

## SECTION 7 Residential Zoning Districts

### A) R-20 Residential Single-Family District.

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft<sup>2</sup>).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

**Table 7-1 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

**Table 7-2 Corner Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

**Table 7-3 Double Frontage Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-E of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

5) Permitted Uses.

Agritourism	Athletic Field, Public
Antenna Co-Location on Existing Tower	Athletic Field, Private
Aquaculture	Carport
Assisted Living	Club, Lodge, or Hall
	Community Garden

Dock  
Dwelling, Single-Family  
Farming, General  
Forestry  
Garage, Private Detached  
Government/Non-Profit Owned/  
Operated Facilities & Services  
Group Home  
Home Occupation  
Manufactured Home  
Neighborhood Recreation Center  
Indoor/Outdoor, Private  
Neighborhood Recreation Center,  
Public

Nursing Home  
Park, Public  
Produce Stand/Farmers' Market  
Public Utility Facility  
Religious Institution  
Resource Conservation Area  
Satellite Dish Antenna  
Shed  
Swimming Pool (Personal Use)  
Temporary Construction Trailer  
Utility Minor  
Vehicle Charging Station

6) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Accessory Dwelling Unit  
Bed & Breakfast  
Boat Sales/Rentals  
Cemetery/Graveyard  
Concealed (Stealth) Antennae &  
Towers  
Day Care/Child Care Home  
Dry Boat Storage  
Golf Course, Privately Owned  
Golf Driving Range  
Kennel, Indoor Operation Only

Kennel, Indoor /Outdoor Operation  
Marina  
Museum  
Other Free Standing Towers  
Outdoor Amphitheater, Public  
Preschool  
Public Safety Station  
School, K-12  
School, Post-Secondary  
Utility Facility

**B) R-8MH Residential Manufactured Home Park/Recreational Vehicle Park District.**

This residential district is established as per N.C.G.S. 160A-383.1 (zoning regulations for manufactured homes) to provide a medium density district in which the principal use of land is for site-built, single-family dwelling units and approved manufactured home and/or recreational vehicle parks. Uses in this district which require potable water and sanitary sewer must be connected to municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the R-8MH district shall be a minimum of eight thousand square feet (8,000 ft<sup>2</sup>).

2) Minimum Lot Width.

All lots in the R-8MH district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

**Table 7-4 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8MH	25 feet	25 feet	8 feet	35 feet

**Table 7-5 Corner Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8MH	25 feet	20 feet	25 feet	8 feet	35 feet

**Table 7-6 Double Frontage Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8MH	25 feet	15 feet	8 feet	35 feet

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-E of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

5) Permitted Uses.

Antenna Co-Location on Existing Tower  
Athletic Field, Public

Carport  
Community Garden  
Dock

Dwelling, Single-Family	Public
Garage, Private Detached	Park, Public
Government/Non-Profit Owned/ Operated Facilities & Services	Public Utility Facility
Home Occupation	Resource Conservation Area
Manufactured Home	Shed
Neighborhood Recreation Center,	Swimming Pool (Personal Use)
Indoor/Outdoor, Private	Temporary Construction Trailer
Neighborhood Recreation Center,	Utility Minor
	Vehicle Charging Station

6) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Athletic Field, Private	Preschool
Concealed (Stealth) Antennae & Towers	Public Safety Station
Golf Course, Privately-Owned	Recreational Vehicle Park
Golf Driving Range	Religious Institution
Manufactured Home Park	Satellite Dish Antenna
Outdoor Amphitheater, Public	School, Post-Secondary
	Utility Facility

7) Application Requirements.

No person shall construct or make any renovations to a manufactured home park or recreational vehicle park which either alters the number of sites for manufactured homes or recreational vehicles within the park or affects the facilities required therein until he or she first secures a permit authorizing such construction or renovation. The construction or renovation shall be in accordance with plans and specifications submitted with the appropriate application. The application and necessary fee associated with the application shall be filed with the Town's Planning and Inspections Department at least fifteen working days prior to a regular meeting of the planning board. The application shall be reviewed by the planning board, the building inspector, the Carteret County Health Department, and other necessary Town agencies as determined by the planning board. All plans submitted for a manufactured home park or recreational vehicle park construction or renovation will be accompanied by six sets of drawings prepared by a registered engineer or registered surveyor.

