



Town of Oak Island

Brunswick County, NC

The Town of Oak Island will preserve, protect, and enhance the quality of the natural and cultural environment of the community. In order to achieve this goal, the Town will improve the quality of its waterways, natural environment, beaches, dunes, water access and residential areas. The Town will maintain a unique scale and character that fosters a sense of community to make the Town a desirable place to live, work and call home, and a family vacation destination. The Town will also develop efficient sidewalks, bikeways, and roadway systems to protect its attractiveness in the future. The Town will also expand its recreational opportunities for residents of all ages and abilities. The Town will balance social and commercial needs and objectives for economic vitality.

Planning Board Meeting Agenda May 16, 2019 • 10:30 AM Town Hall • Council Chambers

I. START-UP

1. **Call to Order:**
2. **Additions or corrections to the agenda**
3. **Approval of the Minutes:** (4-18-2019)
4. **Public Comment:** Please state your name and address for the record.

II. OLD BUSINESS

1. **Fences – Text Amendment**

III. NEW BUSINESS

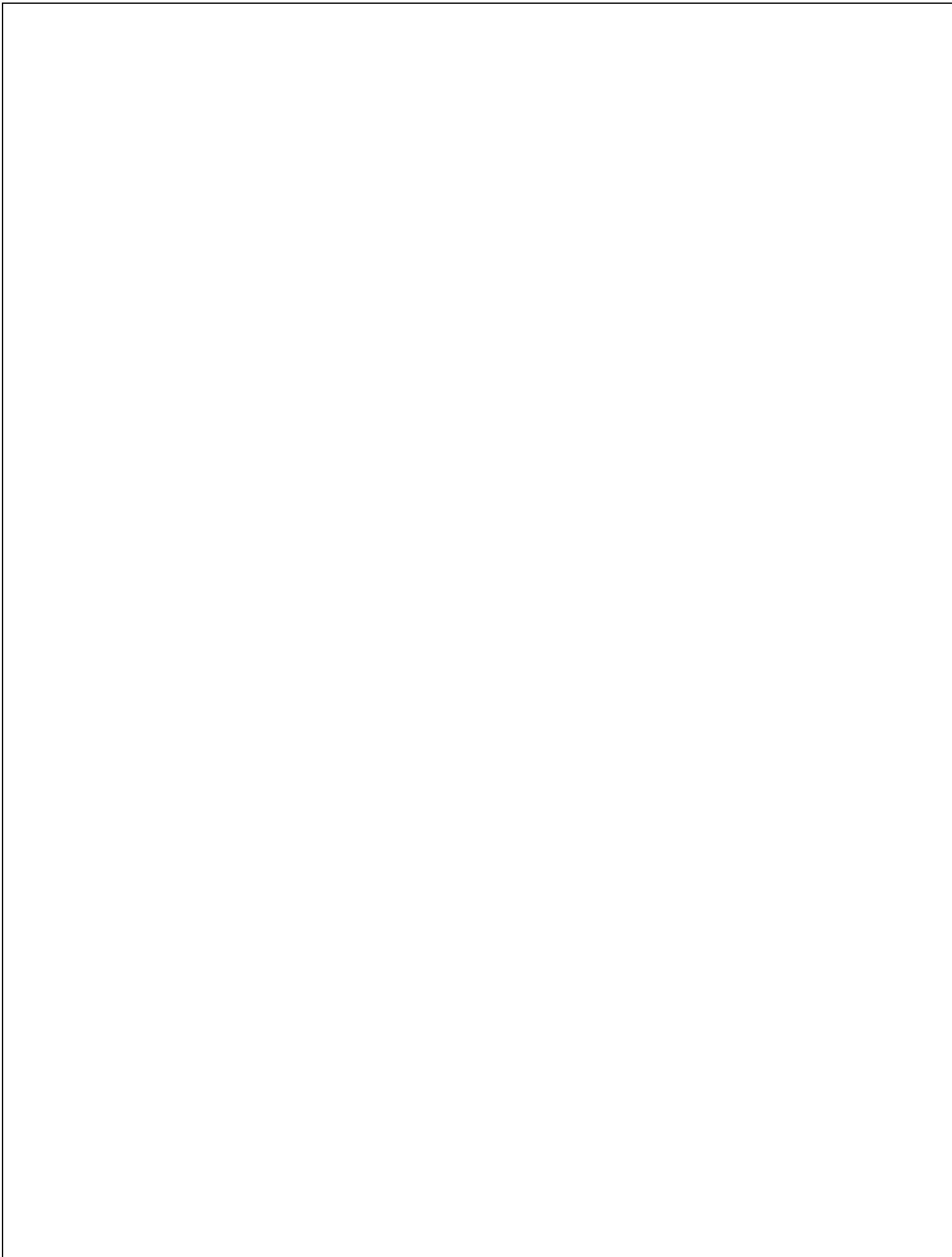
1. **BUA – Text Amendment**

1. REPORTS/UPDATES

1. **Board Member Reports**
2. **Staff Reports** – (time review, signage, house bills)

2. OTHER

Future Meetings: 6-11-19
Adjournment



**TOWN OF OAK ISLAND
PLANNING BOARD
AGENDA ITEM MEMO**

Agenda Item: Old Business No. 1

Date: 5/6/2019



Issue: Fences – Text Amendment

Department: Planning & Zoning Administrator

Presented by: Jake Vares

Presentation: None

Estimated Time for Discussion: 35 Minutes

Subject Summary:

Staff was given a directive at the most recent Town Hall style meeting to bring forth a text amendment regarding fences on the ocean front. The request from the public was due to a denied variance request. Attached is a general site map showing the area that would be effected and an illustrative map showing what implementation would look like.

