

UDO Amendments Log
(updated August 22, 2023)

UDO #2009-1

Approved November 16, 2009

- 1) Amend Section 2.2.1.B (Permitted Use Table) to:
 - a) change “auctions, livestock or outdoor” from a conditional use in the C-B district to not permitted.
 - b) change “flea market” from a permitted use in the I-G district to a conditional use
 - c) change “gas station with retail convenience” from a permitted use in the I-G district to ~~not permitted~~ a conditional use.
 - d) change “indoor recreation” from not permitted in the I-G district to a conditional use
 - e) change “restaurant, fast food” and “restaurant, general” from a permitted use in the I-L district to a conditional use.
 - f) change “vehicle sales” from a permitted use in the I-L and I-G districts to a conditional use.
 - g) change “veterinarian, animal hospital” from a permitted use in the I-L district to a conditional use.
- 2) Amend Section 2.4.8.B (Nonresidential Dimensional Standards in Nonresidential Districts) to:
 - a) change the maximum road yard setback in the B-N district from 30 feet to 90 feet.
 - b) change the maximum road yard setback in the C-B, I-L and I-G districts from 150 feet to no maximum.
 - c) state that public water and sewer services are required to be used for all nonresidential projects where services are available.
- 3) Amend Section 3.4.6.3 (District Boundary Buffers) to change the required buffer along the boundary of an I-L and I-G district adjacent to a B-N district and along the boundary of an I-G district adjacent to a B-G and C-B district from a Class C buffer to a Class B buffer.
- 4) Amend Section 9.6.10.A (Family Subdivision Review) to delete a requirement that the owner and grantee certify that no consideration shall be paid for any of the lots.

*The Planning Board voted 6-0 to recommend approval with revision to 1c as shown.
The Board of Commissioners BOC voted 4-0 on Nov. 16, 2009, to approve the proposal with revision.*

UDO #2010-1

Approved August 8, 2010

- 1) Amend Section 2.1.3.D.2 to state that a conditional zoning district may specify that only one or some of the uses allowed (either on a permitted or a conditional basis) in the corresponding general zoning district are allowed in the conditional zoning district, and

delete Section 2.1.3.D.3 to eliminate references to a conditional use permit and conditional use district.

- 2) Amend Section 2.2.1 to list “public safety facility” as a permitted use in all districts and amend Section 12.3.2 to include a definition for public safety facility.
- 3) Amend Section 3.4.10.B.1 to stipulate that no parking space shall be located more than 50 feet from a planting island located in the same row of spaces.
- 4) Amend Section 3.6.3.B.1 to state that the number of required off-road parking spaces designed for use by handicapped persons as prescribed by the North Carolina State Building Code shall be computed separately from the off-road parking requirements as otherwise contained in this section, and amend Section 3.6.3.C.1 to delete a dimensional requirement for handicapped spaces.
- 5) Amend Section 3.6.3.B.1 to change the minimum parking ratio for a place of worship, funeral home and crematorium to 1 space per 3 seats in the largest assembly room.
- 6) Amend Sections 3.10.3.B.2 and 3.10.3.C.2 to delete a stipulation that Limited Outdoor Storage and General Outdoor Storage may only be permitted following Board of Commissioners review of a major site plan.
- 7) Amend Section 12.3.2 to include a definition for “junked motor vehicle.”

The Planning Board voted 7-0 to recommend approval.

The Board of Commissioners voted 5-0 on Aug. 16, 2010, to approve the proposal.

UDO #2010-2

Approved November 15, 2010

Amend Section 4.4.8 to revise the standards for gas stations/convenience stores and accessory automatic car washes ~~and to amend Section 3.2.6 to allow service bay doors of accessory automatic car washes to face the road without being screened.~~

- ~~1) Amend Section 3.2.6 to state that a service bay door of an accessory automatic car wash may be oriented toward the road provided the automatic car wash meets the provisions of Section 4.4.8.~~
- ~~2) Amend Section 4.4.8.A.2 to change the minimum setback for all structures at gas stations/convenience stores to 100 feet from any residential district or use located on another lot.~~
- ~~3) Amend Section 4.4.8.C to allow an accessory automatic car wash to have more than one bay.~~
- ~~4) Amend Section 4.4.8.C.2 to change the maximum building dimensions of a one-bay automatic car wash to 30 x 65 feet ~~and to establish the maximum dimensions of a two-bay automatic car wash at 45 x 65 feet.~~~~
- ~~5) Amend Section 4.4.8.C.3 to state that the car wash structure shall not extend in front of the front building line of the principal building.~~

The Planning Board voted 9-0 to recommend disapproval, with the exception of recommending in favor of amending Section 4.4.8.C.2 to change the maximum building dimensions of a one-bay automatic car wash to 30 x 65 feet.

