

134.3 The establishments must be a minimum of one thousand (1000) feet from churches, synagogues, schools, daycare centers, library, public parks, public buildings, and recreational areas open to the general public and three hundred (300) feet from abutting property in the R-1, R-2, or R-3 Districts.

### **Section 135. Recreational Vehicle Parks**

135.1 Purpose. This article is enacted in order to achieve orderly development of recreational vehicle parks (RV parks), to promote and develop the use of land to minimize possible impacts, and to promote the health, safety and general welfare of the public. The Town of Oriental (the "Town") finds that properly planned and operated recreational vehicle communities ("RV parks"):

135.1.1 Promote the safety and health of the residents of such communities and of other nearby communities.

135.1.2 Encourage economical and orderly development of such communities and of other nearby communities.

135.1.3 It is, therefore, declared to be the policy of the Town to eliminate and prevent health and safety hazards and to promote the economical and orderly development and utilization of land through planned and supervised RV parks under the standards and regulations necessary to accomplish these purposes.

135.1.4 Ensure all facilities, avenues of ingress/egress, walks, paths, and structures, are constructed according to the Americans with Disabilities Act (ADA) regulations in addition to other requirements listed herein.

135.2 Preliminary consultation. Prior to making application for an RV park, prospective applicants are encouraged to discuss the site plan review process, RV park requirements of the GMO, and their proposal with the Land Use Administrator.

135.2.1 At this time, for this purpose, all pertinent information that may be on file relating to the proposed park location shall be made available. It is the purpose of this preliminary consultation to eliminate as many potential problems as possible in order for the application to be processed without delay.

135.2.2 The consultation should take place prior to a survey or detailed work by an engineer or surveyor.

135.2.3 There is no fee for pre-application consultation and administrative assistance. However, this free service shall not include extensive field inspection or extensive correspondence.

135.3 Applicability

135.3.1 This article shall apply to any recreational vehicle park to be located within the Town limits in MU and MU-1 districts, as defined in Section 51 of the Town's Growth Management Ordinance ("GMO") and as shown on the Town's Growth Management Map.

#### 135.4 Definitions

135.4.1 Accessory structure. Any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar stand-alone appurtenant structures. A minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

135.4.2 Biodegradable. Capable of being decomposed by biological agents, especially bacteria.

135.4.3 Building Inspector. The official of the County responsible for the inspection of electrical, mechanical and plumbing associated with a property.

135.4.4 Camping trailer. A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

135.4.5 Land Use Administrator. The person designated to administer the Oriental Growth Management Ordinance (see Section 40, Land Use Administrator). The official of the Town or his/her designee charged with the enforcement of the provisions of this article.

135.4.6 Controlling interest. A person or developer who controls at least fifty-one percent (51%) of ownership.

135.4.7 Dry hydrant. An un-pressurized, permanently installed pipe that has one end below the water level of a lake, pond or container.

135.4.8 Fifth-wheel trailer. A vehicular unit mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use, of a size and weight that does not require a special highway movement permit and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

135.4.9 Full-time employee. A person who is responsible for maintenance of the RV park seven (7) days per week. This person may or may not be the owner of the RV park.

- 135.4.10 Licensee or agent. A person who may or may not own the RV park but is person responsible for the day to day operations including records of the park.
- 135.4.11 Motor Home or house car. A vehicular unit, designed to provide temporary living quarters, built into as an integral part, or permanently attached to, a self-propelled motor vehicle chassis or van. The vehicle must provide at least four of the following facilities: cooking, refrigeration or icebox, self-contained toilet, heating or air conditioning, a portable water supply system including a faucet and sink, separate 110-125 volt electrical power supply, or an LP gas supply.
- 135.4.12 Opaque fence. A fence made of solid materials designed to shield from public view the RV park.
- 135.4.13 Public use phone. A phone used by registrants of the RV park for emergency purposes.
- 135.4.14 Recreational vehicle or RV. A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic entities are camping trailer, fifth-wheel travel trailer, motor home, travel trailer, and truck camper.
- 135.4.15 Recreational vehicle park or RV park. Any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted permanent buildings.
- 135.4.16 Recreational vehicle site or RV site. That part of a lot or area in a recreational vehicle park or RV park that has been reserved for the placement of one recreational vehicle or RV.
- 135.4.17 Travel trailer. A vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of a size or weight that does not require a special highway movement permit when towed by a motorized vehicle.
- 135.4.18 Truck camper. A portable unit that is constructed to provide temporary living quarters for recreational, camping, or travel use, consisting of a roof, floor, and sides and is designed to be loaded onto and unloaded from the bed of a pickup truck.

