

**ORANGE COUNTY  
BOARD OF COUNTY COMMISSIONER  
QUARTERLY PUBLIC HEARING ACTION AGENDA ITEM ABSTRACT**  
**Meeting Date:** February 13, 2017

**Action Agenda  
Item No. D.1**

**SUBJECT:** Comprehensive Plan and Unified Development Ordinance (UDO) Amendments – Revising the Land Use Zoning Matrix and Revising/Renaming of the Mobile Home Park Conditional Zoning District (MHP-CZ).

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**DEPARTMENT:** Planning and Inspections

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**ATTACHMENT(S):**

**INFORMATION CONTACT:**

- |  |   |
|--|---|
| 1. Comprehensive Plan and Unified Development Ordinance (UDO) Amendment Outline Form                                 | Patrick Mallett, Planner II, (919) 245-2577<br>Michael D. Harvey, Planner III, (919) 245-2597 |
| 2. November 2, 2016 Ordinance Review Committee (ORC) Summary Meeting Notes   | Craig Benedict, Director, (919) 245-2592  |
| 3. Excerpt of Approved December 7, 2016 Planning Board Minutes   |   |
| 4. Planning Board Draft Excerpt Summary of Minutes and Signed Statement of Consistency from February 1, 2017 meeting |   |
| 5. Statement of Consistency  |   |
| 6. Proposed UDO and Comprehensive Plan Amendments  |   |
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**PURPOSE:** To hold a public hearing on Planning Director initiated amendments to the Comprehensive Plan and Unified Development Ordinance revising the Mobile Home Park Conditional Zoning (MHP-CZ) District allowing for temporary residential units (e.g. Recreational Vehicles - RVs) and retitling the existing district Home Park Conditional Zoning (HP-CZ).

**BACKGROUND:** This amendment is in response to a BOCC work session item on February 18, 2016 reviewing current development regulations and discussing opportunities for allowing more flexibility with respect to residential development. During this work session, staff recommended modifying the existing MHP-CZ District to allow for temporary residential units within mobile home parks, including recreational vehicles (RVs) and tiny homes constructed to the RV standard. Information from the work session can be viewed at: <http://server3.co.orange.nc.us:8088/weblink8/0/foi/40558/Row1.aspx>.

This item was presented to the Ordinance Review Committee (ORC) at its November 2, 2016 meeting. Notes from the ORC meeting are contained in Attachment 2. Agenda materials and can also be viewed at: <http://www.orangecountync.gov/November%2020ORC%20Agenda%20Packet.pdf>

As a result of various comments received on the proposal, staff has crafted an amendment that:

- i. Provides standards for Temporary Residential Units that allow for up to a 180-day occupancy;
- ii. Balances the various state and federal construction standards for temporary and permanent units; and
- iii. Allows for a wider-range of housing types.

The goal is to revise existing development standards in an effort to encourage purposeful growth and development within the county in a cost efficient manner while promoting varied housing options.

The Comprehensive Plan text amendment involves modification of Appendix F to change references to the Mobile Home Park Conditional Zoning (MHP-CZ) district to Home Park Conditional Zoning (HP-CZ) district.

For more background information please refer to Attachment 1. Proposed text amendment language for both the UDO and Comprehensive Plan changes can be found in Attachment 6 within a “track changes” format.

Planning Director’s Recommendation: The Planning Director recommends **approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 5 and the proposed amendment package as contained in Attachment 6.

Planning Board Recommendation: The Planning Board originally reviewed this item at its December 7, 2016 regular meeting and voted 7-1 to **recommend approval**. Minutes from this meeting are contained within Attachment 3. Agenda materials can also be viewed at viewed at: <http://www.orangecountync.gov/12.7.16AgendaPacket.pdf>

After this meeting the County’s Attorney office identified inconsistencies in the use of terminology and definitions within the amendment package. Staff revised the amendment and resubmitted to the Attorney for review. It was deemed necessary to have the Planning Board review the revisions and take additional action on the proposal.

The Board reviewed the revised amendment package at its February 1, 2017 regular meeting and voted **unanimously** to recommend approval. The Statement of Consistency for the amendment can be found in Attachment 4.

The proposed amendment, as deemed legally sufficient by the County’s Attorney office and as recommended for approval by the Planning Board, is contained in Attachment 6.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goal is applicable to this agenda item:

**GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

*The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of*

*environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.*

**RECOMMENDATION(S):** The Administration recommends the Board:

1. Receive the proposed amendments to the Comprehensive Plan and UDO as detailed in this abstract and attachments.
2. Conduct the public hearing and accept comments on the proposed amendments.
3. Close the public hearing. (Note that, because this is a legislative decision, additional comments at a later date are permitted).
4. Decide on one of the following options:
  - a. Adopt the proposed amendments by approving the Statement of Consistency (Attachment 5) and Ordinance (Attachment 6);
  - b. Defer a decision to a later BOCC regular meeting date;
  - c. Refer the item back to the Planning Board for a specific purpose; or
  - d. Deny the proposed amendments. (Note: Section 2.2.8 *Effect of Denial on Subsequent Applications* of the UDO states that no application for the same or similar amendment may be submitted for a period of one year. The one year period begins on the date of denial.)

# COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2016-08

Revise Mobile Home Park Conditional Zoning (MHP-CZ) District to allow for both manufactured homes and temporary residential units (aka Recreational Vehicles) and retitle to Home Park Conditional Zoning (HP-CZ) District.

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## A. AMENDMENT TYPE

### Map Amendments

- ☐ Future Land Use Map:  
From:  
To:
- ☐ Zoning Map:  
From:  
To:
- ☐ Other:

### Text Amendments

- ☒ Comprehensive Plan Text:  
Section(s): Modification of Appendix F *Land Use and Zoning Matrix* of the adopted Comprehensive Plan to retitle the Mobile Home Park Conditional Zoning (MHP-CZ) district to Home Park Conditional Zoning (HP-CZ) district.

- ☒ UDO Text:
- ☒ UDO General Text Changes
  - ☒ UDO Development Standards
  - ☒ UDO Development Approval Processes

Section(s): Section(s)

- 2.9.2 *Conditional Zoning Districts*;
- 3.8 *Conditional Districts (MHP-CZ to be retitled HP-CZ)*;
- 5.2 *Table of Permitted Uses*;
- 5.5 *Standards for Residential Uses*; and
- Article 10 *Definitions*.

☐ Other:



## B. RATIONALE

### 1. Purpose/Mission

In accordance with the provisions of Section(s) 2.3 *Comprehensive Plan Amendments* and 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Director has initiated text amendments to the Mobile Home Park Conditional Zoning District (MHP-CZD) allowing for temporary residential units, namely Recreational Vehicles (RVs) and units built to an RV Park Model Standard (e.g. some types of Tiny Homes built on a chassis) and retitling the district Home Park Conditional Use District (HP-CZD).

### 2. Analysis

As required under Section 2.8.5 of the UDO, the Planning Director is required to: *'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'.*

A Recreational Vehicle (RV) is currently defined within Article 10 of the UDO as:

*A self-propelled or towed vehicle, qualified to be licensed by the appropriate State Agency, and is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, providing short term recreational living accommodations, designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.*

There has been increased interest in allowing for opportunities for temporary residential uses within the County. This includes locating tiny homes, built on a chassis and classified under State building regulations as an RV Park Model, in both mobile home parks and as standalone uses of property. In some instances, staff has fielded inquiries from individuals with family members receiving treatment in local hospitals looking for areas where an RV could be parked to serve as a temporary residence.

Temporary Residential Units are not currently permitted within mobile home parks as they do not meet established criteria (i.e. they are not classified as a manufactured home consistent with HUD standards).

This proposal would establish a revised district that could address many of these issues and provide options to those looking for temporary housing. This includes allowing for tiny home structures, constructed on a chassis and meeting the definition of an RV. The amendment would also provide a mechanism for RVs to be permitted under certain circumstances within mobile home parks.

Note, most mobile home park projects were developed prior to current zoning regulations and, as a result, have de-facto zoning approvals.

As with all Conditional Zoning districts the project would involve the negotiation of design elements between the BOCC and applicant to ensure the viability of the project. Requests to develop this new district would be reviewed as a rezoning request (i.e. legislative review) and acted upon by the BOCC in accordance with

Section 2.9.2 of the UDO.

As part of this amendment process, Appendix F of the Comprehensive Plan will be also be modified to change references to the Mobile Home Park Conditional Zoning (MHP-CZ) district to Home Park Conditional Zoning (HP-CZ) district.

### 3. **Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

Chapter 2 *Planning Principles* of the Comprehensive Plan:

- Principle 2 – Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.

Chapter 4 *Housing Element* of the Comprehensive Plan:

- Housing Goal 1 – A wide-range of types and densities of quality housing affordable to all in all parts of the County.

Chapter 5 *Land Use Element* of the Comprehensive Plan:

- Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.
- Land Use Goal 2 – Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.
- Land Use Goal 3 – A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, and supported by an efficient and balanced transportation system.
- Land Use Goal 4 – Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

### 4. **New Statutes and Rules**

N/A

## C. PROCESS

### 1. **TIMEFRAME/MILESTONES/DEADLINES**

- a. BOCC Authorization to Proceed

May 5, 2016

- b. Quarterly Public Hearing

February 13, 2017

- c. BOCC Updates/Checkpoints

November 2, 2016 – Planning Board Ordinance Review Committee (ORC) meeting (BOCC receives agenda materials)

December 7, 2016 – Planning Board Recommendation (BOCC receives agenda materials)

February 1, 2017 – Planning Board Recommendation on revised amendment package (BOCC receives agenda materials)

d. Other

Development Advisory Committee (DAC) – the DAC first reviewed this item at its October 20, 2016 meeting and continued review through the month of November 2016.

The DAC was briefed on the revised amendment package at its February 2, 2017 meeting.

## 2. **PUBLIC INVOLVEMENT PROGRAM**

**Mission/Scope:** Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

a. Planning Board Review:

November 2, 2016 – Ordinance Review Committee (ORC)

During the ORC and Planning Board Meetings the following comment(s) were made:

- A Planning Board member asked why there was a hard and fast time limit on 'temporary' housing units.

STAFF COMMENT: NC State Building Code regulations allows for a temporary housing unit to be served only by a 'temporary' utility connection.

This temporary utility connection can serve a unit for up to 180 days. Any longer and the 'temporary' unit becomes 'permanent' and can be only served only by a permanent utility connection. It must also meet other applicable NC Building Code requirements for the residential dwelling unit. There are similar restrictions with a temporary housing unit being served by a septic connection.

- A Planning Board member asked how they were 'getting away' with this in Chatham County.

STAFF COMMENT: Staff is unsure what is being referred to. If Chatham is allowing for temporary housing unit, being served by a temporary utility connection, to remain longer than 180 days that is a violation of the State building code. Staff believes Chatham County is allowing permanent "tiny homes" on a parcel of property rather than a temporary housing unit.

Staff notes that Orange County also allows small homes as permanent dwellings, provided all applicable codes are met including State building regulations. Orange County does not enforce a minimum dwelling unit

size.

- A Planning Board member asked if tiny homes could be made permanent.

STAFF COMMENT: Yes, if said units are built to the State building code installed accordingly, and served with the appropriate utility connections.

- A Planning Board member asked how this would impact existing parks.

STAFF COMMENT: In theory, any existing temporary housing units would be allowed consistent with the Non-conforming section of the UDO. Having said that, the goal would be to work with the owners to bring the parks into full compliance. Specifically, 1 unit per space and having spaces addressed consistent with the County Addressing Ordinance.

- A Planning Board member asked if we need a definition of tiny home.

STAFF COMMENT: No. There is no legal definition or accepted standards for what are commonly called “tiny homes.” A structure is either: a permanent residence (aka stick built or modular home) built to State Building Code; A Manufactured Home (aka a Mobile Home) built to HUD standard; or a Temporary Residential Unit (aka an RV). There is therefore no need or legal basis to define a tiny home.

- A Planning Board member asked how septic needs would be addressed.

STAFF COMMENT: The Health Department would have to review and approved an appropriately designed system to accommodate permanent and/or temporary housing units as the units are permitted/re-approved.

- A Planning Board member asked how the addressing would or would not change in Mobile Home Parks.

STAFF COMMENT: The proposed standards would require a numbered assignment for each temporary or permanent space. This space assignment would be clearly marked on a site plan and physically marked on site. While this may or may not constitute mailing or legal address would be determined at the time of site plan submittal.

- A Planning Board member asked if existing mobile home parks and/or new home parks can be served with public water and/or sewer.

STAFF COMMENT: Most Mobile Home Parks and RV parks are served with private water and sewer services. However, public water and sewer service is possible for permanent spaces.

December 7, 2016 – Recommendation. The Board voted 7 to 1 to recommend approval of the proposed amendments. Minutes from the meeting are contained within Attachment 3.

February 1, 2016 – Recommendation on revised amendment package. The Board voted unanimously to recommend approval of the proposed amendments.

b. Advisory Boards:

Affordable Housing Advisory Board (AHAB) as necessary. Copies of the amendment were sent to Orange County Housing staff on November 23, 2016. As of this date no comments have been received.

- c. Local Government Review:  
Staff transmitted the proposed amendment(s) to the Towns of Chapel Hill, Carrboro, Mebane, and Hillsborough for courtesy review on November 23, 2016.

As of this date we have not received any comments.

- d. Notice Requirements

Legal advertisement for the public hearing shall be in accordance with the provisions of the UDO.

- e. Outreach:

☒ General Public: Outreach meetings with Mobile Home Park owners were conducted on November 29<sup>th</sup> and 30<sup>th</sup> of 2016.

☐ Small Area Plan Workgroup:

☐ Other:

### 3. **FISCAL IMPACT**

Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2016-17 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

## **D. AMENDMENT IMPLICATIONS**

The amendment(s) will provide an opportunity for the location/use of temporary housing and address existing non-conforming situations. This process could also provide a mechanism allowing for the location of certain types of tiny homes within the County.

## **E. SPECIFIC AMENDMENT LANGUAGE**

Please refer to Attachment 6.

**Primary Staff Contact:**

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Planning

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Attachment 2

**SUMMARY NOTES**  
**ORANGE COUNTY PLANNING BOARD**  
**NOVEMBER 2, 2016**  
**ORDINANCE REVIEW COMMITTEE**

NOTE: A quorum is not required for Ordinance Review Committee meetings.