The Board of Commissioners voted 4-1 on Nov. 15, 2010, to disapprove the proposal, with the exception of approving an amendment to Section 4.4.8.C.2 to increase the maximum building dimensions of a one-bay automatic car wash to 30 x 65 feet.

UDO #2011-1

Approved January 24, 2011

Amend Section 2.2 of the Lincoln County Unified Development Ordinance to revise the use table, classifying industrial uses by the North American Industry Classification System (NAICS) and adding, changing, combining and deleting listings for the B-G (General Business), B-C (Corporate Business), I-L (Light Industrial) and I-G (General Industrial) zoning districts.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2011-2

Approved April 18, 2011

- 1) Amend Section 2.2.1, under Civic Uses, to change “recreation facilities, private” from a permitted use to a conditional use in the R-R, R-T and R-S districts and to add it as a conditional use in the B-N and B-G districts.
- 2) Amend Section 2.2.1, under Commercial Uses, to add “tattoo parlor/body-piercing establishment” as a conditional use in the B-G district. Amend Section 12.3.2 to add a definition for “tattoo parlor/body piercing establishment.”
- 3) Amend Section 2.4.8.B.1 to change the maximum height in the I-L and I-G districts to 60 feet.
- 4) Amend Section 2.6.10.D.7 to delete a one-foot setback requirement for planters, retaining walls, fences, hedges and other landscaping structures.
- 5) Amend Section 4.6.2.B to specify that this section applies in residential districts, to set a maximum height of eight feet for fencing and walls, to prohibit barbed wire and electrical fences except for livestock protection fences, and to specify that no zoning permit is required for fencing or walls complying with these regulations.
- 6) Amend Section 3.5.2 to refer to the Functional Classification Maps prepared by NCDOT and to stipulate that where a tract to be developed adjoins a principal arterial, minor arterial or major collector and another public road, the road with the lower traffic volume shall be utilized for primary access and access to the road with the higher traffic volume shall be limited to right-in, right-out movements only, unless additional access is approved by the Board of Commissioners as part of a major site plan review.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 5-0 on April 18, 2011, to approve the proposal.

UDO #2011-3

Approved June 6, 2011

Amend Section 2.5 of the Lincoln County Unified Development Ordinance to add standards for the proposed Eastern Lincoln Development District. The special standards would apply to commercial, industrial, multi-family and planned development and address issues such as permitted uses, building design, site development and signage.

The Planning Board voted 6-0 to recommend approval.

The Board of Commissioners voted 4-1 on June 6, 2011, to approve the proposal.

UDO #2012-1

Approved February 20, 2012

- 1) Amend Section 2.1.4.A to add a purpose statement for the Eastern Lincoln Development District.
- 2) Amend Section 2.1.4 (Overlay Districts) to delete a reference to the establishment of a Little Creek Cove Overlay district, and amend Section 2.5.4 (Overlay District Standards) to delete standards for a Little Creek Cove Overlay district.
- 3) Amend Section 2.2.1 (Use Table), under Commercial Uses, to change “Agriculture (involving livestock)” to simply “Agriculture” and to indicate that it is permitted in all zoning districts; and amend Section 2.3.4 (Commercial Use Groups) to redefine “Agriculture” by referencing the state statute that exempts “bona fide farm purposes” from county zoning regulations.
- 4) Amend Section 2.2.1 (Use Table), under Residential Uses, to change “Two-family house” from a permitted use in the R-14, R-20, R-MR and R-MF districts to not permitted; and Amend Section 2.4.6 (Cluster Subdivision Standards) to reflect this change.
- 5) Amend Section 2.2.1 (Use Table) to make “Retail, general” and Service, general” permitted uses in the B-N district, and amend Section 2.4.8.B (Nonresidential Dimensional Standards in Nonresidential Districts) to change the maximum gross floor area in the B-N district to 10,000 square feet.
- 6) Amend Section 2.2.1 (Use Table) to move the lines “Storage, private (on <2 ac.)” and “Storage, private (on 2+ ac.)” from Commercial Uses to Residential Uses, delete Section 4.4.19 (Storage, Private) under Commercial Use Standards, and amend Section 12.3.2 (General Terms) to add a definition for “Storage, private.”
- 7) Amend Section 2.5.1 (Eastern Lincoln Development District) to stipulate that any use which has an anticipated peak hour trip generation of 100 trips or greater shall be subject to review as a conditional use, and amend Section 9.8 (Traffic Impact Analysis) to change the threshold for requiring a traffic impact analysis to 100 peak hour trips.
- 8) Amend Section 3.6.3 (Off-Road Parking Requirements) to add minimum requirements for manufacturing, transportation and warehousing, and wholesale trade.
- 9) Amend Section 4.4 (Commercial Use Standards) to stipulate that the standards for a kennel apply only in a residential district.

