



Planning/Zoning and Code Enforcement Department

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TO: Warren County Board of Commissioners and County Attorney
THROUGH: Vincent Jones, County Manager
FROM: Ken Krulik, AICP CZO - Planning and Zoning Administrator
DATE: October 1, 2019
RE: *POTENTIAL REVISIONS TO ZONING ORDINANCE – REQUEST FOR NOVEMBER 4, 2019 PUBLIC HEARING*

The Warren County Planning Board convened September 3, 2019 to review and recommend the proposed amendments to the County’s Zoning Ordinance as noted below (**new/revised text bolded in blue, removed text bolded/strike through in red**). Please note this is draft language only, for review and consideration until the public hearing November 4, 2019 and final decision by the Board.

To be added as a separate use in the Table of Permitted Uses (current PUD would remain as is and be labeled as PUD-R = Planned Unit Development – Residential) and allowed with a Conditional use Permit in the following districts: LB and NB.

USES	AR	RL	R	GC	TC	LB	NB	HB	LI	HI	NOTES PER DISTRICT
Planned Unit Development – Residential (PUD-R)	CU	CU	CU	X	X	X	X	X	X	X	
Planned Unit Development – Commercial Residential (PUD-CR)	X	X	X	X	X	CU	CU	X	X	X	

1. Planned Unit Development – Commercial Residential (PUD-CR)

- a. Review - The Warren County Planning Board shall receive and review requests for establishing (developing) a **Planned Unit Development – Commercial Residential (PUD-CR)** and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.
- b. ~~Minimum Lot Area – Two (2) acres.~~ FOUR (4) ACRES**
- c. Permitted Uses: A Planned Unit Development may contain any of the permitted uses of the district in which it is allowed as a conditional use, residential development may include:

- 1) Townhouses - A dwelling unit as part of a structural arrangement of two (2) or more single family attached dwellings joined by common walls on not more than two (2) opposite sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including, but not limited to, the land area directly beneath the dwelling. Said units have separate entrances to the outside and are entirely separated from each other by walls that meet North Carolina Building Standards. The minimum number of townhouses attached to each other shall be two and the maximum number shall be six. Density of townhouses in a planned unit development shall not exceed twelve (12) units per gross acre and a maximum number of six (6) units per building. Building height for townhouses is permitted up to three (3) stories where the height shall be above grade (measured at the level grade of the topographical surface) except where Paragraph II.B of this ordinance applies.
- 2) The site area not covered by dwelling units may be made part of the individual townhouse lots or clustered as common open space, dedicated to a homeowners association, or combination of the two.
- 3) Clustered detached single family dwellings - These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6,000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowner's association as common open space.
- 4) Zero (0) lot line dwellings - Detached single family dwellings on lots without side yard requirements on one side of the lot. The lot for a zero (0) lot line dwelling may be reduced, but may not be less than six thousand (6,000) square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowners' association as common open space.

- 5) **Commercial uses – low intensity commercial uses that are listed as permissible in either the Lakeside Business (LB) or Neighborhood Business (NB) Districts identified in Table II-1 Dimensional Requirements and Table II-2 Permitted Uses of this Ordinance**
 - 6) **Where a site development incorporates both commercial and residential uses as indicated in this section the impervious surface ratio of 36% shall apply and a minimum of 15% green-space preservation shall apply.**
- d. **Additional Requirements** – The North Carolina Planned Community Act (Chapter 47 F of the North Carolina General Statutes) shall apply. Common area and common open space shall be deeded to a homeowners association and the developer or owner shall record with in the Warren County Register of Deeds office a declaration of covenants and restrictions as well as regulations and by-laws that will govern the open space for the development.