It appears the fence ordinance was written to allow the public to have an unobstructed view of the beach but did not take into account uniquely large ocean-front lots between SE 58th and SE 74th Street. Section 7.8.8. states “On oceanfront lots, fences shall be a maximum of four feet in height. Fences shall be designed in a manner so that views of the ocean are preserved.” Permitting such fences as described in the text amendment would not restrict the ocean view of the general public. The ordinance is drafted to require these properties to not begin a 6 foot fence until they are a minimum of 250 feet from their first line of natural and stable vegetation. Meaning a CAMA officer would have to flag this anytime a fence permit that close to the ocean was applied for.

The ocean-side is the front yard for the properties in these areas. The fencing text amendment removes the rear property line wording from the previous draft and replaces it with the first line of natural and stable vegetation. Lots that parallel Beach or Ocean Drive would not have the proposed fencing amendment apply to them. The ordinance also specifies that a fence in this area cannot be greater than 4 feet within 25 feet from the property line contiguous with the road right-of-way. It also dictates that fence heights cannot exceed 4 feet beyond the front corner edge of the principal structure closest to the road right-of-way. So if a house is closer than 25 feet to the side property line along the road the fence would have to drop to 4 feet until it is beyond the house and a minimum of 25 feet from that property line. The draft ordinance revision is intended to resolve the concerns discussed at the previous Planning Board meeting. Please adopt the plan consistency statement in your motion.

Attachments: Proposed Ordinance Amendment, General Site Map, Fence Illustration Map

Recommendation/Action Needed: Approve

Suggested Motion: I make a motion to approve or deny the proposed text amendment and to adopt the associated plan consistency statement.

Planning Board Recommendation: TBD

Funds Needed: \$0.00

Follow Up Action Needed: Forward recommendation to Town Council

Attachments

SECTION 7.8 FENCES.

7.8.1. Except as provided in subsection 7.11 (Swimming Pools) of this section, any fence built on residential property shall be a maximum of six feet high at the highest corner of the property, except oceanfront lots.

7.8.2. Fences not exceeding six feet may be erected only in side or rear yards and may not be extended toward the street beyond the front corner of the principal building.

7.8.3. No fence exceeding a height of four feet will be constructed within 25 feet of the street right-of-way from the front property line, excluding alleys.

7.8.4. If the side yard of a lot adjoins the rear property line of a separate lot that is perpendicular to the lot, then a six foot fence is allowed along the entire side yard up to the property line, except as prohibited by Section 7.8.3.

7.8.5. Fences not exceeding four feet may be constructed to the street right-of-way except corner lot situations when the corner visibility provisions in as indicated by subsection 7.8.6 below may be impose stricter limits.

7.8.6. On a corner lot in all districts, nothing shall be erected, planted, or allowed to grow in such a manner as to impede vision in accordance with Section 2.17.

7.8.7. In commercial districts, except oceanfront lots, opaque fences shall be a maximum of six feet or ten feet for metal chainlink fence with or without screening.

7.8.8. On oceanfront lots **that front Beach and Ocean Drive**, fences shall be a maximum of four feet in height. Fences shall be designed in a manner so that views of the ocean are preserved.

7.8.9. Fences shall be constructed so that the finished (sheathed) side is oriented toward adjoining lots or the public right-of-way.

7.8.10. Fences on ocean-front lots between SE 58th Street and SE 74th Street that do not front Beach Drive or Ocean Drive may have a 6 foot high fence 250 feet from **the first line of natural and stable vegetation and the fence may not be greater than 4 feet in height within 25 feet from the property line contiguous with the road right-of-way and beyond the front corner edge of the principal structure closest to the road right-of-way.**

SECTION 6.5 TABLE OF USES AND ACTIVITIES.

P - Permitted Use

PS - Permitted Use with Supplemental Regulations
Not Permitted

Blank -

S - Special Use

SS - Special Use with Supplemental Regulations

Uses	Primary Zoning Districts																Overlay District	Supplemental Regulations
	R-20	R-9	R-7	R-6	R-6MF	R-6MH	O&I	R-MU	C-MU	CB	CR	C-LD	OS	AD	ID	PUD	PCO	
ACCESSORY USES/BUILDINGS																		
Accessory buildings/structures	PS	PS	PS	PS	PS	PS	PS	SS	SS	PS	PS	PS			PS			Section 7.2
Office uses as an accessory use to an industrial type activity, and located on the same lot															P			
Retaining walls and fences	PS	PS	PS	PS	PS	PS	PS	SS	SS	PS	PS	PS	SS	PS	PS		PS	Section 7.8
Satellite dish antennas	PS	PS	PS	PS	PS	PS	PS	SS	SS	PS	PS	PS		SS				Section 7.9



Map is to be used to only show the general vicinity. Address numbers cannot be 100% guaranteed for accuracy. Map is to be used for general informational purposes only. Data used to generate this map was gathered from disparate sources.