**MEMBERS PRESENT:** Lydia Wegman (Chair), At-Large, Chapel Hill Township; Tony Blake (Vice-chair), Bingham Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Kim Piracci, At-Large; Maxecine Mitchell, At-Large Bingham Township; Lisa Stuckey, Chapel Hill Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township; Patricia Roberts, Cheeks Township Representative;

**STAFF PRESENT:** Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz; Planning Systems Coordinator; Patrick Mallett, Planner II, Rachel McCook, Planner I; Meredith Kern, Administrative Assistant II.

**AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

*Lydia Wegman called meeting to order.*

**AGENDA ITEM 2: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS – TEMPORARY RESIDENTIAL UNITS CONDITIONAL DISTRICT**

To review and comment upon proposed amendments to the UDO that would establish a new conditional zoning district for temporary housing units.

**Presenter:** Patrick Mallett, Planner II

*Patrick Mallett reviewed the abstract.*

Lisa Stuckey: I don't understand why we have to go through these charades.

Patrick Mallett: That's the way the state building code, the health codes, all of the codes are defined.

Lisa Stuckey: So these are not built to habitable standards?

Patrick Mallett: Yes, once you go beyond that magic day it becomes a permanent structure or residence.

Lisa Stuckey: So what about the tiny homes? On TV I've seen tiny homes subdivisions. These are very permanent.

Patrick Mallett: They're not. You could do a subdivision, theoretically, with 10 lots and do 10 tiny homes that meet the minimum lot standards. I think part of the rub is unless you do something like a cluster subdivision, you end up with a 300 square foot tiny home on a 1-acre lot. It may work, it may not. I think that the cost of the land basis kind of drives that out of the realm of reality. It definitely does in the Rural Buffer where you've got 2-acre to 5-acre lots.

Tony Blake: They're doing it in Chatham County but when they did it there was no zoning at all so they were able to pull it together.

Patrick Mallett: Right now, you would either build the tiny home on a foundation that could be a stick built, and most of them are not long enough. You can also build to a modular home standard; a mobile home standard; or now an RV Park Model Standard of construction.

55 Lydia Wegman: I don't know. The ones I've seen that are not that big.

56  
57 Patrick Mallett: The framing ultimately becomes an issue. You'll see a lot of the literature will say, "These are energy efficient,  
58 they're sustainable". Well yeah, that's true but they have solar on them because they can't meet the electrical code. In other  
59 words, the spacing requirements for the electrical wiring and the framing doesn't work out. Literally, these things are so short  
60 you can't frame a window and a door, and a structural frame and get all the electrical wiring or the framing to work to meet  
61 those code requirements. So that's the rub. It's not a hatred for a smaller home.

62  
63 Lisa Stuckey: So if you took a mobile home park and you wanted to put all tiny homes in it then it would end up being all  
64 temporary?

65  
66 Patrick Mallett: Or they would be underpinned and built to the mobile home standard. I think a lot of people are realizing that  
67 we need to allow for these tiny homes, but do them to the mobile home standard and go in a mobile home park or do it as a  
68 camper unit and put it in an RV park. As it stands today the RV part of this really, we don't have an allowance for that. The  
69 only way you can have an RV and stay off of your property is you can park one obviously, but you're not supposed to have  
70 Cousin Eddy living there. So if somebody enterprises and said, "Hey, there's a market. I want to do an RV park," they would  
71 have to get a SUP for a camp retreat center. It's the only way that they could do it.

72  
73 Tony Blake: There are some with that business model. They existed before.

74  
75 Patrick Mallett: That's right. They're grandfathered in. So how do you know that but also realize that there are changes in the  
76 market place and there are people that need to come here for a period of time and they can't afford to stay in an extended  
77 stay, or a hotel. This is an alternative, same thing with a mobile home. I think that there may be people that want to do a tiny  
78 home, not so much a single or doublewide type of product. So that's the essence of the text change. It just so happens that  
79 Allen said, "you know the Department of Environmental Health just released guidelines on a white paper and it has a nice  
80 description code, all of those nuances about the RV park model, what is a recreational vehicle and everything else", so I  
81 brought this along as a handout and if you want I can ask Allen and or Michael to come to the Planning Board meeting and  
82 give you their pieces. I'll meet with them and go over the nuts and bolts and technical minutia. We're meeting with the legal  
83 team tomorrow. And Ashley Moncado of our office has been working with the group that's been working on affordable,  
84 sustainable, tiny home stuff and so I've asked her to speak so we can make sure this is in sync with that effort, which is not  
85 this.

86  
87 Lydia Wegman: It's not the same thing?

88  
89 Patrick Mallett: Their focus is tiny home.

90  
91 Lydia Wegman: And will they be defining tiny home?

92  
93 Patrick Mallett: I think it is still murky. There are all kinds of ideas and no clear legal way to define it. And that's part of her  
94 advice that I'm going to lean on. For legal purposes, a tiny home is to be built to an RV standard or built to a mobile home  
95 standard. And that's that. There's a new term that's emerging called micro-home. So my thought is I don't want to wait. And  
96 the building code is not there. They don't have a standard. Their response to this day is it's either a RV, a mobile home, a  
97 modular home, or a single-family home. And the reason they do that is that RV's have license plates. It's built to a  
98 transportation standard. It's never intended to be a permanent residence. Mobile home is built to a different standard that's  
99 been vetted, and approved, and tested. Like I said, the basic section is that we need to change and the 2 districts. The mobile  
100 home park district conditional use and the TRU, Temporary Residential Unit.

101  
102 Tony Blake: Where are the close districts? Are they just not...

103  
104 Patrick Mallett: We have no plans to re-zone something the TRU CZ. That would be upon someone... They would file a case,  
105 they would have to show us a site plan, specify where the stalls and the spaces are it would be virtually the same.

106  
107 Tony Blake: Is there any minimum acreage size or anything like that?

108



109 Patrick Mallett: Same acreage. For the purposes of impact on the surrounding area, all the setbacks, all the minimum acreage  
110 requirements are the same as a mobile home lot.  
111  
112 Tony Blake: How would the septic be figured?  
113  
114 Patrick Mallett: If you're doing homes you would have to have a lot, you would have to have a septic system; you would have  
115 to have a well, making permanent connections.  
116  
117 Tony Blake: But if you're doing a mobile home park it's different? And that would follow that same standard.  
118  
119 Patrick Mallett: Yeah. Because there's not a lot so it's a space... Conventional standards are from the driveway. And they're  
120 really designed so that people can come in and come out and emergency services can service and solid waste can service  
121 them. One of the interesting things that is... A tiny home is the only way that you can get a single bedroom septic system.  
122  
123 Lisa Stuckey: Could those houses made out of container boxes?  
124  
125 Patrick Mallett: As long as you can build it to a standard it could be made out of recycled plastic. But it has to meet a code.  
126  
127 Lydia Wegman: Does it have to meet a building code of some kind?  
128  
129 Tony Blake: Well it has to meet a mobile home standard.  
130  
131 Patrick Mallett: The HUD standards for Mobile Homes, yeah.  
132  
133 Tony Blake: But the problem is with the tiny homes is that cost per square foot is so much greater than it is for a mobile home.  
134 And so it's hard to justify.  
135  
136 Lisa Stuckey: But they're taking those containers and making them into houses. But it's the same, are they mobile or not  
137 mobile?  
138  
139 Patrick Mallett: Yeah, exactly. And what standard are the built to, and what type of utilities are the hooked up to (permanent or  
140 not)? This is part 2 of those 4 text changes that are moving through. Michael's got one of them that will be part 3. I see it as a  
141 step in the right direction and at least we can give the people some answers and some guidance versus you can live in a  
142 camp retreat center if you get it approved. So our goal is to get this one to the February Public Hearing.  
143  
144 Tony Blake: One more question. How does this fit with accessory use, or does it?  
145  
146 Patrick Mallett: It'll be the same as it applies for others. There's supervision in there for the sheds. So let's say you had an RV  
147 park, you had common open space, it's owned by the landlord, and you have a caretaker. Theoretically you could get a shed  
148 and for an extra \$5 a month you get a shelf in the storage accessory structure. But the same rules would apply as accessory  
149 shed structures.  
150  
151 Paul Guthrie: I've got a question. We have some in my house that watch all these tiny building shows that are on TV, so that's  
152 my exposure. But one of the things those show is that there's a growing range of cost on things of a similar size. Has there  
153 been any effort or any movement towards trying to get some more common definitions of these various alternatives?  
154  
155 Patrick Mallett: That's the affordable housing part of this that Ashley is involved in. We're getting into the mobile home park  
156 and the RV park part of it. The sustainability, affordability part is a much bigger then, and then defining it. I think they've spent  
157 a long time trying to define.  
158  
159 Paul Guthrie: There's a broad range in those general exposures.  
160

161 Patrick Mallett: Exactly. You ask 10 people what a tiny home is and 5 of them are probably going to say, "Like that show" and  
162 the other 5 are going to have very different opinions in what that is. But by far I think the most common product has wheels on  
163 it and a chase and is built to either no standard or an RV standard.

164  
165 Lydia Wegman: So should we expect some changes following your meeting with the attorneys and?  
166

167 Patrick Mallett: Yeah. This is the first. We've gone through the first pass of this and then we'll put the legal vice grips through  
168 it.

169  
170 Lydia Wegman: I want to speak in sport of Lisa's plan. I think it's worth it to look into doing something smaller than 10-acres, if  
171 possible.  
172

173 Patrick Mallett: Ok. That's a good point. And I think that there probably will be some experimentation. For example, the  
174 gentleman on Orange Grove Road is like, "I'm not going to completely convert this stuff on a speculative rolling the dice and  
175 throwing it on the table, but I'm willing to convert a couple of the stalls and see what happens.". And his idea was that there's a  
176 market and it's a good idea to get involved in that. There are nuances with regard to a RV park versus a mobile home park.  
177 Mobile home parks tend to rent by the month. RV parks tend to rent by the day or the week. And from a maintainer standpoint  
178 that's a pain. But it may be worth it, willing to try, that's part of his input.

179  
180 Lydia Wegman: Are there advantages of being a RV park?  
181

182 Patrick Mallett: A lot of interest. And the other part of this that I think pertains to that bigger discussion is that some of these  
183 things, based on where you put it and how it's classified, impact your ability to get a mortgage. If it's got wheels it's probably  
184 going to depreciate. But this is about the zoning and the panning part of it. That's it.

185  
186  
187 *Lydia Wegman closed the meeting.*

**MINUTES**  
**ORANGE COUNTY PLANNING BOARD**  
**DECEMBER 7, 2016**  
**REGULAR MEETING**

**MEMBERS PRESENT:** Lydia Wegman (Chair), At-Large Chapel Hill Township Representative; Tony Blake (Vice-Chair), Bingham Township Representative; Maxecine Mitchell, At-Large Bingham Township; Patricia Roberts, Cheeks Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Kim Piracci, At-Large; Laura Nicholson, Eno Township Representative;

**MEMBERS ABSENT:** Lisa Stuckey, Chapel Hill Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township;

**STAFF PRESENT:** Michael Harvey, Current Planning Supervisor; Perdita Holtz; Planning Systems Coordinator; Patrick Mallett, Planner II, Michael Rettie, Chief Building Official; Alan Clapp, Environmental Health Director; Meredith Kern, Administrative Assistant II

**Agenda Item 7: Unified Development Ordinance (UDO) Text Amendment** - To make a recommendation to the BOCC on government initiated amendments to the UDO to modify the Mobile Home Park Conditional Zoning District (MHP-CZ) to a Home Park Conditional Zoning District (HP-CZ). The reclassified district would allow for both [permanent mobile homes and recreational vehicles (RVs) on a temporary basis. This item is scheduled for the February 13, 2017 quarterly public hearing.

**Presenter:** Patrick Mallett, Planner II

*Patrick Mallett reviewed the abstract*

Tony Blake: Some of those mobile home parks are within the water and sewer boundary area, does that mean they could have water and sewer if they wanted to? Or do they have water and sewer?

Patrick Mallett: Theoretically. I would guess that the mast majority of these are operating on well and septic.

Alan Clapp: We've got about 70 that are only the well or septic.

Lydia Wegman: How big are some of the larger parks?

Michael Harvey: You have some parks in the County that have a couple hundred units. And remember that an individual unit is on a space approximately 5,000 square feet, at least according to current code.

*Patrick Mallett continued presentation.*

Tony Blake: What do you mean by "could help solidify addressing"?

Patrick Mallett: So part of that exhaustive research is that... A mobile home park is much like a condo. You don't have individual lots. You have one track that is theoretically owned by one owner or one corporation or entity and they have spaces like an apartment or a condo with stalls and hookups and then you pay a rent to the owner. My understanding is in some cases you could buy a deeded reference to the space. So what's happening is the addressing, not all of these are addressed in our database or are they clearly labeled to be able to drive into a mobile home park and be able to locate a specific unit. I don't know that your average person, either tenant or owner, would necessarily make the connection that that's the address.

Approved 1/4/2017

Michael Harvey: To expand upon that, that current ordinance says that it's up to the park owner as part of the development process to establish a system 1a, 1b, 1c. The revised ordinance requires a mobile home park to be addressed consistent with the County addressing ordinance. So each individual stall will be addressed with a number consistent with the County's ordinance so there can be no dispute over what's 101, 103, 110. And they all will have to display address numbers consistent with that address ordinance. That's the big link we're doing here.

Patrick Mallett: Some of these with the travel around park don't necessarily have a clearly posted sign. And then on the EMS end, I think that they're continuing to make an extraordinary effort to have their database so that they know if somebody's in need of service that they know how to get there.

Paul Guthrie: It's my impression that a lot of the older parks really got their push at the end of World War II, and you can see units that have been there since WWII. How do we watch that to see if it's still maintained and we try to save it as quality standards, or not?

Patrick Mallett: Well, maybe what we'll do is go through the power point and then come back to that part of it. But Mobile homes are a little bit different in the sense that it is built to a HUD standard, it actually has a metal placard that has a serial number kind of like a VIN number and you can change the mount. So theoretically you could have a 40-year old unit, singlewide, you yank out the skirting, the underpinning and then replace it with a new one as long as it fits within the space.

Paul Guthrie: The other question; you mentioned the enforcement of federal protection. Given the turmoil in Washington right now, what do you do if standards get eliminated?

Michael Harvey: You never say never, but the definitional constitutes a certified manufactured house will never change from this notion of it is a self contained engineered structure that can withstand X capacity. And that's infinite. That's never going to change. And that ultimately is what we're looking for in terms of this is a manufactured home by HUD's definition.