- 10) Amend Section 4.4 to allow vehicle sales in conjunction with vehicle service and vehicle repair.
- 11) Amend Section 12.3.2 (General Terms) to add a definition for campground.

The Planning Board voted 6-0 to recommend approval.

The Board of Commissioners voted 5-0 on Feb. 20, 2012, to approve the proposal.

UDO #2012-2

Approved May 21, 2012

Amend Section 3.2.4.A of the Lincoln County Unified Development Ordinance so that road façade requirements would not apply to lots in the I-G district in subdivisions recorded prior to August 31, 2009, that do not front on an arterial or collector road.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 4-1 on May 21, 2012, to approve the proposal.

UDO #2012-3

Approved August 20, 2012

- 1) Amend Section 12.3.2 (General Terms) to define “Electronic Gaming Operation” as any business enterprise where persons utilize electronic machines to conduct sweepstakes, lotteries and/or games of chance and where cash or merchandise or other items of value are redeemed or otherwise distributed.
- 2) Amend Section 2.2.1 (Use Table) to make “Electronic Gaming Operation” a conditional use in the B-G and I-L districts subject to certain standards.
- 3) Amend Section 4.4 (Commercial Standards) to establish standards for “Electronic Gaming Operation.”

The Planning Board voted 9-0 to recommended approval with the following revision to the proposed standards:

E. During hours of operation, electronic gaming operations shall be open for direct, unobstructed access by safety and law enforcement personnel. All entrance doors shall remain unlocked while patrons are on the premises. All electronic gaming machines/computers/terminals shall be open and visible from the exterior of the exterior front of entrance to the establishment.

The Board of Commissioners voted 4-1 on Aug. 20, 2012, to approve the proposal with the recommended revision.

UDO #2012-4

Approved October 15, 2012

- 1) Amend Section 2.2.1 to permit office uses in the I-G district.
- 2) Amend Section 2.4.8.B to reduce the minimum lot size in the B-G and B-C districts to 32,500 square feet.
- 3) Amend Section 2.4.9.B.3 to reduce the buffer requirement for a Planned Development-Residential District to a Class B buffer when the width of the perimeter lots are less than the minimum lot width of the adjoining development or zoning district.
- 4) Amend Section 2.5.1.G.2 of the Eastern Lincoln Development District standards to allow corrugated metal and vinyl panels to be used on commercial buildings on facades that do not face a road, parking area or residential zoning district, and to allow nonconforming buildings to be enlarged by up to 25 percent without being subject to the façade standards.
- 5) Amend Section 2.5.1.G.6 of the Eastern Lincoln Development District standards to ~~delete requirements for ventilation grates, emergency door exits and service entrances.~~ add the underlined text: “Service entrances primarily used for shipping, receiving and similar distribution shall not front the road unless no other access is feasible as determined by the Director.”
- 6) Amend Section 3.2 of the General Development Standards to relax building design standards for nonresidential and multi-family structures.
- 7) Amend Section 3.3.3.C to increase the open space credit for active recreation areas in planned developments and cluster subdivisions.
- 8) Amend Section 3.4.6.K to allow buffer requirements to be modified in the case of a public safety facility.
- 9) Amend Section 3.9.5.A.1 to delete a statement that wall signs include signage or letters affixed to a window.
- 10) Amend Section 3.10.2 to state that vending machines are not considered outdoor display.
- 11) Amend Sections 4.3.2.G and 4.6.5.J to allow a church day care center as a permitted use by right, amend Section 4.6.5.J to delete a provision that limits the size of churches and church accessory uses in residential areas if access to an arterial road is lacking, and amend Section 4.6.5.J. to delete a provision that church accessory uses in excess of 3,000 square feet of gross floor area are subject to site plan review by the Board of Commissioners.
- 12) Amend Section 4.3.4 to reduce the minimum lot size for a place of worship to 32,500 square feet.
- 13) Amend Section 4.3.5 to reduce the minimum lot size for a public facility to 32,500 square feet.
- 14) Amend Sections 9.4.8, 9.4.9, 9.5.9 and 9.5.10 to mirror the state statute concerning the adoption of an explanatory statement in rezoning cases.