## 135.5 Inspections

135.5.1 Authorized. The Building Inspector and Land Use Administrator official are hereby authorized to make such inspections as are necessary to determine compliance with this article.

135.5.2 Entry on premises. The Building Inspector and Land Use Administrator shall have the power to enter at reasonable times upon any private or public property within the purpose of inspecting and investigating conditions or complaints relating to the enforcement of this article.

#### 135.6 Notices, hearings and orders

135.6.1 Notice of violation. Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this article, the Town of Oriental shall give notice of such alleged violation to the licensee or agent, as hereinafter provided. Such notice shall:

135.6.1.1 Be in writing.

135.6.1.2 Include a statement of the reasons for its issuance.

135.6.1.3 Allow ten (10) days for compliance, except for emergencies, as provided in Section 135.6.1.4 below.

135.6.1.4 Be served upon the Owner or his agent; provided that such notice or order shall be deemed to have been properly served upon the Owner or agent when a copy thereof has been served in person or sent by certified mail to his/her last known address.

135.6.1.5 Contain an outline of remedial action that, if taken, will affect compliance with the provisions of this article.

135.6.1.6 After all procedures outlined above are exhausted citations may be issued.

135.6.2 If a municipality mails a notice to a property owner in accordance with Section 135.6.1 and the United States Postal Service returns the notice as “refused” or “unclaimed”, the validity of the notice is not affected, and the notice is considered as delivered.

135.6.3 Appeal from notice. Any person affected by any notice that has been issued in connection with the enforcement of any provision of this article applicable to such park may request a hearing before the Board of Adjustment; provided that such person shall file within ten (10) days after the day the notice was served, in the Town’s Administrative Offices, with a copy to the office of the Land Use Administrator, a written petition requesting such hearing and setting forth a brief statement of the grounds thereof. The filing request for a hearing shall

operate as a stay of the notice and of the suspension, except in the case of an order issued under sub-section 135.6.5 of this Section.

135.6.4 Issuance of order. After such hearing, the Board of Adjustment shall issue an order in writing sustaining, modifying, or withdrawing the notice of violation. Any failure to comply with an order sustaining or modifying the finding of a violation shall constitute grounds for immediate revocation of the ability to operate the park affected by the order.

135.6.5 Order without notice. Whenever the Town finds that an emergency exists which requires immediate action to protect the public health or safety, the designated official may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring the action to be taken as deemed necessary to meet the emergency. Notwithstanding any other provisions of this Section, such order shall be effective immediately, but upon written petition to the Town shall be afforded a hearing as soon as possible. The provisions of sub-section 135.6.3 of this Section shall be applicable to such hearing and the order issued thereafter.

#### 135.7 Violations declared nuisance; abatement; penalty

135.7.1 Any noncompliance with this article is hereby deemed a nuisance. The Town may abate and remove the nuisance. Any person(s) violating this article shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each provision violated, and each day that there is a failure to comply with the terms of any provision of this article is declared to be a separate offense. For violations of the provisions of this article that govern fire safety, zoning, or public health and sanitation, including dumping of effluent or refuse, the fine may not exceed two thousand dollars (\$2000.00) per day, per violation. The Land Use Administrator shall be the authority of the jurisdiction responsible for the issuance of citations and any action deemed necessary for the enforcement of this ordinance.

135.7.2 The Administrator or assigned designee may, in writing, suspend or revoke a Special Use Permit required by this ordinance whenever the permit is issued in error or on the basis of incorrect information, or in repeated violation of any ordinance or regulation or any provision of this ordinance, or where a park is being maintained in a manner contrary to the terms of the permit.

#### 135.8 Location and fencing

135.8.1 Sensitive Areas/Unstable Lands - No RV park shall be approved for location within any part of a 100-year floodplain of the Town as delineated by the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency.

