

EDEN UNIFIED DEVELOPMENT ORDINANCE
ANNOTATED OUTLINE
{Draft Date - 03.03.2020}

MODULE 1

1.0 GENERAL PROVISIONS

1.1 Title

Establishes a title, “Eden Unified Development Ordinance (UDO),” to be used as a shorthand reference.

1.2 Authority

Describes the statutory authority prescribed for zoning and development regulations.

1.3 Jurisdiction

Defines the applicability of the UDO to all public and private development within the corporate limits of the City of Eden and the ETJ.

1.4 Purpose & Intent

Describes the purpose and intent of the UDO.

1.5 Consistency with Adopted Plans

Requires consistency with adopted comprehensive plans in accordance with NCGS.

1.6 Required Conformance with this Ordinance

General statement requiring conformity of all land development to the UDO.

1.7 Zoning Map

Establishes the Zoning Map and describes the interpretation of boundaries.

1.8 Transitional Provisions

Describes the relationship of the UDO to previous development ordinances in effect prior to the adoption of this revision.

1.9 Interpretation & Conflict

Provides guidance in instances of conflict, both internal and external, and states that if any portion of the UDO is determined by a court to be unconstitutional or invalid, such decision does not affect the remainder of the ordinance.

1.10 Effective Date

Date the regulations become effective (date of adoption).

2.0 ADMINISTRATION

2.1 Meetings & General Procedures

Defines that all meetings shall be open to the public and conducted in accordance with stated procedures.

2.2 Administrator

Defines the duties of the Administrator including general responsibilities and maintenance of all records and files.

2.3 Technical Review Committee

Defines the duties of the Technical Review Committee.

2.4 City Council

Defines the responsibilities of the City Council related to the processes outlined in the UDO.

2.5 Planning Board

Establishes authority and defines responsibility and membership for members of the Planning Board.

2.6 Board of Adjustment

Establishes authority and defines responsibility and membership for members of the Board of Adjustment.

2.7 Tree Board

Establishes authority and defines responsibility and membership for members of the Tree Board.

2.8 Community Appearance Committee

Establishes authority and defines responsibility and membership for members of the Community Appearance Committee.

2.9 Historic Preservation Commission

Establishes authority and defines responsibility and membership for members of the Historic Preservation Commission.

3.0 DEVELOPMENT & ADMINISTRATIVE REVIEW PROCEDURES

3.1 Purpose & Intent

Defines the purpose and intent for establishing a clear, comprehensive and orderly process for land development within the City and its ETJ.

3.2 General Provisions & Applicability

Establishes applicability for the provisions affecting all development and subdivision of land within the jurisdiction of the City of Eden.

3.3 Public Notification

Outlines public notification requirements in accordance with the NCGS.

3.4 Application Requirements

Outlines general application requirements.

3.5 General Requirements for Quasi-Judicial Hearings & Decisions

Establishes standards and procedures for all quasi-judicial processes.

3.6 Administrative & Special Use Permits

Establishes the review process for all administrative permits/approvals and all approvals required for compliance with the use standards of the UDO.

3.7 Environmental Permits

Establishes the review process and references for environmentally related permits/approvals.

3.8 Site/Development Plans

Establishes applicability and procedures for site/development plan review and approval.

3.9 Subdivisions

Establishes applicability and procedures for subdivision submission and approval.

3.10 Appeals & Variances

Establishes regulations for Appeals of Administrative Decisions and Variances from the provisions of the UDO.

3.11 Amendments & Legislative Approvals

Establishes regulations regarding Amendments to the UDO (text and map) and the establishment of Conditional Districts and Vested Rights.

MODULE 2

4.0 ZONING DISTRICTS

4.1 Base Districts

Establishes, organizes, and describes the proposed base districts according to the district conversion table on the opposite page.

4.2 Overlay Districts

Establishes overlay districts for the purpose of imposing additional design, use, or other standards over a base district or districts.

