VARIANCES AND APPEALS

SO SECTION 602 APPEALS

JYCO SECTION 111.10 RELIEF; VARIANCE; DECISION

CHAPTER 13 REVIEW & DECISION-MAKING BODIES

13.1 ELECTED & APPOINTED BODIES⁴⁴

Specifies role of each elected and appointed body with respect to UDO approval processes and administration. Cross-references other County Code sections where relevant (e.g., County Code §§ 31.01 through 31.07: Community Appearance Commission).

13.1.1 BOARD OF COMMISSIONERS

13.1.2 PLANNING BOARD

13.1.3 BOARD OF ADJUSTMENT

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 18 BOARD OF ADJUSTMENT

ZO SECTION 20.3 DUTIES OF ZONING ADMINISTRATOR, ZONING OFFICIAL, BOARD OF ADJUSTMENT, AND COURTS AS TO MATTERS OF APPEAL

⁴⁴ Some appointed bodies may be removed from this Section if they do not have a distinct role in the administration of the UDO.

- 13.1.4 APPEARANCE COMMISSION**
- 13.1.5 AFFORDABLE HOUSING ADVISORY COMMITTEE**
- 13.1.6 AGRICULTURE ADVISORY BOARD**
- 13.1.7 CLIMATE CHANGE ADVISORY COMMITTEE**
- 13.1.8 ENVIRONMENTAL REVIEW ADVISORY BOARD**
- 13.1.9 HISTORICAL ASSOCIATION⁴⁵**
- 13.1.10 RECREATION ADVISORY COMMITTEE**

13.2 ADMINISTRATIVE BODIES⁴⁶

Specifies role of each administrative body with respect to UDO administration and approval processes.

- 13.2.1 CENTRAL PERMITTING & INSPECTIONS DIRECTOR**
- 13.2.2 ENVIRONMENTAL HEALTH DIRECTOR**
- 13.2.3 FIRE MARSHAL'S OFFICE**
- 13.2.4 MANAGEMENT INFORMATION SERVICES DIRECTOR**
- 13.2.5 PLANNING DIRECTOR**
- 13.2.6 STORMWATER ADMINISTRATOR**
- 13.2.7 SUBDIVISION ADMINISTRATOR**
- 13.2.8 TECHNICAL REVIEW COMMITTEE**
- 13.2.9 WATERSHED PROTECTION DIRECTOR**
- 13.2.10 ZONING ADMINISTRATOR**
- 13.2.11 CONFLICTS OF INTEREST**

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.10. CONFLICTS OF INTEREST

ZO SECTION 20.1 ZONING ADMINISTRATOR

ZO SECTION 20.3 DUTIES OF ZONING ADMINISTRATOR, ZONING OFFICIAL, BOARD OF ADJUSTMENT, AND COURTS AS TO MATTERS OF APPEAL

SO ARTICLE 3 ADMINISTRATION AND PROCEDURES

⁴⁵ The Chatham County Historical Association is separate from County government. The Audit Report (p. 68) suggests the County could consider formalizing the CCHC's role in the development review process to ensure the long-term preservation of the County's historic and cultural resources.

⁴⁶ The intent is to include "or their designee" in the definition of each of these bodies (other than TRC). This allows for internal delegation of responsibilities without having to amend the UDO.

CHAPTER 14 NONCONFORMITIES

14.1 PURPOSE

This is a comprehensive section to deal with existing situations, ranging from permits in progress to more comprehensively addressing different types of nonconformities (uses, lots, structures, and site improvements).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9 NON-CONFORMING SITUATIONS

14.2 APPLICABILITY

Specifies this chapter applies throughout unincorporated Chatham County.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.2 CONTINUATION OF NON-CONFORMING SITUATIONS

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS

14.3 NONCONFORMING LOTS

Allows the reasonable development of a lot that does not meet the minimum lot size regulations.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.3 NON-CONFORMING LOTS OF RECORD

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS

ZO SECTION 9.8 BUILDING ON SUBDIVISION LOTS OF RECORD

14.4 NONCONFORMING SIGNS

Carries forward rules for the continuation, expansion, alteration, and reestablishment of signs that are nonconforming as to the requirements in Section 4.7.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS

ZO SECTION 15.2 NON-CONFORMING SIGNS

14.5 NONCONFORMING SITE IMPROVEMENTS

Establishes rules for the review and redevelopment of sites that are nonconforming as to landscaping, parking, or other development standards.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS
ZO SECTION 12.6 APPLICABILITY (LANDSCAPING AND BUFFERING STANDARDS)
ZO SECTION 13.17 NONCONFORMITIES (LIGHTING)

