

## **Annex D: Evaluation of County Policies and Ordinances**

### **I. Purpose.**

To evaluate the ability of Cabarrus County policies and ordinances to aid in the mitigation of the effects of natural hazards.

### **II. Situations and Assumptions.**

A. Cabarrus County has used its regulatory power to adopt and implement policies, programs, and ordinances that help mitigate the potential harmful effects of natural hazards. The County has developed and adopted the following local policies and ordinances:

- Cabarrus County Zoning Ordinance
- Small Area Plans
- Flood Damage Prevention Ordinance
- Soil Erosion and Sedimentation Control Ordinance
- Subdivision Ordinance
- Manufactured Home Park Ordinance
- North Carolina State Building Code Enforcement
- Watershed Protection Overlay
- Waterbody Buffer Overlay

The County did not adopt the Unified Development Ordinance. The following municipalities in the county have adopted the UDO: Concord, Kannapolis, Mount Pleasant, and Harrisburg. Midland has adopted a zoning ordinance similar to that used by Cabarrus County.

B. These ordinances establish development regulations for different types of land development including both subdivided and non-subdivided land uses. Each policy, ordinance or regulation has a unique and varying impact on hazard mitigation. Although these policies are not specifically oriented for mitigation purposes, they can be utilized to implement hazard mitigation initiatives. A summary of current ordinances and policies that may pertain to hazard mitigation is included below.

### **III. County Policies and Ordinances**

#### **A. Zoning.**

Zoning, the traditional and nearly universal tool available to local governments to control the use of land. Cabarrus County has a countywide zoning ordinance and the municipalities have their own zoning ordinances.

#### **B. Planning.**

1. Cabarrus County has the statutory authority to plan for growth and development including the power to make studies of the county, to determine growth objectives, to prepare and adopt plans for achieving those objectives and to develop policies,

ordinances, and the administrative means to implement plans. The Board of Commissioners has appointed a Planning and Zoning Commission to serve as an advisory body on planning matters.

2. Local government enabling legislation requires that zoning regulations, when adopted by a county, be made in accordance with existing regulations and small area use plans. The existence of a comprehensive plan ensures that the county boards and staff are developing regulations and ordinances that are consistent with the overall goals of the community.

3. Unified Development Ordinance. Within the county, the City of Concord, the City of Kannapolis, the Town of Mount Pleasant and the Town of Harrisburg have adopted a unified development ordinance (UDO) to standardize the regulation of further growth in those municipalities. The County has not adopted this UDO for unincorporated areas of the county, but uses the county zoning ordinance to manage development in these areas. The Town of Midland enforces its own zoning ordinance

#### C. Small Area Plans

1. Cabarrus County has adopted several individual Small Area Plans that comprise a comprehensive land use plan. The purpose of these plans is to outline long-range growth and development policies for the unincorporated areas of the County. The Small Area Plans delineate areas of “resource conservation” which consist of areas located within the regulatory flood plains of major streams and the Rocky River. Recommended uses most suitable for this area include open space, recreational, agriculture and low-density residential development. The promotion of these types of land uses is typical of current mitigation initiatives.

2. Growth and development in Cabarrus County is constantly changing conditions throughout the County. These changes affect the impact natural hazards have on the people and properties of the County. In most cases, growth and development result in the alteration of natural topographic features that, in turn, affect the extent of flooding and the boundary of flood plains.