Proposed amended text regarding Manufactured - Mobile Home Parks in the current ordinance:

USES	AR	RL	R	GC	TC	LB	NB	HB	LI	HI	NOTES PER DISTRICT
Manufactured-Mobile Home Parks	CU	CU	CU	X	X	X	X	X	X	X	Parks shall comply with the County's Manufactured-Mobile Home Park Ordinance

- ~~2. **Manufactured home parks, which conform to the standards, established in Warren County Manufactured-Mobile Home Park Ordinance and must also comply with the following:**~~
- a. ~~Preliminary Plan – A preliminary plan drawn to a scale of not less than one inch equals 100 feet shall be submitted to the Warren County Planning Board for all new or expanded mobile home parks to determine if the proposal meets the requirements and intent of this ordinance. The preliminary plan should include:~~
 - 1) ~~The name of the park, the names and addresses of the owner or owners, and designer or surveyor;~~
 - 2) ~~Date, scale and approximate North Arrow;~~
 - 3) ~~Site plan showing streets, driveways, recreation areas, parking spaces, service buildings, water courses, easements, mobile home spaces, and all structures to be located on the park site;~~

- 4) ~~Vicinity map showing the location of the park and the surrounding land uses;~~
 - 5) ~~Names of adjoining property owners;~~
 - 6) ~~The proposed utility system for water, sewer, gas, surface water drainage, streetlights, and electrical power.~~
- b. ~~Review – After review of the preliminary plan, the Warren County Planning Board shall have forty five (45) days within which to make its recommendations to the Board of Adjustment for Conditional Use Permits.~~
- c. ~~Review/Approval – The Board of Adjustment, based on its own findings and on the recommendations of the Planning Board, shall approve or disapprove the mobile home park plan.~~
- 1) ~~If the plan is approved, the Planning and Zoning Administrator shall issue the owner or developer a Conditional Use Permit. This permit is authority to construct the mobile home park;~~
 - 2) ~~If the plan is disapproved, the conditions upon which it would be approved shall be stated. Once the owner or developer satisfies the conditions, the Planning and Zoning Administrator shall issue a Conditional Use Permit.~~

Manufactured – Mobile Home Parks shall conform to the following with the issuance of an approved Conditional Use Permit by the Warren County Board of Adjustment:

- a. Park Development Plan - A plan drawn to a scale of not less than one inch equals 100 feet shall be submitted to the Board of Adjustment, as part of the Conditional Use Permit application/review process, for all new or expanded mobile home parks to determine if the proposal meets the requirements of this ordinance, the plan should include:
- 1) The name of the park, the names and addresses of the owner or owners, and designer or surveyor;
 - 2) Date, scale and approximate North Arrow;
 - 3) Site plan showing streets, driveways, recreation areas, parking spaces, service buildings, water courses, easements, mobile home spaces, and all structures to be located on the park site;
 - 4) Vicinity map showing the location of the park and the surrounding land uses;
 - 5) Land contours with vertical intervals of not less than two (2) feet for all parks with twenty-five (25) sites or more;
 - 6) Names of adjoining property owners;

7) The proposed utility system for water, sewer, gas, surface water drainage, streetlights, and electrical power.

- i. Certification of approval for water supply systems by the Warren County Public Utilities Department and Warren County Environmental Health Department as applicable if the development systems are to serve four (4) and up to fifteen (15) sites – development systems to serve fifteen (15) or more sites shall require review/approval from the North Carolina Department of health and Human Services.
- ii. Certification of approval for wastewater treatment and disposal facilities from the Warren County Environmental Health Department if individual septic tank systems are to be used for each site – private wastewater treatment facilities require review/approval from the North Carolina Department of Health and Human Services.
- iii. Certification of approval for solid waste storage, collection and disposal plans from the Warren County Department of Public Works.

b. Review of the Proposed Development Plan – the Warren County Planning and Zoning Administrator or his/her designee shall transmit the proposed plan and Conditional Use Permit application to the Warren County Board of Adjustment for review at the next scheduled meeting of the Board of Adjustment:

- 1) The Board of Adjustment shall review the proposed plan and Conditional Use Permit to determine if the proposed plan/application is in accordance with standards established in

this section and those noted above for the Park Development Plan):

- i. Tile information
- ii. Location Map
- iii. Recreation areas
- iv. Street and lot design
- v. Surface water drainage
- vi. Street lighting system
- vii. Other features of the park as noted above under a. Park Development Plan

2) NOTE – It is recommended that the park developer or his/her agent be present to answer questions about the proposed development and plan.