Town of Oak Island, North Carolina



Map created by:
Jake Vares
Town of Oak Island
Development Services Department
4/11/2019



<p>Map is to be used to only show the general vicinity address numbers cannot be 100% guaranteed for accuracy Map is to be used for general informational purposes only. Data used to generate this map was gathered from disparate sources.</p>	<ul style="list-style-type: none"> — 4 - - - 6 Parcels Town Boundary Water_Features 	<p>Town of Oak Island, North Carolina</p>		<p>Map created by: Jana Vares Town of Oak Island Development Services Department 5/6/2019</p>
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**TOWN OF OAK ISLAND
PLANNING BOARD
AGENDA ITEM MEMO**

Agenda Item: New Business No. 1

Date: May 6, 2019



Issue: Impervious Surface/BUA – Text Amendment

Department: Development Services

Presented by: Steve Edwards

Presentation: None

Estimated Time for Discussion: 40 Minutes

Subject Summary:

The proposed text amendment is about setting a maximum allowable impervious surface percentage for single and two-family residential developments only. Built-upon area, also called impervious area, is a source of pollution that is controlled by these regulations. Pollutants, such as oil and chemicals, deposited on these surfaces wash straight to creeks and lakes in runoff during rain events causing negative water quality impacts. The goal with this text amendment is to mitigate runoff issues by restricting the amount of impervious surface that can be installed on a lot and to preserve open space. The built-up-area portion of this text amendment, if adopted, would only apply to single and two-family residential development, not commercial or other land use types. More restrictive stormwater regulation already set in place for commercial development. At the moment, there are no regulations in regards to allowable impervious surface area. Some were proposed in the past but were never approved. Currently, an application submitted by a developer cannot be denied due to excessive impervious surface. This text amendment would change the stormwater section of the Zoning Ordinance if adopted. Staff would have to show this alteration to the state Department of Environmental Quality for input first before approval.

Often an impervious surface area is calculated by totaling the square footage of the building envelope. Overhangs, 3 feet or less, are not considered part of the impervious surface area. Structures that are on stilts are not excluded from the allowable impervious surface area requirement, the square footage of the building is used to determine the percentage of impervious surface. Built-upon area is defined as both impervious and partially impervious cover including buildings, pavement, gravel, but does not include wooden slatted decks and the water area of a swimming pool. The states (NC), and therefore the towns, definition of "Built-upon area" does not include a slatted deck; the water portion of a pool, a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; or a trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour)."



Tire runners
driveway example

Gravel is considered an impervious surface. Even a dirt driveways by state stormwater standards is considered impervious surface if it is used to be driven upon. There are a few exemptions of certain material that would be considered pervious surface by the state. Tire runners, for example, filled with grass in the center would apply and it helps reduce the impervious surface total percentage.

The impact of this BUA ordinance on stormwater is nothing as far as water quality is concerned, as builders will still be required to meet the existing requirement of retaining the first inch and a half of rainfall on site. The impact will be entirely on water quantity, the volume of water leaving the site and going into the Town systems. The adjacent tables shows tow sets of the most recent past residential site plans that were tabulated to

Table 2

# of Homes	% Impervious
5	10 – 14.9%
9	15 – 19.9 %
19	20 - 24.9%
28	25 - 29.9%
34	30 - 34.9%
48	35 - 39.9%
44	40 - 44.9 %
13	45 - 49.9%

give an idea of where things currently stood regarding this topic. Here is what was found.

Table 1

# of Homes	% Impervious
4	10 – 14.9%
3	15 – 19.9 %
7	20 - 24.9%
14	25 - 29.9%
20	30 - 34.9%
23	35 - 39.9%
23	40 - 44.9 %
6	45 - 49.9%

In table 1 the lowest % impervious surface amount is 13.9%, the highest % impervious surface amount is 48.8%, and the average impervious surface amount is 34.4%. For table 2 the lowest impervious surface coverage is still 13.9%, the highest percentage is 49.6% and the average is 33.7%. In addition staff keeps records of the impervious surface figures with it's

development and building permit application paperwork. Staff ran an analysis on those records and found that in 2016 that 16 out of the total number of developments had greater than 45% impervious surface in 2016 resulting in 8.1% of the total over that benchmark. 26 out of total number of developments were greater than 45%. That is a total of 7.9% of developments in 2017. 27 out of total number of developments in 2018 were greater than 45%. That is 9.6% for that year. In 2019, 2 out of 21 development permits are greater than 45%, which is 9.5% of total cases for 2019. The below table shows the maximum amount of impervious surface one may have given their lot size if the impervious built-upon-area was capped at the various percentages.