**Table D- 1: Specific Hazard Mitigation Goals, Objectives and Strategies**

Category	Goal	Objectives	Relevant Strategies
Growth and Development	Manage the physical growth and development of Cabarrus County to preserve and protect the County's character and assets.	Discourage development in unsuitable or sensitive areas, which have natural or man- made constraints or limitations.	<ul style="list-style-type: none"> <li>- Prohibit development in floodways and encourage less intensive land uses such as agriculture and recreation in floodway fringes.</li> <li>- Evaluate and revise, if necessary, the Flood Damage Prevention Ordinance.</li> </ul>
Land Use	Promote an orderly and efficient land use pattern, which allows for a variety of land uses and is sensitive to environmental and social concerns.	Develop an effective, countywide land use regulatory program.	<ul style="list-style-type: none"> <li>-Prepare and adopt a countywide zoning ordinance with necessary maps and text as the primary tool to implement Small Area Plans.</li> <li>- Amend all other applicable land development ordinances to address the goals and objectives of the plan, and incorporate as many separate ordinances as possible into the zoning ordinance.</li> <li>- Incorporate any new or revised environmental health standards into other land use regulations.</li> </ul>
		Protect natural resources, which have recreational, environmental or aesthetic value.	<ul style="list-style-type: none"> <li>- Prepare an open space and greenway plan to provide recreational, conservation, and scenic areas.</li> <li>- Promote the use of the cluster concept in new residential development and revise the subdivision ordinance to allow for the effective use of this development option.</li> </ul>
Natural Environment	Protect and preserve sensitive environmental areas and	Minimize soil erosion, runoff, and sedimentation to reduce	<ul style="list-style-type: none"> <li>- Review and revise, if necessary, the Soil Erosion and Sediment</li> </ul>

	natural resources.	negative effects on surface and subsurface water quality, natural river systems, and private property.	Control Ordinance. - Maintain waterways/ adjacent lands in a natural state. - Reduce the amount of unpaved streets and roads. - Consider regulations for water detention and retention in new developments, especially in environmentally sensitive areas.
		Preserve significant wetland areas in a natural state to assure their	- Coordinate development review with U. S. Army Corps of Engineers and Soil Conservation
Natural Environment (continued)		ecological value.	Service. - Revise development ordinances to mitigate effects of development on wetland areas and provide ample review time for relevant regulatory agencies. - Incorporate valuable wetlands in open space preservation programs.
		Protect floodplains from inappropriate development.	- Strengthen existing development regulations to discourage land uses and activities, which create hazards or reduce natural flood storage capabilities. - Plan and zone for open space, recreational, agricultural, or other low-intensity uses within floodway fringes.
		Provide an effective surface and subsurface drainage system to protect public health and safety.	- Support Soil Conservation Service watershed management projects, which provide for improved drainage and flood protection for agricultural purposes.

			<ul style="list-style-type: none"> <li>- Require adequate and functional drainage improvements, maintenance guarantees, and other related measures in new developments.</li> <li>- Establish a perpetual maintenance program for minor drainage systems in new and existing subdivisions.</li> </ul>
		Protect significant natural features such as the Rocky River, Coddle Creek, and Buffalo Creek from the adverse effects of inappropriate development.	<ul style="list-style-type: none"> <li>- Incorporate a conservation district and/or buffer zone within the zoning ordinance.</li> <li>- Develop a greenway plan for the county.</li> <li>- Require that new development consider the natural vegetative, drainage, and topographic conditions of the land.</li> <li>- Watershed Improvement Commission now in place</li> </ul>
		Protect existing natural wildlife habitat and migration corridors from habitat fragmentation.	

D. Flood Damage Prevention Ordinance

1. North Carolina General Statutes empower counties to regulate designated floodways for the purpose of controlling and minimizing the extent of floods by preventing obstructions which inhibit water flow and increase flood height and damage and other losses (both public and private) in flood hazard areas, and to promote the public health, safety and welfare of citizens of North Carolina in flood hazard areas.

2. No permit is required for certain uses, including agricultural, wildlife and related uses; ground level area uses such as parking areas, rotary aircraft ports; lawns, gardens, golf courses, tennis courts, parks, open space, and similar private and public recreational uses. Existing artificial obstructions in the floodway may not be enlarged or replaced without a permit. Local governments are empowered to acquire existing obstructions by purchase, exchange, or condemnation, if necessary, to avoid flood damages.

3. The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA). This program makes flood insurance available to a local community which, in exchange, agrees to adopt and enforce a flood

damage prevention ordinance to regulate flood-prone areas to help reduce future flood losses. In addition to the availability of flood insurance, the NFIP supports mitigation through floodplain management measures and the flooded property acquisition program. Enforcement of a local Flood Damage Prevention Ordinance is required for participation in the NFIP.