8) Manufactured Home Park Site Development.

a) Minimum Size.

Every manufactured home park shall contain at least ten acres. Each manufactured home space within the park shall be seven thousand, five hundred square feet (7,500 ft<sup>2</sup>) and shall have a minimum lot width of seventy-five (75') at the minimum building line.

b) Compliance with Dimensional Requirements.

The dimensions of each manufactured home space shall be in accordance with the dimensional standards set forth in this section.

c) Parking Space.

Parking space sufficient to accommodate at least two automobiles shall be located in each manufactured home space.

d) Width, Setbacks, and Height Limitations.

Each manufactured home space shall have the following dimensional requirements for each individual lot:

**Table 7-7 Manufactured Home Width, Setbacks, and Height Limitations.**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8MH	25 feet	25 feet	5 feet	35 feet

e) Interior Drives.

All manufactured home spaces shall abut an interior drive of not less than thirty feet (30') of the right-of-way, which shall have unobstructed access to a public street or highway. Manufactured home spaces shall not have direct access to public streets or highways except through the interior drive. All interior drives shall have a paved width not less than twenty feet (20'). All drives shall be designed and built to Town of Beaufort specifications and maintained by the park owner.

f) Refuse Collection Facilities.

The park owner is responsible for refuse collection facilities. All refuse shall be collected at least twice weekly.

g) Accessory Structures.

Within a manufactured home park, one manufactured home may be used as an office. All other accessory structures shall comply with section 2-E and section 6 of this Ordinance.

h) Recreation Area.

All manufactured home parks shall provide a minimum of two hundred square feet (200 ft<sup>2</sup>) of recreation area or open space per each manufactured home space within the park. Such open space shall be contiguous and in a central location within the park and shall be accessible for all occupants of the manufactured home park provided the planning board may vary this requirement for proposed parks of ten spaces or less. For each proposed park with a minimum of one hundred spaces or more, the planning board may require a minimum of one-half acre.

i) Stands and Anchors.

The manufactured home space shall provide an adequate area for placement and/or anchoring of the home thereby securing the structure against uplifts, sliding, rotating, or overturning during high winds. The anchors or other such permitted device shall comply with the North Carolina State Building Codes.

j) Management, Administrative Office, and Service Buildings.

i) Manufactured home parks with twenty or more manufactured home spaces shall contain an administrative office. Other administrative and service buildings housing sanitation, laundry facilities, or any other such facilities shall comply with all applicable installations, plumbing, and sanitation codes as set forth in this Ordinance. The management, owner, duly authorized attendant, or caretaker of the manufactured home park shall at all times be responsible for keeping the manufactured home park and its facilities and equipment, in a clean, orderly, safe, and sanitary condition.

- ii) All service buildings, commercial structures, and the grounds of the park shall be maintained in a clean condition and kept free from any condition which will hinder the health of any occupant of the park, the public, or constitute a nuisance.
- k) **Storm Water/Drainage System.**

All manufactured home parks shall provide an adequate storm water drainage system to provide for proper capture and drainage of storm water. At no time shall a drainage system be so constructed as to permit the freestanding of water which may stimulate breeding places for mosquitoes.
- l) **Structural Additions.**

All structural additions to manufactured homes, other than those which are built into the unit and designed to fold out or extend from the unit, shall be erected only after a building permit is obtained in the Town's Planning and Inspections Office. Such additions shall conform to the building codes of the Town and to the North Carolina State Building Codes. The building permit shall specify whether such structural addition(s) will remain permanently, must be removed when the manufactured home is removed, or must be removed within a specified length of time after the manufactured home is removed. Structural alterations existing at the time of the passage of this Ordinance shall be removed within thirty days after the subject manufactured home is removed, unless attached to another manufactured home on the same site within the thirty day period.
- m) **Space Numbering System.**

Upon adoption of this section, all approved manufactured home parks shall institute a space numbering system which will correspond to the manufactured home plan as approved by the planning board. Each manufactured home space shall be numbered, and such numbers shall be displayed in a visible manner to facilitate space location. Such individual numbers shall be posted on the manufactured home, on a display post not greater than two feet (2') in height, or displayed in such a manner as to be acceptable to the code enforcement officer.
- n) **Compliance.**