Lot Size (s.f.)	45%	35%	30%
20,000	9,000 s.f.	7,000 s.f.	6,000 s.f.
11,000	4,950 s.f.	3,849 s.f.	3,300 s.f.
10,000	4,500 s.f.	3,500 s.f.	3,000 s.f.
9,000	4,050 s.f.	3,150 s.f.	2,700 s.f.
7,500	3,375 s.f.	2,625 s.f.	2,250 s.f.
6,600	2,970 s.f.	2,310 s.f.	1,980 s.f.
5,000	2,250 s.f.	1,750 s.f.	1,500 s.f.

The impervious surface text amendment would apply to residential development only. Property owners are responsible for maintaining compliance with built-upon area restrictions on their lot whether the building activity requires a building permit or not. Sometimes, property owners add built-upon area that does not require a building permit (such as a fire pit, walkway, etc.) and

unknowingly violate their built-upon area restriction. Following the addition of any new impervious area that requires a building permit, a new survey is required to demonstrate compliance with built-upon area restrictions prior to releasing a Certificate of Compliance. If this survey reveals the built-upon area limit has been exceeded, the property owner is responsible for removing the area or obtaining a variance from the jurisdiction to allow it to remain.

The engineers have design standards that have to be met, which follows the best manual practice, that would be included in their design criteria that covers things such as water table, soils, run-off, absorption rates and lot area. Adopting this text amendment will help issues with stormwater runoff and nonpoint and point source pollution associated with new development and redevelopment. Innovative design work options exist that can be utilized in order to reduce the impervious surface amount. Please remember to adopt the associated plan consistency statement with your motion.

Attachments: Proposed text amendment

Recommendation/Action Needed:

Suggested Motion: I make a motion to approve or deny the proposed text amendment and to adopt the associated plan consistency statement.

Funds Needed: \$0.00

Follow-Up Action Needed: Forward recommendation to Town Council

Attachment

UDO Appendix A - Definitions

SECTION A.3 DEFINITIONS.

Built upon area (BUA)

Impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. Built upon area does not include a slatted deck; the water area of a swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; or a trail as defined in GS 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).

PART IX. STORMWATER MANAGEMENT

SECTION 10.104 GENERAL PROVISIONS.

The owner and/or applicant developer shall comply with all applicable requirements and thresholds established by the NC Department of Environmental Quality (Division of Water Resources and Division of Energy, Mineral, and Land Resources), and the US Army Corps of Engineers, and as adopted by the Town in Code of Ordinances, Chapter 18, Article V - The Phase II Stormwater Ordinance, and Article VI - Illicit Stormwater Discharge Ordinance for the Town of Oak Island, North Carolina. All applications for approved stormwater

control plans must be submitted to the UDO Administrator who will forward them to the Stormwater Administrator.

Sec. 18-655. - Applicability and jurisdiction.

- (a) *General.* Beginning with and subsequent to its effective date, this article shall be applicable to all development and redevelopment, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (b), exemptions.
- (b) *Exemptions.* Development and redevelopment of single-family or duplex residences that will add 10,000 square feet or less of built upon area are exempt from the provisions of this article except all such development must provide appropriate control systems that are any combination of infiltration systems, bioretention systems, constructed stormwater wetlands, sand filters, cisterns, rain gardens, or alternative low impact development stormwater management systems designed in accordance with 15A NCAC 02H.1008 and any locally required design criteria to control and treat the runoff from all surfaces generated by one and one-half inches of rainfall or less from all impervious surfaces on site. An application must be submitted to ~~community~~ development services for such development or redevelopment which describes in detail how stormwater runoff will be controlled and managed, the design of the stormwater facilities and practices, and how the proposed project will meet the requirements of this article. A qualified state-registered professional engineer or surveyor must design projects with impervious surfaces exceeding 30 percent of the lot area. The stormwater administrator shall establish requirements for the content and form of all applications and shall amend and update those requirements from time to time. If the stormwater administrator finds that the application complies with the standards of this article, the stormwater administrator shall approve the application. The stormwater administrator may impose conditions of approval as needed to ensure compliance with this article. The conditions shall be included as part of the approval. For developments requesting fill over one foot, engineered stormwater retention measures, such as retention ponds or an underground infiltration system, and a soil stabilization plan is required.

Development and redevelopment of single-family or duplex residences that will add less than 10,000 square feet of built upon area are not exempt if such activities are part of a larger common plan of development or sale, even though multiple, separate or distinct activities take place at different times on different schedules.

Activities that are exempt from permit requirements of section 404 of the federal Clean Water Act as specified in 40 CFR 232 (primarily, ongoing farming and forestry activities) are exempt from the provisions of this article.

- (c) *No development or redevelopment until compliance and permit.* No development or redevelopment shall occur except in compliance with the provisions of this article or unless exempted. No development shall occur except in compliance with the provisions, conditions, and limitations of this article.