The Planning Board voted 7-0 to recommend approval with a revision to No. 5 as follows: Instead of deleting requirements for service entrances in the Eastern Lincoln Development District, amend Section 2.5.1.G.6(c) to add the underlined text: “Service

entrances primarily used for shipping, receiving and similar distribution shall not front the road unless no other access is feasible as determined by the Director.”

The Board of Commissioners voted 5-0 on Oct. 15, 2012, to approve the proposal with the recommended revision.

UDO #2013-1

Approved September 16, 2013

- 1) Amend Section 9.18.6.B to revise the findings of fact that must be made to approve a variance.
- 2) Amend Section 9.19.6.C to reduce the requirement for a successful appeal of an administrative decision from a four-fifths vote to a simple majority.

The Planning Board voted 9-0 to recommend approval.

The Board of Commissioners voted on Sept. 16, 2013, 4-0 to approve the request.

UDO #2014-1

Approved January 13, 2014

- 1) Amend Section 2.2.1 (Use Table) to make a telecommunications tower 101-325 feet in height a conditional use in the R-S and R-SF districts.
- 2) Amend Section 4.3.7 (Standards for Wireless Telecommunications Facility) to add screening and fencing requirements for equipment compounds.

The Planning Board voted 6-0 to recommend approval with the following revision regarding Section 4.3.7.M: All antenna support structures shall be enclosed by security fencing not less than six (6) eight (8) feet in height.

The Board of Commissioners voted on Jan. 13, 2014, 4-1 to approve the proposal with the recommended revision.

UDO #2014-2

Approved September 22, 2014

- 1) Amend Section 12.3.2 to add a definition for solar farm.
- 2) Amend Section 2.3.3 to specify that the use group “Major Utility” does not include a solar farm.
- 3) Amend Section 2.2.1 to add “solar farm” as a conditional use in the R-R, R-T, B-G, B-C, I-L and I-G districts.
- 4) Amend Section 2.5.1.F to add “solar farm” as a conditional use in the Eastern Lincoln Development District
- 5) Amend Section 4.3 to add standards for a solar farm.

*The Planning Board voted 6-0 to recommend approval.
The Board of Commissioners voted 3-2 to approve the proposal.*

UDO #2015-1

Approved May 18, 2015

- 1) Amend Section 3.2 to delete façade requirements for side and rear walls of nonresidential buildings, to allow non-corrugated metal as a primary material on a road yard façade, and to delete requirements for service bay orientation and screening.

*The Planning Board voted 5-3 to recommend approval of the proposed amendment.
A motion to approve the proposed amendment failed in a 2-3 vote by the Board of Commissioners. The board directed that the proposal be brought back in conjunction with a proposal to add the requirements to the Eastern Lincoln Development District overlay regulations.*

- 2) Amend Section 3.4.5 to state that foundation plantings shall be provided along building walls facing a public road or a parking area in a side yard (but not a parking area in a rear yard).

*The Planning Board voted 5-3 to recommend approval of the proposed amendment.
The Board of Commissioners voted 5-0 to approve the proposed amendment.*

- 3) Amend Section 3.4.10 to apply the interior landscaping requirement to parking lots with more than 40 spaces (up from 25), and to state that no parking space shall be located more than 75 feet (up from 50) from a planting island located in the same row of spaces.

*The Planning Board voted 5-3 to recommend approval of the proposed amendment.
The Board of Commissioners voted 5-0 to approve the proposed amendment.*

- 4) Amend ~~Section 3.5.9 to allow a developer of a commercial property to defer the construction of a driveway connection to adjacent property until the adjacent property is developed, and to allow the Director of the Planning and Inspections Department to waive the connection requirement in cases where property uses are not complementary or conducive for connections~~ ~~remove a requirement that nonresidential developments provide driveway connections to adjacent property.~~

The Planning Board voted 8-0 to recommend approval of the proposed revised amendment.

The Board of Commissioners voted 5-0 to approve the proposed revised amendment.

UDO #2015-2

Approved May 18, 2015

- 1) Amend Section 3.4.8.A to allow drive-thru lanes to be placed between the road and the associated building.

- 2) Amend Section 3.6.3.B.3 to make the maximum parking ratio applicable only to developments with more than 40 spaces and to increase the threshold for requiring pervious parking to 110 percent of the required minimum number of spaces.

- 3) Amend Section 3.6.3.C.2(b) to delete rescinded state stormwater requirements for parking areas of one acre or more that are not located in a water-supply watershed.