4.3 Conditional District Zoning

Describes Conditional District Zoning with conditions voluntarily added by the applicant and approved in a legislative procedure by the City Council in accordance with NCGS.

4.4 Dimensional Standards Table

Table to include dimensional requirements, area requirements, setbacks, height requirements, etc.

5.0 INDIVIDUAL USE STANDARDS

5.1 Purpose & Applicability

Describes the purpose of additional use standards in this article and defines the applicability of those standards to the different types of use allowances established in the UDO (i.e., Permitted with Supplemental Standards [PS] and uses permitted via Special Use Permit [SUP]).

5.2 Permitted Use

Provides tables indicating the permitted uses in each zoning district organized by major use category.

5.3 Supplemental Use Standards

Establishes standards for specific uses Permitted with Supplemental Standards [PS]. The standards are organized by major use category

5.4 Temporary Use Standards

Sets out specific standards for various temporary uses.

5.5 Accessory Uses & Structures

Describes accessory structures and their associated uses/general requirements.

6.0 GENERAL DEVELOPMENT STANDARDS

6.1 Purpose & Intent

Describes the purpose and intent of the development standards established in this article.

6.2 General Lot Interpretations

Describes general interpretations & requirements.

6.3 Interpretation of Dimensional Standards

Establishes methods for interpreting various dimensional standards found throughout the UDO, including the measurement of height.

6.4 Infill & Redevelopment Standards

Outlines administrative and discretionary standards for infill development and redevelopment projects.

6.5 Site & Building Design Requirements

Sets out site design principles used to evaluate all development applications and establishes basic design standards such as fences, building design, parking, lighting, landscaping and signage.

7.0 SUBDIVISIONS AND INFRASTRUCTURE STANDARDS

7.1 Purpose & Intent

Describes the purpose of this article to provide standards for required improvements in all development projects and subdivisions of real property.

7.2 Applicability

Describes how the provisions in this article are intended to apply to various development projects throughout the City and its ETJ.

7.3 Required Improvements for all Development

Describes the required improvements associated with all development in tabular format according to zoning district. Such improvements include utilities, public streets and rights of way, sidewalks, street lights, landscaping, etc.

7.4 General Subdivision Requirements

Provides the guidance of the subdivision process in the City's jurisdiction including required improvements, utilities, open space and reservation of school sites.

7.5 Transportation & Street Standards

Establishes various transportation (vehicle, pedestrian & bicycle) systems and connectivity standards.

7.6 Planned Unit Developments

Established standards and processes for Planned Unit Developments (PUD).

MODULE 3

8.0 BUILDING MAINTENANCE STANDARDS

8.1 Purpose & Intent

8.2 Human Habitation Standards

8.3 Defective & Unsafe Buildings

8.4 Non-residential Building Maintenance Standards

**Note – the majority of this section will consist of the Eden City Code Chapter 4: Building Regulations and Code Enforcement. Administrative descriptions, permits and definitions will be consolidated with other applicable articles.*

9.0 ENVIRONMENTAL PROTECTION

9.1 Purpose & Intent

Describes the purpose of this article which is to provide standards/references for stormwater management, flood damage prevention and watershed protection.

9.2 Stormwater Management

Outlines techniques for stormwater management during the development process.

9.3 Flood Damage Prevention

Establishes the title and statutory authorization for floodplain regulations. Outlines general standards, applicability, and administration for flood hazard reduction within the Special Flood Hazard Areas.

9.4 Watershed Protection

Outlines the applicability and administration of the watershed protection regulations according to state-mandated water supply watersheds.

10.0 NONCONFORMITIES

10.1 Purpose & Applicability

Establishes the purpose of nonconformity regulations to limit the continued existence of uses and structures established prior to the effective date of the UDO.

10.2 Nonconforming Uses & Structures

Defines regulations for nonconforming uses and structures.

10.3 Nonconforming Lots & Sites

Defines regulations for nonconforming lots sites.

10.4 Nonconforming Signs

Establishes regulations for nonconforming signs including repairs/maintenance, replacement, and abandonment.