Paul Guthrie: And on a curveball, environmental standards in today's announcement from the EPA and as a couple of us here are ex EPA employees there are standards in EPA relative to water and to wastewater. Who would enforce them if they were withdrawn?

Michael Harvey: There still have to be permitting for water/wastewater.

Paul Guthrie: So you would re-permit on existing units?

Alan Clapp: So this covers the land use zoning comp plan parts of this that our intent is to make it coincide with other regulations at the State and Federal level and not get in the way. Those are going to change over time, as they always have, but this deals with your permits, your zoning and compliance permits, your planning approvals. You still have to go through and meet inspections, building permits, electrical permits, you have to go through Environmental Health to get your water and septic hooks up and so on and so forth. So this is one part in all of the myriad of requirements that you have to meet. So I would say that they're most closely aligned with the Federal...

Paul Guthrie: I'll let you get back to your discussion, I'm just throwing it out because I think there's going to be a period of time where it's going to be difficult to mesh some of the Federal standards that have been changed with what we have done as normal business for a long time. And since we're in the process I just wanted to raise the issue. We should carefully see that we can still continue to do the maximum, especially on sanitary issues, on our own with or without the Federal government.

Alan Clapp: Currently Environmental Health, for all the mobile home parks that are on well, septic, or one or the other we angle inspection of the park. So that inspection involves walking the entire park, making sure all the systems are functioning, and taking a water sample. Even under the current administration just this year there was a change in

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that a total coliform hit on a water sample is now not necessarily a stop the presses, put boil water notices up. It used to be that that was the case, even under current administration that's changed. So there's no telling what's going to happen under the next administration. But if it's a fecal coliform on the water then the boil water notices come up. Of the 90 some parks we inspect about 70 of them the others are all water and sewer. And then to your second question; we do the annual park inspection and then if a model is moved off and another goes on we do a space inspection to make sure that that space will fit in the given slot and not be over the well or septic system, and that the system is functioning. So we do a park and a space inspection.

Lydia Wegman: Alan, is there one septic system for the whole park?

Alan Clapp: Usually in most cases there are individual systems or 2 units per septic system.

Paul Guthrie: Are there any of these parks that have discharge permits?

Alan Clapp: Yes. Now, we do not do those but of the other 20 half of them are either spray or discharge or ATU. And several of those are on public water supply with 25 or more connections.

*Patrick Mallett continued presentation.*

Michael Rettie: The tiny homes themselves are not built to any standard.

Patrick Mallett: Well, they could but the vast majority doesn't meet anything. And that's the rub.

Lydia Wegman: What kind of hookups do they have?

Patrick Mallett: The ones that don't meet any standards? It's the Wild West. It's everything from a port-a-potty to showers in bathhouses.

*Patrick Mallett continued presentation.*

Tony Blake: It sounds as if, with a tiny home, you could have either an RV type hookup or a mobile home type hook up. Is that true?

Patrick Mallett: Theoretically.

Tony Blake: And we would permit that?

Patrick Mallett: If it meets those standards, both in the building code and the health.

Michael Harvey: The bottom line is this: If you're putting a structure on a parcel of property it either has to be a HUD certified structure or a stick built house meeting state building code.

Michael Rettie: Well HUD is a standard. If nothing that's a Federal standard for building a manufactured home.

Tony Blake: But it doesn't say how wide or how long it's going to be. It just says 2x4's would be this far apart.

Michael Harvey: And remember most HUD homes have to meet certain design and wind zone requirements and it has to be a self contained engineered unit.

Michael Rettie: HUD has gone up with their own building and construction standards. That's where you get the little 1x2 studs and that kind of stuff. But all of that is it's systems. Even the building officials can't change those systems unless a design professional basically specifies how to do that.

Approved 1/4/2017

160 Patrick Mallett: So we'll see people that will tinker with a mobile home and if you rip out a wall and add onto it, what  
161 does that become? And that kind of transcends the mobile home park.

162  
163 Lydia Wegman: Can we go back to the tiny homes? And so if they meet the RV standard would they be temporary?

164  
165 Patrick Mallett: Yes.

166  
167 Lydia Wegman: Only a mobile home or single family could be a permanent.

168  
169 Patrick Mallett: Exactly. You're coming to a space that's designated on a site plan as temporary or permanent. And if  
170 you're in a temporary space you're suppose to be built to an RV standard and have a hook up.

171  
172 Lydia Wegman: What if a tiny home is set on a single-family lot?

173  
174 Michael Harvey: It has to meet state building code.

175  
176 Maxecine Mitchell: With the tiny home meeting the RV standard can only stay at a RV park for a certain length of  
177 time?

178  
179 Patrick Mallett: Just the same as a RV.

180  
181 Buddy Hartley: How long can it stay there?

182  
183 Patrick Mallett: 180 days.

184  
185 Buddy Hartley: What happens if it's there after 180 days?

186  
187 Patrick Mallett: It's a violation... On the enforcement end of this, transcending the text change is how do we deal with  
188 that?

189  
190 Maxecine Mitchell: Right now they couldn't be on either one? The tiny home.

191  
192 Patrick Mallett: No, because it's not meeting that standard.

193  
194 Buddy Hartley: Could you drive it around the block and bring it back?

195  
196 Patrick Mallett: I think that's a discussion for the enforcers to come up with some policy that's appropriate. But I think  
197 it's in the realm of possibility to require, as part of its approval... That there's a statement and there's an affidavit  
198 that's recorded on a lot that you're not going to have tenants staying there in your temporary spaces for longer than  
199 180 days. Period.

200  
201 *Patrick Mallet continued presentation.*

202  
203 Tony Blake: Is anything grandfathered in this?

204  
205 Patrick Mallett: If you're a mobile home park and you're there and it either pre-dated our zoning requirements it's the  
206 same. You can do nothing, and this is not going to impact what you have today nor are these requirements really  
207 going to create additional items, if you have mobile homes there's no additional suffering in terms of... It's when you  
208 want to convert portions to temporary. That's when you have to do additional things. But the performance standards  
209 and the requirements; we made a conscience effort to make it the same.

210  
211 Michael Harvey: Tony, one thing to keep in mind is that with the current regulations, which are applicable, we have to  
212 do our own inspections. We work with several park owners to address violations that they still have to comply with.

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Our goal is to try to work with park owners that have illegally allowed, for example, 3 units in 1 5,000 square foot space. You're going to have to address that violation. That's one huge violation. The other violation that we see a lot of is illegal additions on mobile homes that essentially invalidate its HUD certificate, but also a violation of state building code and zoning. So unfortunately we have 90 parks that we are inspecting. I would say we have done 40, and have worked on several issues in those 40. There are multitudes more. We have just scratched the service. But a lot of our efforts are trying to coordinate with land records and emergency service staff, trying to fix any and all addressing problems so there is an appropriate level of compliance where this is an address, this is where they have to go, and emergency services know where to go when there is an emergency.

Lydia Wegman: Did you hear anything of concern at the July 20<sup>th</sup> meetings you had?

Patrick Mallett: No. I did get a phone call and email from an operator yesterday who owns 65 mobile home parks throughout the southeast of which they own several in Orange County. They said this is exactly the trend. We have a good number of our home parks that have been converted to have some sort of hybrid so that we can meet the market demands.

Lydia Wegman: Was he comfortable with what you were doing?

Patrick Mallett: Yes. I don't think I've had any negative responses. Either from residents that are interested to tenants to mobile home park owners.

*Patrick Mallett continued presentation.*

Alan Clapp: On the septic end the only thing that's different is the minimum size for a mobile home **inaudible**. The park model and the RV type have a lower flow rate in the North Carolina sewage **inaudible** so it would be less flow to the system. Then we're going to get the question of, "Can we do 2 where we have 1?" and the answer's going to be no because they still have to meet the 5,000.

Michael Harvey: We only allow 1 unit per 5,000 square feet.

Patrick Mallett: And, peppered throughout the 30 some odd pages of the text change, it's 1 space, 1 unit. No efficiencies. It doesn't matter how big it is or how small it is. And we did take the comments from the ORC about the shed's and then lowering the minimum cap from 10-acres to 5-acres for your minimum track size.

Lydia Wegman: Michael, is there anything you wanted to add?

Michael Rettie: The only thing we regulate with RV's is the electric pedestal. It's the only jurisdiction we have anything to do with.

Patrick Mallett: So part of that would be the site plan approval and the designation of the space and then some sort of affidavit that says it's built to the park model standard.

Lydia Wegman: But no HUD certification?

Michael Rettie: Not for a RV.

Alan Clapp: Yes.

Paul Guthrie: How many?

Alan Clapp: I don't know because those are the ones that we don't go to.

Approved 1/4/2017

266 Paul Guthrie: So what we're talking about here would be totally controlled by State and Federal Law... That could  
267 become a problem. So I just plant that seed.

268  
269 Michael Harvey: Understood. But with all due respect if we did nothing it would still be a problem. If we never came  
270 up with this amendment we're still looking at the problem.

271  
272 Paul Guthrie: Well I think there's a solution outside of that. If a surrounding or neighboring piece of property felt that it  
273 was being harmed by those discharges then there could be private action.

274  
275 Michael Harvey: They can be now, in fact, there has been. In the 12 years I've been here there's been 1 park that  
276 seems to get...

277  
278 Paul Guthrie: Because I have a feeling that we're going to see some significant changes attempted on a clean water  
279 act, for example.

280  
281 Maxecine Mitchell: I have one more question. I take it there's no RV parks in Orange County?

282  
283 Patrick Mallett: Legally, no.

284  
285 Alan Clapp: There is one just across the line in Alamance County, but not in Orange.

286  
287 Maxecine Mitchell: Ok. I was just wondering if this is the first time we're dealing with RVs. The one I found was on  
288 Jones Road and I've seen people park their RV there but I don't know how long.

289  
290 Alan Clapp: That's the one. That's called a park model. So they leave those there. They hook their bathrooms to the  
291 septic system but they have a bathhouse where you have to go and take a shower.

292  
293 Maxecine Mitchell: Ok. And they're regulation is based on the County it's in?

294  
295 Alan Clapp: Yes. So, in Alamance that's fine. Here, the Health Department could permit that the same way but they'd  
296 also have to meet planning regulations.

297  
298 **MOTION** by Kim Piracci to approve statement of consistency in attachment 3 and to approve the proposed  
299 amendments in attachment 4. Seconded by Patricia Roberts.

300 **VOTE: 7-1 (MAXECINE MITCHELL OPPOSED)**

301  
302 *Maxecine explained she had some reservations about whether it's a good idea.*



**DRAFT EXCERPT OF MINUTES  
ORANGE COUNTY PLANNING BOARD  
FEBRUARY 1, 2017  
REGULAR MEETING**

**MEMBERS PRESENT:** Lydia Wegman (Chair), At-Large Chapel Hill Township Representative; Tony Blake (Vice-Chair), Bingham Township Representative; Maxecine Mitchell, At-Large Bingham Township; Lisa Stuckey, Chapel Hill Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township; Patricia Roberts, Cheeks Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative;

**MEMBERS ABSENT:** Laura Nicholson, Eno Township Representative; Kim Piracci, At-Large;

**STAFF PRESENT:** Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Patrick Mallett, Planner II; Meredith Kern, Administrative Assistant II;

**AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

Lydia Wegman called the meeting to order.

**AGENDA ITEM 2: INFORMATIONAL ITEMS**

- a) Planning Calendar for January and February
  - February 13 – Quarterly Public Hearing
  - March 1 – Planning Board Meeting

**AGENDA ITEM 4: APPROVAL OF MINUTES**

January 4, 2017 Meeting Minutes  
January 4, 2017 ORC Notes

**MOTION** by Maxecine Mitchell to approve the January 4, 2017 Planning Board minutes and ORC Notes. Seconded by Lisa Stuckey.

**VOTE: UNANIMOUS**

**AGENDA ITEM 4. CONSIDERATION OF ADDITIONS TO AGENDA**

*No additions to Agenda*

**AGENDA ITEM 5: PUBLIC CHARGE**

**Introduction to the Public Charge**

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner, which considers the present and future needs of its citizens and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

**PUBLIC CHARGE**

The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

**AGENDA ITEM 6: CHAIR COMMENTS**

*No comments*

**AGENDA ITEM 7: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT-** To re-review and make a recommendation to the BOCC on government-initiated amendments to the text of the UDO to modify the Mobile Home Park Conditional Zoning District (MHP-CZ) to a Home Park Conditional Zoning District (HP-CZ). The Planning Board recommendation approval of this item on December 7, 2016; subsequent revisions by the County Attorney's office necessitates that the amendment be reviewed again by the Planning Board. This item is scheduled for the February 13, 2017 Quarterly Public Hearing.

*Patrick Mallett Presented the proposed changes that were made to materials since the December 7, 2016 Planning Board Meeting and needed to meet legal sufficiency.*

Craig Benedict told Patrick Mallett that when he presents this item he can explain that it has not changed from the way it was originally.

Patrick Mallett continued his presentation.

Buddy Hartley asked how they will enforce the regulations.

Michael Harvey explained there are conditions for the approval for the certificate of occupancy, which often include time limits on how long the temporary structure can stay on the property. After that time frame if the structure is still there the Planning Department issues a notice of violation; the notice of violation will allow the resident 30 days to remove it, after that 30 days it is a \$500 a day fine.

Patricia Roberts asked if there is a second impact fee if you build an efficiency unit.

Michael Harvey said that you do have to pay another impact fee based on the number of bedrooms of the efficiency and then pay the difference in the number of bedrooms in the new house you're building.

*Patrick Mallett continued reviewing the abstract and text changes.*

Tony Blake asked what the attorney's concerns were with this text amendment

Patrick Mallett said that we needed to focus on what goes on in a mobile home park. The previous recommendation by the Planning Board dealt too much sections beyond the scope of this amendment.

Craig Benedict explained that we will be coming up with a new method so that we don't keep bringing things back and forth to the Planning Board.

*Patrick Mallett continued reviewing the abstract and text changes.*

Paul Guthrie asked if there was a documented definition of what a customary use is.

Patrick Mallett explained that it would be an accessory structure.

Michael Harvey stated that it is defined in article 10 of the UDO defining what an accessory structure is.

Andrea Rohrbacher asked why the porch has to be covered as defined under attached structures.

Lydia Wegman said that it says "including" which does exclude the porches from being covered or uncovered, rather it just list covered porches as an example.

Patrick Mallett and Michael Harvey agreed with Lydia's explanation.

Tony Blake asked if the addressing ordinance would apply to this as it does in the rest of the county.

Patrick Mallett said that yes it will.