4. Cabarrus County enforces the Flood Damage Prevention Ordinance within the unincorporated areas of the County. Within the municipal planning jurisdiction of the Towns of Mount Pleasant, Harrisburg and Midland, their ordinances are enforced by the town planning and zoning department or by consultants performing these tasks.

5. The Flood Damage Prevention Ordinance regulates development within floodplains by providing for issuance of development permits for construction, and for periodic inspections to ensure compliance with the permit. The Flood Damage Prevention Ordinance also provides the authority to issue stop work orders until problems are resolved or corrective actions have been taken, and for revocation of permits in extreme cases.

6. The Flood Damage Prevention Ordinance requires a local permit prior to development work to ensure development will not aggravate the effects of flooding and that structures are flood damage resistant. Section 38-77 establishes that new construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than two feet above the base flood elevation.

7. The Flood Damage Prevention Ordinance limits the placement of fill material in the floodway or floodway fringe. The ordinance required that there be no net loss of storage capacity for the floodway and floodway fringe such that when fill is placed an equal amount of excavation must occur.

#### E. Subdivision Ordinance

1. Subdivision regulations control the division of land into parcels for the purpose of building development or sale. The regulations require that subdivision plans be approved prior to the sale of land. Subdivision regulations are a more limited tool than zoning and only indirectly affect the type of use made of land or minimum specifications for structures.

2. Flood-related subdivision controls typically require that developers install adequate drainage facilities, and design water and sewer systems to minimize flood damage and contamination. The Subdivision Ordinance provides for orderly growth and development by setting standards for street construction, interconnecting street systems, and for other improvements that ensure the appropriate design and layout of new development.

3. These regulations also serve to protect natural features and resources by not allowing or reducing development within sensitive environmental areas. The Subdivision Ordinance is also used to ensure storm water drainage facilities in developments are

properly installed to protect properties from flooding and to lessen development in areas of high risk. Although these regulations currently provide measures that support mitigation initiatives, the ordinance can be amended to include more restrictive standards to further mitigate the effects of flooding. Cabarrus County subdivision regulations are currently enforced within the unincorporated areas of the County and within the municipal planning jurisdiction of the Towns of Mount Pleasant, Harrisburg and Midland.

**Table D-2: Sections of Subdivision Ordinance Pertaining to Hazard Mitigation**

Section	Purpose	Objectives
66.2	The procedures and standards for the development and subdivision of real property for residential, industrial, institutional, or commercial purposes ... to partially implement the county's land development guide and the small area plans.	1) Aid in promoting the orderly development of the county and safeguard conditions essential to public health, safety, and the general welfare; 2) Provide space for safe and sanitary dwelling accommodations within the county; (3) Promote safe and sanitary environmental conditions, proper planning, adequate light, air and space, safe and sanitary design and arrangements, supply sanitary facilities, and existence of conditions which enhance life or property and hinder damage by fire or other cause of destruction; 4) Provide for suitable neighborhoods with adequate streets, utilities and appropriate building sites; 5) Save unnecessary expenditures of public funds by reserving space for public lands and buildings, including the dedication or reservation of recreation areas and school sites, or fees in lieu of, to serve residents of the immediate neighborhood within the subdivision and to provide sufficient streets with adequate width and with proper alignment and grade for the coordination of utilities, planned streets and highways and other public facilities, and to facilitate adequate and orderly communication and travel within and between communities; and 6) Provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries; and 7) Ensure legal access to all newly divided parcels.
66-67 66-68	Minimum Design Standards	Sec. 66-67. Suitability of the land for use.  a. Lands which are subject to flooding, excessive erosion, or slides because of soil types or groups, watercourses and other drainageways, steep slopes, or other hazards shall not be platted for residential or other uses in such a way as to present a danger to life, property, or to the public health, safety or general