10.5 Nonconforming Plans

Defines regulations for nonconforming plans including plans approved prior to the adoption of the UDO and amendments/modifications to previously adopted plans.

11.0 ENFORCEMENT

11.1 Purpose & Applicability

11.2 Violation Types

11.3 Responsible Persons

11.4 Violation & Enforcement Mechanisms

11.5 Penalties & Permit Revocation

12. DEFINITIONS AND INTERPRETATIONS

12.1 Purpose & Intent

Describes the objective of the definitions to be used for the purpose of interpreting the ordinance.

12.2 interpretations

Defines how certain words, concepts, or ideas should be interpreted.

12.3 Use Definitions

Defines all the uses established in the UDO.

12.4 General Definitions

Consolidates and updates the various definitions within the UDO.

12.5 Specialized Definitions

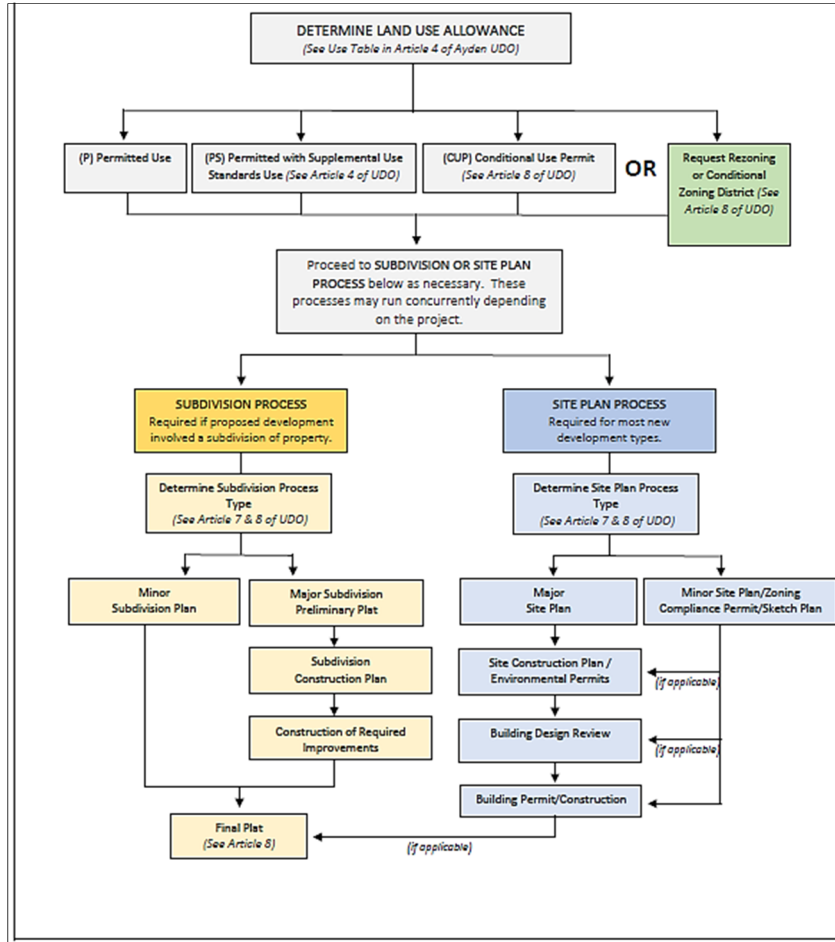
Consolidates and updates the various definitions which are applicable only to certain sections or articles of the UDO (e.g., definitions related to flood damage prevention or building maintenance standards).

APPENDIX A. APPROVED PLANTING LIST

Lists acceptable tree and shrub species to satisfy the requirements of the UDO regarding landscaping & screening.

APPENDIX B. DEVELOPMENT REVIEW FLOW CHART

A general flow chart of the various development processes (see example below):



APPENDIX C. AMENDMENT HISTORY

List and documents UDO amendment history, descriptions and article references.