Michael Harvey further explained that the director of land records is the one who assigns that addresses.

**MOTION** by Tony Blake to approve the statement of consistency. Seconded by Lisa Stuckey.

**VOTE: UNANIMOUS**

**MOTION** by Tony Blake approve the proposed amendments in attachment 5. Seconded by Lisa Stuckey.

**VOTE: UNANIMOUS**

**AGENDA ITEM 8: COMMITTEE/ADVISORY BOARD REPORTS**

a) **BOARD OF ADJUSTMENT**

b) **ORANGE UNIFIED TRANSPORTATION**

**AGENDA ITEM 10: ADJOURNMENT**

*Planning Board meeting was adjourned by consensus.*

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Lydia Wegman, Chair

**STATEMENT OF CONSISTENCY  
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE AND  
COMPREHENSIVE PLAN TEXT AMENDMENTS  
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

Orange County has initiated amendments to the Unified Development Ordinance (UDO) and the Comprehensive Plan to modify and retitle the Mobile Home Park Conditional Zoning (MHP-CZ) district.

Proposed UDO changes seek to modify existing development requirements, review processes, and permitted uses to provide additional opportunities for various residential housing types.

The Planning Board finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Chapter 2 *Planning Principles* of the Comprehensive Plan:

- Principle 2 – Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.

These amendments are consistent with this goal and objective as it clarifies required utility hook-up and design standards for temporary housing units and, addressing issues of sustainability, and encourages/promotes the use of said units in areas of the County where a need has been established.

Chapter 4 *Housing Element* of the Comprehensive Plan:

- Housing Goal 1 – A wide-range of types and densities of quality housing affordable to all in all parts of the County.
- Housing Goal 4 - Development ordinances and incentives that promote inclusionary practices and housing options for all income levels.

These amendments are consistent with this goal and objective because it promotes greater flexibility with respect to the use of temporary housing units within mobile home parks and provide a mechanism for their permitting thereby expanding the types and densities or housing options.

Chapter 5 *Land Use Element* of the Comprehensive Plan:

- Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.

- Land Use Goal 2 – Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.
- Land Use Goal 3 – A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, and supported by an efficient and balanced transportation system.
- Land Use Goal 4 – Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

These amendments are consistent with this goal and objective as it provides a mechanism for the permitting of temporary housing units, clarifies the permitting and use of said units, and allows for the grouping/cluster of like land uses thereby eliminating land use conflicts.

c. The amendment is reasonable and in the public interest because it:

1. Assists Orange County in providing opportunities for the location and use of temporary housing units.

This amendment will allow for temporary housing units to be installed/utilized in the new Home Park district in accordance with applicable State regulations. Currently these units are prohibited.

2. Revising existing land use regulations to ensure existing conflicts with State Building Code standards and Environmental Health policies are resolved.


This amendment incorporates language identifying regulatory limitations associated with permanent and temporary housing units from a utility connection/use and construction standard within the new Home Park district.

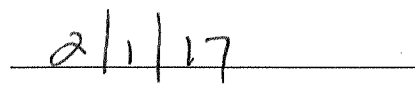
3. Promote diversity with respect to available housing types.

The amendment expands available housing options that can be utilized within Orange County and provides opportunities for the use of temporary housing units in specific circumstances.

4. Amends Appendix F of the 2030 Comprehensive Plan modifying references to the Mobile Home Park Conditional Zoning (MHP-CZ) district consistent with the proposed UDO text amendment, changing the name to the Home Park Conditional Zoning (HP-CZ) district.

The Planning Board of Orange County hereby recommends that the Board of County Commissioners consider adoption of the proposed amendments.

  
Lydia N. Wegman, Chair

  
Date

**STATEMENT OF CONSISTENCY  
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE AND  
COMPREHENSIVE PLAN TEXT AMENDMENTS  
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

Orange County has initiated amendments to the Unified Development Ordinance (UDO) and the Comprehensive Plan to modify and retitle the Mobile Home Park Conditional Zoning (MHP-CZ) district. Proposed UDO changes seek to modify existing development requirements, review processes, and permitted uses to provide additional opportunities for various residential housing types.

The BOCC finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
  - b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.
1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Chapter 2 *Planning Principles* of the Comprehensive Plan:

- Principle 2 – Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.

These amendments are consistent with this goal and objective as it clarifies required utility hook-up and design standards for temporary housing units and, addressing issues of sustainability, and encourages/promotes the use of said units in areas of the County where a need has been established.

Chapter 4 *Housing Element* of the Comprehensive Plan:

- Housing Goal 1 – A wide-range of types and densities of quality housing affordable to all in all parts of the County.
- Housing Goal 4 - Development ordinances and incentives that promote inclusionary practices and housing options for all income levels.

These amendments are consistent with this goal and objective because it promotes greater flexibility with respect to the use of temporary housing units within mobile home parks and provide a mechanism for their permitting thereby expanding the types and densities or housing options.

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- Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.
- Land Use Goal 2 – Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.

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- Land Use Goal 4 – Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

These amendments are consistent with this goal and objective as it provides a mechanism for the permitting of temporary housing units, clarifies the permitting and use of said units, and allows for the grouping/cluster of like land uses thereby eliminating land use conflicts.

c. The amendment is reasonable and in the public interest because it:

1. Assists Orange County in providing opportunities for the location and use of temporary housing units.

This amendment will allow for temporary housing units to be installed/utilized in the new Home Park district in accordance with applicable State regulations. Currently these units are prohibited.

2. Revising existing land use regulations to ensure existing conflicts with State Building Code standards and Environmental Health policies are resolved.

This amendment incorporates language identifying regulatory limitations associated with permanent and temporary housing units from a utility connection/use and construction standard within the new Home Park district.

3. Promote diversity with respect to available housing types.

The amendment expands available housing options that can be utilized within Orange County and provides opportunities for the use of temporary housing units in specific circumstances.

4. Amends Appendix F of the 2030 Comprehensive Plan modifying references to the Mobile Home Park Conditional Zoning (MHP-CZ) district consistent with the proposed UDO text amendment, changing the name to the Home Park Conditional Zoning (HP-CZ) district.

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

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Mark Dorosin, Chair

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Date

Ordinance # ORD-2017-003

**AN ORDINANCE AMENDING THE  
UNIFIED DEVELOPMENT ORDINANCE AND COMPREHENSIVE PLAN  
OF ORANGE COUNTY**

**Whereas**, Orange County has initiated amendments to its Unified Development Ordinance (UDO) to modify existing regulations governing the review and processing of mobile home parks, and

**Whereas**, there has been increased interest in allowing for opportunities for temporary residential uses within the County including tiny homes, built on a chassis and classified under State building regulations as an RV Park Model, in both mobile home parks and as standalone uses of property, and

**Whereas**, Temporary Residential Units are not currently permitted within mobile home parks as they do not meet established criteria (i.e. they are not classified as a manufactured home consistent with HUD standards), and

**Whereas**, the proposed amendment provides a mechanism to temporary residential units to be permitted under certain circumstances and eliminates identified inconsistencies within the UDO with respect to the development of mobile home parks, and

**Whereas**, the requirements of Section(s) 2.3 and 2.8 of the Unified Development Ordinance have been deemed complete, and

**Whereas**, the Orange County Planning Board has recommended approval of the proposed text amendments to the Unified Development Ordinance and the Comprehensive Plan, and

**Whereas**, the County has held the required public hearing and has found the proposed text amendments are consistent with the goals and policies of the adopted Comprehensive Plan.

**Be it ordained** by the Board of Commissioners of Orange County that the Unified Development Ordinance and Appendix F of the Comprehensive Plan of Orange County is hereby amended as depicted in the attached pages.

**Be it further ordained** that this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, the foregoing ordinance was adopted this  
\_\_\_\_\_ day of \_\_\_\_\_, 2017



I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO  
HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of  
said Board at a meeting held on \_\_\_\_\_, 2017 as relates in any  
way to the adoption of the foregoing and that said proceedings are recorded in the  
minutes of the said Board.

WITNESS my hand and the seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_,  
2017.

SEAL

\_\_\_\_\_

Clerk to the Board of Commissioners

## UDO AND COMPREHENSIVE PLAN AMENDMENT PACKET NOTES:

The following packet details staff's proposed modifications to existing regulations associated with the review and permitting of temporary housing units and a retitling of the existing Mobile Home Park Conditional Zoning (MHP-CZ) district to the Home Park Conditional Zoning (HP-CZ) district, including amending Appendix F of the adopted 2030 Comprehensive Plan.

As the number of affected pages/sections of the existing UDO and Comprehensive Plan are being modified with this proposal staff has divided the proposed amendments into the following color coded classifications:

- Red Underlined Text: Denotes new, proposed text, that staff is suggesting be added to the UDO
- ~~Red Strikethrough Text~~: Denotes existing text that staff is proposing to delete

Staff has included footnotes within the amendment package to provide additional information/rationale concerning the proposed amendments to aid in your review.

Only those pages of the UDO and/or Comprehensive Plan impacted by the proposed modification(s) have been included within this packet. Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment or footnotes from previous sections 'spill over' onto the included page. Text with a large "X" is not proposed for deletion.

**Please note that the page numbers in this amendment packet may or may not necessarily correspond to the page numbers in the adopted UDO because adding text may shift all of the text/sections downward.**

Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available online at:

[http://www.orangecountync.gov/departments/planning\\_and\\_inspections/ordinances.php](http://www.orangecountync.gov/departments/planning_and_inspections/ordinances.php)

The full 2030 Comprehensive Plan is available online at:

[http://www.orangecountync.gov/departments/planning\\_and\\_inspections/2030\\_comprehensive\\_plan.php](http://www.orangecountync.gov/departments/planning_and_inspections/2030_comprehensive_plan.php).

### UDO AMENDMENT PACKET NOTES:

The following packet details staff's proposed modifications to existing regulations associated with revisions to the Mobile Home Park Conditional Zoning District (MHP-CZ) including retitling the district to Home Park Conditional Zoning (HP-CZ) District.

- Red Underlined Text: Denotes new, proposed text that staff is suggesting be added to the UDO
- ~~Red Strikethrough Text~~: Denotes existing text that staff is proposing to delete

Staff has included footnotes within the amendment package to provide additional information/rationale concerning the proposed amendments to aid in your review.

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**(I) Zoning Atlas Designation**

Following approval of a CUD application/permit by the Board of County Commissioners, the property shall be identified on the zoning atlas by the appropriate parallel CUD designation. This designation is the general zoning district designation plus the letters "CU".

**(J) Timeline for Development of Approved Uses**

- (1)** Construction of the approved project must begin within 12 months of the approval of the permit. If no construction has started within the stated time frame the permit becomes null and of no effect.
- (2)** The property owner may request only one 6-month extension from the Board of County Commissioners upon the favorable recommendation of the Planning Board if the request is received before the permit expires.
- (3)** The application for an extension request shall be submitted a minimum of six months prior to the expiration of the permit.

**(K) Alterations to an Approved CUD**

- (1)** Changes to approved plans and conditions of development shall be treated as changes to the zoning atlas and shall be processed as an amendment to such as contained in Section 2.8.
- (2)** The Planning Director may approve minor changes without going through the amendment process. The Planning Director, at his/her discretion, may elect not to allow any proposal as a minor change and will forward the detailed application for changes to the Planning Board and Board of County Commissioners for consideration in accordance with the procedures outlined herein.
- (3)** A minor change is one that will not:
  - (a)** Alter the basic relationship of the proposed development to adjacent property,
  - (b)** Alter the approved land uses,
  - (c)** Increase the density or intensity of development, and/or
  - (d)** Decrease the off-street parking ratio or reduce the buffer yards provided at the boundary of the site.

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**2.9.2 Conditional Zoning District (CZD)**

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**(A) Generally**

Only those uses listed on the Table of Permitted Uses in Section 5.2 for a specific Conditional Zoning District and detailed in Section 3.8 of this Ordinance shall be developed.

**(B) Applications**

Applications to rezone property to a CZD shall be submitted to the Planning Director and shall be processed in accordance with the procedure(s) for:

- (1)** Zoning Atlas amendment (Section 2.8),
- (2)** Site plans (Section 2.5) for CZDs that require a site plan, and
- (3)** The provisions of this Section.

**(C) Submittal Requirements**

- (1)** In addition to the CZD application form, an applicant shall also submit the following information:

- (a) A site plan prepared in accordance with the provisions of Section 2.5 of this Ordinance, except for Master Plan Development (MPD) -CZD<sup>1</sup> applications (see (C)(2) below).
- (i) A detailed description of the proposed use of property including an outline of the proposed development,
  - (ii) A detailed traffic survey, regardless of the estimated number of trips per day, prepared in accordance with all applicable North Carolina Department of Transportation (NC DOT) requirements or standards as well as Section 6.17 of this Ordinance,
  - (iii) The appropriate Environmental Document prepared in accordance with Section 6.16; and
  - (iv) A landscape plan showing the location of on-site significant trees; proposed screening, buffers, and landscaping; and any proposed treatment of any existing natural features.
- (b) A summary of utility services, including processing of wastewater. For Home Park (HP) CZD, the utility service plan shall specify if the proposed services are temporary or permanent connections.<sup>2</sup>
- (c) A schedule of construction of all elements of the proposal.
- (d) Any other information identified during the pre-application conference deemed essential to demonstrate the project's compliance with these regulations.
- (2) In lieu of the requirements in (1)(a) above, an application for a Master Plan Development (MPD) CZD shall include the requirements in Section 6.7. The requirements of (1)(b) through (1)(h) above are applicable for MPD-CZ applications.
- (3) 26 copies of the application package required in (1) and (2) above shall be submitted by the applicant.
- (4) The Planning Board and/or Board of County Commissioners may request additional information in order to evaluate and properly process the application for a CZD.

**(D) Neighborhood Information Meeting**

- ~~(1) Before a Public Hearing may be held on an accepted application for a CZD, the applicant is required to schedule, with the assistance of the Planning Department, a minimum of one neighborhood information meeting. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.~~
- ~~(2) The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail notices of the meeting date and time via first class mail to each property owner within one thousand feet of the property for which a CZD has been requested.~~
- ~~(3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.~~

<sup>1</sup> The amendment is designed to ensure consistency within the section with respect to appropriate references to various Conditional Zoning districts.

<sup>2</sup> In accordance with State Building code, a temporary housing unit (i.e. Recreational Vehicle, travel trailer, camper, etc.) can be served only by temporary utility connections, while other residential dwellings such as mobile homes, manufactured homes, and "stick-built" homes can only be served by permanent utility connections. Similar language has also been proposed within Section 5.5.4, the standards associated with the development of a mobile home park.