- (d) *Map.* The provisions of this article shall apply within the areas designated on the map titled "Phase II Stormwater Map of the Town of Oak Island, North Carolina" ("the stormwater map"), which is adopted simultaneously herewith. The stormwater map and all explanatory matter contained thereon accompanies and is hereby made a part of this article.

The stormwater map shall be kept on file by the stormwater administrator and shall be updated to take into account changes in the land area covered by this article and the geographic location of all structural BMPs permitted under this article. In the event of a dispute, the applicability of this article

to a particular area of land or BMP shall be determined by reference to the state statutes, the state administrative code, and local zoning and jurisdictional boundary ordinances.

Sec. 18-669. - Standards for ~~limited~~ single and two-family residential development.

Residential development activities that meet any one of the following criteria.

- (1) Disturb less than one acre of land;
- (2) Area located within one-half mile of and draining to shellfishing waters;
- (3) Have a built upon area greater than 12 percent; and
- (4) Will add more than 10,000 square feet of built upon area must obtain a one-time nonrenewable stormwater management permit. Stormwater runoff generated by 1.5 inches of rainfall shall be managed using any one of the following:
 - a. Install cisterns to collect rooftop runoff and permeable pavement;
 - b. Install rain garden for rooftop runoff and permeable pavement, or
 - c. Install any other type of stormwater BMP (e.g., infiltration in sandy soils) to control and treat runoff.

Sec. 18-663. - Applications for approval.

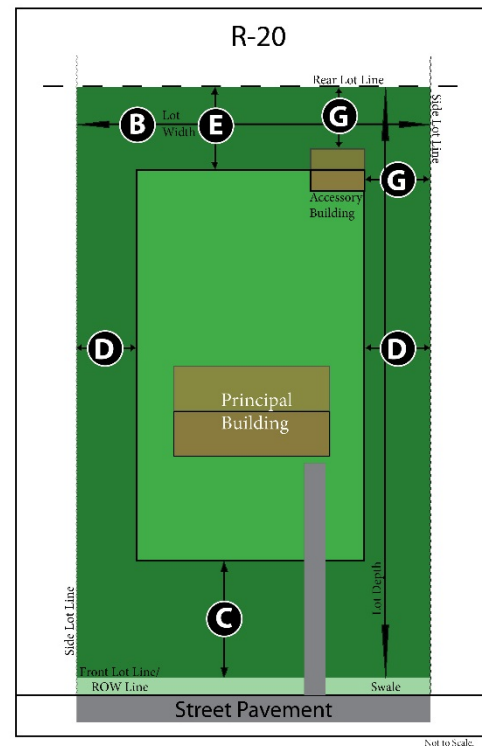
To accomplish this goal, the following information should be included in the concept plan, which should be submitted in advance of the meeting:

- (1) *Existing conditions/proposed site plans.* Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (if available); boundaries of existing predominant vegetation; proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.
 - (2) *Natural resources inventory.* A written or graphic inventory of natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, geologic features, topography, wetlands, and native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as natural heritage areas, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development and stormwater management.
 - (3) *Stormwater management system concept plan.* A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; low-impact design elements; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of any proposed stream channel modifications, such as bridge or culvert crossings. **The applicant must show on the site-plan the total impervious surface area the proposed development would create.**
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SECTION 8.1 R-20 LOW DENSITY RESIDENTIAL DISTRICT.

8.1.1. Dimensional Requirements.

(A) Lot Area Per Dwelling Unit	20,000 sq ft
(B) Lot Width	100 ft
(C) Front Yard Setback	30 ft
(D) Side Yard Setback	
■ Interior Lot	10 ft
■ Corner Lot	20 ft
(E) Rear Yard Setback	15 ft
(F) Building Height Limits	
■ Outside VE Zone	35 ft
■ Inside VE Zone	41 ft
(G) Accessory buildings	10 ft



8.1.2. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.1.3. Signs. Signs shall be permitted as provided in Article 10, Part IV.

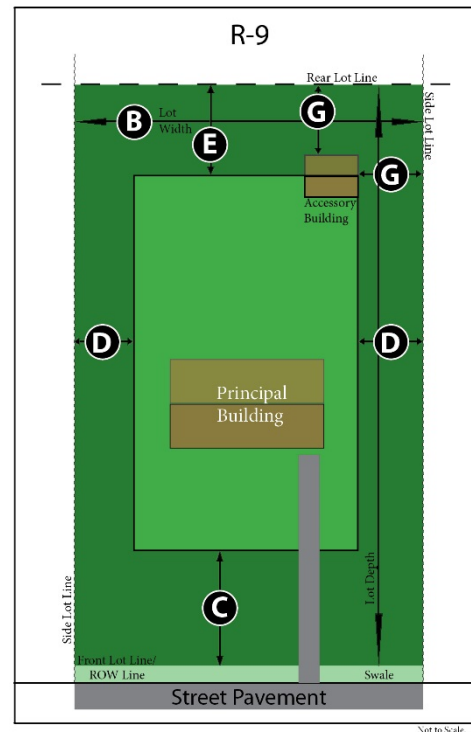
8.1.4. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.1.5. Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

SECTION 8.2 R-9 MEDIUM DENSITY RESIDENTIAL DISTRICT.