Manufactured home parks in existence at the time of the adoption of this Ordinance which are not in compliance with the provisions of this Ordinance shall be deemed nonconforming.
- 9) **Design Standards and Specifications for Recreational Vehicle Parks.**

Contents of the park plan shall meet the standards as set forth in section 18 of this Ordinance, and include the following standards:

  - a) **Minimum Size.**

Every recreational vehicle park shall contain at least ten acres. Each recreational vehicle space within the park shall be one thousand square feet (1000 ft<sup>2</sup>) and shall have a minimum lot width of twenty-five feet (25') at the minimum building line.
  - b) **Compliance with Dimensional Requirements.**

The dimensions of each recreational vehicle space shall be in accordance with the dimensional standards set forth in this section.

- c) **Parking Space.**  
Parking space sufficient to accommodate at least one motor vehicle and one recreational vehicle shall be located in each space. No more than one recreational vehicle may be parked within any one space.
- d) **Width, Setbacks, and Height Limitations.**  
Each recreational vehicle space shall have the following dimensional requirements for each individual lot:

**Table 7-8 Recreational Vehicle Width, Setbacks, and Height Limitations**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8MH	25 feet	15 feet	5 feet	35 feet

- e) **Interior Drives.**  
All spaces shall abut an interior drive of not less than thirty feet (30') of right-of-way, which shall have unobstructed access to a public street or highway. Recreational vehicles shall not have direct access to public streets or highways except through the interior drive. All interior drives shall have a paved width not less than twenty feet (20'). All drives shall be designed and built to Town of Beaufort specifications and maintained by the park owner.
- f) **Refuse Collection Facilities.**  
The park owner is responsible for refuse collection facilities. All refuse shall be collected at least twice weekly.
- g) **Accessory Structures.**  
Within a recreational vehicle park, one manufactured home may be used as an office. All other accessory structures shall comply with section 2-E and section 6 of this Ordinance.
- h) **Restroom Facilities.**  
Each park shall have a central structure or structures, which provides separate toilet and bath or shower facilities for both sexes.
- i) **Swimming Pools.**  
No swimming pool or bathing area shall be installed, altered, improved, or used without compliance with the applicable regulations of the Town. No bathing area shall be used without the written permission of the county health department.
- j) **Management, Administrative Office, and Service Buildings.**
  - i) Recreational vehicle home parks with twenty or more spaces shall contain an administrative office. Other administrative and service buildings housing sanitation, laundry facilities, or any other such facilities shall comply with all applicable installations, plumbing, and sanitation codes as set forth in this Ordinance. The management, owner, duly authorized attendant, or caretaker of the park shall be responsible at all times to keep the park, its facilities and equipment, in a clean, orderly, safe, and sanitary condition.
  - ii) All service buildings, commercial structures, and the grounds of the park shall be maintained in a clean condition and kept free from any condition which will hinder the health of any occupant of the park, the public, or constitute a

nuisance.

k) Storm Water/Drainage System.

All recreational vehicle parks shall provide an adequate storm water drainage system to provide for proper capture and drainage of storm water. At no time shall a drainage system be so constructed as to permit the freestanding of water which may stimulate breeding places for mosquitoes.

l) Sanitary Facilities.

All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilets, shower, lavatory, and laundry room facilities shall be acceptable to the county health department and shall be in conformity with county codes.

m) Sewage Disposal.

All approved recreational vehicle parks shall be required to tie into the Town of Beaufort sanitary sewer system. All sewage waste from each park and park space, including waste from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water-using appliances not herein mentioned, shall be tied into the Town of Beaufort sanitary sewer system.

n) Electrical Service/Electrical Inspection.

The building inspector shall review park plans to determine if the proposed electrical system is in accordance with the state and national electric codes adopted by the BOC. Distribution lines shall be installed underground at least eighteen inches (18") below the ground surface where possible and at least one foot (1') extra radial distance from any water, sewer, gas, or communication line. Electrical systems shall be calculated on the basis of at least one hundred amps at 120/140 volts for each recreational vehicle site in the park. The point of electrical connection shall be approximately forty feet (40') from the front of the RV and approximately four feet (4') from either side of the RV and within the RV space. Electrical connections shall be made with due regards to uniformity, safety, and convenience.

o) Management of the Recreational Vehicle Park.