135.8.2 RV parks shall be located in an area regulated by 135.9 of this article.

135.8.3 Buffering and screening shall be required if the park is not compatible with the surrounding uses, as determined by the Land Use Administrator. The purpose of buffering and screening is to create an area providing landscape screening and fencing which is used to reduce visual, noise, light, and incompatibility impacts.

135.8.3.1 An opaque fence at least eight (8) feet in height must be placed inside the property line to buffer the RV Park from view. The fence shall be installed between the RV Park and all adjacent properties. The fence must be approved by the Land Use Administrator prior to installation. The fence must be maintained in good repair, finish and appearance. When adequate, natural buffers should be encouraged. All plantings shall be maintained and/or replaced in healthy living condition for the life of the RV Park.

135.8.4 The Land Use Administrator, in consultation with the Tree Board, will determine on a case by case basis the need and extent of landscape screening or fencing necessary to mitigate these impacts; The Town Board has final approval.

#### 135.9 Size and density

135.9.1 Each RV park must have a minimum size of two (2) acres, within a five (5) acre site. The maximum site density for RV parks shall be ten (10) sites per acre. Only one (1) recreational vehicle is permitted per recreational vehicle site. The expansion of existing parks shall require new park permits and shall be in accordance with all requirements and provisions of this ordinance.

#### 135.10 Size of individual sites; pad requirements; landscaping

135.10.1 Each recreational vehicle site within the RV park shall have a minimum area of one thousand nine hundred fifty (1,950) square feet and shall be at least thirty (30) feet wide and sixty-five (65) feet in depth. The sites shall be designed as pull-through for ease of entering and leaving the site. An impermeable roadway constructed to NCDOT standards for highways is therefore required to the front and rear. In addition, the space shall be clearly marked identifying the space number.

135.10.2 The left 1/3 (10 x 65) and the right 1/3 (10X 65) side of the site or driver's side must be planted with grass and other landscaping; the middle (10 x 65) must be paved with cement with a base of at least 6" ABC composite as normally required for heavy vehicular traffic, The middle portion is to be used for the parking of the recreational vehicle with the area on the right used as a patio area.

#### 135.11 Street access; street lighting

- 135.11.1 Each recreational vehicle site within the RV park shall have access to an internal private paved roadway, built to NCDOT highway standards, which shall have access to a public street. The entrance of the internal roadway shall have a pavement width of at least thirty (30) feet. The major thoroughfare shall have a pavement width (concrete or asphalt) of twenty-four (24) feet in accordance with Town standards. The roadway may be fifteen (15) feet if the RV park is designed for one-way roads. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet; fifteen (15) feet if one-way and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles. Dead-end streets are not allowed. All roads shall be open for access at all times to police and other emergency vehicle access.
- 135.11.2 Metal signs shall be placed along the emergency access lane, by the owner or agent of the RV park stating that parking is prohibited. The sign type, size, height and location shall be approved by the Town.
- 135.11.3 Adequate street lighting for the RV park shall be approved by the Land Use Administrator to illuminate streets, driveways and walkways for the safe movement of pedestrians and vehicles, while avoiding excess lighting trespass to neighboring property owners.

#### 135.12 Required facilities

- 135.12.1 Each RV park must have an office for the manager of the RV park, and a bathroom and shower facilities, as well as laundry facilities. All facilities used by residents must be well lit inside and out during the night hours. All facilities must meet applicable codes adopted by the Town. There shall be at least four off-street parking spaces provided for the RV park office.
- 135.12.2 Off-street parking shall be provided at the rate of one space for each RV site. There will also be one additional parking space for each five (5) RV sites above one in the park. Each parking space shall be a minimum of nine (9) feet by twenty (20) feet in size. (b) All RV parks shall have at least one (1) recreation area, located as to be free of traffic hazards, easily accessible to all park residents and centrally located where topography permits. Not less than ten (10) percent of the gross park area shall be devoted to recreational facilities. Recreation areas include space for community buildings and community use facilities such as restroom and shower facilities, adult recreation (basketball court or tennis court) and playgrounds for children, and swimming pools, but not including vehicle parking, maintenance and utility areas.