<div> <div>MHP-CZ</div> <div>MOBILE HOME PARK <sup>3</sup></div> </div>	DIMENSIONAL AND RATIO STANDARDS	
	Tract size, min./max. (acres)	<del>5</del> 40/50
<div>PURPOSE</div> <p>The purpose of the <del>Mobile</del>-Home Park Conditional Zoning (MHP-CZ) District is to provide for the development of properly located and planned facilities for mobile home <u>and temporary housing unit</u> parks.</p> <p>Adequate housing is fundamental to the welfare of county residents; however, conventional housing is not consistently affordable to, nor desired by, all members of the general public. <u>There is also an identified need to provide some level of flexibility for transient residents who need to reside within the area on a temporary basis.</u></p> <p>Where properly regulated and located, <del>mobile home parks</del><u>Home Parks</u> address the public need for alternative housing and achieve a satisfactory relationship to adjoining and nearby property.</p>	Tract Front Setback from ROW, min. (feet)	40
	Tract Side Setback, min. (feet)	20
	Tract Rear Setback, min. (feet)	20
	Individual Mobile Home Space Size, min. (square feet)	5,000
	<u>Temporary Residential Unit Space Size, min. (square feet)</u>	<u>2,000</u>
<div>APPLICABILITY</div> <p>The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus insuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed mobile home district, the relationship of the site and site development plan to adjoining property, and the development itself.</p>	Individual Space Width, min. (feet)	50
	Height, max. (feet)	25 [1]
	Tract Floor Area Ratio, max	Consistent with residential uses in adjacent zoning districts
	Required Open Space Ratio, min.	Consistent with residential uses in adjacent zoning districts
	Required Livability Space Ratio, min.	Consistent with residential uses in adjacent zoning districts
<div>DIMENSIONAL STANDARDS NOTES:</div> <p>[1] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.</p>	Required Recreation Space Ratio, min.	Consistent with residential uses in adjacent zoning districts
<div>MHP-CZ DISTRICT SPECIFIC DEVELOPMENT STANDARDS</div>		
<p>1. Uses shall be restricted to those indicated for the MHP-CZ District in Section 5.2. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section</p>		

<sup>3</sup> As previously indicated we are modifying the existing district to create an overall 'park' district that can accommodate multiple housing options (i.e. permanent versus temporary). This will eliminate the need to create a whole new, stand along, zoning district.

- 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be ~~developed-located~~ on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~<sup>4</sup>
- ~~65. A mobile home park shall contain a minimum of ten mobile home spaces.~~
- ~~76. See Section 5.5.4 for standards pertaining to Mobile Home Parks.~~
- ~~7. When a new mobile-home park is proposed to be located adjacent to an existing mobile home park, the Standards in Section 5.5.4 shall be met.~~
- ~~89. Each home space shall contain only one designated temporary or permanent residential unit. Efficiency Units are prohibited within HP-CZ districts.~~<sup>5</sup>
- ~~940. A Temporary Residential Unit shall be allowed within a given park for a maximum of 180 days~~<sup>6</sup>
- ~~104. All permanent residential units within a HP-CZD shall be designed and built to the appropriate State and Housing and Urban Development (HUD) standards<sup>8</sup> and shall be served by permanent utility connections.~~

<sup>4</sup> Language is proposed for deletion there are no individual 'mobile home lots' within a mobile home park. A Mobile home park is required to be a minimum of 10 acres in size and has to have a minimum of 10 'stalls' allowing for 1 unit per stall. The regulation is redundant.

<sup>5</sup> The regulation is designed to ensure there is only one residential land use per each 5,000 sq. ft. for each stand, stall or space within a mobile home park.

<sup>6</sup> Permanent Homes (e.g. Mobile Homes) and Temporary Units (e.g. RVs) need to be designated so they can be assigned the appropriate construction standard (e.g. HUD standards for mobile homes and RV Park Model standards for RVs).

<sup>7</sup> The 180 day limit is to ensure consistency with State regulations with respect to the type of utility connection required to serve 'temporary' versus 'permanent' residential units.

<sup>8</sup> The reason for the distinction is to ensure permanent dwelling units comply with the appropriate criteria.



on which they are to be situated and to avoid the following environmentally sensitive areas:

- (1) Stream buffer zones as required by Section 6.13;
  - (2) Wetlands as defined by the U.S. Army Corps of Engineers;
  - (3) Land with slopes greater than 15%; and
  - (4) Natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.
- (B) To avoid creating lots that will be difficult to build upon in compliance with the standards of this Section, the preliminary plan shall show proposed building envelopes and approximate driveway locations for all lots within subdivisions.
- (1) A zoning compliance permit shall not be issued for the construction of buildings or driveways outside the areas so designated on the preliminary plan unless the Planning Director makes a written finding that the proposed location complies with the provisions of this Section and Sections 6.13 (Stream Buffers) and 6.14 (Stormwater Management).

#### 4.2.8 Modifications of the Impervious Surface Ratio

Modifications of the Impervious Surface Ratios may be requested through one of the following provisions:

- (A) Through variance procedures of the Board of Adjustment, as described in Section 2.10.
- (B) Through approval and recordation of a conservation agreement, as provided in Article 4 of Chapter 121 of the N.C. General Statutes, between Orange County and a land owner that prohibits development of land in a protected watershed in perpetuity, subject to the following:
  - (1) A modification of the required impervious surface ratios may be approved administratively but only to the extent that additional land in the same watershed is conserved or protected from development.
  - (2) The land which will be subject to a conservation agreement must be adjacent to the land proposed for development and for which a modification of the impervious surface ratios is sought.
    - (a) As an example, a person owning a 40,000 square foot lot and subject to a 12% impervious surface ratio would be limited to 4,800 square feet of impervious coverage. If the person's plans called for 5,500 square feet of coverage (a difference of 700 square feet), the recording of a conservation easement on 5,833 square feet of contiguous property would satisfy the impervious surface ratio requirements. (12% of 5,833 square feet is 700 square feet.)
    - (b) The conservation easement shall describe the property restricted in a manner sufficient to pass title, provide that its restrictions are covenants that run with the land and, be approved in form by the County Attorney.
    - (c) The conservation easement shall, upon recording, be in the place of a first priority lien on the property (excepting current ad valorem property taxes) and shall remain so unless, with the approval of Orange County, it is released and terminated.
    - (d) Orange County shall require the priority of the conservation easement to be certified by an attorney-at-law, licensed to practice law in the State of North Carolina and approved to certify title to real property.
    - (e) Orange County approval of a release or termination of the conservation agreement shall be declared on the document releasing or terminating the agreement. The document shall be signed by the Orange County



Manager, upon approval of the Board of County Commissioners. No such document shall be effective to release or terminate the conservation agreement until it is filed for registration with the Register of Deeds of Orange County.

- (C) Through the installation of a stormwater feature, consistent with the minimum design standards as detailed within the State BMP Manual.
- (1) The proposed feature must be recognized by Orange County and the State as allowing for an increase in impervious surface area through an infiltration stormwater feature.
  - (2) Under no circumstances may impervious surface area be increased by more than 3% of the total allowable area on the subject parcel through this process.
  - (3) The property owner shall provide a stormwater assessment, completed by a licensed engineer, of the current property identifying its infiltration rates and carrying capacity as well as a comprehensive soil assessment for the property.
  - (4) The development/design of the feature shall be in accordance with established design criteria as embodied within the State stormwater manual and shall be completed by a licensed engineer with ~~expertise~~<sup>expertise</sup><sup>9</sup> in stormwater management. Additional allowable impervious surface area shall be based on the soil composition of the property consistent with State regulations.
  - (5) The property owner shall be responsible for the completion and submission of a stormwater operation/maintenance and access agreement detailing the perpetual maintenance, inspection, and upkeep of the approved BMP in accordance with County and State regulations.  
  
The Planning Director shall cause an analysis to be made of the agreement by qualified representatives of the County and other agencies or officials as<sup>9</sup> appropriate. Once approved, the document shall be recorded in the Orange County Registrar of Deeds office.  
  
The property owner assumes all financial and legal responsibility for the perpetual maintenance and upkeep of the approved BMP.
  - (6) The property owner shall assume all costs associated with the preparation and recordation of new plat(s)/development restrictions detailing the allowable impervious surface limit(s) for the property after the BMP has been approved by the County.
  - (7) The property owner, at its cost and expense, shall be required to execute and file with the County a bond, or other form of acceptable security, to cover the cost of removal of a BMP, and any additional impervious surface area installed as the result of its approval, in the event the BMP is failed to be maintained in accordance with the recorded operations agreement. The amount of the bond shall be 110% of the estimated cost of removing the feature and impervious surface area as certified by a licensed professional engineer or surveyor.

<sup>9</sup> Staff is merely recommending the correction of an identified typo.

### 5.2.3 Table of Permitted Uses – Conditional Zoning Districts

TABLE OF PERMITTED USES – CONDITIONAL ZONING DISTRICTS				
* = PERMITTED USE				
USE TYPE	CONDITIONAL ZONING DISTRICTS			
	ASE-CZ	MPD-CZ	MHP-CZ	REDA-CZ-1
NOTE: Applications for Conditional Zoning Districts must list specific uses for consideration/approval				
^: Use shall not be approved on parcels located in the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan.				
<b>AGRICULTURAL USES</b>				
Agricultural Processing Facility ^	*	*		
Agricultural Processing Facility, Community	*			
Agricultural Services Uses	*	*		
Cold Storage Facility	*	*		
Community Farmers' Market	*	*		
Composting Operation, no grinding	*			
Composting Operation, with grinding ^	*			
Cooperative Farm Stand	*	*		
Equestrian Center	*			
Farm Equipment Rental, Sales and Service	*			
Farm Supply Store	*	*		
Feed Mill	*	*		
Greenhouses with On Premises Sales	*	*		
Meat Processing Facility, Community	*			
Meat Processing Facility, Regional ^	*			
Non-Farm Use of Farm Equipment	*			
Stables, Commercial	*	*		
Stockyards / Livestock Markets ^	*			
<b>CHILD CARE &amp; EDUCATIONAL FACILITIES</b>				
Center in a Residence for 3 to 12 Children				
Child Care Facilities		*		
Libraries		*		*

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NOTE: Applications for Conditional Zoning Districts must list specific uses for consideration/approval				
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Non-Profit Educational Cooperative				
Schools: Dance, Art & Music		*		
Schools: Elementary, Middle & Secondary		*		
Schools: Vocational		*		
Universities, Colleges & Institutes		*		
<b>COMMERCIAL USES</b>				
Banks & Financial Institutions		*		
Beauty & Barber Shops		*		*
Construction (Sector 23)		*		
Contractors, Building & Trade		*		*
Country Store	*	*		
Finance & Insurance (Sector 52)		*		
Funeral Homes		*		
Garden Center with On Premises Sales	*	*		
Hotels & Motels		*		
Insurance Carriers & Agents		*		
Junkyards				
Kennels, Class I	*			
Kennels, Class II	*			
Laundry & Dry Cleaning Services		*		
Management of Companies & Enterprises (Sector 53)		*		
Massage, Business of		*		
Metal Fabrication Shop	*			
Microbrewery with Minor Events	*	*		
Microbrewery with Major Events ^	*	*		



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Nightclubs, Bars, Pubs		*		
Offices & Personal Services, Class 1		*		*
Offices & Personal Services, Class 2		*		
Offices & Personal Services, Class 3		*		
Professional, Scientific & Technical Services (Sector 54)		*		
Real Estate Agents & Brokers		*		*
Repair Service Electronic & Appliance		*		
Restaurants: Carry Out		*		
Restaurants: Drive In		*		
Restaurants: General		*		
Retail, Class 1		*		
Retail, Class 2		*		
Retail, Class 3		*		
Rural Guest Establishment: Bed & Breakfast	*	*		
Rural Guest Establishment: Bed & Breakfast Inn	*	*		
Rural Guest Establishment: Country Inn	*	*		
Storage of Goods, Outdoor	*	*		*
Storage or Warehousing: Inside Building		*		*
Studio (Art)		*		*
Taxidermy	*			
Theater, Indoor or Outdoor (including Drive-ins)		*		*
Tourist Home				
Wholesale Trade		*		
Winery with Minor Events	*	*		
Winery with Major Events ^	*	*		

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<b>EXTRACTIVE USES</b>				
Extraction of Earth Products				
<b>GOVERNMENTAL USES</b>				
Governmental Facilities & Office Buildings		*		
Governmental Protective Services (Police & Fire Stations) Rescue Squads, Volunteer Fire Departments		*		
Military Installations (National Guard & Reserve Armory)				
Public Administration (Sector 92)		*		
<b>MANUFACTURING, ASSEMBLY &amp; PROCESSING</b>				
Assembly and Packaging Operations Including Distribution and Mail Order Houses, But Excluding On-Premises Retail Outlets		*		
Industrial, Heavy		*		
Industrial, Light		*		
Industrial, Medium		*		
Manufacturing (Sector 31-33)		*		
Microbrewery, production only	*	*		
Pharmaceutical Products		*		
Printing & Lithography		*		
Sawmills ^	*			
Winery, production only	*	*		
<b>MEDICAL USES</b>				
Health Services: Over 10,000 Sq. Ft.		*		
Health Services: Under 10,000 Sq. Ft		*		
Hospitals		*		
Veterinary Clinic	*	*		
Veterinary Clinic, mobile	*	*		

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NOTE: Applications for Conditional Zoning Districts must list specific uses for consideration/approval ^: Use shall not be approved on parcels located in the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan.				
Veterinary Hospitals	*	*		
<b>RECREATIONAL USES</b>				
Arts, Entertainment & Recreation (Sector 71)				
Botanical Gardens & Arboretums	*			
Camp/Retreat Center	*			
Golf Driving and Practice Ranges		*		
Guest Ranch	*			
Parks, Public	*	*		
Recreational Facilities		*		
Golf Course		*	*	
Race Track (Motorized, etc.) and Go-Kart Track Facilities				*
<b>RESIDENTIAL USES</b>				
Dwelling; Mobile Home	*		*	
Dwelling; Multiple Family		*		
Dwelling; Single-Family	*	*	*	
Dwelling; Two-Family		*		
Family Care Home				
Group Care Facility		*		
Rehabilitative Care Facility		*		
Residential Hotel (Fraternalities, Sororities, and Dormitories)				
Rooming House				
Temporary Residential Unit			*	
<b>TELECOMMUNICATIONS</b>				
Telecommunication Tower – Stealth (75 feet or shorter)	*	*		
Telecommunication Towers (150 feet in height or shorter)	*	*		