14.6 NONCONFORMING STRUCTURES

Carries forward rules for the continuation, expansion, alteration, and reestablishment of structures that are nonconforming as to the district dimensional standards (setback, building height, or lot coverage).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS
ZO SECTION 9.5 RECONSTRUCTION LIMITATIONS
ZO SECTION 9.6 CHANGE IN KIND OF NON-CONFORMING USE

14.7 NONCONFORMING USES

Carries forward rules for the continuation, expansion, and reestablishment of uses that are not allowed in a district, or that would require discretionary review under the new regulations.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 9.4 EXTENSION OR ENLARGEMENT OF NON-CONFORMING SITUATIONS
ZO SECTION 9.5 RECONSTRUCTION LIMITATIONS
ZO SECTION 9.6 CHANGE IN KIND OF NON-CONFORMING USE
ZO SECTION 9.7 DISCONTINUANCE OF NON-CONFORMING USES

CHAPTER 15 ENFORCEMENT

15.1 GENERALLY

Introductory section.

15.2 VIOLATIONS

Specifies types of violations (e.g., use not allowed, permits not obtained, violation of conditions, etc.).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 5.6 NON-COMPLIANCE WITH DISTRICT CONDITIONS
ZO SECTION 8.3 REDUCTION OF LOT AND YARD AREAS PROHIBITED
ZO SECTION 17.3 VIOLATIONS (SPECIAL USE PERMITS)
ZO SECTION 23.3 VIOLATIONS OF AN APPROVED SPECIAL USE PERMIT
SR SECTION 1.14 PROHIBITED ACTS, ENFORCEMENT, AND PENALTIES
JYCO SECTION 111.09 ENFORCEMENT PROCEDURES

15.3 PENALTIES

Specifies procedures for withholding or revoking permits, and penalties for violations consistent with state law.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 21 PENALTY FOR VIOLATIONS
SR SECTION 1.14 PROHIBITED ACTS, ENFORCEMENT, AND PENALTIES
JYCO SECTION 111.99 PENALTY

15.4 ENFORCEMENT PROCEDURES

Specifies responsibility for enforcement actions, notification, cure periods, and enforcement actions.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 20 ENFORCEMENT
SR SECTION 1.10 SAVING PROVISION
SR SECTION 1.14 PROHIBITED ACTS, ENFORCEMENT, AND PENALTIES
JYCO SECTION 111.09 ENFORCEMENT PROCEDURES

15.5 REVOCATION OF PERMIT OR APPROVAL

Allows revocation of permit if materially incorrect information was provided, if the applicant fails to comply with a condition, or if the permit or approval was issued in error.

CHAPTER 16 RULES OF INTERPRETATION & MEASUREMENT

16.1 GENERAL RULES OF INTERPRETATION

Recites general rules for interpreting the UDO (such as the singular includes the plural, text supersedes graphics, UDO standards are minimum requirements, etc.).

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 7.1 GENERAL PURPOSE (DEFINITIONS)
ZO SECTION 25 INTERPRETATION, PURPOSE, AND CONFLICT
SR SECTION 1.6 INTERPRETATION
SR 2.2: MEANING OF COMMON WORDS

16.2 CONFLICTING PROVISIONS

Describes how to resolve conflicts in County Codes, or between the UDO and state law or administrative procedures, federal law, or private restrictions.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 25 INTERPRETATION, PURPOSE, AND CONFLICT
SR SECTION 1.7 CONFLICT WITH PUBLIC PROVISIONS
SR SECTION 1.8 CONFLICT WITH PRIVATE PROVISIONS
SR SECTION 7.6 ZONING OR OTHER REGULATIONS

16.3 INTERPRETATION OF ZONING MAP & WATERSHED AREA BOUNDARIES

Includes rules for interpreting the zoning map, including GIS files and boundary interpretations, and the watershed areas.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 6.3 INTERPRETATION OF BOUNDARIES
WPO SECTION 306 RULES GOVERNING THE INTERPRETATION OF WATERSHED AREA BOUNDARIES

16.4 RULES OF MEASUREMENT⁴⁷

This Section establishes rules for measurement or calculation of UDO standards, such as lot area and height.