#### 135.13 Soil and ground cover

- 135.13.1 Exposed ground surfaces in all parts of the RV parks shall be paved, covered with stone, rock, or other similar solid material, or protected with vegetative

cover in order to prevent soil erosion and eliminate dust. All pavement shall be kept in good repair.

#### 135.14 Prohibited placement of recreational vehicle

135.14.1 RVs located in the park are subject to the temporary habitation rules provided in the GMO under Section 60, (2) of Article IV. Wheels must remain on all RVs at all times within the park.

#### 135.15 Area designated for RV parks

135.15.1 The area designated for the placement of recreational vehicle parks shall be established on a map with a copy of such in the office of the Building Inspector and office of the Land Use Administrator.

#### 135.16 Setbacks

135.16.1 All of the RV park's individual sites shall be placed within the RV park to observe the following setback requirements:

135.16.1.1 A minimum twenty-five (25) foot wide buffer yard shall be established along that portion of the RV park which adjoins a public road right-of-way. A minimum twenty (20) foot wide buffer yard shall be established along all other property lines.

135.16.1.2 There shall be a minimum distance of ten (10) feet between an individual RV unit and an adjoining interior RV park street.

135.16.1.3 There shall be a minimum distance of five (5) feet between an RV unit and the interior line of a perimeter buffer.

#### 135.17 Drainage

135.17.1 The RV park shall be subject to the requirements of the GMO Section 120 regarding drainage. The ground surface in all parts of the RV park shall be graded and designed to drain all storm water, surface water in a safe, efficient manner accordingly. Drainage analysis shall be performed by a licensed professional engineer and easements for the conveyance of surface water off-site shall be obtained and forwarded to the Land Use Administrator.

#### 135.18 Water supply

135.18.1 Each site within an RV park shall be provided with a connection to the Town water supply. The water distribution system shall be installed as follows:



- 135.18.1.1 The water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the Town.
- 135.18.1.2 A master water meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted.
- 135.18.1.3 A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) must be properly installed and inspected at each of the connections for each RV site and located on the left side of the site.
- 135.18.1.4 Water riser service branch lines shall extend at least four (4) inches above ground elevation. The branch line shall be at least  $\frac{3}{4}$  inch.
- 135.18.1.5 Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
- 135.18.1.6 The owner/operator shall have complete maintenance responsibility for the water system within the RV park.
- 135.18.1.7 The Town has no maintenance responsibility for service lines within the RV park. The responsibility of the Town for supplying water to the RV park stops with the master water meter.

#### 135.19 Wastewater facilities

- 135.19.1 Each site within the RV park shall be provided with a connection for wastewater. All proposed wastewater service lines shall be connected to the Bay River Metropolitan Sewer District wastewater system. A permit from CAMA shall be obtained prior to placement of an on-site sewage facility (pump out and dump station). The Town must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:
  - 135.19.1.1 The pump out and dump facilities must be installed in accordance with applicable codes adopted by the Town.
  - 135.19.1.2 Each site shall be provided with a four-inch diameter wastewater riser and shall extend above grade four (4) to six (6) inches. The wastewater riser pipe shall be so located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a recreational vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.

- 135.19.1.3 The wastewater connection to each site shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
- 135.19.1.4 Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four (4) to six (6) inches above the ground elevation.
- 135.19.1.5 Each collection wastewater line shall provide a vent extending a minimum of ten (10) feet in height.
- 135.19.1.6 The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV park. The responsibility of the Town stops at the property line.
- 135.19.1.7 Sanitary dump stations shall be screened from other activities by visual barriers such as fences, walls or natural growth and shall be separated from any RV space by a distance of at least fifty (50) feet.
- 135.19.1.8 All chemicals entering the Bay River Metropolitan Sewer District shall be biodegradable.

#### 135.20 Electrical service

135.20.1 Each site within the RV park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with the National Electrical Code. The electrical service shall be installed as follows:

- 135.20.1.1 A master electric meter shall be installed to serve the RV park. Sub-metering or re-metering of RV sites is not permitted.
- 135.20.1.2 The Town has no maintenance responsibility for service lines within the RV park. The responsibility of the Town stops at the property line.
- 135.20.1.3 The location of all underground lines shall be clearly marked by surface signs at approved intervals.
- 135.20.1.4 Power supply to each site shall be a minimum of one 30-amp and one 50-amp power supply.
- 135.20.1.5 Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc. approved weatherproof outlet box.