i) It shall be unlawful for a person to park or store a manufactured home in a recreational vehicle park for longer than seven days. However one manufactured home may be allowed within an RV park to be used as an office and/or residence of the persons responsible for the operation and maintenance of the park.

ii) It shall be the duty of the operator of an RV park to keep an accurate ledger containing a record of all occupants of the RV park. The operator shall keep the ledger available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the ledger.

iii) The ledger shall contain the following information:

- Name and permanent address of the occupants of each space;
- Dates entering and exiting the park; and,
- The vehicle license plate number with the state of issuance for the license



plate, make, and type of vehicle for each car, truck, camping vehicle, etc. staying within the RV park.



**C) R-8 Residential Medium Density District.**

This residential district is established as a medium density district in which the principle use of the land is for single-family dwelling units. The regulations of this district are intended to provide areas of the community for those persons desiring residences in relatively medium density areas. No buildings, houses, or structures, excepting noncommercial docks or piers as specified in section 2-G of this Ordinance, will be erected on the south side of Front Street in this district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the R-8 district shall be a minimum of eight thousand square feet (8,000 ft<sup>2</sup>).

2) Minimum Lot Width.

All lots in the R-8 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

**Table 7-9 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	25 feet	8 feet	35 feet

**Table 7-10 Corner Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	20 feet	25 feet	8 feet	35 feet

**Table 7-11 Double Frontage Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	15 feet	8 feet	35 feet

Where a lot extends across Front Street, the above setbacks shall apply to the portion of the lot north of Front Street. The docks or piers permitted on the south side of Front Street will be subject to an eight feet (8') side setback, or any more restrictive setback required by CAMA, or the regulations promulgated thereunder.

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-E of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

5) Permitted Uses.

Antenna Co-Location on Existing Tower	Neighborhood Recreation Center, Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Carport	Park, Public
Community Garden	Public Utility Facility
Dock	Resource Conservation Area
Dwelling, Single-Family	Shed
Garage, Private Detached	Swimming Pool (Personal Use)
Government/Non-Profit Owned/ Operated Facilities & Services	Temporary Construction Trailer
Group Home	Utility Minor
Home Occupation	Vehicle Charging Station

6) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Accessory Dwelling Unit	Marina
Athletic Field, Private	Outdoor Amphitheater, Public
Bed & Breakfast	Preschool
Cemetery/Graveyard	Produce Stand/Farmers' Market
Club, Lodge, or Hall	Public Safety Station
Concealed (Stealth) Antennae & Towers	Religious Institution
Day Care/Child Care Home	Satellite Dish Antenna
Golf Course, Privately-Owned	School, Post-Secondary
Golf Driving Range	Utility Facility

**D) R-8A Residential Single-Family Waterfront District.**

This residential district is established to provide a medium density district area in which the principal use of the land is for single-family residences together with customary accessory buildings, structures and docks in conformity with section 2-G of this Ordinance. This district is identified on the Town’s zoning map and is confined to the existing residential portions on the south side of Front Street. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the R-8A district shall be a minimum of eight thousand square feet (8,000 ft<sup>2</sup>).

2) Minimum Lot Width.

All lots in the R-8A district shall have a minimum lot width of sixty feet (60’) at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

This district does not have corner lots or double frontage lots as do other residential zoning districts. This district also has CAMA requirements which must be followed.

**Table 7-12 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8A	25 feet	15 feet	8 feet	35 feet

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-E of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

5) Permitted Uses.

- |  |                                |
|--|--------------------------------|
| Carport  | Park, Public                   |
| Community Garden   | Public Utility Facility        |
| Dock   | Resource Conservation Area     |
| Dwelling, Single-Family  | Shed                           |
| Garage, Private Detached                                       | Swimming Pool (Personal Use)   |
| Government/Non-Profit Owned/<br>Operated Facilities & Services | Temporary Construction Trailer |
| Home Occupation  | Utility Minor                  |
|  | Vehicle Charging Station       |

6) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Accessory Dwelling Unit	Preschool
Athletic Field, Private	Public Safety Station
Bed & Breakfast	Religious Institution
Cemetery/Graveyard	Satellite Dish Antenna
Club, Lodge, or Hall	School, Post-Secondary
Day Care/Child Care Home	Utility Facility
Outdoor Amphitheater, Public	

**E) RC-5 Residential Cluster Development District.**

This district is established as a medium to high density district encouraging the practice of residential cluster development designed to conserve land, create useable open space, reduce building and infrastructure costs, and provide for more attractive and functional communities. The regulations of this district are designed to provide greater open space and other amenities while relaxing minimum yard and similar regulations which would apply to a traditional district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the RC-5 district shall be a minimum of five thousand square feet (5,000 ft<sup>2</sup>). The overall density of each cluster development shall not exceed eight units per acre regardless of the minimum lot area required per dwelling or unit herein.