16.4.1 GENERAL RULES OF MEASUREMENT

16.4.2 HOW TO MEASURE LOT AREA & WIDTH

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.3 REDUCTION OF LOT AND YARD AREAS PROHIBITED

16.4.3 HOW TO CALCULATE RESIDENTIAL DENSITY

INCLUDES CURRENT COUNTY CODE SECTIONS:

CCO SECTION 6.3 RESIDENTIAL DENSITY (MAXIMUM AND MINIMUM)

16.4.4 HOW TO MEASURE SETBACKS

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.2 OPEN SPACE REQUIREMENTS

ZO SECTION 8.3 REDUCTION OF LOT AND YARD AREAS PROHIBITED

16.4.5 HOW TO CALCULATE LOT COVERAGE

16.4.6 HOW TO MEASURE HEIGHT

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.8. HEIGHT LIMITATION EXCEPTIONS

16.4.7 HOW TO CALCULATE NET LAND AREA

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 10.12.D NET LAND AREA COMPUTATION (CD-MU MIXED USE)

ZO SECTION 17.5.C.4 NET LAND AREA COMPUTATION (PLANNED RESIDENTIAL DEVELOPMENT)

CCO SECTION 6.3 RESIDENTIAL DENSITY (MAXIMUM AND MINIMUM)

⁴⁷ If additional metrics are added during drafting (e.g., floor area ratio), we will revise this Section to include an explanation of how to measure or calculate it.

CHAPTER 17 DEFINITIONS & ACRONYMS

17.1 DEFINITIONS

Carries forward, consolidates, revises, and adds definitions for terms and phrases used in the UDO.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 7 DEFINITIONS

ZO SECTION 13.2 ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) CUTOFF CLASSIFICATIONS (LIGHTING)

ZO SECTION 13.3 DEFINITIONS (LIGHTING)

ZO SECTION 15.1 DEFINITIONS (SIGNS)

CCO SECTION 13 DEFINITION OF TERMS

SR SECTION 2 DEFINITIONS

17.2 ACRONYMS

Defines acronyms used in the UDO (e.g., NCDOT, North Carolina Department of Transportation).

CHAPTER 18 SUBMITTAL REQUIREMENTS⁴⁸

18.1 GENERAL PROVISIONS

18.1.1 APPLICABILITY

18.1.2 DIGITAL APPLICATIONS

Establishes requirements and specifications for filing digital applications.

18.1.3 APPLICATION CHECKLISTS

Checklists and forms for most types of applications will be maintained outside the UDO. This Section will include references to these checklists.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 5.3. GENERAL REQUIREMENTS (CONDITIONAL ZONING DISTRICTS)

⁴⁸ See discussion of proposed changes in the [Audit Report](#) (pp.95-97).

SR SECTION 6 SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

18.1.4 FEES

Specifies or cross-references, as appropriate, all UDO-related fees.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 8.9 FEES

SR SECTION 1.15 FEES

18.2 ENVIRONMENTAL IMPACT ASSESSMENTS

Carries forward current requirements for an EIA to be submitted in conjunction with SUP and conditional zoning district applications and certain size subdivision applications.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 11.3 ENVIRONMENTAL IMPACT ASSESSMENT

SR SECTION 6.2.B ENVIRONMENTAL IMPACT ASSESSMENT (ADDITIONAL FIRST PLAT INFORMATION)

18.3 NATURAL HERITAGE PROGRAM REPORTS

Expands the requirement for applicants to submit a Natural Heritage Program Report to all subdivision applications.

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 7.7.B CONCEPT PLAN (CONSERVATION SUBDIVISION)

18.4 TRAFFIC IMPACT ANALYSES

Carries forward and updates current requirements for traffic impact analyses (TIAs) and ensures consistency with NCDOT requirements. Clarifies the role of TIAs in the development approval process.

INCLUDES CURRENT COUNTY CODE SECTIONS:

ZO SECTION 5.3B(3) [CONDITIONAL ZONING DISTRICTS]

18.5 OTHER TECHNICAL REPORTS & STUDIES

Establishes authority for decision-maker to require technical studies (e.g., traffic impact analyses, engineering studies, historic/cultural resource studies) necessary

to enable the decision-maker to comply with the standards for approving an application, as authorized under State law.

18.6 PLAT CERTIFICATES

INCLUDES CURRENT COUNTY CODE SECTIONS:

SR SECTION 11 APPENDIX A: CERTIFICATION FORMS FOR INITIAL AND FINAL APPROVAL