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## ARTICLE V Residential Waterfront District R-2

### § 148-42. Purpose.

The purpose of this district is to protect the water and shorelines of the County by providing for safe and orderly shoreline development. In this district, residential, recreational and conservancy uses are permitted and a limited number of commercial uses that would be compatible with the area.

### § 148-43. Use regulations. [Amended 4-9-1987; 4-14-1988; 6-14-1990; 8-9-1991; 8-13-1998]

A. In this district, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family dwellings.
- (2) (Reserved) Editor's Note: Former Subsection A(2), regarding two-family dwellings, was repealed 12-11-2003. See now Subsection B(20).
- (3) Preserves and conservation areas.
- ~~(4) Golf courses.~~
- (5) Swimming pools or tennis courts, private.
- (6) Farming and forestry without livestock.
- ~~(7) Barber and beauty shops.~~
- ~~(8) Restaurants.~~
- (9) Home occupations.
- ~~(10) Gift and specialty shops.~~
- ~~(11) Country general stores.~~
- ~~(12) Boat sales or rentals.~~
- ~~(13) Flower shops.~~
- (14) Home professional offices.
- (15) Roadside stands.
- (16) Accessory structures.
- ~~(17) Seafood processing.~~
- ~~(18) Grain elevators.~~
- ~~(19) Boat building.~~
- ~~(20) Private storage buildings.~~

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- (21) Individual travel trailers with a skirt.
- (22) Community piers.
- (23) Guest house.
- (24) Tent camping.
- (25) Public water and sewer systems.
- (26) Boathouses, meeting the criteria that they be open-sided, do not exceed 648 square feet, do not exceed 20 feet in height and the adjoining or nearby property owners do not object to the boathouse. [Added 9-10-1998]
- (27) Individual mobile/manufactured homes, with a skirt. [Added 3-13-2003]
- (28) Storage of an unoccupied mobile home. Editor's Note: See § 148-124D for storage requirements. [Added 3-13-2003]
  
- (29) Private storage building 300 square feet or less in size.
- (30) Wireless storage building 300 square feet or less in size.
- (31) Cluster home developments.
- (32) Private noncommercial pier.
- (33) Temporary construction offices.
- (34) Nonaccessory tents. (Maximum 2 day event)
- (35) Churches and places of worship, with or without cemeteries.
- (36) Parks and playgrounds.
- (37) Home child care centers.

B. The following uses are permitted upon the issuance of a conditional use permit as provided in § 148-137:

- (1) Multiple family dwellings.
- (2) Condominiums.
- ~~(3) Cluster home developments.~~
- (4) Rest homes.
- (5) Tourist homes.
- (6) Two private, noncommercial piers on the same parcel.
- (7) Swimming or tennis clubs, commercial.
- (8) Farming, with livestock.
- (9) Commercial nurseries and greenhouses.

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- (9) Commercial nurseries and greenhouses.
- ~~(10) Animal hospitals or veterinary clinics without runways or outside pens.~~
- ~~(11) Clinics.~~
- (12) Child-care centers.
- ~~(13) Service and repair shops.~~
- (14) Portable sawmills.
- ~~(15) Food processing and canning.~~
- ~~(16) Sand and gravel pits.~~
- (17) Commercial piers and docks.
- (18) Guardhouse/security building.
- (19) Two-family dwellings. [Added 12-11-2003]
- (20) Private storage building greater than 300 square feet in size.
- (21) Wireless Internet Poles greater than 100 feet in height.
- (22) Barber and beauty shops.
- (23) Golf courses.
- (24) Rooming and boarding houses.
- (25) Seafood Processing

§ 148-44. Area regulations.

The minimum acreage of any newly created lot will be based upon a sliding scale. (See the following table)

<u>Size of Tract (acres)</u>	<u>Minimum Lot Size</u>	<u>Total DU</u>
<u>2-20</u>	<u>2 acres</u>	<u>1-10</u>
<u>20-50</u>	<u>2.6 acres</u>	<u>7.5-18.75</u>
<u>50-100</u>	<u>4 acres</u>	<u>25-50</u>
<u>100-</u>	<u>8 acres</u>	<u>12.5</u>

Exempt also from this area regulation are Family Divisions as defined in Article I, Section 128-4 B(3) of the Northumberland County Subdivision Ordinance. The minimum area for permitted uses in Family Divisions shall be one (1) acre.