#### 135.21 Sanitary facilities

135.21.1 Each RV park shall provide the following sanitary facilities as listed below and shall all be ADA compliant:

135.21.1.1 One (1) toilet or stool for the female sex for every ten (10) sites or fraction thereof (minimum of one (1) is required) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.

135.21.1.2 One (1) toilet or stool and one (1) urinal stall for the male sex for every twenty (20) sites or fraction thereof (minimum of one (1) is required) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.

135.21.1.3 One (1) washbasin shall be provided within the toilet room for every two (2) toilets or fraction thereof (a minimum of one (1) is required).

135.21.1.4 One (1) shower shall be provided for each sex for each ten (10) sites or fraction thereof (minimum of one (1) is required for each sex) for the first one hundred and twenty (120) sites, and one (1) per forty (40) sites thereafter.

135.21.1.5 All toilets and shower facilities shall be placed in properly constructed buildings and located not more than two hundred (200) feet from any recreational vehicle site.

135.21.1.6 Buildings shall be well lit at all times, day or night, well ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing.

135.21.1.7 The floors shall be of concrete or other impervious material, elevated not less than four (4) inches above grade, and each room shall be provided with floor drains.

135.21.1.8 A slop sink or basin with water supply shall be in each restroom (male and female) and at least one (1) in the laundry facility, and shall be constructed in accordance with design, size and materials approved by the building official.

135.21.1.9 Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.

135.21.1.10 Toilet floors and walls shall be of impervious material, painted, and kept clean at all times. Shower stalls shall be of tile, plaster, cement

or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be papered with canvas and wallpaper, or an equivalent washable surface kept clean at all times.

#### 135.22 Storage, collection and disposal of refuse and garbage

135.22.1 Each RV park shall provide safe and adequate facilities for the collection and removal of waste and garbage. Storage, collection, and handling shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, or fire hazards. Every site shall be located within two hundred (200) feet of a refuse facility measured along the RV park internal roadway. Trash dumpsters shall be screened on all sides, and on a raised pad of 6" above grade.

#### 135.23 Telephone

135.23.1 A minimum of one (1) land line telephone shall be provided in an easily accessible location twenty-four (24) hours a day, seven (7) days a week for emergency use.

#### 135.24 Accessory structures

135.24.1 The individual sites within the RV park are not allowed to have accessory (stand-alone) structures as defined herein.

#### 135.25 Registration of guests

135.25.1 Each person renting a site within a RV park shall provide the following information to the owner, manager, operator or person in charge of the RV park:

135.25.1.1 Name;

135.25.1.2 Full address of permanent residence;

135.25.1.3 Automobile and recreational vehicle license plate number and the state in which each is registered;

135.25.1.4 Driver's license number of the owner;

135.25.1.5 The number or letter of the site being rented;

135.25.1.6 Date of arrival and departure; and

135.25.1.7 Current Insurance company, policy number, contact information.

135.26 Control of insects, rodents and other pests

135.26.1 Grounds, buildings and structures in the RV park shall be maintained free of the accumulation of high grass and weeds (4" or more) and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitoes or other pests.

135.26.2 The RV park owner or manager shall be responsible for maintaining the entire area of the park free of dry brush, leaves, limbs and weeds.

135.27 Fire safety standards; fire hydrants

135.27.1 Open fires shall be allowed only in a manner and within a container approved by the Office of the State Fire Marshal.

135.27.2 A fire hydrant(s) must be placed such that each recreational vehicle site is no more than six hundred (600) feet from one.

135.28 Permanent occupancy prohibited

135.28.1 No RV park or recreational vehicle therein shall be used as a permanent residence for any period of time, notwithstanding Section 14, except for permanent full-time employees of the RV park.

135.28.2 Unoccupied parking of an RV unit for any period exceeding two weeks is considered storage, which is hereby prohibited.

135.28.2.1 No more than one (1) space shall be allowed for use as a permanent residence for full time employees.

135.28.3 Occupancy of a recreational vehicle within the RV park extending beyond an accumulation of one hundred and seventy-nine (179) days in any twelve (12) month period (whether consecutive or not) shall be presumed permanent occupancy and is hereby prohibited; such recreational vehicle may not return for a period of sixty (60) days following such occupancy or parking.

