



Stem Zoning Ordinance

Town of Stem
North Carolina

June 21, 2021

(Supersedes Stem Zoning Ordinance – 09/21/2016)

Article 1. General and Legal Provisions	10
1.01 Authority	10
1.02 Title	10
1.03 Purpose	10
1.04 Jurisdiction	10
1.05 Applicability	10
1.06 Effective Date	10
1.07 Statutes of Limitation	10
1.08 Consistency with Comprehensive Plan	10
1.09 Minimum Requirements	11
1.10 Conflicting Provisions	12
(A) Conflicts with State or Federal Law	12
(B) Conflicts with Other Town Regulations	12
(C) Conflicts with Private Agreements and Covenants	12
1.11 Existing Permits and Developments	11
(A) Purpose	13
(B) Vested Rights	13
(C) Nonconformities	14
1.12 Severability	16
1.13 Repeal of Conflicting Ordinance	16
Article 2. Administrative Authorities	15
2.01 Board of Commissioners	15
(A) Generally	15
(B) Specific Powers	15
2.02 Planning Board	15
2.03 Board of Adjustment	15
(A) Establishment	15
(B) Membership, Term, Vacancies	15
(C) Powers and Duties	15
(D) Meetings and Record	16
(E) Rules of Procedure	16
2.04 Zoning Administrator	16
2.05 Table of Reviewing Authority	16
Article 3. Administrative Procedures	18
3.01 Purpose	18
3.02 Initiation	18
(A) Application Submission	18
(B) Application Fees:	18

(C)	Application Sufficiency:	19
3.03	Technical Review	20
3.04	Notice of Hearings	20
(A)	Notice Requirements:	20
(B)	Specific Notice Requirements:	20
(C)	Contents of Notice:	21
(D)	Certification	21
(E)	Action Consistent with Notice	21
3.05	Legislative Hearings	21
(A)	Purpose:	21
(B)	Applicability	21
(C)	Required hearings:	21
(D)	Conduct of Hearing	21
(E)	Record of Proceedings	22
(F)	Conflict of Interest:	22
3.06	Quasi-judicial Hearings	22
(A)	Purpose	22
(B)	Applicability:	22
(C)	Required hearing	22
(D)	Conduct of Hearing	22
(E)	Findings:	22
(F)	Conflict of Interest:	22
3.07	Official Record	23
3.08	Use Permits	23
(A)	Applicability	23
(B)	Initiation	23
(C)	Technical Review:	23
(D)	Planning Board Recommendation for Special Use Permit	23
(E)	Hearing and Notice:	23
(F)	Action by Decision-Making Body	23
(G)	Required Findings:	23
(H)	Consideration:	24
(I)	Conditions for Approval	24
(J)	Effects of Approval:	24
(K)	Judicial Appeal	24
3.09	Zoning Permits	24
(A)	Purpose	24
(B)	Applicability:	25
(C)	Initiation	25
(D)	Review and Action:	25
(E)	Effect of Approval	25
3.10	Variances	25
(A)	Purpose:	25
(B)	Initiation	25
(C)	Hearing and Notice:	25
(D)	Action by Board of Adjustment	25

(E)	Required Findings:	26
(F)	Conditions	26
(G)	Environmental Management Commission (Watershed)	26
(H)	Effects of Approval:	26
(I)	Judicial Appeal	26
3.11	Certificate of Compliance	26
(A)	Purpose:	26
(B)	Application and Review:	27
(C)	Findings	27
(D)	Appeal	27
3.12	Administrative Appeal	27
(A)	Initiation	27
(B)	Official Records:	27
(C)	Review Hearing:	27
(D)	Action and Findings	27
(E)	Judicial Appeal	27
3.13	Amendments	27
(A)	Applicability:	28
(B)	Initiation	28
(C)	Planning Board Referral	28
(D)	Planning Board Recommendation:	28
(E)	Public Hearing and Notice:	28
(F)	Action by Town Board:	28
(G)	Statement on Plan Consistency:	28
(H)	Considerations	28
(I)	Effect of Amendment:	29
(J)	Judicial Appeal	29
3.14	Site Specific Development Plan	29
(A)	Applicability:	29
(B)	Establishment:	29
(C)	Findings and Conditions:	29
(D)	Amendment	29
(E)	Voluntary Annexation:	30
3.15	Enforcement and Remedies	30
(A)	Purpose	30
(B)	Violations	30
(C)	Remedies & Penalties	30
(D)	Repeat Violations:	31
Article 4.	Zoning Districts	33
4.01	Purpose	33
4.02	Establishment of Zoning Districts	33
(A)	Use District:	33
(B)	Overlay Districts:	33
(C)	Establishment of Zoning Districts:	33
4.02A	Conditional Zoning Districts	34
4.02B	Conservation Design for Residential Districts R1 & R2	35

4.03	The Official Zoning Map	45
(A)	Adoption	45
(B)	Map Amendments	45
(C)	Damaged or Destroyed Map	45
(D)	Conflicts with Copies of Map:	45
(E)	Interpreting District Boundaries:	45
Article 5.	General Regulations	44
5.01	Applicability	44
5.02	Lots	44
(A)	Compliance With District Regulations	44
(B)	Existing Lot of Record	44
(C)	Lot Access	44
(D)	Yard and Open Space	44
5.03	Buildings and Structures	45
(A)	Buildings to Be On a Lot	45
(B)	Building Height	45
(C)	Fences and Walls	45
(D)	Manufactured Homes	45
5.04	Landscaping (reserved)	45
5.05	Buffer and Screening	45
(A)	General Requirements and Regulations	46
5.06	Off-Street Parking and Loading	47
(A)	Purpose	47
(B)	Generally	47
(C)	Parking Design	47
(D)	Parking Ratios:	48
(E)	Loading Standards	50
5.07	Water and Sewer	50
Article 6.	District Regulations	52
6.01	Use District Regulations	52
(A)	Applicability:	54
(B)	Uses Not Mentioned	54
(C)	Table of Uses	54
(D)	Dimensional Standards	55
6.02	Manufactured Home Park Overlay Regulations	55
6.03	Special Flood Hazard Overlay Regulations	56
Article 7.	Specific Use Regulations	57
7.01	Purpose	57
7.02	Accessory Uses	57
(A)	Generally	57
(B)	Establishment	57
(C)	Detached Residential Structures	57
7.03	Cluster Development	57
7.04	Family Care Home	57

S

setback · 13, 19, 35, 36, 49, 56, 9-64
 Minimum · 46 Setbacks
 Yard and Open Space · 35 Sign Regulations
· 55
Site Specific Development Plan · 29 Specific Use
Regulations · 49
 Accessory Uses · 49 Cluster Development ·
 49 Family Care Home · 49 Home
 Occupations · 50 Kennels · 50
 Manufactured Homes · 50
 Outdoor Storage & Display · 51 Sexually Oriented
 Business · 52 Temporary Uses · 53

T

Table of Uses · 43 Temporary Sales · 53
text amendment · 28
The Official Zoning Map · 34

U

Use District
 Regulation
 s · 43–46
 Table of
 Uses · 43
Use Permits
 Conditional Use Permit ·
 See Administrative
 Procedures:Use
 Permits
 Special Use Permit · See
 Administrative Procedures:Use
 Permits

V

variance · 16, 25, 26, 30, 9-63, 9-65, 9-66
Variance · 25
Vested Rights · See Existing Permits
 and Developments Establishment
 · 11
 General · 10
 Term · 11
 Voluntary Annexation · 12
Voluntary Annexation · See Vested Rights

Z

Zoning
Adminis
trator ·
16
Zoning
Permits
· 24