

Summary of the Onslow County Zoning Ordinance

What is the zoning ordinance? The zoning ordinance creates different zones, or districts, to establish rules on how the land in each district can be used. These rules include a listing of which types of land uses are allowed in each district and standards for the development of sites to include setbacks from property lines, parking, signage and buffers. The zoning ordinance consists of the ordinance text and a zoning map.

What uses are allowed in the zoning districts? A central part of the zoning ordinance is the Table of Uses, which shows what type of development or use of land is permitted in each zoning district. The Table of Uses distinguishes between uses that merit detailed consideration prior to being allowed and those that do not by dividing uses into three categories:

Permitted (P) – These uses require a Zoning Permit which is generally issued along with the building permit; these are referred to as “by right” uses. All requirements in the zoning ordinance, including setback requirements, must be met.

Special Requirement Uses (SR) – These uses are also “by right” uses; however, there are additional standards set forth in the ordinance text. A site plan and sometimes supplemental information must be submitted to allow staff to verify that the proposal meets ordinance requirements.

Special Uses (S) – These uses require a Special Use Permit to be issued by the Onslow County Zoning Board of Adjustment after a public hearing. A site plan drawn by a land surveyor or engineer is required. Owners of properties within 1,000 feet of the site will be notified of the proposed use and the public hearing date.

Zoning District Summary

Residential Zoning Districts – The density allowed in the residential zoning districts can be determined by the number behind the “R” as that number signifies the minimum lot size requirement for each lot/unit. The “M” behind the number indicates that manufactured homes are permitted in these districts.

R-90, R-30M, R-20 and R-15 – These single-family residential districts permit detached single-family dwellings.

R-10, R-8M and R-5 – These residential districts permit both single-family and multi-family housing types. The **R-8M** district allows manufactured home parks and RV Parks by special use.

Rural Agricultural District

RA (Rural Agricultural) – This district is a mixed-use district which permits all residential use types including manufactured homes as well as many service-type commercial uses. The lot size minimum in the RA district is 20,000 square feet. The setback minimums are the same as the R-20 requirements for both principal and accessory structures except that accessory structures can be erected in the front yard in the RA district.

Home owners in planned subdivisions are encouraged to determine if there are restrictive covenants that may place limitations on their property; however, Onslow County has no authority to enforce any such covenants.

Commercial and Industrial Zoning Districts

HB (Highway Business), **CB** (Community Business) and **O-I** (Office and Institutional) These districts provide for service and retail businesses. The **HB** district allows for larger-scale businesses that tend to rely on highway traffic while the **CB** district limits the size of business. The **O-I** district permits some retail uses, office uses and some less intense industrial uses. Residential uses are permitted in both the HB and CB districts but not in the O-I district.

H-IN (Heavy Industrial) and **L-IN** (Light Industrial) – These are the two industrial districts designed to encourage development of industrial uses.

Other Zoning Districts

CON (Conservation) – This district is designed to preserve valuable natural resource areas.

FPOD (Flight Path Overlay District) – This overlay district is intended to protect the military flight paths from any encroachment that could prove hazardous to both aircraft using the flight paths and civilians within the flight path.

Conditional Zoning Districts –Conditional zoning districts are created when a conditional zoning ordinance is adopted by the Board of Commissioners for a particular area. A conditional zoning ordinance takes one of the general zoning districts listed above and imposes additional regulations and conditions that are agreed upon by the property owner(s) and the Board of Commissioners. The reclassification of a property into a conditional zoning district provides a way for a specific development proposal to move forward subject to specific regulations and conditions to ensure its compatibility with the use and enjoyment of surrounding properties and with officially adopted county plans.

RESIDENTIAL ZONING DISTRICT INFORMATION

LOT SIZE MINIMUMS (square feet) AND SETBACK MINIMUMS

Zones	R-90	R-30M	R-20	R-15	R-10	R-8M	R-5
Lot Size	90,000	30,000	20,000	15,000	10,000	8,000	5,000
Lot Width	60'	60'	60'	60'	50'	50'	50'
Front setback*	25'	25'	25'	25'	20'	20'	20'
Side street setback	20'	20'	20'	20'	20'	20'	20'
Side setback	8'	8'	8'	8'	8'	8'	8'
Rear setback	15'	15'	15'	15'	15'	15'	15'

*Front (right-of-way) setbacks shall be increased along the following road types:

Highways and Thoroughfares 50 feet
 Other State Maintained Roads (non-subdivision) 40 feet
HEIGHT REQUIREMENTS – All buildings may be constructed to a height of 42 feet by right. See the Zoning Ordinance for provisions for buildings over 42 feet in height.

USES TABLE – The following table outlines some of the most common uses in the Residential Districts with additional us information following the table.