8.2.1. Dimensional Requirements

(A) Lot Area Per Dwelling Unit	9,000 sq ft
(B) Lot Width	75 ft
(C) Front Yard Setback	25 ft
(D) Side Yard Setback ■ Interior Lot ■ Corner Lot	8 ft 10 ft
(E) Rear Yard Setback	20 ft
(F) Building Height Limits ■ Outside VE Zone ■ Inside VE Zone	35 ft 41 ft
(G) Accessory buildings	8 ft



8.2.2. Front Yard Setback. The front yard setback for oceanfront properties in zoning districts R-9, R-7, R-6, and R-6MF shall be fifteen (15) feet from the road, but shall exclude oceanfront properties between SE 58th Street through SE 74th Street as well as flag lots and their adjoining corner lots. On lots adjacent to the ocean shoreline, the front yard setback may be reduced up to ten (10) feet to accommodate required dune line. The 2000 USACE-MHW line or the traditional rear yard setback; whichever is more restrictive, is considered the rear yard setback.

8.2.3. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.2.4. Signs. Signs shall be permitted as provided in Article 10, Part IV.

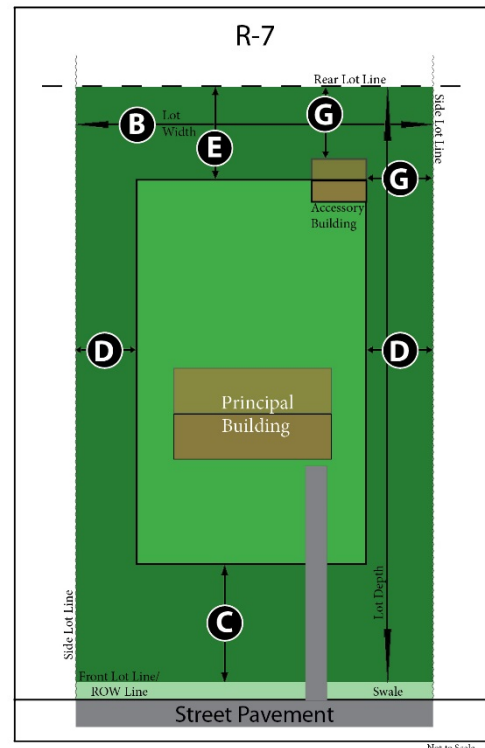
8.2.5. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.2.6 Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

SECTION 8.3 R-7 MEDIUM DENSITY RESIDENTIAL DISTRICT.

8.3.1. Dimensional Requirements

(A) Lot Area Per Dwelling Unit ■ One-Family ■ Two-Family	7,500 sq ft 10,000 sq ft
(B) Lot Width	
(C) Front Yard Setback	25 ft
(D) Side Yard Setback ■ Interior Lot ■ Corner Lot	8 ft 10 ft
(E) Rear Yard Setback	20 ft
(F) Building Height Limits ■ Outside VE Zone ■ Inside VE Zone	35 ft 41 ft
(G) Accessory buildings	8 ft



8.3.2. Front Yard Setback. The front yard setback for oceanfront properties in zoning districts R-9, R-7, R-6, and R-6MF shall be fifteen (15) feet from the road, but shall exclude oceanfront properties between SE 58th Street through SE 74th Street as well as flag lots and their adjoining corner lots. On lots adjacent to the ocean shoreline, the front yard setback may be reduced up to ten (10) feet to accommodate required dune line. The 2000 USACE-MHW line or the traditional rear yard setback; whichever is more restrictive, is considered the rear yard setback.

8.3.3. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.3.4. Signs. Signs shall be permitted as provided in Article 10, Part IV.

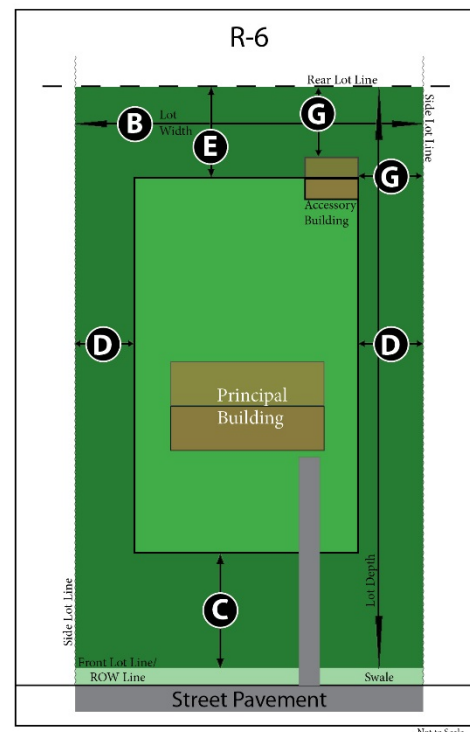
8.3.5. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.3.6 Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

SECTION 8.4 R-6 RESIDENTIAL DISTRICT.

