Town of Creswell Zoning Ordinance

Adopted 11/4/02

RESOLUTION CRESWELL ZONING ORDINANCE

WHEREAS, the Town of Creswell is concerned about land development within the corporate limits as well as its extraterritorial planning jurisdiction.

WHEREAS, the Town of Creswell is authorized in accordance with NCGS 160A, Article 19, Section 381 to develop and implement a zoning program within its planning area.

WHEREAS, the Town of Creswell appointed a planning board to prepare a zoning ordinance.

WHEREAS, the Town of Creswell received a "certified zoning ordinance" from the planning board;

THEREFORE, the Town Board, after conducting a public hearing, voted 5 to 0 to approved a motion to adopt the Creswell Zoning Ordinance (map and text) on November 4, 2002 with an immediate effective date.

Mayor, Town of Creswell	Clerk to the Town Board

Prepared for:

Town of Creswell

Prepared by:

North Carolina Department of

Commerce

Division of Community Assistance

Washington Regional Office

P.O. Box 850

Washington, North Carolina

(252) 974-1308 Fax: 252-974-2900

e-mail: wgsmith@gotricounty.com

Planner-in-Charge: W.G. "Bill" Smith

Articles			Pages
1	General Prov	visions	1-1
	Section 1-1	Short Title	. 1-1
	Section 1-2	Authority	
	Section 1-9-	Purpose	
	Section 1-4	Jurisdiction	1-1
	Section 1-5	Relationship to Land-Use Policies	
	Section 1-6	Zoning Impacts on Existing Regulations, etc	
	Section 1-7	One Principal Building on a Lot	
	Section 1-8	Fees	
	Section 1-9	Adoption and Effective Date	1-2
2	Administrati	ve Structure	2-1
		Planning Board	
	Section 2-1	Appointment and Terms of the Planning Board	2-1
	Section 2-2	Meetings of the Planning Board	
	Section 2-3	Quorum and Voting	2-2
	Section 2-4	Planning Board Officers	2-2
	Section 2-5	Powers and Duties of Planning	
		Board	. 2-2
		Board of Adjustment	
	Section 2-6	Appointment and Terms of Board	
		of Adjustment	2-2
	Section 2-7	Meetings of the Board of Adjustment	
	Section 2-8	Quorum	
	Section 2-9	Voting	2-4
	Section 2-10	Board of Adjustment Officers	2-5
	Section 2-11	Powers and Duties of Board of Adjustment	2-5
		Land Use Administrator	_ 0
		Dana OSE Aummistrator	
	Section 2-12	Duties of the Land-Use Administrator	2-6

<u>Articles</u>			Pages
	$\underline{\mathrm{T}}$	own Board of Commissioners	
	Section 2-13	Powers and Duties of the Town Board	2-6
3	Zoning Distr	icts and Map	3–1
		Zoning Districts	
	Section 3-1 Section 3-2 Section 3-3	Residential Districts Established Business Districts Established Manufacturing Districts Established	3-1 3-4 3-6
		Zoning Map	
	Section 3-5 Section 3-6	Official Zoning Map Amendments to Official Zoning Map	3-5 3-5
4	Uses By Zoning Districts		4-1
	Section 4-1 Section 4-2 Section 4-3	Permissible Uses and Specific Exclusions Accessory Uses	4-1 4-1
	Section 4-3	Permissible Uses Not Requiring Permits Table of Uses by Districts	4-2 4-3
5	Dimensional Requirements		5-1
	Dimensional Re	equirements Summary Table	5-1
6	Development	Standards for Specific Uses	6-1
	Section 6-1 Section 6-2 Section 6-3 Section 6-4 Section 6-5 Section 6-6 Section 6-7 Section 6-8	Accessory Buildings Bed and Breakfast Dwellings Home Occupations Manufactured Homes, Class A Manufactured Homes, Class B Multi-Family Dwellings Planned Business Developments Planned Unit Developments	6-1 6-1 6-2 6-2 6-3 6-4 6-6 6-7
7	Historic Overl	ay District	7-1

