



TOWN OF STOKESDALE DEVELOPMENT ORDINANCE

& Amendments thru September 20, 2012

TEXT AMENDMENT CASE # 12-08-STPL-03261
Town Council Approved September 20, 2012

4-2.2 Location

(A) Single-Family Development: All accessory structures and buildings must be located behind the front building line of the principal structure, except for those tracts of two (2.0) or more acres where the owner can clearly demonstrate to the satisfaction of the Planning Board that the proposed accessory structure will not be intrusive, will be in keeping with the residential character of the surrounding area, and will not interfere with the vehicular or pedestrian traffic. Prior to consideration of a request to locate an accessory structure or building in front of the building line of the principal structure by the Planning Board, notice of the request shall be made by first class mail to the owner(s) of the parcel of land affected by the request and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the county tax listing at least ten (10) days but no more than twenty five (25) days prior to the Board's meeting date. In determining whether or not the proposed accessory structure or building will be intrusive, will be in keeping with the residential character of the surrounding area, and will not interfere with vehicular or pedestrian traffic, the Planning Board shall consider the following: the pattern of development of the surrounding area, the location of principal and accessory structures and buildings in the vicinity, the extent of existing or proposed vegetation and/or topographical characteristics that may shield the proposed structure or building from view of adjacent properties or public right-of-way(s), the proposed setback from property lines and/or public right-of-way(s), sight distances necessary to preserve unimpeded line of sight for vehicles and pedestrians, and other relevant information that may be presented.

No permit shall be issued for the structure or building for fifteen calendar days following the Planning Board's authorization. Appeals of Planning Board action shall be to the Governing Body and shall be made within fifteen (15) days after Planning Board action. In the AG, RS-40, and RS-30 zoning districts, existing accessory structures and buildings with any horizontal dimension greater than twelve (12) feet may be located in front of the front building line of the principal structure.

**Proposed Amendments to
Land Clearing and Inert Debris (LCID) Landfill Regulations**

ARTICLE IV

AMEND TABLE 4-3-1 CHANGING "LAND CLEARING & INERT DEBRIS LANDFILL, MINOR" TO A USE REQUIRING A SPECIAL USE PERMIT IN THE AG ZONING DISTRICT AND PROHIBITED IN ALL RESIDENTIAL ZONING DISTRICTS.

(See Proposed Table 4-3-1 attached)

ARTICLE VI

AMEND SECTION 6-4.53 TO LIMIT THE DISTRICTS WHERE LCID LANDFILLS ARE PERMITTED, ESTABLISH PERMIT RENEWAL REQUIREMENTS, PERMISSIBLE HOURS OF OPERATION, AND ASSURANCES OF FINANCIAL RESPONSIBILITY FOR CLOSURE.

6-4.53.2 Land Clearing and Inert Debris (LCID) Landfill

(A) *Land Clearing and Inert Debris Landfill (Minor):*

- 1) Where Required: All Districts AG, LO, GOM, GOH, NB, LB, GB, HB, SC, CP, LI, HI, and PI.
- 2) Maximum Area: Two (2) acres.
- 3) Maximum Duration: Landfills are limited to a maximum period of operation of three (3) years from the date of issuance of the Certificate of Occupancy by Guilford County, provided that the Planning Board may upon request grant one (1) or more three-year renewals. During consideration of a renewal request, the applicant shall affirm and the Planning Board shall conclude that:
 - a) the condition of the access drive to the landfill, including but not limited to access at the junction of the driveway and the public street, is in such a condition that vehicles can enter, maneuver, and exit the site safely;
 - b) operation of the landfill has occurred consistent with approved plans and specifications;
 - c) The property is not under a notice of violation with respect to provisions of the Town's Development Ordinance.
- 4) Use separation: One hundred (100) feet minimum from any property line to the edge of the fill area and three hundred (300) feet minimum from any residence not on the same tract as the landfill.
- 5) Buffer: Where possible a minimum fifteen (15) foot tree buffer shall be retained around the exterior property line.
- 6) Access: Access to the landfill shall be from a state maintained paved road, provided that the Planning Board may grant a waiver to the paving requirement upon reasonable conditions and shall be controlled with gates, chains, fences, ditches and/or trees to prevent unregulated dumping.
- 7) Dust: All unpaved areas shall be maintained in a manner which prevents dust from leaving the property.
- 8) Operation:

a) No filling is permitted in the 100-year floodplain of any stream. Filling to the edge of the 100-year floodplain is permitted only if the back slope is stable and no steeper than 3:1;

b) No filling is permitted in minor drainageways unless the drainage has been piped or otherwise diverted in accordance with approved plans; and

c) No filling is permitted in utility easements, except electrical transmission easements for 44kv or greater lines.

d) Landfill operations, including all activities associated with the landfill, including but not limited to delivery of fill materials or equipment, unloading of fill materials or equipment, and on-site preparation, cleanup, or maintenance including covering activities shall not commence prior to 7:00 AM and shall cease by 5:00 PM except that operational hours may be extended in the event of natural or man-made events that threaten immediate public health, safety, and general welfare, as determined by the Mayor or designee.

