

ORDINANCE 2022-288

AN ORDINANCE TO AMEND THE GROWTH MANAGEMENT ORDINANCE OF THE TOWN OF ORIENTAL

THAT WHEREAS, the Planning and Zoning Board of the Town of Oriental recommends that certain amendments be made to the Growth Management Ordinance;

WHEREAS, the proposed document changes are consistent with the Town's adopted Land Use Plan; and,

WHEREAS, the Board of Commissioners of the Town of Oriental deems it advisable and in the public interest to effect certain revisions to the Growth Management Ordinance of the Town of Oriental.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ORIENTAL:

SECTION 1.

168.2 Driveway Permit is required. Application for a Driveway Permit required by this article shall be made to the Town Manager on a form which shall be completed by the applicant as specified thereon and shall provide, among other things, a sketch which clearly shows the design of the driveway and the dimensions thereof; ;

168.2.1 each driveway not to exceed twenty (20) feet in width ~~(or two ten (10) foot widths in a circular configuration)~~ in residential zones, and thirty ~~(30) feet~~ 50% of the frontage in width for commercial ~~zones properties~~. Provided, however, all such installations shall be constructed so as neither to retain nor impede the flow of water in the gutter line of such driveway, any traversed Town right-of-way and any street and shall comply with handicap requirements when applicable: ~~where curb and gutter is cut to provide for driveway, it must be put back in an ADA accessible way.~~

~~In addition, a fifteen inch (15") minimum internal diameter culvert is required.~~

168.2.2 Driveway aprons may be no deeper than three (3) feet and may be flared to the street beyond the twenty (20) ft limit.

168.2.3 A fifteen inch (15") minimum internal diameter culvert is required.

168.2.4 All driveways on the same street of the parcel must be separated by a minimum of five (5) ft. Driveways must be set back from the property line by two and a half (2.5) ft.

168.2.5 ~~(moved down)~~ If the proposed driveway complies with the provisions of the GMO, the Town Manager shall issue a Driveway Permit ~~therefore. (June 2021)~~

168.2.6 Any existing driveway made noncompliant by this Ordinance enacted December 6, 2022 may be replaced to its original dimensions, provided all other requirements of the section are met. (December 2022)

168.2.7 The Land Use Administrator may waive/adjust setbacks up to one half (1/2) of the required distance to avoid utility infrastructure and/or street tree preservation.

Statement of Compliance and Consistency

1. The Planning Board finds that the proposed amendments to the GMO is reasonable and in the public interest. Further, the proposed amendment is consistent with the Town's Growth Management Ordinance ("GMO") and Oriental's CAMA Land Use Plan, for the following reasons:

2. The Planning Board is directed by the GMO to: 20.1.7.1.4 Establish principles and policies for guiding action in development of the area;

3. The Planning Board is directed by the GMO to: 20.1.7.1.10 Adopt rules and regulations governing its procedures and operations consistent with the provisions of this chapter.

4. The proposed amendment is not inconsistent or conflicting with the existing development standards in Article VI of the GMO General Development Standards.

5. The control of manipulation and drainage of water is consistent with both the Oriental CAMA Land Use Plan (2007) and the Oriental, North Carolina Comprehensive Plan (2012):

- a. The CAMA Land Use Plan (2007)(Exhibit 1) listed community concerns regarding the protection of the Town from unguided development as it would affect drainage and runoff.
- b. The CAMA Land Use Plan (2007) assigned to the Town a goal to find ways to better manage water runoff, drainage, and flooding. CAMA Land Use Plan Section 2-4.0 also states the Town's goal is to take its part in ameliorating water quality issues by "reducing density, mass and impervious surface percentages" as a guide to the development of land in the Town.
- c. The CAMA Land Use Plan Exhibit 4 sets a policy for the Town to include provisions in the GMO that require that any parcel of land in proximity of the river, creeks, streams or ponds adhere strictly to CAMA regulations, and that filtration through open ditchwork assists in the processing of stormwater runoff prior to its entering State waters.

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 6th DAY OF December, 2022.

MAYOR

TOWN CLERK