Principal Uses/Districts	R-90	R-30M	R-20	R-15	R-10	R-8M	R-5
Apartments						SR	SR
Bed & Breakfast	S	S	S	S	S	S	S
Campgrounds/RV parks						S	
Cemeteries (private/public)	S	S	S	S	S	S	S
Churches and Schools	S	S	S	S	S	S	S
Colleges (private/public)	S	S	S	S	S	S	S
Country Clubs	S	S	S	S	S	S	S
Duplexes & Townhomes					SR	SR	SR
Family Care Homes	SR	SR	SR	SR	SR	SR	SR
Manufactured homes		P				P	
Manufactured Home Parks						S	
Single-family homes/site built or modular	P	P	P	P	P	P	P
Parks and Playgrounds	P	P	P	P	P	P	P

P - Permitted Uses S - Special Uses SR - Special Requirement Use

ACCESSORY USES

Accessory buildings setbacks – The setbacks are based on the size of the accessory building. All accessory buildings in residential zoning districts are required to be located in the rear or side yard.*

- For buildings under 180 square feet, the setbacks are 5 feet from the side and rear property lines.
- For buildings between 180 up to 400 square feet, the setbacks are 8 feet from the side and rear property lines.
- For buildings over 400 square feet, the setbacks are 10 feet from the rear property lines and 8 feet from the side property line.

*A special use permit is required for accessory buildings to be located in the front yard on waterfront lots.

Fences – The Zoning Ordinance does not specify the location of fences. Property owners may decide to locate a fence on the property line. We do, however, recommend that property owners communicate with their neighbor regarding the proposed location of a fence so that there are no misunderstandings regarding the location of the property line.

Accessory apartments are permitted in the R-90, R-30M and R-20 zoning districts providing that the apartment size is no greater than 60% of principle structure or 900 square feet, whichever is less. Manufactured homes cannot be used as an accessory apartment.

Home occupations are permitted by right in all districts under the following guidelines:

1. No display of products shall be visible from the street. (Not applicable in RA)
2. No mechanical equipment shall be installed or used that creates vibration, glare, fumes, odors, or electrical interference that is detectable off site.
3. The square footage of floor area devoted to the home occupation (which may be located within the home and/or accessory buildings) shall not exceed forty percent (40%) of the livable square footage of the home, or one thousand (1,000) square feet, whichever is smaller.
4. The home occupation may only employ residents of the dwelling and up to two (2) nonresident employees.
5. Signage identifying the home occupation shall be limited to a single sign with no more than four (4) square feet of sign area.
6. The home occupation shall generate no more than thirty (30) vehicle trips per day or a number of vehicle trips equal to five percent (5%) of the average daily traffic volume on the adjacent street, whichever is less, nor more than sixteen (16) vehicle trips during that hour of the day when the street's traffic volume is at its peak.
7. Shipments and delivery of products, merchandise, or supplies shall be limited to the hours between 8:00 AM and 8:00 PM and shall occur only via trucks or smaller vehicles typically used to serve residential areas. In no case may any commercial vehicle or truck with a gross weight greater than thirteen (13) tons be used for shipments, deliveries, or service. The site shall be able to accommodate the on-site loading/unloading and maneuvering of trucks used for shipments, deliveries, or service.
8. Home occupation commercial fishing (including, but not limited to, oystering, shrimping, clamming, scalloping, net fishing, and crabbing) may include use of accessory structures (e.g., buildings used for crab shedding) and equipment (e.g., refrigerators) provided, however, that crab pots, fishing nets, coolers, and other items necessary to operate commercial fishing activities must be kept so as not to pose a health or safety risk in violation of the Onslow County Solid Waste Management Ordinance.

Outdoor pools, hot tubs and spas (in-ground, above-ground or on-ground) that are intended for swimming or bathing that are 24 inches deep are required to be completely surround by a fence or solid wall not less than four feet in height. A zoning permit is required for these structures and a building permit may also be required. Please contact our office for additional information.

Horses are permitted as an accessory to a dwelling in all zoning districts on properties of one acre or more.

Private Stables, as the sole use of the property, are allowed by Special Requirement Permit in the Rural Agricultural (RA) zoning district, and are subject to the following requirements:

- a) All barns and other accessory structures shall be setback fifty (50) feet from the right-of-way and twenty feet from all other property lines.
- b) Minimum lot size of one (1) acre.

Public Horse Stables, as the sole use of the property, are allowed by Special Requirement Permit in the Rural Agricultural (RA) and Highway Business (HB) zoning districts, and are subject to the following requirements:

- a) Minimum lot size of five (5) acres.
- b) All barns and other accessory structures shall be setback fifty (50) feet from the right-of-way and twenty (20) feet from all other property lines.
- c) Owners should consult the Cooperative Extension Office for best management practices and guidelines for pasture areas.

For specific information regarding permitted uses and development standards in the commercial and industrial zones, please consult the Onslow County Zoning Ordinance. County Land Use staff are also available to assist with questions.

You may download the Zoning Ordinance from the Onslow County website at www.onslowcountync.gov/planning. Please contact the Planning & Development Office at 910-455-3661 with any questions.

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