		<p>welfare.</p> <p>b. A subdivider proposing to use an existing lake must structurally upgrade the lake and dam, or if constructing a new lake and dam it must be in accordance with the North Carolina Dam Safety Act, or provide evidence that the lake does not fall under the provisions of that act.</p> <p>c. All proposed subdivisions shall be planned so as to facilitate the most advantageous development of the entire neighboring area, including but not limited to road locations, utilities location, development of adjacent property, etc.</p> <p>Sec. 66-68. Preservation of natural features and historical sites.</p> <p>Due consideration should be given to preserving natural features, such as trees, ponds, streams, rivers and lakes, as well as historical sites which are of value to the county as a whole. The proposed subdivision shall take advantage of and be adjusted to the contour of the land so as to produce lots and streets of reasonable gradient.</p>
66-70	Flood Damage Prevention	<p>Note: Subsurface drainage system is required in the Unified Development Ordinance, but is not required by the County Zoning Ordinance.</p> <p>a) Lots that are subject to flooding shall not be established in subdivisions for the purpose of creating building sites except as provided in this section and in accordance with the county flood damage prevention ordinance</p> <p>b) If there is any watercourse of any type running through or within 150 feet of the property proposed for subdivision, the prospective subdivider shall provide evidence to the planning and zoning commission, by making reference to maps prepared by the Federal Emergency Management Agency, that the lots within the subdivision will not be flooded.</p> <p>(c) The prospective subdivider shall make a determination of the crest elevation of a flood of 100-year probable frequency in accordance with generally accepted engineering practice. This determination must reflect the actual conditions imposed by the</p>

		<p>completed subdivision and must give due consideration to the effects of urbanization and obstructions.</p> <p>d) No proposed building lot shown that is wholly subject to flooding shall be approved. No proposed building lot that is partially subject to flooding shall be approved, unless there is established on the lot plan a line representing an actual contour at an elevation two feet above the 100-year flood. Such line shall be known and identified on the lot plan as the building restriction floodline. All buildings or structures designed or intended for use shall be located on such a lot so that the lowest usable and functional part of the structure shall not be below the elevation of building restriction floodline. Usable and functional part of the structure is defined as being inclusive of living areas, basements, sunken dens, utility rooms, attached carports and mechanical appurtenances such as furnaces, air conditioners, water pumps, electrical conduits and wiring but shall not include water lines or sanitary sewer traps, piping and cleanouts, provided openings serving the structure are above the building restriction floodline. Where only a portion of a proposed building lot is subject to flooding, such lot may be approved only if there will be available for building a usable lot area of not less than 1,500 square feet. The usable lot area shall be determined by deducting from the total lot area the area of the setback required by an applicable zoning district regulation and any remaining area of the lot lying below the building restriction floodline.</p> <p>e) During the construction, preparation, arrangement, and installation of subdivision improvements and facilities in subdivisions located at or along the stream bed, the developer shall maintain the stream bed of each stream, creek, or backwash channel contiguous to the subdivision in an unobstructed state. The developer shall also remove from the channel and banks of the stream all debris, logs, timber, junk and other accumulations of a nature that would, in time of flood, clog or dam the passage of waters in their downstream course. Installation of appropriately sized stormwater drains, culverts or bridges shall not be construed as obstructions in the streams.</p>
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Sec. 66-71	Waterbody buffer	All subdivisions containing or located adjacent to all rivers, streams or ponds/lakes fed by them shown on USGS Quadrangle Maps as a solid blue shall be subject to all of the regulations set forth in Chapter 4, Part II, of the county zoning ordinance. In addition, intermittent streams (dashed lines) also required a base level of buffering.
Sec. 66-72	Sedimentation pollution control.	<p>All subdivision developments must meet the requirements of the Cabarrus County Sediment and Erosion Control Ordinance. The approval of a sediment and erosion control plan for major developments must be received within 60 days of preliminary subdivision approval. No site work may begin in a subdivision until that approval is granted.</p> <p>Final subdivision approval may not be granted to any subdivision that is not in conformance with the Sediment and Erosion Control Ordinance.</p>
66-81	Adequate public facilities standards	<p>To ensure public health, safety and welfare the planning and zoning commission shall review each subdivision, multifamily development, and mobile home park to determine if public facilities are adequate to serve that development.</p> <p>The public facilities to be considered include, but are not limited to schools, fire and rescue, law enforcement and other county facilities. Applicable state standards and guidelines shall be followed for determining whether facilities are adequate. Facilities must be in place or programmed to be in place within two years of the preliminary approval to be considered adequate. The planning and zoning commission may grant partial approval of developments based on limited adequacy.</p>