135.28.4 Change of ownership of grandfathered RV park

135.28.4.1 Upon change of controlling interest of a grandfathered RV park the new owner shall immediately bring the existing RV park to meet the requirements of this ordinance.

135.29 EMERGENCY

135.29.1 In the event of a natural disaster, or related incidents removal of all RV units are to be removed from the park within six (6) hours of issuance of a hurricane or tropical storm WARNING issued by the National Weather Service.

135.29.2 In the event of a declaration of disaster, state of emergency, or marshal law by the state or federal government concerning the Oriental area, all RV units are to be removed from the RV park within six (6) hours.

135.29.3 The Town of Oriental assumes no liability for vehicles not removed as directed.

### **Section 136. Broad Street Corridor Overlay District**

136.1 Zoning overlay districts are hereby established to supplement the existing residential, mixed use, and conditional zoning districts. Within the area encompassed by a zoning overlay district all requirements of the existing zoning district (i.e. R-1, R-2, R-3, MU or MU-1) will apply, unless specifically exempt within the overlay regulations, in addition to requirements required by the zoning overlay.

136.2 The Broad Street Overlay District is established to maintain and expand the existing visual character of the Broad Street corridor, provide for save and efficient movement to and between properties within the corridor, and provide for distinctive gateways and other elements that reflect the Town of Oriental.

136.2.1 The Broad Street Corridor overlay shall begin at the intersection of North Street and Broad Street and extend north to the municipal boundary. Only parcels of land that abut the Broad Street right-of-way are subject to the provision of the overlay. The extend and boundaries of the overlay are indicated on the official Growth Management Map of the Town of Oriental.

136.3 New construction of a principal building shall include a landscape buffer along the road edge at least ten feet in width, parallel with HWY 55. Up to five (5) feet of this buffer may be within state right-of-way with permission from the Department of Transportation. Landscaping shall conform to the specifications below, unless otherwise approved by the Oriental Tree Board:

136.3.1 A two (2) inch caliper crape myrtle will be planted every 20 linear feet in the frontage buffer.

136.3.2 Tree cultivar selection will be subject to approval by the Oriental Tree Board.

136.3.3 Tree pruning and maintenance will be provided by the Oriental Tree Board.

- 136.3.4 Dead trees will be replaced by the property owner.
- 136.3.5 Turf grass or other groundcover within the buffer will be maintained by the property owner.
- 136.4 New construction of a principal building with windows and/or doors that face Broad Street shall have a minimum of eight-foot deep covered porch that spans no less than 50% of the front of the building. The remaining front portion of the building to be an eight-foot landscaped buffer, approved by the Tree Board.
- 136.5 New construction of a principal building without windows and doors along Broad Street shall have at least a ten-foot wide landscaping buffer extending from the structure, parallel to HWY 55, in addition to the requirements set forth in 90.1 above. The landscape buffer shall contain trees and evergreen shrubs sufficient to screen the building, and the design will be subject to approval of the Oriental Tree Board.
- 136.6 New driveway construction shall include a five-foot-wide hard surface walkway suitable for walking or bike riding. The walkway shall connect adjoining lots on each side of the property, connecting to the walkways on those lots if walkways currently exist. Wooden bridges over drainage ditches are permitted.
- 136.7 Commercial buildings twenty-five (25) feet or less in height above the mean adjacent grade are not subject to the roof pitch requirements of Section 115. Buildings that contain both residential and commercial uses are subject to the roof pitch requirements as described in Section 115.

## **Section 137. Solar Energy Systems**

### 137.1 Purpose

The purpose of this ordinance is to facilitate the construction, installation, and operation of Solar Energy Systems (SESs) in the Town of Oriental in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands. It is the intent of this ordinance to encourage the development of SESs to reduce reliance on foreign and out-of-state energy resources, bolster local economic development and job creation, support the diversification of the state's energy portfolio, strengthen energy and grid security, reduce greenhouse gas emissions, reduce local air and water pollution, and aid North Carolina in meeting its Renewable Portfolio Standard. This ordinance is not intended to abridge safety, health or environmental requirements contained in other applicable codes, standards, or ordinances. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

### 137.2 Applicability