- 4) Amend Section 5.10.3 to stipulate that the amount of a required warranty bond for subdivision improvements is not less than 10 percent of the construction costs, to clarify that the one-year bond period starts with the county's acceptance or approval of improvements, to make the bond subject to the approval of the Board of Commissioners, and to allow an irrevocable letter of credit as a bond option.

- 5) Amend Section 8.2.2.A to state that a Planning Board member may be appointed to a total of three successive three-year terms but no more than two successive terms in the same seat.

***The Planning Board voted 8-0 to recommend approval of the proposed amendments.
The Board of Commissioners voted 5-0 to approve the proposal.***

UDO #2015-3

Approved August 17, 2015

- 1) Amend Section 3.2 to delete façade requirements for side and rear walls of nonresidential buildings, to allow non-corrugated metal as a primary material on a road yard façade, and to delete requirements for service bay orientation and screening.
- 2) Amend Section 2.5.1 (Eastern Lincoln Development District standards) to add the current façade requirements of Section 3.2.

***The Planning Board voted 7-1 to recommend approval.
The Board of Commissioners voted 3-1 to approve the proposal.***

UDO #2015-4

Approved January 25, 2016

Amend Section 2.2.1 to make a day care center a conditional use as a principal use in the I-G district, a permitted use by right as an accessory use in the I-G district, and a permitted use by right as a principal use or accessory use in the I-L and B-C districts.

The Planning Board voted 7-0 to recommend approval of a revised proposal to make a day care center a conditional use as a principal use in the I-G district, a permitted use by right as an accessory use in the I-G district, and a permitted use by right as a principal use or accessory use in the I-L and B-C districts.

The Board of Commissioners voted 5-0 to approve the revised proposal.

UDO #2016-1

Approved May 16, 2016

~~1) Amend Section 3.12.4 under General Development Standards to establish maximum permitted sound levels for commercial and industrial uses as measured at or beyond the property boundary based on the zoning district of the adjoining property.~~

Approved:

- 2) Amend Section 4.4 under Specific Use Standards to establish maximum permitted sound levels for racetracks as measured at or beyond the property boundary based on the zoning district of the adjoining property.
- 3) Amend Section 12.3.2 under to add a definition for “racetrack.”

The Planning Board voted 9-0 on April 4, 2016, to table the proposal for up to 60 days for further study.

The Planning Board voted 8-0 on May 9, 2016, to recommend against approving Parts 1 and 2 of the proposal and to recommend in favor of approving Part 3.

(The Planning Board also voted 8-0 to recommend that the county's noise ordinance be reviewed.)

The Board of Commissioners voted 4-1 to approve Parts 2 and 3, and voted 5-0 not to approve Part 1.

UDO #2016-2

Approved May 16, 2016

- 1) Amend Sections 2.2.1.B and 2.5.1.F to allow a microbrewery as a permitted use in the B-G (General Business) and B-N (Neighborhood Business) districts and in the Eastern Lincoln Development District (ELDD).
- 2) Amend Sections 2.2.1.B and 2.5.1.F to allow a microbrewery combined with a restaurant as a permitted use in the B-G (General Business) and B-N (Neighborhood Business) districts and in the Eastern Lincoln Development District (ELDD).
- 3) Amend Section 4.4 to establish standards for a microbrewery and for a microbrewery combined with a restaurant, limiting the maximum size.

The Planning Board voted 4-4 on a motion to recommend approval of the proposal.

The Planning Board voted 4-4 on a motion to recommend approval of a revised proposal to make a microbrewery and a microbrewery combined with a restaurant a conditional use in the B-G and B-N districts.

The Board of Commissioners voted 4-1 to approve the original proposal.

UDO #2016-3

Approved September 19, 2016

- 1) Amend Section 5.6 to make provisions regarding minimum lot width and lot depth consistent throughout the section.
- 2) Amend Section 5.6 to make provisions regarding frontage of a newly created lot on a R/W built to standard consistent with that of Section 5.4 (Roads), so that Private R/Ws that are built to Lincoln County Construction Standards are captured.
- 3) Amend Section 5.7 to remove limitations on the number of permitted service connections to private wells, which are permitted through the Lincoln County Health Department's Environmental Health Division, and to make provisions regarding connections to a public water system or a private water supply consistent throughout the section.
- 4) Amend Section 5.10.3 to be in compliance with new state legislation to be passed this session under G.S. § 153A-331.1.d, by removing Warranty Bond provision.

The Planning Board voted 9-0 to recommend approval.

The Board of Commissioners voted 9-0 to approval the proposals.