F. Soil Erosion and Sedimentation Control Ordinance. Another policy that affects hazard mitigation in Cabarrus County is soil erosion and sedimentation control. The purpose of soil erosion and sedimentation control is to regulate land-disturbing activities to control accelerated erosion and loss of sediment. Controlling erosion and sedimentation reduces the loss of valuable topsoil and reduces the likelihood of water pollution and damage to watercourses. Although its intended purpose is not targeted at hazard mitigation, it does affect certain mitigation initiatives.

**Table D-3: Sections of Soil Erosion and Sedimentation Ordinance Relevant to Hazard Mitigation**

Section	Purpose	Description
57.5	Activities Excluded	<p>a. Breeding and grazing of livestock, undertaken on agricultural land for the production of plants and animals useful to Persons, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts</li> <li>2. Dairy animals and dairy products</li> <li>3. Poultry and poultry products</li> <li>4. livestock, including beef cattle, sheep, swine, horses, ponies, mules, and goats</li> <li>5. Bees and apiary products</li> <li>6. Fur-producing animals.</li> </ol> <p>b. Activities undertaken on forestland for the production and harvesting of timber and timber products and conducted in accordance with best management practices set out in Forest practice Guidelines Related to Water Quality, as adopted by the Department. If Land –Disturbing Activity (LDA) undertaken on forestland for the production and harvesting of timber and timber products is not accordance with Forest Practice Guidelines Related to Water Quality, the provisions of this Ordinance shall apply to such activity and any related Land-Disturbing Activity on the tract.</p> <p>c. Activities for which permits is required under Mining Act of 1971, NCGS 74 Article 7.</p> <p>d. Land-disturbing activity over which the state has exclusive regulatory jurisdiction as provided in NCGS 113A-56(a).</p> <p>e. For the duration of an emergency, activities essential to protect human life.</p>
57.6.d. e. f.,	Basic Control Objectives	Identify critical areas; limit time of exposure; limit exposed areas; control surface water; control sedimentation; and manage stormwater runoff.
57-7	Mandatory Standards for For Land-Disturbing Activity.	<ol style="list-style-type: none"> <li>1. Buffer Zone               <ol style="list-style-type: none"> <li>a. No LDA during periods of construction or improvement to land shall be permitted within the Buffer Zone. Visible siltation must not discharge into the buffer zone.</li> <li>b. Unless otherwise provided, the width of the Buffer Zone begins and is measured five feet from the edge of the top of the bank of the watercourse to the nearest edge of the disturbed area.</li> </ol> </li> <li>2. Graded slopes and Fills. The angle for graded slopes and fills shall</li> </ol>

		<p>be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event slopes left exposed will, within 15 working days of completion or any phase of grading, be planted or otherwise be provided with ground cover, devices, or structures sufficient to restrain erosion.</p> <p>3. Ground Cover. Whenever more that one (1) acre is uncovered, the person conducting the LDA shall install such sedimentation and Erosion control devices and practices are sufficient to retain the sediment generated by the LSA within the boundaries of the tract...</p>
57-12	Operations in lakes/natural watercourses	Minimize extent and duration of disturbance of stream channel.
57-13	Maintenance Responsibility	Person conducting land-disturbing activity will install and maintain all temporary and permanent erosion and sedimentation control measures as required.
57-17	Review	<p>a. Persons conducting land-disturbing activity will prepare a plan for all LDA...</p> <p>The County Planning and Zoning Services Department will review all plans for land-disturbing activity. If approved, the county staff will issue a Plan Certificate and Letter of Approval.</p>

G. Manufactured Homes and Trailers Ordinance. Cabarrus County has adopted a Manufactured Homes, which establishes standards for mobile home parks. The basic requirements for mobile home parks are the same as for subdivisions. The ordinance sets standards for mobile home park development by establishing minimum space size requirements for individual spaces, review fees, improved design and construction standards, and construction plan submittal requirements.