2) Minimum Lot Width.

All lots in the RC-5 district shall have a minimum lot width of fifty feet (50') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

**Table 7-13 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

**Table 7-14 Corner Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	10 feet	30 feet	5 feet*	35 feet

**Table 7-15 Double Frontage Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

\*Zero lot line housing in the RC-5 district is permitted for one interior lot line provided each of the conditions below are met:

- a) The final subdivision plat designates placement of the dwelling unit on one of the side lot lines;
- b) No two detached single-family dwelling units shall utilize the zero lot line provision on a common lot line;

- c) The remaining side yard shall not be less than the sum of the two side yard setbacks normally required; and,
- d) The dwelling unit wall abutting the zero lot line side yard shall be a solid structural and fire-rated wall with no windows, doors, or other openings.
- e) A ten-foot (10') setback shall be required along all peripheral boundaries of a cluster development. A structure, whether it is the principal or accessory structure, shall not encroach upon this required setback distance. Within said setback, the Town may require as a part of its site plan review, the establishment of a reasonable buffer to protect and maintain the character of adjacent uses (see section 10 of this Ordinance for more information).
- f) A zero side yard setback may be permitted on one side of each lot subject to the following provisions:
  - i) The minimum building separation for the side yard opposite the zero lot line shall be either a separation of ten feet (10') from the side of the adjacent dwelling when constructed, or a minimum ten-feet (10') setback line from the adjoining side lot line, whichever is greater;
  - ii) A five-foot (5') maintenance easement with a maximum eave encroachment easement of two feet (2') within the maintenance easement shall be established in the deed restrictions, recorded plat, and/or covenants of the adjoining lot and shall assure ready access to the lot line wall at reasonable periods of the day for normal maintenance; and,
  - iii) Preliminary and final site development plans shall indicate the proposed envelope location of the dwellings, driveways, and parking arrangements for each lot. The final site development plans shall include a draft of the proposed encroachment and maintenance easements within the covenants or on the proposed final plat for review and approval by the Town.
  - iv) Upon the recording of the final plat in the Register of Deeds office, a copy of the completed covenants must be submitted with the final plat. A copy of the covenants and final recorded plat shall also be made available to the Town's Planning and Inspections Department.

4) Accessory Building Setback Requirements.

An unattached accessory structure may be located in a rear yard provided it is located at a distance not less than eight feet (8') from the principal structure and is not closer than three feet (3') from the rear yard line, and provided not more than twenty-five percent (25%) of the total lot area is covered by the accessory buildings. On a reversed corner lot or double frontage lot, no accessory building shall extend beyond the front yard line of the lot located to the rear of the lot on which the accessory building is being proposed.

5) Permitted Uses.

Antenna Co-Location on Existing Towers	Community Garden
Athletic Field, Public Carport	Dock
	Dwelling, Duplex/Townhome
	Dwelling, Single-Family



Garage, Private Detached	Public Safety Station
Government/Non-Profit Owned/ Operated Facilities & Services	Public Utility Facility
Home Occupation	Resource Conservation Area
Neighborhood Recreation Center, Indoor/Outdoor, Private	Shed
Neighborhood Recreation Center, Public	Swimming Pool (Personal Use)
Park, Public	Temporary Construction Trailer
	Utility Minor
	Vehicle Charging Station

6) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Athletic Field, Private	Outdoor Amphitheater, Public
Bed & Breakfast	Preschool
Concealed (Stealth) Antennae & Towers	Religious Institution
Golf Course, Privately-Owned	Satellite Dish Antenna
Golf Driving Range	School, Post-Secondary
Marina	Transportation Facility
	Utility Facility

7) Owners Association Required.

The establishment of an owners association shall be mandatory for all residential cluster developments.