UDO #2016-4

Approved November 21, 2016

- 1) Amend Sections 3.5.2 to allow for the subdivision of lots along a principal arterial, minor arterial or a major collector if a shared access point or driveway is utilized.
- 2) Amend Sections 3.5.2 to allow for a provision that permits one additional access to residentially zoned properties along principal arterial, minor arterial or a major collector which as road frontage in excess of 300 feet but less than 600 feet.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the request.

UDO #2016-5

Approved December 19, 2016

Amend Section 2.5.4.B.5 of the Lincoln County Unified Development Ordinance to exempt wireless communication towers from the Airport Overlay District's height limits in the horizontal and conical zones, provided an applicant for a conditional use permit demonstrates compliance with all Federal Aviation Administration standards and receives approval from the FAA for the construction of a proposed tower.

The Planning Board voted 9-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2016-6

Approved December 19, 2016

Amend Section 5.4.4.D of the Lincoln County Unified Development Ordinance to require that any residential subdivision of greater than 30 lots be provided with separate and approved fire apparatus access roads and that, within a residential subdivision, no more than 30 lots be located on any road that lacks emergency access from two directions.

The Planning Board voted 9-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the request.

UDO #2017-1

Approved May 15, 2017

Amend Section 2.2 of the Lincoln County Unified Development Ordinance to make elementary and secondary schools a conditional use in the B-N (Neighborhood Business) and B-G (General Business) districts.

The Planning Board voted 7-0 to recommend approval of a revised proposal to make elementary and secondary schools a conditional use in the B-N and B-G districts.

The Board of Commissioners voted 5-0 to approve the revised proposal to make elementary and secondary schools a conditional use in the B-N and B-G districts.

UDO #2017-2

Approved June 19, 2017

Amend Section 2.2 (Use Table) of the Lincoln County Unified Development Ordinance to show that county facilities are permitted uses in all zoning districts as currently stated in Section 9.11.1.D, and to stipulate that state and federal facilities not otherwise listed as a conditional use are permitted uses in the O-R, B-N, B-G, I-L and I-G districts.

The Planning Board voted 7-1 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2017-3

Approved June 19, 2017

Amend Section 9.2.2.C of the Lincoln County Unified Development Ordinance to require corporate applicants to provide a certificate of good standing from the jurisdiction of incorporation and, in the case of an applicant registered in a jurisdiction other than North Carolina, to provide proof that it has authority to transact business in North Carolina prior to undertaking any development work.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2017-4

Approved September 18, 2017

Amend Sections 9.3.7, 9.4.8 and 9.5.9 of the Lincoln County Unified Development Ordinance to conform with a new state law that requires a governing board, in approving a zoning amendment that is inconsistent with an adopted comprehensive plan, to adopt a statement declaring that the approval is also deemed an amendment to the plan and explaining the change in conditions that the board took into account in amending the plan.

The Planning Board voted 7-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2017-5

Approved September 18, 2017

Amend Section 9.11.8.E of the Lincoln County Unified Development Ordinance to add community facilities such as churches and schools as projects that are eligible for special nonresidential intensity allocations under the 10/70 option in water-supply watershed districts.

The Planning Board voted 7-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2017-6

Approved September 18, 2017

Amend Sections 9.6.2, 9.6.6 and 5.6.1 of the Lincoln County Unified Development Ordinance to conform with a new state law that exempts certain divisions of land from local subdivision standards and establishes a new category of subdivisions that qualify for expedited review.

The Planning Board voted 7-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2018-1

Withdrawn (was a proposal to reduce minimum lot sizes)

UDO #2018-2

Approved January 22, 2018

Amend Section 4.6.2.C.2 of the Lincoln County Unified Development Ordinance to state that a residential accessory structure may be located in the road yard provided it is set back a minimum of 100 feet from the edge of the road right-of-way.

The Planning Board voted 8-1 to recommend approval.

The Board of Commissioners voted 5-0 to approve the proposal.

UDO #2019-1

Approved June 17, 2019

- 1) Amend Section 2.4.9.A.7 to require site improvements or amenities that are part of the master plan of a Planned Development to be constructed with the first phase of the project or by the platting of 25% of the proposed lots, and to require monetary contributions or land donations that are included in the master plan to be made prior to the platting of the first phase of the development, unless waived by the Board of Commissioners.
- 2) Amend Section 2.4.9.B.3 to require an undisturbed buffer at least 20 feet in width to be maintained along all project boundaries of a PD-R (Planned Development-Residential) district.

*The Planning Board voted 8-0 to recommend approval.
The Board of Commissioners voted 5-0 to approve the proposal.*

UDO #2021-1

Approved March 15, 2021

Amend various sections of the Lincoln County Unified Development Ordinance to comply with new state legislation regarding planning and zoning, N.C. General Statutes Chapter 160D.