The Manufactured Homes and Trailers Ordinance was repealed in June 2005 and replaced it with the Manufactured Home Overlay District, which establishes standards for mobile homes and mobile home parks. The basic requirements for mobile home parks are the same as for subdivisions. The ordinance sets standards for mobile home park development by establishing minimum space size requirements for individual spaces, review fees, improved design and construction standards, and construction plan submittal requirements.

**Table D-4: Sections of Manufactured Home Overlay District Pertaining to Hazard Mitigation**

Section	Purpose	Objective
4-42	... to regulate and guide the establishment of mobile home parks in order to promote the public's health, safety, and general	The purpose of this Section is to provide sufficient land area for the provision of manufactured housing in order to implement NCGS § 160A-383.1 and to provide affordable housing opportunities for low and moderate income persons. A manufactured home is defined as structure, used or intended to be used as a Dwelling Unit, transportable in one or more sections, which in the traveling mode is eight body feet or more

	welfare of the citizens of the county.	in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, et seq. (Source: The Uniform Standards Code for Manufactured Homes Act," NCGS § 143-145). For purposes of this Part, a "manufactured home" does not include a structure which otherwise complies with this subsection, but which was built prior to June 15, 1976, which units shall be classified as "mobile homes."
4-49	Design and Installation Standards for Manufactured Home Parks	<ol style="list-style-type: none"> <li>1. The location of two or more Class I or Class II manufactured homes on a parcel of land shall constitute a Manufactured Home Park and shall be subject to the provisions of this Section.</li> <li>2. Each application for a manufactured home park shall be accompanied by a master plan. The master plan shall show the circulation pattern, manufactured home spaces, permanent structures and other site design requirements that may be considered essential. The master plan shall show how all proposed improvements will meet the design and installation standards of Chapter 4, Part VII.</li> <li>3. The minimum land area for the entire site shall be 5 acres.</li> <li>4. Dimensional and density requirements for manufactured homes shall comply with the criteria set forth in Table 1 in Chapter 4, Part VII.</li> <li>5. All manufactured home spaces shall abut upon a paved internal street not less than 24 feet in paved width exclusive of parking.</li> <li>6. All manufactured home spaces shall be served by at least a three-foot all-weather surface sidewalk.</li> <li>7. All common spaces must be served by four-foot wide all-</li> </ol>