- a) The owners association shall be organized and established as a legal entity prior to the conveyance of any lot or living unit in the residential cluster development.
- b) The owners' association membership shall be mandatory for each owner of a lot or living unit.
- c) The owners association shall have the authority to access its members to produce revenues to cover the expenses of the association and such assessments will be secured by a lien.
- d) The association shall be responsible for the payment of premiums for liability insurance, taxes, maintenance of recreational or other facilities located in common areas, payment of assessment for public and private capital improvements made to or for the benefit of the common areas, maintenance of any private street, and for such other purposes as the organizing documents provides.
- e) The residential cluster development will be subject to the North Carolina Planned Community Act regardless of the number of lots therein.

8) Common Walls.

Common walls between individual residences shall be party walls and provisions for the maintenance and restoration thereof, in the event of destruction or damages, shall be established.

9) Open Space.

- a) Open space shall be set aside for the use, benefit, and enjoyment of all residents of the cluster development and shall either be dedicated to the private use of the residents or conveyed to the owners' association for ownership, use, and management. Land

which is restricted in any way so it may not be available for the use, benefit, and enjoyment of all residents of the cluster development at the time of lot sales or any time thereafter shall not qualify as open space.

- b) The open space in the cluster development shall be computed upon the following percentages of the overall area based upon the number of dwelling units per gross acre of cluster development as follows:

**Table 7-16 Open Space Requirements**

<i>Number of Dwelling Units Per Gross Acre</i>	<i>Required Percentage of Open Space</i>
3 units or less	20%
4-6 units	21-30%
7-8 units	31-45%

- c) To qualify as open space, land shall have a minimum width of five feet (5') excluding street rights-of-way, drives, parking areas, or structures other than recreational structures, and be one contiguous tract containing not less than ten thousand square feet (10,000 ft<sup>2</sup>) or four percent (4%) of the project area whichever is greater, exclusive of streets, parking areas, and utility easements. Street rights-of-way, drives, parking areas, buffer zones, and utility areas/easements may qualify as open space and be counted towards the percentage of open space required for each development provided the street rights-of-way, drives, parking areas, and utility areas/easements shall not compromise more than two-thirds of the required open space for each development unless the percentage is varied or waived by the BOC upon recommendation by the planning board. Such variation shall be freely allowed if any two or more of the following criteria are found to exist:
  - i) To provide flexibility in design to take the greatest advantage of natural land, water, trees, environmental, and historical features;
  - ii) To provide for the creation of compatible arrangements which give the homebuyer greater choice in selecting his/her living environment;
  - iii) To provide sufficient freedom for the developer to submit plans which embody a creative approach to the use of lands and related physical development as well as utilize innovative techniques to enhance the visual character of the development;
  - iv) To provide for the efficient use of land which may result in smaller street and utility networks, better maintenance and upkeep of sewage disposal systems, and reduced development and maintenance costs;
  - v) To include compatible or associated uses which complement the residential area within the cluster development;
  - vi) To simplify the procedures for obtaining approval of proposed development through expeditious review of proposed land use, site layout, public needs, health and safety factors; and/or,
  - vii) To minimize expenditures of public funds for services and maintenance of streets, roads, central sewage systems and similar utilities, and to provide the efficient investment of community resources.

**10) Preliminary and Final Review Procedures and Approvals.**

The owner/developer of a new residential cluster development shall follow all requirements set forth in section 18 of this Ordinance. However, before proceeding to the

building phase of the development, the Town must issue to the owner/developer, a preliminary plat approval pursuant to Article X of the *Town of Beaufort Subdivision Ordinance*.

11) Parking and Loading.

Two off-street parking spaces shall be provided per dwelling unit.

12) Signs.

The regulations for signs in an RC-5 district shall be as contained within section 16 of this Ordinance.



**RS-5 Residential Single-Family 5 Development District.**

This residential district classification is intended for existing or older neighborhoods characterized by single-family residences on relatively smaller lots and provides reduced setback requirements and a defined street orientation. The purpose of this district is to provide relief to existing lots of record which make them difficult to be developed as single-family residences. The RS-5 district has a fifty percent (50%) lot coverage restriction which must be maintained. No buildings, houses, or structures, excepting noncommercial docks or piers as specified in section 2-G of this Ordinance, will be erected on the south side of Front Street in this district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the RS-5 district shall be a minimum of five thousand square feet (5,000 ft<sup>2</sup>).