*The Planning Board voted 8-0 to recommend approval.
The Board of Commissioners voted 5-0 to approve the request.*

UDO #2021-2

Approved February 21, 2022

- 1) Amend Article 6 to remove all Adequate Public Facilities standards and reserve Article 6 for future use.
- 2) Amend Section 9.6.10, Section 9.6.11, Section 9.6.15 to remove subdivision plat certificates and replace them with a statement that all required plat certificates, in accordance with the Plat Certificate Packet on file with the Lincoln County Planning and Inspections Department, must be present on the face of the final plat.
- ~~3) Amend Section 9.6.6.A to revise the definition of minor subdivision to include all subdivisions with 30 or fewer lots.~~
- ~~4) Amend Section 9.6.8.F to revise the approval criteria for a final plat of a minor subdivision.~~
- 5) Amend Section 2.4.9.B and Section 2.4.9.C to require sidewalks be installed along the existing roads that abut and provide access to residential and commercial Planned Developments.

*The Planning Board voted to recommend approval of revised request with Part 3 and Part 4 removed.
The Board of Commissioners voted 5-0 to approve the revised request with Part 3 and Part 4 removed.*

UDO #2022-1

Approved March 21, 2022

- 1) Amend Article 9.8.7 to apply Level of Service Standards where new public streets intersect an existing street.
- 2) Amend Article 9.8.8 to eliminate the Application Modification Method of participating in the funding of a future intersection improvement to minimize the traffic-related effects identified in a traffic impact analysis.

The Planning Board voted 8-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the request.

UDO #2022-2

Approved August 15, 2022

- 1) Amend Article 2.4.5 & 2.4.6 to increase the minimum lot area and width requirements.
- 2) Amend Article 2.4.9.B. & 2.4.9.E. to create minimum lot area and width standards for residential uses in Planned Development Districts.
- 3) Amend Article 2.4.9.B.3. to revise the minimum PD-R buffer defined in to 50 feet.
In addition, the amendment would require exterior sidewalks in the PD-MU district, similar to the requirements of PD-R and PD-C.

The Planning Board voted 7-1 to recommend approval.

The Board of Commissioners voted 4-0 to approve the request.

UDO #2022-3

Withdrawn (was a proposal to amend lot sizes in base districts, standardize lot sizes in Planned Developments, and provide for a reduction in lot size in Family Subdivisions)

UDO #2022-4

Approved December 19, 2022

- 1) Amend Section 4.2.3 to remove the requirement that a Two-Family House be designed to appear as a single-family detached home in accordance with State law.
- 2) Amend Section 8.5 to remove reference to Adequate Public Facilities Committee.
- 3) Amend Section 9.8.7.F.3 to apply the Level of Service standard to all accesses and streets.
- 4) Amend Section 9.20.10 to clarify the process of claiming a Common Law Vested Right.
- 5) Amend Section 9.6.9.F to assign to authority of granting waivers to Subdivision Standards to the Board of Commissioners.
- 6) Amend Section 9.6.9.G to remove the option to send a Preliminary Plat back to the Planning Board for additional consideration.

- 7) Amend Section 10.5.2 to reference the provisions of state law that allow for the modernization of a billboard to a digital display if the billboard is permitted by NCDOT.
- 8) Update assorted references to Condition Use Permits to Special Use permits throughout the ordinance.

Planning Board voted 6-0 to recommend approval.

Board of Commissioners voted 5-0 to approve the request.

UDO #2023-1

Approved June 19, 2023

- 1) Amend Section 3.4.10 and Section 3.10.3 to clarify that the interior parking lot landscaping standards do not apply to outdoor storage areas.
- 2) Amend Section 10.3.2 to remove the owner-occupancy requirement for replacing a non-conforming single-family dwelling that has been destroyed by fire, natural disaster, or other calamity.

The Planning Board voted 9-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the request..

UDO #2023-2

Approved August 21, 2023

- 1) Amend Permitted Use Table in Section 2.2.1.B to revise permitted uses across various districts.
- 2) Amend Section 2.1.1 and the Permitted Use Table in Section 2.2.1.B to eliminate the Corporate Business (B-C) district
- 3) Amend Section 4.3.2.F to remove standard “Day care centers shall not be allowed to operate between the hours of 10 PM and 6 AM.”
- 4) Amend Section 4.6.2.C.2(a) to remove the requirement of a Special Use Permit for an accessory structure in the front yard of a lot adjacent to Lake Norman.
- 5) Amend Section 4.6.5.K to remove the requirement of a Special Use Permit for a Private Residential Quarters.
- 6) Amend Section 4.3.3.A and the definition of Family Care Home to remove reference to NCGS 168-21(2).
- 7) Replace all references to “day care” with “child care” to align with statutory terminology.
- 8) Amend Article 12 to define Outdoor Private Swimming Pool, Outdoor Recreation Fields, Recreational Club, and Recreational Fishing Lake.
- 9) Amend Article 12 to revise the definition of Amusement Center.