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NOTE: Applications for Conditional Zoning Districts must list specific uses for consideration/approval				
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Telecommunication Towers (greater than 150 in height)	*	*		
<b>TEMPORARY USES</b>				
Buildings, Portable	*			
Temporary Mobile Home (Use during construction/installation of permanent residential unit and for 30 days following issuance of Certificate of Occupancy)	*			
<b>TRANSPORTATION</b>				
Bus Passenger Shelter		*		
Bus Terminals & Garages		*		
Motor Freight Terminals		*		
Motor Vehicle Maintenance & Repair (Body Shop)		*		
Motor Vehicle Repair Garage		*		
Motor Vehicle Sales Rental (New & Used)		*		
Motor Vehicle Services Stations		*		
Parking As Principal Use, Surface or Structure		*		
Petroleum Products: Storage & Distribution		*		
Postal & Parcel Delivery Services		*		*
<b>UTILITIES</b>				
Elevated Water Storage Tanks	*	*		
Public Utility Stations & Sub-Stations, Switching Stations, Telephone Exchanges, Water & Sewage Treatment Plants	*	*		
Electric, Gas, and Liquid Fuel Transmission Lines	*	*		
Water & Sanitary Sewer Pumping	*	*		
Solar Array – Large Facility	*	*		
Solar Array – Public Utility	*	*		



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NOTE: Applications for Conditional Zoning Districts must list specific uses for consideration/approval				
^: Use shall not be approved on parcels located in the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan.				
<b>WASTE MANAGEMENT</b>				
Landfills (2 Acres or More)				
Landfills (Less Than 2 Acres)				
Waste Management Facility; Hazardous & Toxic				
<b>MISCELLANEOUS</b>				
Accessory Uses	*	*	*	*
Airports, General Aviation, Heliports, S.T.O.L.				
Assembly Facility Greater Than 300 Occupants ^	*	*		
Assembly Facility Less Than 300 Occupants	*	*		*
Cemetery				
Church	*	*		
Clubs or Lodges; Social; Fraternal or Union Clubhouses	*	*		
Community Center	*	*		
Crematoria		*		
Historic Sites Non-Residential/Mixed Use	*	*		
Information (Sector 51)		*		
Research Facility		*		
Research Lands & Installations, Non-profit		*		
Rural Heritage Museum	*			
Rural Special Events	*	*		



- (c) The use of the building shall be only for the period of time specified and for the use specified.
- (d) The proposed use is a permitted use in the district in which it is located.

## SECTION 5.5: STANDARDS FOR RESIDENTIAL USES

### 5.5.1 Accessory Structures and Uses

- (A) General Standards of Evaluation
  - (1) Accessory structures and uses, including recreational uses and amenities, shall not be located in any required front open space and shall conform to the principal setbacks of the district where located unless otherwise provided in this Section.
  - (2) An attached private garage, or carport, not exceeding 12 feet in height, may occupy a portion of the required side open space, provided that this does not result in a required side open space of less than 7% of the lot width, nor a total, when combined with the required side open space of the lot immediately adjacent, of less than eight feet.
  - (3) Mobile homes as accessory structures to residential uses are prohibited.

### 5.5.2 Efficiency Apartment

- (A) General Standards of Evaluation
  - (1) Efficiency apartments shall be allowed only as an accessory use to a single-family residence.<sup>10</sup>
  - ~~(4)(2)~~ There shall be no more than one efficiency apartment, whether detached or attached, on any lot.
  - ~~(2)(3)~~ The efficiency unit shall contain no more than 1,000 square feet of gross floor area with a maximum limit of 800 square feet of heated/cooled, gross floor area habitable living space.<sup>11</sup>
  - ~~(3)(4)~~ The residential lot shall meet the minimum lot size all dimensional requirements of the zoning district in which it is located.
  - ~~(4)(5)~~ The efficiency unit shall comply with the N.C. Residential Building Code including minimum light/ventilation and room sizes.
  - ~~(5) The efficiency unit shall be accessory to the principal dwelling unit and may be attached or detached.<sup>12</sup>~~
  - (6) The efficiency unit shall be served by an approved water supply and sanitary facilities.
  - (7) The efficiency unit shall remain in the same ownership as the primary residence.

### ~~5.5.3 Home Occupations~~

- (A) General Standards
  - ~~(1) Submittal Requirements–~~

<sup>10</sup> There has been a long standing Department interpretation that an efficiency apartment shall be allowed only as a customary accessory use to a single-family residence. The rationale is to ensure we are compliant with established density and lot size requirements already detailed within the UDO. This amendment merely seeks to incorporate this interpretation into the UDO.

<sup>11</sup> Staff has heard concerns that 800 square feet of gross floor area does not afford sufficient space for both storage and living space. Staff is recommending adding clarifying language allowing for a maximum of 200 square feet of storage space and 800 square feet of heated/cooled living space.

<sup>12</sup> Given the proposed modification detailed in number 1 of this section, this standard is redundant.

- ii. Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.
  - e. New accessory structures built for the purpose of conducting a home occupation shall not exceed square footage allowances referenced in Section 5.5.3.A(2)(e)(iii)a.
  - f. An existing accessory structure which is larger than the permitted size referenced in Section 5.5.3.A(2)(e)(iii)a may be used for the home occupation provided that no more than the permitted amount of square feet is used for the home occupation and the area is physically separated by walls or other barriers. In order to qualify as an existing accessory structure for the purpose of conducting a home occupation, the structure must have been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.
- (iv) Use of Outdoor Storage Space
- a. Up to 500 square feet of outdoor storage area may be permitted in conjunction with major home occupations provided that it is:
    - i. Clearly defined on the site plan and on the ground.
    - ii. Setback standards for outdoor storage space shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines; and
    - iii. Totally screened from the view from the road and from adjacent property in the same manner required for accessory buildings.

#### 5.5.4 Home Park Mobile Home Park

(A) Standards for ~~MHP-CZ~~

(1) Permitted Uses and Structures

In addition to Mobile Homes and/or Temporary Residential Units, as defined by this Ordinance, the following accessory structures and uses shall be permitted:

- (a) Caretaker's or manager's home or office.
- (b) Service buildings and areas necessary to provide washing and drying machines for domestic laundry, sanitation, rest rooms, storage, vending machines, and other similar services provided by the facility for the use and convenience of the mobile home park tenants.
- (c) Recreation buildings/facilities and areas serving only the ~~mobile home park~~ Home Park in which they are located.
- (d) Customary accessory buildings and facilities necessary for operation of the ~~mobile home park~~ Home Park in which they are located.
- (e) Storage buildings for individual ~~mobile home spaces~~ Home Park Spaces and intended for the exclusive use of the Home Park Space occupants ~~of the mobile home space shall be permitted. Such accessory structures shall meet required setbacks from adjacent structures.~~



(f) Fenced, communal storage areas provided by the park operator for boats, campers, and other accessory vehicles belonging to park residents.

(g) Sales of mobile homes and/or Temporary Residential Units already located on approved and established ~~mobile home stand spaces~~ Home Park Spaces.

**(2) ~~Mobile Home Stand Space Requirements~~ Home Park Space Requirements**<sup>13</sup>

(a) A ~~mobile home park~~ Home Park shall be divided into ~~mobile home spaces, individual Home Park Spaces,~~ each Home Park Space having an area ~~of at least 5,000 square feet and a minimum width of at least 50 feet and width consistent with Section 3.8.~~ However, the Orange County Health Department may increase the minimum area requirements for the park and/or individual ~~stand spaces~~ Home Park Spaces where necessary to be consistent with groundwater resources and/or the limitations of providing sewage disposal systems for the proposed mobile home park.

(b) Only one mobile home or Temporary Residential Unit and its customary accessory buildings may be ~~erected located on within~~ any ~~mobile home stand space~~ Home Park Space at one time. Additional Efficiency Units or Temporary Residential Units shall not be permitted within an occupied Home Park Space.

(c) No permanent mobile homes or Temporary Residential Units, or other accessory structures, shall be permitted within a Home Park Space.

**~~(3) Mobile Home Stand Requirements~~**

~~(a) Each mobile home must be placed on a permanent stand in accordance with the following specifications:~~

~~(b)(d)~~ The location of each ~~mobile home stand~~ Home Park Space must be at an elevation, distance and angle in relation to the adjacent access drive or street such that placement and removal of the mobile home or Temporary Residential Unit is practical by means of customary moving equipment.

~~(c)(e)~~ The surface of each ~~mobile home stand~~ Home Park Space and the area around it shall be graded where necessary to provide proper drainage and prevent the accumulation of water.

~~(d)(f)~~ Each ~~mobile home stand~~ Home Park Space shall have a solid base surface consisting of at least three inches of compacted fill dirt, crusher run or Chapel Hill gravel, or paved slab, and it shall comply with those standards specified in the State of North Carolina Regulations for Mobile Homes and Modular Housing. Prior to installation of the base surface, all top soil shall be removed from the area to be occupied by the mobile home or Temporary Residential Unit ~~mobile home stand~~.

**~~(4)(3) Unit Separation Requirements~~**<sup>14</sup>

<sup>13</sup> Staff has modified the proposal to address Attorney concerns that the existing UDO and various text changes have confusing and/or conflicting use of the terms "space", "stand", "stall", and/or "utility." Staff now proposes to consolidate this list with distinctions between space requirements and unit separation requirements.

<sup>14</sup> Staff recommends changing this to clarify that the separation requirements are for the *unit* (e.g., mobile home, RV). Current UDO and various changes were ambiguous.

The following separation requirements shall pertain to every mobile home ~~, single or double wide, and Temporary Residential Unit~~ within a ~~mobile~~ home park.

- (a) Each mobile home or Temporary Residential Unit shall be located at least 20 feet from another mobile home or Temporary Residential Unit and/or building within the ~~mobile~~ home park, ~~external to the individual mobile home stand space~~. For purposes of determining separation requirements, all attached structures, including storage buildings, carports and covered porches, will be considered part of a mobile home or Temporary Residential Unit.
- (b) Each mobile home or Temporary Residential Unit shall be located at least 22 feet from the right of way line or edge of pavement of an access drive or street providing access to the space on which the mobile home or Temporary Residential Unit is located, whichever is greater.
- (c) A detached accessory structure located within an individual ~~mobile home stand space and intended for the use of the occupants of the space~~ Home Park Space shall be located at least five feet from any mobile home or Temporary Residential Unit or other building.

**(5)(4) Installation of Individual Mobile Homes/Units**

**(i) Mobile Homes**

- a. ~~Each mobile homes unit~~ shall be set up and installed in accordance with standards specified in the State of North Carolina Residential Code and other Regulations for Mobile Homes and Modular Housing.
- b. The owner/operator of a ~~mobile~~ home park shall designate a uniform type of solid foundation enclosure or skirting fully enclosing the crawl space beneath each mobile home ~~in the mobile home park~~. Foundation enclosures or skirting must be installed in accordance with applicable standards of the North Carolina State Building Code and, in any event, within 90 days of placement of a mobile home on a mobile home space.
- c. Access shall be provided to all entrances of a mobile home by way of steps (including handrails) and shall be permitted and installed in accordance with the standards of the North Carolina State Building Code. Where the residents of a mobile home choose to install decks adjacent to entrances, the mobile home will be required to have steps and handrails which meet the standards of the North Carolina State Building Code until the decks are completed.

**(ii) Temporary Residential Units**

- a. Each Temporary Residential Unit shall be set up and installed in accordance with standards specified in the State of North Carolina Regulations for Recreational Vehicle (RV) Park Model units.
- b. Access to all entrances that are provided via permanent porches and/or steps to the unit shall be installed in accordance with the standards of the North Carolina State Building Code.

**(6)(5) Vehicular Access for HP-CZ Districts**



- (a) Each ~~mobile home~~individual space shall abut an improved access drive or street approved by the County.
- (b) No ~~mobile home~~individual space shall have direct vehicular access to a street or thoroughfare other than those located within the mobile home park.
- (c) The street layout within the ~~mobile home park~~Home Park should be appropriately related to the topography, locations of abutting land uses, drainage patterns, street function and other natural features of the site.
- (d) The planned layout of streets should minimize overall length of streets and provide for the safe, continuous flow of traffic ~~within the mobile home park~~.
- (e) All streets ~~within a mobile home park~~ shall be located within a 40 foot right of way
- (f) The travelway for all streets shall be at least 18 feet in width and must comply with the drainage standards established in this Ordinance.
- (g) All streets shall be constructed with paved, all-weather surfaces consisting of four inches of base material (crusher run) and 1 ½ inches of 1 2 asphalt or tar and gravel surface treatment consisting of a minimum of six inches of base material (crusher run) covered with alternating layers of tar and pea sized gravel.
- (h) Every street ~~within a mobile home park~~ shall have a maintained six foot wide shoulder running parallel and adjacent to each side of the paved street surface. The shoulder section may be used for walkways, driveways, grass or low growing vegetative ground cover or utility rights of way.
- (i) The maximum length of a cul-de-sac shall be 800 feet. Cul de sacs shall have a paved turnaround radius of 45 feet with a right of way radius of 55 feet.
- (j) No street shall intersect another street at an angle less than 60 degrees.
- (k) The turning radius at street intersections shall not be less than 30 feet.
- (l) Offset intersections are to be avoided, but where permitted, they shall be separated by a minimum distance of 200 feet between street centerlines.
- (m) ~~Where streets~~Streets serving a mobile home park intersecting with a State maintained street, ~~the intersection design~~ shall conform to the standards of the North Carolina Department of Transportation specified in Subdivision Roads Minimum Construction Standards.
- (n) Required off street parking spaces must be surfaced with at least four inches of compacted crushed stone or an all weather paved surface.

~~(7)(6)~~ Signs

- (a) Any sign erected on-site shall comply with the standards established in Section 6.12 of this Ordinance.
- (b) Traffic control signs (stop, yield, speed limit, children playing signs, etc.) meeting the standards of the Uniform Traffic Control Manual shall be placed throughout the mobile home park where necessary. Cul-de-sacs shall have 'Dead End' street signs erected at the entrance to such streets.

~~(8)(7)~~ Street Names, Signs & Unit Numbering~~Addressing~~

- (a) All street names shall be approved by the Orange County Planning Department and Land Records staff.