2) Residential Density.

a) All lots in the RS-5 district shall be limited to one single-family detached dwelling per lot.

b) All lots in the RS-5 district shall not exceed an impervious surface area requirement of fifty percent (50%).

3) Minimum Lot Width.

All lots in the RS-5 district shall have a minimum lot width of fifty feet (50') at the minimum building line.

4) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

**Table 7-17 Interior Lot Requirements**

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	15 feet	5 feet	35 feet

**Table 7-18 Corner Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	10 feet	15 feet	5 feet	35 feet

**Table 7-19 Double Frontage Lot Requirements**

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	20 feet	5 feet	35 feet

Where a lot extends across Front Street, the above setbacks shall apply to the portion of the lot north of Front Street. The docks or piers permitted on the south side of Front Street will be subject to an eight feet (8') side setback, or any more restrictive setback required by CAMA, or the regulations promulgated thereunder.

5) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-E of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

6) Permitted Uses.

Antenna Co-Location on Existing Towers	Indoor/Outdoor, Private Neighborhood Recreation Center, Public
Athletic Field, Public	Park, Public
Carport	Public Safety Station
Community Garden	Public Utility Facility
Dock	Resource Conservation Area
Dwelling, Single-Family	Shed
Garage, Private Detached	Swimming Pool (Personal Use)
Government/Non-Profit Owned/ Operated Facilities & Services	Temporary Construction Trailer
Home Occupation	Utility Minor
Neighborhood Recreation Center,	Vehicle Charging Station

7) Special Uses (*Special Uses* may be found in section 20 of this Ordinance).

Accessory Dwelling Unit	Golf Driving Range
Athletic Field, Private	Marina
Bed & Breakfast	Outdoor Amphitheater, Public
Cemetery/Graveyard	Preschool
Club, Lodge, or Hall	Religious Institution
Concealed (Stealth) Antennae & Towers	Satellite Dish Antenna
Golf Course, Privately Owned	School, Post-Secondary
	Transportation Facility

Table 7-20 Residential Zoning Districts Table of Uses

Land Development Ordinance Uses		R-20	R-8MH	R-8	R-8A	RC-5	RS-5
<b>Residential Uses</b>							
<b>Group Living</b>	Assisted Living	P					
	Dormitory						
	Group Home	P		P			
	Nursing Home	P					
<b>Household Living</b>	Accessory Dwelling Unit	S		S	S		S
	Dwelling, Duplex/Townhome					P	
	Dwelling, Multi-Family						
	Dwelling, Single-Family	P	P	P	P	P	P
	Manufactured Home	P	P				
	Manufactured Home Park		S				
	Recreational Vehicle Park		S				
<b>Mixed Uses</b>							
	Mixed Use						
<b>Public/Institutional Uses</b>							
<b>Aviation</b>	Airport/Landing Strip						
<b>Cemeteries/Graveyards</b>	Cemetery/Graveyard	S		S			S
<b>Cultural Facilities</b>	Library						
	Museum	S					
<b>Day Care</b>	Day Care Center	P					
	Day Care/Child Care Home	S		S	S		
<b>Government Services</b>	Government/Non-Profit Owned/ Operated Facilities & Services	P	P	P	P	P	P
	Public Safety Station	S	S	S	S	P	P
	Public Utility Facility	P	P	P	P	P	P
<b>Hospitals</b>	Hospital						
<b>Parks and Athletic Fields, Public Use</b>	Athletic Field, Public	P	P	S		P	
	Community Garden	P	P	P	P	P	P
	Neighborhood Recreation Center, Public	P	P	S		P	P
	Outdoor Amphitheater, Public	S	S	S	S		S
	Park, Public	P	P	P	P	P	P
	Resource Conservation Area	P	P	P	P	P	P
<b>Religious Uses</b>	Religious Institution	P	S	S	S	S	S
<b>Educational Uses</b>	Preschool	S	S	S	S	S	S
	School, K-12	S					
	School, Post-Secondary	S	S	S	S	S	S
<b>Non-Governmental Facilities</b>	Transportation Facility					S	S
	Utility Facility	S	S	S	S	S	
	Utility Minor	P	P	P	P	P	P
<b>Agricultural Uses</b>	Agritourism	P					
	Aquaculture	P					
	Farming, General	P					
	Forestry	P					
	Produce Stand/Farmers' Market	P		S			