The Planning Board voted 6-0 to recommend approval.

The Board of Commissioners voted 5-0 to approve the request.

UDO #2023-3

Public hearing was completed and Planning Board made recommendation on September 11, 2023, but BOC postponed a decision indefinitely; proposal was:

- 1) Amend Section 2.4.5 & Section 2.4.6 & Section 2.4.7 to revise the Dimensional Standards
- 2) Amend Section 2.4.9.A., Section 2.4.9.B. & Section 2.4.9.E. to include Dimensional Standards for residential uses in Planned Development Districts and introduce the option of Conventional Planned Development or Conservation Planned Development

UDO #2023-4

Public hearing was completed on October 2, 2023, but BOC postponed a decision indefinitely and recommended that an advisory committee be formed to develop a revised proposal, but shortly after that advisory committee completed its work a lawsuit was filed in Iredell County to challenge similar standards as the ones proposed by the committee, so the committee's recommendation has not yet been brought back to the BOC and Planning Board; the original proposal was:

- 1) Amend Section 2.2.1 to permit Short-term Rental as a land use in existing zoning districts where residential and/or lodging uses are permitted
- 2) Amend Article 12 to define Short-term Rental
- 3) Amend Section 4.2 to add specific use standards for Short-term Rental

UDO #2023-5

Approved October 16, 2023

- 1) Amend Section 4.7.3.I to permit the use of recreational vehicles or a camper as dwellings on a temporary basis while the applicant is constructing, repairing, or renovating the principle structure.

The Planning Board voted 5-0 to recommend approval.

The Board of County Commissioners voted 5-0 to approve the request.

UDO #2023-6

Approved October 16, 2023

- 1) Amend Section 4.6.5.I.2 to permit the parking of tractor-trailers on lots located in residential zoning districts and to establish related standards.

The Planning Board voted 5-0 to recommend approval.

The Board of County Commissioners voted 5-0 to approve the request.

UDO #2023-7

Approved November 20, 2023

- 1) Amend the Permitted Use Table in Section 2.2.1 to permit single-family detached homes in the R-MF (Multi-family Residential) district.

The Planning Board voted 6-0 to recommend approval.

The Board of County Commissioners voted 5-0 to approve the request.

UDO #2024-1

Approved May 20, 2024

- 1) Amend Article 2.1.3 Conditional Zoning Districts to only include a description and move procedural language to Article 9 - Development Review
- 2) Amend Article 2.5.1.F Permitted Use Chart in the Eastern Lincoln Development District overlay to better align the recreational uses as listed in Article 2.2.1 Use Table for the base zoning districts
- 3) Amend Article 2.6.10.D.6 to strike language for standard regulating driveway setback of 2 feet
- 4) Amend Article 4.2.1 to add a standard that clarifies that Alley Loaded Homes are only permitted in Cluster Subdivisions
- 5) Amend Article 4.6.2.A.3 to remove the requirement that accessory structures must be in keeping with the principal structure (prohibited by state law N.C.G.S. 160D-702b)
- 6) Amend Article 5.4.4.D.1 to remove language inconsistent with state law (N.C.G.S 160D-702c) and updated NC Fire Code for fire apparatus access roads

The Planning Board voted 6-0 to recommend approval of the request.

The Board of Commissioners voted 5-0 to approve the request.

UDO #2024-3

Approved June 17, 2024

- 1) Amend Article 2.2 to remove Alley-Loaded House as a Permitted Use in the R-CR and R-MR Districts
- 2) Amend Article 2.4.4, 2.4.6 and other associated references to rename Cluster Subdivision to Conservation Subdivision
- 3) Amend Article 2.4 to revise the dimensional standards in the Conventional and Cluster Residential Subdivisions
- 4) Amend Section 2.4.9A.5 to revise the Open Space standards for Planned Development Projects
- 5) Amend Section 2.4.9.B to establish additional requirements for Planned Development Conventional and Conservation Districts
- 6) Amend Section 2.4.9.E. to provide a clarifying statement on how densities are determined in the Planned Development Mixed-Use district.

*The Planning Board voted 8-0 to recommend approval of the request.
The Board of Commissioners voted 4-1 to approve the request.*