- (a)(b) ~~and s~~ Street signs shall be located and constructed to Orange County standards. ~~All street signs must and shall~~ be installed outside the right-of-way at all intersections.
- (b)(c) Each applicant ~~must shall~~ submit to the Planning Department and Land Records for approval a ~~mobile home space and/or stall numbering/location system~~ addressing system for the home park, based on the equal interval house numbering system employed by consistent with the Orange County Addressing Ordinance. Upon approval of the ~~mobile home home~~ park, the applicant shall submit an approved copy of the ~~space numbering/location system~~ addressing plan to the emergency services/fire protection agency responsible for providing such services ~~to the Mobile Home Park~~.
- (e)(d) Each ~~mobile home space~~ shall have a permanent ~~site number~~ address sign ~~consistent with the following:~~ erected in accordance with the Orange County Addressing Ordinance.<sup>15</sup>
- (i) ~~The site number sign shall be composed of reflective materials or contrasting colors,~~
  - (ii) ~~The number on the sign shall be at least six inches or greater in height,~~
  - (iii) ~~The sign shall be affixed to the mobile home when the unit is placed on the stand space, at a point six feet or more above ground level, and~~
  - (iv) ~~The number on the sign shall match that number assigned to the space on the approved space numbering/location system plan.~~

**(9)(8) Grounds and Buildings**

- (a) The grounds ~~of a mobile home park~~ shall be maintained free of litter, debris and trash, including but not limited to abandoned appliances, automobiles, building materials or similar materials.
- (b) Grounds, buildings and storage areas ~~within the mobile home park~~ shall be maintained to prevent the growth of ragweed, poison ivy, poison oak and other noxious weeds.

**(40)(9) Mail Facilities**

- (a) Within each ~~mobile home park HP-CZ district~~ shall provide a clustered mail delivery system, in compliance with the appropriate postal service guidelines. Applicants ~~for approval of a mobile home park~~ shall consult the appropriate agency for the specific requirements of this system.
- (b) Access to the mail delivery facility must be designed to allow three to four cars to stop at the mail delivery facility without conflict from passing vehicles.

**(44)(10) Garbage & Refuse Collection**

- (a) All garbage and refuse ~~for individual mobile homes in each park~~ shall be stored in suitable waterproof and rodent proof receptacles which shall be kept covered with tightly fitting lids.
- (b) A central collection system ~~must shall~~ be provided ~~within the park~~ either through a private collection system ~~of individual mobile homes for~~ individual spaces or through the use of bulk containers (dumpsters).

<sup>15</sup> Language simplified and grammatically corrected consistent with the County's Attorney office suggestions in order to ensure legal sufficiency.



- (c) Where bulk containers are used, there must be at least one four cubic yard bulk container for ~~each every~~ 16 ~~mobile homes~~ individual spaces, which shall be emptied weekly. ~~For Within the mobile home parks MHP-CZ district, parks with less fewer than 16 homes spaces shall be required to provide~~ one container ~~is required~~.
- (d) Bulk containers shall be front loading wherever practicable. A side-loading container may be allowed where a front-loading container is not feasible and the property is accessible to a regular route of a side-loading refuse collection vehicle.
- (e) Where bulk containers are provided, a six inch reinforced concrete pad shall be provided to set the set container and also support the front wheels of the truck during the loading operation. The pad shall be 10 feet in width and 20 feet in length with at least 10 feet of the pad accessible for the truck to drive onto in front of the dumpster container for front loading pickup. If side loading containers are used, the pad may be 12 feet in width and eight feet deep with no projection for the truck wheels.
- (f) Bulk refuse containers (dumpsters) shall be screened in accordance with the provisions of Section 6.8.9 of this Ordinance.

~~(12)~~(11) Operations

Each applicant shall submit to the Orange County Planning Department tenancy rules and regulations governing the operation of the ~~mobile H~~home Park.

~~(13)~~(12) Recreation Areas and Facilities

Recreation areas shall be provided in accordance with the Land Use Intensity System included in Sections 6.3 and 7.11 of this Ordinance.

~~(14)~~(13) Buffers and Landscaping

- (a) ~~Mobile home stand~~All spaces must be located at least 100 feet from any property line, not including street right-of-ways, regardless of the zoning district. The disturbance of land within the 100 foot buffer is prohibited.
- (b) Existing vegetation within the 100 foot buffer must be retained and additional plantings may be required to meet the Type F buffer standards, established in Section 6.8.6 of this Ordinance, along the perimeter of the site.
- (c) ~~Mobile home stand S~~spaces must be set back 40 feet from a public street right-of-way. The disturbance of land and existing vegetation within the setback area is prohibited and additional plantings may be required to meet the standards for a Type C buffer.

~~(15)~~(14) Utilities

- (a) All utility installations shall comply with applicable building and health codes of Orange County and the State of North Carolina, and the requirements of the North Carolina Utilities Commission
- (b) Temporary Residential Unit utility services shall meet applicable State of North Carolina Building Code and HUD requirements.
- (c) An adequate and safe potable water supply shall be required ~~for the mobile home park~~, from either a municipal or public water system. When a municipal or public system is not available, the mobile home park must be serviced by a supply approved in accordance with State and local regulations.
- (d) An adequate and safe method of sewage disposal shall be required ~~for a mobile home park~~. Collection systems, sewage treatment facilities, or

individual septic tank systems shall be approved in accordance with State and local regulations.

- (e) Street lighting shall be provided at each street intersection and throughout the ~~mobile home~~ park. Where the distance between street intersections exceeds 500 feet, additional street lights may be required.
- (f) All permanent utility systems shall be located underground, and easements necessary for water, sewer, gas, electrical, cable TV, stormwater, and other permanent or temporary utility systems and their connection pedestals shall be shown on the ~~mobile~~ home park plans.

#### 5.5.5 Existing Mobile Home Parks

##### (A) General Standards of Evaluation

- (1) Existing mobile home parks that do not meet the standards set forth in this Ordinance shall be considered non-conforming.
- (2) Existing Mobile Home Parks that convert spaces or stalls to accommodate Temporary Residential Units must meet applicable standards of this section and Section 2.5.
- (3) Non-conforming parks shall not expand in any way, beyond the existing developed portions, but shall be allowed to remove and replace units existing within the park at the time of adoption of this section.
- (4) Only the replacement of units on an existing mobile home space shall be permitted, provided the following conditions are met:
  - (a) The total number of units does not exceed the number existing at the time that the mobile home park became non-conforming; and,
  - (b) The existing waste treatment system is functioning properly.
- (5) Removal and replacement of such units shall not be considered expansion of the ~~non-conforming~~ non-conforming use.
- (6) New mobile home parks or portions of existing mobile home parks that have been previously approved, but have not constructed substantial improvements, including, but not limited to, water systems, roads, parking areas, recreational facilities and mobile home pads, or do not have sewage disposal systems installed by the date of adoption of this section shall meet all applicable standards for new mobile home park as set forth in this Ordinance.

#### 5.5.6 Mobile Homes on Individual Lots

##### (A) General Standards of Evaluation

- (1) Mobile homes, as principal residential buildings on individual lots, in existence at the time of the adoption of this section may be improved by replacement of the mobile home with another mobile home in accordance with the following:
  - (a) The number of mobile home units may not be increased beyond the number in existence before replacement.
  - (b) The replacement mobile home must not create ~~non-conforming~~ non-conforming yards or setbacks.
  - (c) Replacement mobile home units on individual lots are not required to meet lot area and dimensional or lot coverage standards, but must meet setback requirements as well as those requirements specified in Subsections (4) and (5) below, if applicable.
- (2) Individual mobile homes may be erected on any lot where the use is permitted, provided it is in compliance with the requirements of the zoning district and all



other applicable regulations. These zoning requirements include, but are not limited to: lot area and dimension; front, rear, and side yard setbacks; and lot coverage.

- (3) Individual tracts of land may be created for the purpose of erecting a mobile home provided all requirements of this Ordinance, and any other applicable land development standards are met.
- (4) In addition to the requirements contained in Subsections (1) through (3) above, the following requirements must be met in the Residential 1 (R-1) District:
  - (a) The mobile home must be placed on a permanent support system (See definition of "support system", Article 10 of this Ordinance).
  - (b) The mobile home must be skirted.
- (5) In addition to the requirements contained in Subsections (1) through (3) above the following requirements must be met in the Agricultural Residential (AR) district:
  - (a) The mobile home must be skirted.
  - (b) The home may be placed on a permanent support system, if desired. If a solid concrete or masonry perimeter foundation is used, the exterior covering material shall not extend below the top of the foundation.
- (6) Temporary mobile homes installed in accordance with the Table of Permitted Uses are exempt from the support system requirements established in Subsections (4) and (5) above. However, skirting is required and the mobile home must be connected in conformance with all applicable laws and regulations.

#### **5.5.7 Group Care Facility**

##### **(A) Standards for Class B Special Use Permit**

##### **(1) Submittal Requirements –**

In addition to the information required by section 2.7, the following information shall be supplied as part of the application for approval of this use:

- (a) A description of the type of persons to be cared for and the nature of the care to be provided.
- (b) If structural alterations to existing structures or new construction is required, a complete description of the nature and extent of these alterations or new construction.

##### **(2) Standards of Evaluation –**

- (a) The proposed use is not within 500 feet of another existing Family Care Facility or Group Care Facility.
- (b) Structural alterations shall be of such a nature as to preserve the residential character of the building.
- (c) If a state license or permit is required to operate such a facility, the standards necessary to qualify for such a permit have been met.

#### **5.5.8 Residential Hotel, Dormitory, Fraternity, Sorority, and Religious Quarters**

##### **(A) Standards for Class A Special Use Permit**

##### **(1) Submittal Requirements –**

### Historic structure

Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program," which has been approved by the Department of the Interior; or
- d) Certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program". (CLG Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966, as amended).

### Holiday Decoration

Holiday displays, decorations and greetings, which relate to any federally designated holiday, legal holiday or religious holiday.

### Home Occupation, Major

An accessory business use which is owned and operated by the resident of the property, located on a single parcel of land at least five acres in size in the AR and R-1 zoning districts, and is clearly incidental and subordinate to the principal residential use of the property. Major home occupations, which do not meet the standards of a minor home occupation, shall accommodate for larger scale accessory business uses by allowing for an increase in square footage, number of onsite employees, students, customers, clients, and annual events with an approved Class B Special Use Permit.

### Home Occupation, Minor

An accessory business use, which is owned or operated by the resident of residentially-zoned property, and is clearly incidental and subordinate to the principal residential use of the property.

### Hotel, Motel, Motor Lodge, Motor Inn, Inn, Tourist Court

A building or group of attached or detached buildings containing, in combination, ten or more lodging units, or ten or more dwelling units intended primarily for rental or lease to transients by the day or week, as distinguished from multi-family dwellings, rooming houses and residential hotels in which rentals and leases are for weekly or longer periods and occupants are generally residents rather than transients.

### Home Park<sup>16</sup>

A parcel of land under single ownership which has been planned and improved in compliance with Sections 3.8 and 5.5.4 for the placement of mobile homes and Temporary Residential Units for use during the duration of the lease.

### Home Park Space<sup>17</sup>

A parcel of land occupied or intended to be occupied by one and only one Mobile Home or Temporary Residential Unit and for the exclusive use of the occupants of said dwellings.

### Hotel, Residential

A building or group of attached or detached buildings containing, in combination, ten or more lodging units available for occupancy only for periods of thirty days or longer, provided, however, that temporary lodging units for guests of regular tenants may be provided in any residential hotel, with number of such units limited to 10% of the number of tenant lodging units.

<sup>16</sup> Language revised to simplify and avoid ambiguity consistent with recommendations from the County's Attorney office to ensure legal sufficiency.

<sup>17</sup> Language revised to simplify and avoid ambiguity consistent with recommendations from the County's Attorney office to ensure legal sufficiency.



Skirting is required, and the mobile home must be connected to the required utilities, which include the plumbing, heating, air conditioning and electrical systems contained therein, provided the unit is not installed for the purpose of storage. The Orange County Health Department shall determine what type of sewage disposal system is appropriate. If the unit is installed for the purpose of storage, only under-skirting is required, connection to the required utilities (listed above) is optional.

### **Mobile Home Park<sup>18</sup>**

~~A parcel of land under single ownership which has been planned and improved in compliance with Sections 3.8 and 5.5.4 for the placement of mobile homes for non-transient (placement for the duration of the lease) use.~~

### **Mobile Home Space/Lot<sup>19</sup>**

~~A parcel of land occupied or intended to be occupied by one and only one mobile home and for the exclusive use of the occupants of said mobile home. Mobile Home Space shall also mean a parcel of land in a mobile home park, provided with the necessary utility connections, patio, and other appurtenances necessary for the erection thereon of only one mobile home, and for the exclusive use of the occupants of said mobile home.~~

### **Mobile Home Stand/Pad**

~~That portion of the mobile home space which has been reserved and prepared for the placement of the mobile home.~~

### **Modular Home**

A dwelling unit constructed in accordance with the construction standards of North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly and placement on a permanent foundation. Without limiting the generality of the foregoing, a modular home may consist of two or more sections transported to the site each on its own chassis or steel frame, or a series of panels or room sections transported to the site on a truck and erected, assembled, or joined there.

### **Motor Vehicle Maintenance and Repair**

An establishment where the following services are available:

- a) Body work,
- b) Straightening of body parts,
- c) Painting,
- d) Welding,
- e) Storage of motor vehicles not in operating condition.

### **Motor Vehicle Repair Garage**

An establishment where the following services are available: major mechanical repairs, including engine overhaul, and transmission work. Repair garages can also offer services similar to service stations.

### **Motor Vehicle Service Station**

An establishment where gasoline, diesel oil and/or other fuel for internal combustion engines is supplied and dispersed at retail and where, in addition, the following services may be rendered and sales made and no other:

- a) Sale and servicing of spark plugs, batteries and/or distributors and ignition systems parts;
- b) Sale, servicing and repair of tires, but not recapping or regrooving;
- c) Replacement of mufflers, tail pipes, water hoses, fan belts, brake fluid, light bulbs, windshield wipers and blades, grease retainers, wheel bearings and the like;
- d) Radiator cleaning, flushing and fluid replacement;

<sup>18</sup> Term removed and redefined under Home Park consistent with recommendations from the County's Attorney office to ensure legal sufficiency .

<sup>19</sup> Term removed and redefined under Home Park Space consistent with recommendations from the County's Attorney office to ensure legal sufficiency.



### **Public Body**

Any government or governmental agency of the Orange County, the State of North Carolina, or the United States of America.

### **Public Interest Area**

Land which contains public or quasi-public uses such as state parks, research forests or known archaeological or historical sites.