8.4.1. Dimensional Requirements

(A) Lot Area Per Dwelling Unit	6,600 sq ft
(B) Lot Width	60 ft
(C) Front Yard Setback	25 ft
(D) Side Yard Setback ■ Interior Lot ■ Corner Lot	8 ft 10 ft
(E) Rear Yard Setback	20 ft
(F) Building Height Limits ■ Outside VE Zone ■ Inside VE Zone	35 ft 41 ft
(G) Accessory buildings	8 ft



8.4.2. Front Yard Setback. The front yard setback for oceanfront properties in zoning districts R-9, R-7, R-6, and R-6MF shall be fifteen (15) feet from the road, but shall exclude oceanfront properties between SE 58th Street through SE 74th Street as well as flag lots and their adjoining corner lots. On lots adjacent to the ocean shoreline, the front yard setback may be reduced up to ten (10) feet to accommodate required dune line. The 2000 USACE-MHW line or the traditional rear yard setback; whichever is more restrictive, is considered the rear yard setback.

8.4.3. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.4.4. Signs. Signs shall be permitted as provided in Article 10, Part IV.

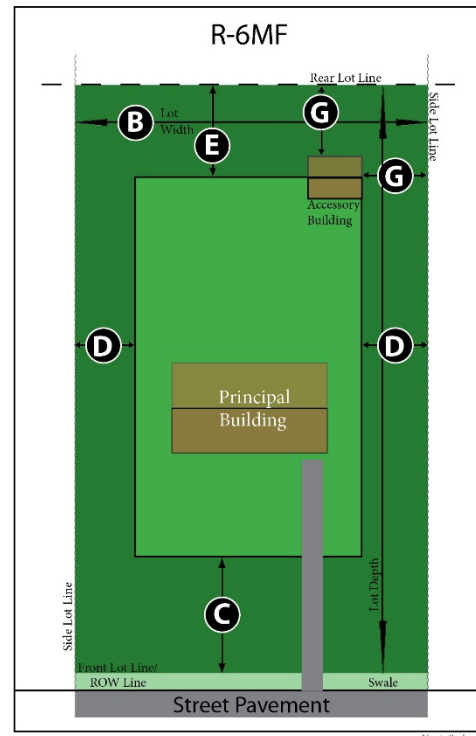
8.4.5. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.4.6. Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

SECTION 8.5 R-6MF HIGHER DENSITY RESIDENTIAL DISTRICT.

8.5.1. Dimensional Requirements

(A) Lot Area Per Dwelling Unit	
■ One-Family	6,600 sq ft
■ Two-Family	11,000 sq ft
■ Three-Family	15,000 sq ft
■ Triplex	15,000 sq ft
(B) Lot Width	
(C) Front Yard Setback	25 ft
(D) Side Yard Setback	
■ Interior Lot	8 ft
■ Corner Lot	10 ft
(E) Rear Yard Setback	20 ft
(F) Building Height Limits	
■ Outside VE Zone	35 ft
■ Inside VE Zone	41 ft
(G) Accessory buildings	8 ft



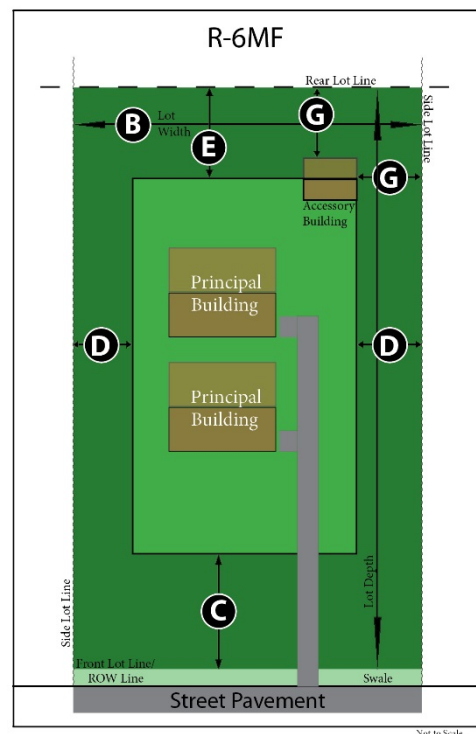
8.5.2. Front Yard Setback. The front yard setback for oceanfront properties in zoning districts R-9, R-7, R-6, and R-6MF shall be fifteen (15) feet from the road, but shall exclude oceanfront properties between SE 58th Street through SE 74th Street as well as flag lots and their adjoining corner lots. On lots adjacent to the ocean shoreline, the front yard setback may be reduced up to ten (10) feet to accommodate required dune line. The 2000 USACE-MHW line or the traditional rear yard setback; whichever is more restrictive, is considered the rear yard setback.

8.5.3. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.5.4. Signs. Signs shall be permitted as provided in Article 10, Part IV.