		<p>weather surface sidewalks.</p> <p>8. Each space shall be graded as to prevent erosion and provide adequate storm drainage away from the dwelling unit.</p> <p>9. Two paved off-street parking spaces shall be provided for each manufactured home space. Each parking space shall be at least 210 square feet in area and have a minimum width of 10 feet. No parking shall be permitted on the street.</p> <p>10. Each manufactured home park shall have a minimum of eight percent of the total area set aside and developed for recreational purposes. If a swimming pool is provided, it shall be separated from other uses by a fence having a gate which is capable of remaining closed.</p> <p>11. Operators of manufactured home parks must provide adequate solid waste refuse and recycling containers. Individual roll-out containers and/or large dumpsters may be used. Dumpsters shall be located at least 40 feet from any manufactured home unit and at least 10 feet away from internal residential streets. Recycling containers shall be emptied on a regular basis and shall be the responsibility of the park operator.</p> <p>12. A manufactured home park must be served by an approved community or public water service. Approved community or public sewer shall be required.</p> <p>13. Adequate illumination shall be provided to ensure the safe movement of pedestrians and vehicles at night. Permanent buildings designed for and used by park residents shall remain illuminated to at least the level of 40-foot candles at all times.</p> <p>14. A level 2 buffer yard shall be installed around the perimeter of the Manufactured Home Park (see Chapter 9 for planting requirements).</p> <p>15. The park owner shall be responsible for the placement of the dwelling unit on the designated space within the park. This responsibility assures the placement of the dwelling unit adheres to the development standards listed below, including setbacks from lot lines and street as stated in this ordinance. A violation of any section of this section and correction thereof shall be the responsibility of the park owner(s).</p> <p style="padding-left: 40px;">a. Interior lots shall have the building setback for principle structures measured thirty feet from the edge of the pavement</p>
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		<ul style="list-style-type: none"> <li>b. Corner lots shall have the building setback for principle structures measured thirty feet for the edge of the pavement of each right-of-way.</li> <li>c. Accessory structures shall not be located closer to any right-of-way than the principle structure.</li> <li>d. Accessory structures shall be placed twenty feet minimum from any other dwelling unit, additions to any dwelling unit and other accessory structures.</li> </ul>
4-50	Design and Installation Standards for Individual Manufactured Homes	<ol style="list-style-type: none"> <li>1. Any manufactured home on an individual lot shall conform to the same building setback standards, side and rear yard requirements, standards for enclosures, access, vehicle parking, and square footage standards and requirements to which a conventional single-family residential dwelling on the same lot would be subject. This provision shall not apply to a Manufactured Home Park where the lots are not subdivided into separate tracts of land. (Refer to #15 above for placement standards.)</li> <li>2. A minimum 3:12 roof pitch is required for all Type I units. Type II units are not required a minimum roof pitch.</li> <li>3. A continuous masonry curtain wall or foundation, unpierced except for ventilation and access, shall be installed under the outer perimeter of the Dwelling from its base to the ground so as to be compatible with surrounding residential land uses. (Note: See APPENDIX C, Section C-503, Volume VII, North Carolina State Building Code). A masonry curtain wall shall not be required for installations in a Manufactured Home Park or in the AO zoning district, in those cases other compatible materials may be used.</li> <li>4. The Dwelling shall be attached to a permanent foundation system in compliance with the N.C. State Building Code as may be amended, and the following requirements:</li> <li>5. All wheels, axles, transporting lights and removable towing apparatus shall be permanently removed prior to installation of the dwelling unit. Hitches may remain, but shall be screened from view unless located within a manufactured home park.</li> <li>6. For homes which are narrower than 17 feet in width, the unit shall be oriented on the lot so that its long axis is parallel to the street.</li> </ol>

## H. Building and Building Regulations Ordinance

1. Cabarrus County has adopted a Building and Building Regulations Ordinance that incorporates the North Carolina State Building Code. The ordinance provides that any revisions, amendments, or additions to the state code are automatically included in the Cabarrus County ordinance. The county ordinance has developed additional standards for safety and sanitation as to supplement the state code.
2. The County enforces the ordinance within the unincorporated areas of the County and also has the authority to enforce the code in any municipality, which requests by resolution that the County does so within its corporate limits. Currently, Cabarrus County enforces the building code within all municipal jurisdictions within the county and within the corporate limits of Kannapolis that lie within Rowan County.

## I. Water Supply Watershed Protection Overlay District

1. The Water Supply Watershed Act of 1989 instituted a statewide program to protect drinking water supply watersheds from inappropriate development. The intent of the program was to protect the quality of surface water supplies from non-point source pollution, and to minimize stormwater runoff by regulating development densities and the amount of built-upon area within the critical and protected areas of affected watersheds. Certain land uses are also prohibited within protected water supply watersheds.
2. The County Zoning Ordinance includes the Water Supply Watershed Protection Overlay District. The county enforces the ordinance within the unincorporated areas of the county and also has the authority to enforce the code in any municipality, which requests by resolution that the County does so. Currently, Cabarrus County enforces the water supply watershed protection ordinance within the planning jurisdiction of the Towns of Mount Pleasant, Harrisburg, and Midland.
3. The overlay district applies within the areas designated by the North Carolina Environmental Management Commission as the critical or protected area of a surface water supply watershed and as shown on the official watershed map for Cabarrus County. The Yadkin – PeeDee basin includes all of Cabarrus County and has both watershed II and IV areas. Within those watershed areas classified watershed II, a two acre lot can only have 6% coverage of the site; the same site in a watershed IV area can have up to 24 % coverage of the site. Coverage includes all structures and paved areas.
4. The ordinance provides for the continuation of existing uses and the reconstruction of buildings and built-upon areas. Certain types of uses are also prohibited. Within the critical and protected areas, the storage of toxic and hazardous materials (unless a spill containment plan is implemented) is prohibited. Landfills and sites for land application of sludge/residuals or petroleum-contaminated soils are prohibited in the critical area.
5. A minimum 50' vegetative buffer is required along each side of all perennial waters and no new development is allowed in the buffer area except for water dependent