Public water and sewer systems shall be exempt from area regulations.

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OR

For lots containing or intended to contain permitted uses, the minimum lot area shall be ~~3/4 of an acre~~ 2 acres. Public water and sewer systems shall be exempt from area regulations. - Exempt also from this area regulation are Family Divisions as defined in Article I, Section 128-4 B(3) of the Northumberland County Subdivision Ordinance. The minimum area for permitted uses in Family Divisions shall be one (1) acre.

§ 148-45. Setback.

Structures shall be located ~~35~~ 50 feet or more from any street right-of-way which is 50 feet or greater in width or ~~60~~ 75 feet or more from the center line of any street right-of-way less than 50 feet in width. This shall be known as the "setback line."

§ 148-46. Frontage.

The minimum frontage for permitted uses shall be ~~125~~ 150 feet at the setback line. The minimum frontage for permitted uses in Family Divisions is 150 feet at the setback line.

§ 148-47. Yards.

- A. Side. The minimum side yard for the main structure and/or guest house shall be ~~10~~ 20 feet, and the total width of the two required side yards shall be at least ~~20~~ 40 feet. The minimum side yard for each accessory structure shall be ~~four~~ 10 feet. The minimum side yard for the main structure and/or guest house in Family Divisions shall be 15 feet, and the total width of the two required side yards shall be at least 30 feet. The minimum side yard for each accessory structure in Family Divisions shall be 4 feet.
- B. Rear. The minimum rear yard for the main structure and/or guest house shall be ~~25~~ 40 feet. The minimum rear yard for each accessory structure shall be ~~eight~~ 20 feet. The minimum rear yard for the main structure and/or guest house in Family Divisions shall be 30 feet. The minimum rear yard for each accessory structure in Family Divisions shall be 8 feet.

§ 148-48. Height regulations.

For farms, buildings may be erected up to a height of 35 feet. For buildings over 35 feet, an approval shall be obtained from the Zoning Administrator. Chimneys, flues, cooling towers, flagpoles, radio or communication towers or their accessory facilities not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four feet above the limited height from grade, except that:

- A. The height limit for buildings may be increased 10 feet provided that there are two

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side yards for each permitted use, each of which is 10 feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet. [Amended 4-8-2004]

- B. A public or semipublic building, such as a school, church, library or hospital, may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
- C. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.
- D. No accessory building which is within 10 feet of any party lot line shall be more than one story high.

§ 148-49. Special provisions for corner lots.

- A. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings.
- B. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of 100 feet or more.

§ 148-50. Septic regulations. [Amended 11-9-1989; 9-12-1991]

- A. All lots recorded after October 1, 1989, where public sewerage is not provided shall have a reserve drainfield site as well as a primary drainfield site that has been approved by the Health Department.
- B. All lots recorded prior to October 1, 1989, which do not have a Health Department permit issued prior to October 1, 1989, and where public sewerage is not provided shall have a reserve drainfield site as well as a primary drainfield site that has been approved by the Health Department. If the Health Department cannot locate both drainfield sites, then only a primary site will be required.

## § 148- . Additional regulations for clustering.

- A. Clustering allowed as a permitted use in the Residential Waterfront District shall have a density equal to the Area Regulation set forth in § 148-44.
- B. Cluster developments shall have a net open space of at least 50% and shall contain no more than 35% impervious surface.
- C. Each building shall contain no more than 8 dwelling units.
- D. Low Impact Development (LID) practices shall be incorporated into the site design to

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maintain the pre-development hydrology.

E. A Major Water Quality Impact Assessment shall be submitted to the Zoning Administrator.

§ 148-51. Signs.

Sign regulations shall conform to Article XII of this chapter.

§ 148-52. Minimum off-street parking.

Minimum off-street parking shall conform to § 148-114.

§ 148-53. Exemption from rear yard regulations.

The following businesses, which would suffer a hardship from adhering to the rear yard area regulations, shall be exempt from this restriction upon approval of the Health Department:

- A. Marina/boatyards, commercial.
- B. Marinas, private noncommercial or club-type.
- C. Seafood processing.
- D. Piers, commercial.
- ~~E. Grain elevators.~~
- F. Private noncommercial piers. [Added 8-13-1998]