e) Prior to operation, the responsible party shall provide a surety bond or irrevocable letter of credit to ensure that any active landfill area will be closed in an approved fashion. The amount of the surety bond or irrevocable letter of credit shall be determined based on the estimated amount to properly close the landfill and the surety bond or letter of credit shall be valid for as long as the landfill is operational but not for a time period exceeding three years. In the event a renewal is requested and granted in accordance with A.3 above, a new surety bond or irrevocable letter of credit and estimate shall be provided. Any estimate, whether an initial estimate or one provided as part of a renewal, shall be prepared and sealed by a professional engineer licensed to practice in the State of North Carolina.

9) Closure: Landfills shall be closed with a minimum of one (1) foot of clean soil, graded to a maximum slope of three to one (3:1), and stabilized with vegetation or by other approved means.

10) Applicability: Landfills legally in operation prior to (ADOPTION DATE OF AMENDED ORDINANCE) shall be exempt from the provisions of A.8.d and A.8.e above, including any request for renewal duly requested and approved, provided the landfill maintains compliance with the plans and specifications originally approved.

(B) *Land Clearing and Inert Debris Landfill (Major):*

1) Where Required: AG and HI districts.

2) Use separation: One hundred (100) feet minimum from any property line to the edge of the fill area and three hundred (300) feet minimum from any residence not on the same tract as the landfill.

3) Buffer: Where possible a minimum fifteen (15) foot tree buffer shall be retained around the exterior property line.

4) Access: Access to the landfill shall be controlled with gates, chains, fences, ditches and/or trees to prevent unregulated dumping.

5) Dust: All unpaved areas shall be maintained in a manner which prevents dust from leaving the property.

6) Operation:

a) No filling is permitted in the 100-year floodplain of any stream. Filling to the edge of the 100-year floodplain is permitted only if the back slope is stable and no steeper than 3:1;

b) No filling is permitted in minor drainageways unless the drainage has been piped or otherwise diverted in accordance with approved plans; and

c) No filling is permitted in utility easements, except electrical transmission easements for 44kv or greater lines.

d) Landfill operations, including all activities associated with the landfill, including but not limited to delivery of fill materials or equipment, unloading of fill materials or equipment, and on-site preparation, cleanup, or maintenance including covering activities shall not commence prior to 7:00 AM and shall cease by 5:00 PM except that operational hours may be extended in the event of natural or man-made events that threaten immediate public health, safety, and general welfare, as determined by the Mayor or designee.

e) Prior to operation, the responsible party shall provide a surety bond or irrevocable letter of credit to ensure that any active landfill area will be closed in an approved fashion. The amount of the surety bond or irrevocable letter of credit shall be determined based on the estimated amount to properly close the landfill and the surety bond or letter of credit shall be valid for as long as the landfill is open. The estimate shall be prepared and sealed by a professional engineer licensed to practice in the State of North Carolina.

9) Closure: Landfills shall be closed with a minimum of one (1) foot of clean soil, graded to a maximum slope of three to one (3:1), and stabilized with vegetation or by other approved means.

10) Applicability: These standards shall apply to all major land clearing and inert debris landfills.

Town of Stokesdale Development Ordinance

Table 4-3-1 Permitted Use Schedule

Use Type	Ref. SIC	AG	RS40	RS30	RS20	RS15	RS12	RS9	RS7	RSS	RM5	RM8	RM12	RM1B	RM26	LO	GOM	GOH	NB	LB	GB	HB	SC	CP	LI	HI	PI	LUC												
Land Clearing & Inert Debris (LCID) Landfill, Major/WCA	0000	S																									S													
Land Clearing & Inert Debris (LCID) Landfill, Minor	0000	D																																						

Zoning Districts

**Amendment to
Accessory Building and Structure Locations**

ARTICLE IV

AMEND SECTION 4-2.2(A) TO ALLOW DETACHED RESIDENTIAL ACCESSORY BUILDINGS TO BE LOCATED IN FRONT OF A PRINCIPAL STRUCTURE AS OPPOSED TO BEHIND IF CERTAIN CRITERIA ARE MET.

4-2.2 Location

- (A) Single-Family Development: All accessory structures and buildings must be located behind the front building line of the principal structure, except for those tracts of two (2.0) or more acres where the owner can clearly demonstrate to the satisfaction of the Enforcement Officer that the proposed accessory structure will not be intrusive, will be in keeping with the residential character of the surrounding area, and will not interfere with the vehicular or pedestrian traffic. In the case that the Enforcement Officer authorizes an accessory structure or building to be located in front of the front building line of the principal structure, notice of the approval and appeal rights shall be made by first class mail within three business days to the owner(s) of the parcel of land affected by the approval and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the county tax listing. No permit or final approval shall be issued for the structure or building for fifteen calendar days following the Enforcement Officer's authorization.