structures and public projects such as road crossings and greenways where no practicable alternative exists.

J. Public Water and Sewer Extension Policies. Wholesale sewer services within Cabarrus County are provided by Water and Sewer Authority of Cabarrus County and retail sewer services are provided by the municipalities of Concord, Kannapolis, Harrisburg and Mount Pleasant. WSACC does not have any policy of its own regarding provision of services within flood hazard areas, but instead depends on the local governing body to make that decision. WSACC and the municipalities own the sewer lines within the county and these lines meet all county and state guidelines. The municipalities maintain all water lines

K. Acquisition Cabarrus County has not actively acquired any flood hazard properties, but has encouraged the use of these areas as active or passive open spaces (i.e., parks and recreational areas).

L. River Basin Rules

1. The North Carolina Division of Water Quality has adopted rules for development within the River Basins that will affect development within Cabarrus County. The goal of the rules is to reduce and maintain phosphorus loading levels at pre-existing 1991 levels, to reduce nitrogen loading 30% below 1991 levels and to reduce the velocity and to control the volume of storm water runoff within these protected river basins.

2. The rules are performance-based rather than prescriptive meaning there will be a choice of best management practice options from which land users and developers and local governments can choose. Rules include provisions for riparian buffers along all water bodies (rivers, lakes, ponds, and streams but not manmade ditches) and use of swales, created wetlands, and detention/retention ponds. Rules are being phased in over a period of time.

M. Effectiveness for Hazard Mitigation. The Cabarrus County policies and ordinances are rated in Table D-8 as to their effectiveness for hazard mitigation.

**Table D-5: Effectiveness of Current Policies and Ordinances**

<b>Policies and Programs</b>	<b>Effectiveness for Mitigation (low, medium, high)</b>
Small Area Plans	Medium
Subdivision Regulations	Medium
Flood Damage Prevention Ordinance	High
Soil Erosion and Sedimentation Control Ordinance	High
Manufactured Home Park Ordinance	High
Building Code Enforcement Ordinance	High
Water Supply Watershed Protection Ordinance	High
Public Water and Sewer Extension Policies	High
Yadkin-PeeDee River Basin Rules	Medium

N. Incorporating Mitigation Plan into Other Planning Mechanisms – It is the responsibility of each participating jurisdiction to determine additional implementation procedures beyond those listed within their mitigation strategies. This includes integrating the Hazard Mitigation Plan into other local planning documents such as comprehensive, capital improvements or land use plans when appropriate. Cabarrus County incorporates this plan into their local NFIP Community Rating System Program and will continue to do so as part of the certification program with ISO, Inc. The concept of further integrating this plan into existing local comprehensive plans, sub division regulations, zoning ordinances and infrastructure policies have been discussed among the planning team. This concept will continue to be pursued during the monitoring, evaluation and update process required in this plan. Further, the planning team will remain charged with evaluating local planning documents and ensure the goals and strategies are consistent with the Hazard Mitigation Plan and not contribute to an increased level of hazard vulnerability in Cabarrus County. Additional opportunities to integrate this plan into other planning mechanisms will be identified during future meetings for the five year review process. The development and maintenance of this Hazard Mitigation Plan should be the most effective and appropriate method to implement local hazard mitigation actions.

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