### **Public Safety Hazard and/or Nuisance**

Anything, which is injurious to the safety or health of an Orange County neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

### **Public Vehicular Areas**

Street in a platted subdivision which are open for vehicular traffic and have been offered for dedication to the public and where the offer for dedication has not been accepted.

### **Recreation Space**

Exterior area appropriately improved for common recreational use. Part of total and livability open space.

### **Recreation Space Ratio**

Recreation space ratio is the minimum square footage of open space in residential areas, suitable by location, size, shape, access and improvements, required for each square foot of gross land area. This area is a public or private exterior area improved for recreation of all residents, having a least dimension of 50 feet, and average dimension of 100 feet and a minimum area of 10,000 square feet.

### **Recreational Vehicle (RV)**

A self-propelled or towed vehicle, qualified to be licensed by the appropriate State Agency, and is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, providing short term recreational living accommodations, designed primarily not for use as a permanent dwelling, but as temporary living quarters (i.e., for 180 days or less) for recreational, camping, travel, or seasonal use.<sup>20</sup>

### **Recreational Facilities**

A use of property occurring indoors and/or outdoors providing recreational amenities, activities, or services for compensation. Activities shall include, but not be limited to: sports played on a court, amusement arcades, bowling alleys, skating rinks, shooting ranges, billiard and pool halls, paintball, rope climbing or obstacle courses, go-kart or motor cross tracks, exercise centers including aerobic and yoga studios, athletic facilities, and gymnasiums.

### **Reference level**

The portion of a structure or other development that must be compared to the regulatory flood protection elevation to determine regulatory compliance. For structures within Special Flood Hazard Areas designated as Zone AE, the reference level is the top of the lowest floor.

### **Regulatory flood protection elevation**

The Base Flood Elevation plus the Freeboard establishes this elevation. In Special Flood Hazard Areas where Base Flood Elevations have been determined, this elevation shall be the Base Flood Elevation plus two feet of freeboard.

### **Rehabilitative Care Facility**

<sup>20</sup> Language revised to simplify and avoid ambiguity consistent with recommendations from the County's Attorney office to ensure legal sufficiency .

A mobile home, intended for residential use for a limited period of time, for purposes of providing temporary residential space during the installation of a replacement mobile home or construction of a stick-built or modular residential unit on the same lot, and for 30 days after the issuance of Certificate of Occupancy for the permanent unit. The temporary mobile home is not attached to a permanent or semi-permanent foundation.

### **Temporary Residential Unit**

A residential unit occupied for no more than 180 days and connected to temporary utility services. The term includes recreational vehicles, travel trailers, recreational park trailers, FEMA trailers, etc.

### **Temporary Use Building**

A building, not intended for residential use, consisting of one or more modules constructed off the ultimate site of use. The building is also not attached to a permanent or semi-permanent foundation.

### **Ten-Year Transition Land**

Land located in areas that are in the process of changing from rural to urban densities and/or intensities, that are suitable for higher densities and/or intensities and could be provided with public utilities and services within the first 10-year phase of the Comprehensive Plan update or where such utilities and services are already present or planned. Non-residential uses implemented in accordance with small area plans and/or overlay districts may be appropriate.

### **Tourist Home**

A building or group of attached or detached buildings containing, in combination, three to nine lodging units for occupancy for daily or weekly periods, with or without board, and primarily for occupancy by transients, as distinguished from rooming houses, in which occupancy is primarily by residents rather than transients.

### **Traffic Generation: Low**

Uses which generate an average of less than 200 vehicle trips per day.

### **Traffic Generation: Medium**

Uses which generate an average of between 200 and 800 vehicle trips per day.

### **Traffic Generation: High**

Uses which generate an average of more than 800 vehicle trips per day.

### **Transmission Lines**

- a) For lines carrying electrical energy, transmission lines are those which carry 45,000 volts or more.
- b) For lines which carry liquids or gases, transmission lines are those operating or designed to operate at pressures of one hundred pounds per square inch or greater.

### **Travel Trailer**

A structure that is:

- a) Intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and
- b) Designed for temporary use as sleeping quarters, but that does not meet the definition of a manufactured home.

### **Tree, DBH**

Diameter at breast height of a tree, which is measured at 4.5 feet above ground surface level.

### **Tree, Critical Root Zone**

The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is approximately one foot of radial distance for every inch of tree's DBH, with a minimum of eight feet.



# 2030 COMPREHENSIVE PLAN AMENDMENTS

## APPENDIX F

### CHAPL HILL AND CARBORO TRANSITION

On November 2, 1987, a Joint Planning Agreement was adopted by Orange County and the Towns of Chapel Hill and Carboro. The agreement became effective on November 14, 1988, following the adoption by Orange County of zoning plans prepared by the two municipalities for their respective transition areas. The agreed zoning districts are those contained in the Chapel Hill Land Development Ordinance and the Carboro Land Use Ordinance, and are consistent with the use plan categories contained in the Orange County Chapel Hill Carboro Joint Planning Land Use Plan. Reference should be made to the appropriate municipal ordinance and zoning map for a description of the districts and applicable development standards. Under the terms of the Joint Planning Agreement, the Towns of Chapel Hill and Carboro are responsible for permit administration within their respective transition areas.

### 10 Year Transition

Identified areas changing from rural to urban in form and density. All densities of residential development would be appropriate. When residential uses implemented in accordance with such plans and/or overlay districts may be appropriate. The agreed zoning districts include: R-1 (Rural Residential), R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential). R-5 (High Intensity Residential), R-6 (High Intensity Residential), and R-7 (High Intensity Residential) are also appropriate.

### 20 Year Transition

Identified areas changing from rural to urban in form and density. All densities of residential development would be appropriate. The agreed zoning districts include: R-1 (Rural Residential), R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential). R-5 (High Intensity Residential), R-6 (High Intensity Residential), and R-7 (High Intensity Residential) are also appropriate.

### COMMERCIAL TRANSITION ACTIVITY NODE

Identified areas changing from rural to urban in form and density. A full range of commercial development would be appropriate. The agreed zoning districts include: C-1 (Local Commercial), C-2 (Neighborhood Commercial), C-3 (Community Commercial), C-4 (General Commercial), and C-5 (Office Professional and Manufacturing).

### COMMERCIAL INDUSTRIAL TRANSITION ACTIVITY NODE

Identified areas changing from rural to urban in form and density. A full range of commercial and industrial development would be appropriate and allowed. The agreed zoning districts include: I-1 (Light Industrial), I-2 (Medium Industrial), I-3 (Heavy Industrial), I-4 (Good Commercial), I-5 (Neighborhood Commercial), C-2 (Community Commercial), and C-3 (Office Professional and Manufacturing).



## Appendix F: Land Use and Zoning Matrix

### Appendix F. Relationships Between Land Use Classifications and Zoning Districts

Per the Orange County Unified Development Ordinance, zoning districts are applied to Land Use classifications and overlays in accordance with this appendix. A matrix is provided at the end of this appendix that links the zoning districts to the land use classifications and overlays listed.

#### TRANSITION LAND USE CLASSIFICATIONS

##### CHAPEL HILL AND CARRBORO TRANSITION

On November 2, 1987, a Joint Planning Agreement was adopted by Orange County and the Towns of Chapel Hill and Carrboro. The Agreement became effective on November 14, 1988, following the adoption, by Orange County, of zoning plans prepared by the two municipalities for their respective Transition Areas. The applied zoning districts are those contained in the Chapel Hill Land Development Ordinance and the Carrboro Land Use Ordinance, and are consistent with the land use plan categories contained in the Orange County Chapel Hill Carrboro Joint Planning Land Use Plan. Reference should be made to the appropriate municipal ordinance and zoning map for a description of the districts and applicable development standards. Under the terms of the Joint Planning Agreement, the Towns of Chapel Hill and Carrboro are responsible for permit administration within their respective Transition Areas.

##### 10-Year Transition

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. Non-residential uses implemented in accordance with small area plans and/or overlay districts may be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses, and Zoning Overlay Districts.

##### 20-Year Transition

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses.

##### COMMERCIAL TRANSITION ACTIVITY NODE

Identifies areas changing from rural to urban in form and density. A full range of intensities of commercial development would be appropriate. The applied zoning districts include: LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3 (Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

##### COMMERCIAL INDUSTRIAL TRANSITION ACTIVITY NODE

Identifies areas changing from rural to urban in form and density. A full range of commercial and industrial activities would be appropriate and allowed. The applied zoning districts include: I-1 (Light Industrial); I-2 (Medium Industrial); I-3 (Heavy Industrial); LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3





## **Appendix F: Land Use and Zoning Matrix**

(Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

### **ECONOMIC DEVELOPMENT TRANSITION ACTIVITY NODE**

Identifies areas along major transportation corridors that may be in proximity to 10-Year or 20-Year Transition areas of the County which have been specifically targeted for economic development activity consisting of light industrial, distribution, flex space, office, and service/retail uses. Such areas are located adjacent to interstate and major arterial highways, and subject to special design criteria and performance standards. The applied zoning districts are EDB-1 (Economic Development Buckhorn Lower Intensity), EDB-2 (Economic Development Buckhorn Higher Intensity), EDE-1 (Economic Development Eno Lower Intensity), EDE-2 (Economic Development Eno Higher Intensity), EDH-1 (Economic Development Hillsborough Linear Office), EDH-2 (Economic Development Hillsborough Limited Office), EDH-3 (Economic Development Hillsborough Limited Office with Residential), EDH-4 (Economic Development Hillsborough Office), and EDH-5 (Economic Development Hillsborough Office/Flex).

### **RURAL LAND USE CLASSIFICATIONS**

#### **RURAL BUFFER**

Only very low density residential, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses are appropriate in the Rural Buffer. The applied zoning district is RB (Rural Buffer).

#### **RURAL RESIDENTIAL**

Identifies rural areas to be developed as low intensity and low density residential. The applied zoning district is R-1 (Rural Residential).

#### **AGRICULTURAL RESIDENTIAL**

Agricultural activities and associated residential and commercial uses predominate. The applied zoning districts reflect this primary land use and include: AR (Agricultural Residential) and AS (Agricultural Services).

#### **RURAL COMMUNITY ACTIVITY NODE**

Identifies rural crossroads communities throughout the County where small scale commercial activities serving the community and surrounding area are appropriate. The applied zoning districts include: LC-1 (Local Commercial) and NC-2 (Neighborhood Commercial).

#### **RURAL NEIGHBORHOOD ACTIVITY NODE**

Identifies areas in the County where small scale commercial uses serving the population in the surrounding area are appropriate. The applied zoning districts include: LC-1 (Local Commercial) and NC-2 (Neighborhood Commercial).

#### **RURAL INDUSTRIAL ACTIVITY NODE**

Identifies rural areas in the County where small scale industrial activities would be appropriate. The applied zoning district is I-1 (Light Industrial).

### **OVERLAYS**

#### **PUBLIC INTEREST AREA**

These lands are considered valuable for recreational and research purposes and are afforded special treatment. The applied zoning district is PID (Public Interest District).





# Appendix F: Land Use and Zoning Matrix

Land Use Classifications & Overlays		ZONING DISTRICTS																						
		RB	AR	R-1	R-2	R-3, R-4	R-5, R-8, R-13	LC-1	NC-2	CC-3	GC-4	EC-5	O/RM	I-1	I-2	I-3	EI	EDB-1, EDB-2, EDE-1, EDE-2, EDH-1, EDH-2, EDH-3, EDH-4, EDH-5	AS	Special Zoning Overlay District	PID	ASE-CZ	MPD-CZ	MHP-CZ <sup>1</sup>
Transition	Chapel Hill Transition	Permit Administration by Municipalities under the provisions of the Joint Planning Agreement-																						
	Carrboro Transition	Contact appropriate Municipality for applicable Zoning Standards																						
	10-Year Transition			◆	◆	◆	◆													◆			◆	◆
	20-Year Transition			◆	◆	◆	◆													◆			◆	◆
	Commercial Transition Activity Node							◆	◆	◆	◆		◆							◆		◆	◆	
	Commercial-Industrial Transition Activity							◆	◆	◆	◆		◆	◆	◆	◆				◆		◆	◆	
	Economic Development Transition Activity Node																	◆		◆			◆	
Rural	Rural Buffer	◆																				◆		◆
	Rural Residential			◆																		◆		◆
	Agricultural Residential		◆																◆			◆		◆
	Rural Community Activity Node							◆	◆												◆	◆		
	Rural Neighborhood Activity Node							◆	◆												◆			
	Rural Industrial Activity Node													◆							◆			
Overlay	Public Interest Area																			◆				

<sup>1</sup> The title of the district is being modified consistent with the proposed UDO text amendments.

# 2030 COMPREHENSIVE PLAN AMENDMENTS

## APPENDIX F





## Appendix F: Land Use and Zoning Matrix

### Appendix F. Relationships Between Land Use Classifications and Zoning Districts

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##### **10-Year Transition**

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. Non-residential uses implemented in accordance with small area plans and/or overlay districts may be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses, and Zoning Overlay Districts.

##### **20-Year Transition**

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses.

##### **COMMERCIAL TRANSITION ACTIVITY NODE**

Identifies areas changing from rural to urban in form and density. A full range of intensities of commercial development would be appropriate. The applied zoning districts include: LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3 (Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

##### **COMMERCIAL INDUSTRIAL TRANSITION ACTIVITY NODE**

Identifies areas changing from rural to urban in form and density. A full range of commercial and industrial activities would be appropriate and allowed. The applied zoning districts include: I-1 (Light Industrial); I-2 (Medium Industrial); I-3 (Heavy Industrial); LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3



## **Appendix F: Land Use and Zoning Matrix**

(Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

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### **OVERLAYS**

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	Land Use Classifications & Overlays																							
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	Commercial Transition Activity Node							◆	◆	◆	◆		◆							◆		◆	◆	
	Commercial-Industrial Transition Activity							◆	◆	◆	◆		◆	◆	◆	◆				◆		◆	◆	
	Economic Development Transition Activity Node																	◆		◆			◆	
Rural	Rural Buffer	◆																				◆		◆
	Rural Residential			◆																		◆		◆
	Agricultural Residential		◆																◆			◆		◆
	Rural Community Activity Node							◆	◆													◆	◆	
	Rural Neighborhood Activity Node							◆	◆													◆		
	Rural Industrial Activity Node													◆								◆		
Overlay	Public Interest Area																				◆			

<sup>1</sup> The title of the district is being modified consistent with the proposed UDO text amendments.