rticles			Pages
7	Signs		7-1
	Section 7-1	T	
	Section 7-1 Section 7-2	Intent	. 7-1
	Section 7-2 Section 7-3	Permit Required	. 7-1
		Permit Application	7-1
	Section 7-4 Section 7-5	Structural Requirements	7-1
		Sign Area Computation	. 7-1
	Section 7-6	Maintenance	7-2
	Section 7-7	Location	. 7-2
	Section 7-8	Traffic Safety	7-2
	Section 7-9	Illumination	7-2
	Section 7-10	Nonconforming Signs	7-2
	Section 7-11	Signs Permitted in All Districts	
	C	Without a Permit	7-3
	Section 7-12	Signs Requiring a Zoning Permit	7-4
8	Parking and Loading		8-1
	Section 8-1	Parking	8-1
	Section 8-2	Handicap Parking	8-3
	Section 8-3	Loading and Unloading	8-4
9	Buffers and Screens		9-1
	Section 9-1	Purmose and Intent	0 -
	Section 9-2	Purpose and Intent	9-1
	Section 9-3	Determination of Buffers and Screens	
	Section 9-4	Additional Requirements	9-1
	Section 9-5	Buffer Location	9-3
	Section 9-6	Size of Plant Materials	9-4
	Section 9-7	Spacing of Plant Materials	
	Section 9-8	Maintenance	9-4
	Section 9-9	Multiple Use of Buffers	9-5
	Section 9-10	Variance to Buffer and Screen	9-5
		Requirements	9-5
10	Nonconforming	Tiggs and Duiti	0-1
	Section 10-1	General	10.1
	Section 10-2	Nonconforming Vacant Lots	LU-I
		vacant note	IO-T

Articles

Articles			Pages
	Section 10-3	N	
	✓Section 10-3	Nonconforming Occupied Lots	10-1
	Section 10-4 Section 10-5	Nonconforming Open uses of Land	10-2
	Section 10-5 Section 10-6	Nonconforming Uses of Structures	10-2
	Section 10-9	Reconstruction of Damaged Buildings	
		or Structures	10-3
11	Permits		11-1
	Section 11-1	Permits required	11-1
	Section 11-2	General Requirements	11-1
	Section 11-3	Zoning Permit and Certificate	11-1
		of Occupancy	11-1
	Section 11-4	Conditional Use Permit	11-1
	Section 11-5	Board Action on Conditional	11-2
		Use Permits	11-4
			11-4
12	Appeals, Var	iances, and Interpretations	12-1
	Section 12-1	Appeals	19 1
	Section 12-2	Variances	19 1
	Section 12-3	Interpretations	19_9
	Section 12-4	Burden of Proof in Appeals and	, 14-4
		Variances	19_2
	Section 12-5	Board Action on Appeals and	12-0
		Variances	12-3
13	Hearing Proc	edures for Appeals and Applications	13-1
		11 The same Lippitonions	10-1
	Section 13-1	Hearing Required on Appeals and	
	_	Applications	13-1
	Section 13-2	Notice of Hearing on Appeals and	
	~	Applications	13-1
	Section 13-3	Evidence	13-1
	Section 13-4	Modification of Application at Hearing	13-2
	Section 13-5	Record	13-2
	Section 13-6	Written Decision	13-2
14	Enforcement	and Review	14-1
	Section 14-1	Complaints Regarding Violators	1/1
	Section 14-2	Liability	1/1 1
	Section 14-3	Procedures Upon Discovery of	14-1
		Violation	1/_1
			T.T. T

Articles		Pages Pages
		1450
	Section 14-4	Penalties and Remedies for Violation of the Ordinance 14-1
	Section 14-5	Permit Revocation
	Section 14-6	Judicial Review
15	Amendments	15-1
	Section 15-1	Amendments in General 15-1
	Section 15-2	Initiation of Amendments 15-1
	Section 15-3	Town Board Action on Amendments 15-2
	Section 15-4	Ultimate Issue Before Town Board on
	Q 12 2	Amendments 15-2
	Section 15-5	Protest to Zoning District Changes 15-2
	Section 15-6	Denial of Petition 15-3
16	Definitions	16-1
	Section 16-1	General Terms 16-1
	Section 16-2	Definitions
A-1	Appendix	Site Plan A-1
	A-1	Site Plan Required A-1
	A-2	Review Process A-1
	A-3	Graphic Materials Required for Plans A-1
	A-4	Existing Conditions on the Site A-1
	A-5	Proposed Changes in Existing
	A C	Features or New Features A-2
	A-6	Documents and Written Information
		in Addition to Plans

Articles	Pages
	rages