- c. The proposed Park Development Plan and conditional Use Permit application shall be reviewed by the Board of Adjustment within forty-five (45) after submittal to the Planning and Zoning Administrator or his/her designee in order to follow the public hearing process for a Conditional Use Permit as outlined in this ordinance.
- d. Upon completion of the public hearing process as indicated, approval by the Board of Adjustment shall be submitted in writing to the park developer – if the project is denied then the Board of Adjustment shall submit in writing the reason for the denial to the applicant at a which time the applicant may appeal to the Warren County Superior Court as outline din the ordinance.
- e. Upon approval of the Park Development Plan and Conditional Use Permit by the Board of Adjustment and other agencies outlined in this section as applicable, the developer or his/her agent shall be permitted to initiate obtaining the necessary building permits to construct the park with appropriate inspections. NOTE – this approval is to enable the execution of the park plan in the field and shall not be construed as to entitle the recipient to offer spaces or sites for rent or lease or to operate the Manufactured – Mobile Home Park until the facilities as outlined in the section and the Conditional Use Permit have been constructed and passed final inspection by the appropriate agencies.
- f. After completion of the Manufactured – Mobile Home Park facilities the developer shall follow all Warren County procedures to initiate a final inspection of the park in order to obtain a Certificate of Occupancy after inspection by the Warren County Planning/Zoning and Code Enforcement Department – at this time individual manufactured homes may be applied for to install on the individual sites by the developer.

- g. When a Manufactured – Mobile Home Park is to be constructed within fifty (5) feet of a recorded residential subdivision not naturally screened by a vegetative buffer, the park developer shall install and maintain a twenty (20) foot wide vegetative buffer strip comprised of natural plantings or solid fencing at least five (5) feet in height to screen the adjacent subdivision. All other buffer requirements as outlined in this ordinance shall be adhered to.
- h. Within the Manufactured – Mobile Home Park, one (1) manufactured home may be used as an administrative office.
- i. For the convenience of the park residents a coin operated laundry is permitted under the following restrictions:
 - 1. The facility shall be secondary to the residential use and character of the park;
 - 2. The facility shall present no visible evidence of its commercial intent beyond the confines of the park;
 - 3. The facility shall be designed to accommodate only the park residents.
- j. Streets and Parking – Access to each home site or space shall be provided by streets/drives with a minimum right of way of fifty (50) feet with the construction standards meeting the same requirements as outlined in the Warren County Subdivision Ordinance Private Roads (Section 611.2 Type I, Type II, Type III Roads). Streets shall be designed to meet NC-DOT requirements for possible future acceptance to the Secondary Road System. Maintenance of such streets shall be provided by the owner or operator of the park.
 - 1) All required right of way widths shall have an all-weather surface of gravel or equivalent material.
 - 2) Each lot in the park shall abut a street
 - 3) Permanent dead-end streets or cul-de-sacs shall not exceed five hundred (500) feet in length and shall provide a turnaround of at least eighty (80) feet in diameter.
- k. Each home shall be located at least twenty (20) feet from any other home and twenty (20) feet from any other permanent building within the park.
- l. Each lot or space shall meet the following minimum requirements for design/capacity:

	<u>Width</u>	<u>Depth</u>
- 30,000 SF (well/septic)	100 Ft.	200 Ft.
- 20,000 SF (public water/septic)	100 Ft.	150 Ft.
- 15,000 SF (public water/sewer)	100 Ft.	125 Ft.