Permitted Use

Special Use

**Table 7-20 Residential Zoning Districts Table of Uses**

Land Development Ordinance Uses		R-20	R-8MH	R-8	R-8A	RC-5	RS-5
<b>Commercial Uses</b>							
Animal Services	Kennel, Indoor Operation Only	S					
	Kennel, Indoor/Outdoor Operation	S					
Assembly	Club, Lodge, or Hall	P		S	S		S
Financial Institutions	Financial Institution						
Food and Beverage Services	Microbrewery						
	Restaurant, with Drive-Thru Service						
	Restaurant, with Indoor Operation						
	Restaurant, with Outdoor Operation						
	Tavern/Bar/Pub with Indoor Operation						
	Tavern/Bar/Pub with Outdoor Operation						
Offices	Office, Business, Professional, or Medical						
Public Accommodations	Bed & Breakfast	S		S	S	S	S
	Hotel or Motel						
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment						
	Amusement Establishment						
	Commercial Indoor Recreation Facility						
	Neighborhood Recreation Center Indoor/Outdoor, Private	P	P	S		P	P
	Pool Hall or Billiard Hall						
	Theater, Large						
	Theater, Small						
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private	P	S	S	S		
	Commercial Outdoor Amphitheater						
	Commercial, Outdoor Recreation Facility						
	Golf Course, Privately-Owned	S	S	S			S
	Golf Driving Range	S	S	S			S
	Motor Vehicle Raceway						
Retail Sales and Services	Adult-Oriented Retail Establishment						
	Convenience Store						
	Mortuaries/Funeral Homes/Crematoriums						
	Liquor Store						
	Personal Service Establishment						
	Retail Store						
Vehicle Storage Facilities	Dry Boat Storage	S					
	Marina	S		S		S	S
	Parking Lot						
	Parking Structure						
Vehicles and Equipment Facilities	Boat Sales/Rentals	S					
	Car Wash						
	Gas/Service Station						
	Heavy Equipment Sales/Rentals						
	Heavy Vehicle Repair						
	Moped/Golf Cart Sales/Rentals						
	Motor Vehicle Sales/Rentals						
	Towing & Vehicle Storage						
Vehicle Service							

Permitted Use

Special Use



**Table 7-20 Residential Zoning Districts Table of Uses**

<b>Land Development Ordinance Uses</b>		<b>R-20</b>	<b>R-8MH</b>	<b>R-8</b>	<b>R-8A</b>	<b>RC-5</b>	<b>RS-5</b>
<b>Industrial Uses</b>							
<b>Industrial Service Uses</b>	General Industrial Service						
<b>Manufacturing and Production Uses</b>	Manufacturing, Heavy						
	Manufacturing, Light						
	Resource Extraction						
<b>Telecommunication Facilities</b>	Antenna Co-Location on Existing Tower	P	P	P		P	P
	Concealed (Stealth) Antennae & Towers	S	S	S		S	S
	Other Building-Mounted Antennae & Towers						
	Other Freestanding Towers	S					
<b>Warehouse and Freight Movement Uses</b>	Commercial Waterfront Facility						
	Hazardous Material Storage						
	Mini-Storage						
	Outdoor Storage						
	Warehousing & Distribution Establishment						
Wholesale Establishment							
<b>Waste-Related Uses</b>	Recycling and Salvage Operation						
<b>Accessory Uses and Structures</b>							
<b>Accessory Uses</b>	Carport	P	P	P	P	P	P
	Dock	P	P	P	P	P	P
	Garage, Private Detached	P	P	P	P	P	P
	Home Occupation	P	P	P	P	P	P
	Outdoor Retail Display/Sales						
	Satellite Dish Antenna	P	S	S	S	S	S
	Shed	P	P	P	P	P	P
	Signs, Commercial Free-Standing						
	Swimming Pool (Personal Use)	P	P	P	P	P	P
	Temporary Construction Trailer	P	P	P	P	P	P
	Vehicle Charging Station	P	P	P	P	P	P

**Permitted Use**

**Special Use**