8.5.5. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.5.6. Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

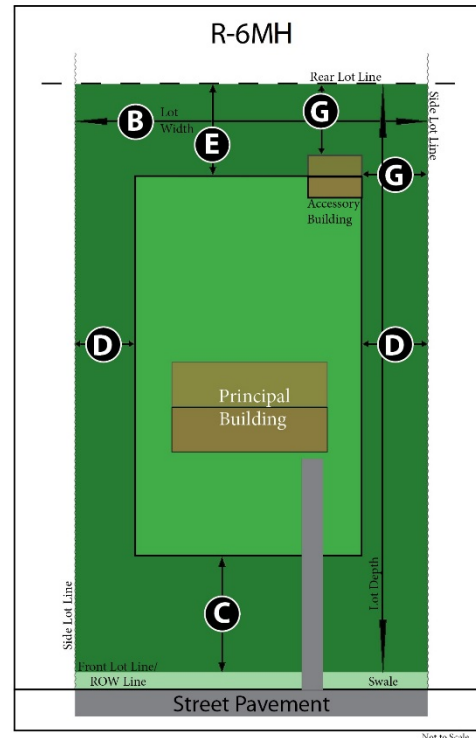


SECTION 8.6 R-6MH HIGHER DENSITY RESIDENTIAL DISTRICT.

8.6.1. Dimensional Requirements

(A) Lot Area Per Dwelling Unit	6,600 sq ft
(B) Lot Width	60 ft*
(C) Front Yard Setback	25 ft
(D) Side Yard Setback <ul style="list-style-type: none">■ Interior Lot■ Corner Lot	8 ft 10 ft
(E) Rear Yard Setback <ul style="list-style-type: none">■ Single-family dwelling■ Manufactured home	20 ft 10 ft
(F) Building Height Limits <ul style="list-style-type: none">■ Outside VE Zone■ Inside VE Zone	35 ft 41 ft
(G) Accessory buildings	8 ft

*Sixty (60) feet or as originally platted (see Section 2.10).



8.6.2. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.6.3. Signs. Signs shall be permitted as provided in Article 10, Part IV.

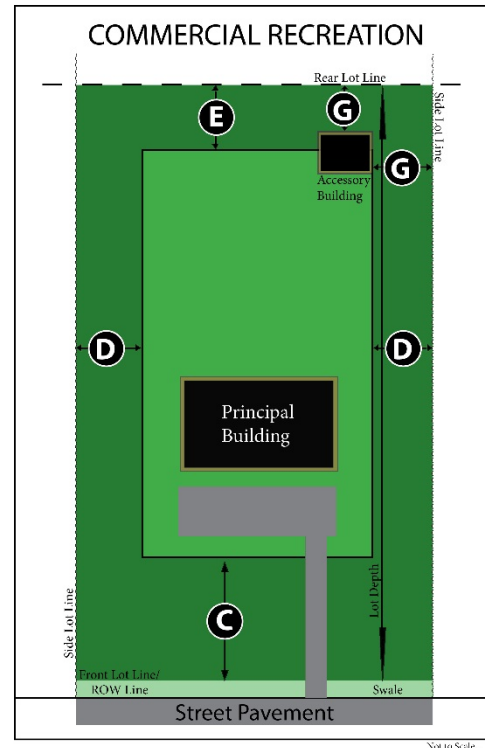
8.6.4. Parking. Off-street parking shall be provided as required in Article 10, Part III.

8.6.5. Built Upon Area. Single and two-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.

SECTION 8.9 CR COMMERCIAL RECREATION DISTRICT.

8.9.1. Dimensional Requirements

(A) Lot Area	None
(B) Lot Width	None
(C) Front Yard Setback	20 ft
(D) Side Yard Setback <ul style="list-style-type: none"> ■ Interior Lot ■ Corner Lot 	8 ft 10 ft
(E) Rear Yard Setback	10 ft
(F) Building Height Limits <ul style="list-style-type: none"> ■ Outside VE Zone ■ Inside VE Zone 	35 ft 41 ft
(G) Accessory Buildings	8 ft



8.9.2. Front Yard Setback. The front yard setback for oceanfront properties in the CR zoning district when used for a single-family residences shall be fifteen (15) feet from the road, but shall exclude oceanfront properties between SE 58th Street through SE 74th Street as well as flag lots and their adjoining corner lots. On lots adjacent to the ocean shoreline, the front yard setback may be reduced up to ten (10) feet to accommodate required dune line. The 2000 USACE-MHW line or the traditional rear yard setback; whichever is more restrictive, is considered the rear yard setback.

8.9.3. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.9.4. Signs. Signs shall be permitted as provided in Article 10, Part IV.

8.9.5. Parking and Loading. Off-street parking and loading shall be provided, as required by Article 10, Part III.

8.9.6. Buffers. Refer to Article 10, Part I.

8.9.7. Landscaping. For landscaping requirements, refer to Article 10, Part I.

8.9.8 Built Upon Area. Single-family residential developments may not exceed 45% impervious surface of total lot area. Impervious surface are to include items such as principal structures, accessory structures, driveways, and other site improvements that create additional impervious surface.