- m. Each park shall provide four hundred (400) square feet of recreation area for each manufactured home space that is less than thirty thousand (30,000) square feet in area. For lots or spaces of thirty thousand (30,000) square feet or more in area, no recreation area shall be required unless the park comprises more than twenty-five (25) lots or spaces.
- n. Each lot or space shall not be located on ground susceptible to flooding.
- o. Sewage (wastewater) Disposal Facilities shall comply with the following:
 - 1) Adequate and sewage (wastewater) disposal facilities shall be provided in all Manufactured – Mobile Home Park. A sewerage collection system shall be connected to a public or community sewerage system when such system is available and within five hundred (500) feet of a park. When such connection to a public or community system cannot be made, individual septic systems may be provided if the Warren County Department of Environmental Health determines the soil, topography and groundwater conditions are favorable and issue an appropriate Certificate of Compliance as necessary.
 - 2) All sewerage disposal systems shall be designed, constructed and approved in accordance with the regulations for these systems as applicable with eh Warren County Department of Environmental Health and North Carolina Department of Health and Human Services under the provision of North Carolina General Statutes (G.S.) as applicable The provisions of these regulations, and all amendments, adopted by reference in accordance with the provisions of North Carolina G.S. NC 153A-47 and shall become part of this ordinance as full as if set out herein.
 - 3) Each space or lot within the park shall be provided with at least a four (4) inch diameter sewer connection pipe where collection systems are provided. The slope of any such portion thereof shall be at least one-fourth (1/4) inch per foot and shall consist of one pipe line only without any branch fittings. The sewer riser pipe shall be so located on each space that the sewer connection to the home drain outlet will approximate a vertical position, shall extend at least four (4) inches above ground level and shall have a concrete apron installed around the riser pipe at grade level. The apron shall be a minimum of four (4) square feet in area (approximately 2'x2' square) and shall be a minimum of four (4) inches in thickness.
 - 4) All joints in the sewer connection pipe and sewer riser pipe shall be water tight and shall be constructed of similar approved materials. Pipe used for the sewer riser and sewer connection piping shall be semi-rigid, corrosion resistant, non-absorbent and durable. The inner lining shall be smooth.

- p. Storage areas of all items of a temporary nature such as lumber, pipe and other building materials stored for immediate use for construction shall be so maintained as to prevent rodent harborage and shall be stored at least one (1) foot above ground.
- q. Storage of all items of a permanent nature shall be in an approved, portable building with closing and lockable doors.
- r. As the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials approved by the Warren County Department of Environmental Health. The underside of all homes, buildings and structures shall be underpinned or skirted of a material approve by the Warren County Planning/Zoning and Code Enforcement Department (Code Enforcement Officers) within ninety (90) days after a home, building or structure has bene placed and/or set up on a lot/space.
- s. The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers, snakes and other noxious insects or reptiles and to prevent the spread of fire. Parks shall be so maintained as to prevent the growth of ragweed, poison oak, poison ivy, poison sumac and other noxious weeds considered detrimental to health. Open area shall be maintained free of heavy undergrowth of any description.
- t. All streets within the park shall be adequately illuminated from sunset to sunrise. The minimum size street light shall be a one hundred seventy-five (175) watt mercury-vapor (approximately 7,000 lumen class) or its equivalent and spaced at intervals not to exceed three hundred (300) feet.
- u. Registration of Occupants – Every park owner or operator shall maintain an accurate register containing a record of all lessees or renters of spaces or lots in the park. The register shall contain the following:
 - 1) Name of lessee or renter
 - 2) Manufactured – Mobile Home space or lot number
- v. Inspection – Field Inspections/Code Enforcement staff of the Warren County Department of Environmental Health and Warren County Planning/Zoning and Code Enforcement Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with the provisions of this ordinance and Conditional Use Permit provisions as stated in this section. It shall be the duty of the owner (s) of the park to give these Departments free access to such premises at reasonable times for the purposes of inspection.
 - 1) The person (s) to whom a Certificate of Occupancy and an approved Conditional Use Permit for a Manufactured

– Mobile Home Park are issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary condition.

- w. Existing Manufactured – Mobile Home Parks – Parks existing at the time of the adoption of this ordinance shall be allowed to continue, but shall not be allowed to expand or increase in any manner unless such expansion meets fully the requirements of this ordinance and Conditional Use Permit section.
- x. Variances – Where strict adherence to the provisions of this ordinance and section would cause unnecessary hardship of topographical or other conditions peculiar to the site, the Warren County Board of Adjustment may accept for a review a request for a variance and in accordance with the review procedures outlined in this ordinance.
- y. Penalty – Any person (s) violating the provisions of this ordinance and section on Conditional Use Permit as stated for his use shall be subject to the Administration and Enforcement Section of this ordinance (Section VII) as well as revocation of any approved Certificate of Occupancy Permit and Conditional Use Permit for the park.