

Sec. 66-6. - Intent.

- (a) *General intent.* With regard to this land development code in general, its provisions shall be construed and implemented to achieve the following intentions and purposes of the town commission:
  - (1) To establish the regulations, procedures and standards for review and approval of all proposed development and land use in the town.
  - (2) To foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the town in accordance with the comprehensive plan.
  - (3) To adopt a development review process that is:
    - a. Efficient, in terms of time and expense;
    - b. Effective, in terms of addressing the natural resource and public facility implications of proposed development; and
    - c. Equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners and consideration of the interests of the citizens of the town.
  - (4) To implement the town comprehensive plan as required by the Local Government Comprehensive Planning and Land Development Regulation Act.
  - (5) To provide specific procedures to ensure that development orders and permits are conditioned on the availability of public facilities and services that meet level of service requirements (concurrency).
- (b) *Specific intent relating to various subject areas.* The provisions of this land development code dealing with the following specific subject areas shall be construed and implemented to achieve the following intentions and purposes of the town commission:
  - (1) Administration and enforcement.
    - a. To ensure that all development proposals be thoroughly and efficiently reviewed for compliance with the requirements of this Code, the town comprehensive plan and other applicable regulations.
    - b. To promote efficiency, predictability and citizen participation.
    - c. To ensure compliance with approved development orders and the provisions of this Code through rigorous but fair enforcement actions.
  - (2) Signs.
    - a. To create a comprehensive and balanced system of sign control that accommodates both the need for a well-maintained, safe and attractive community and the need for business identification and communication.
    - b. To permit signs that are:
      - 1. Compatible with their surroundings.
      - 2. Designed, constructed, installed and maintained in a manner which does not endanger public safety or unduly distract motorists.
      - 3. Appropriate to the type of activity to which they pertain.
      - 4. Large enough to convey sufficient information about the owner or occupants of a particular property, the products or services available on the property, or the activities conducted on the property, and small enough to satisfy regulation needs.
  - (3) Landscaping and tree protection.
    - a. To enhance the attractiveness of the community.

- b. To conserve energy through the cooling and shading effects of trees.
  - c. To abate nuisances such as noise, glare, heat, air pollution and stormwater runoff.
  - d. To mitigate conflicts between adjoining land uses.
  - e. To preserve the environmental and ecological benefits of existing native trees and vegetation.
  - f. To promote safe and efficient use of offstreet parking facilities and other vehicular use areas by:
    - 1. Clearly delineating and buffering the bounds of vehicular use areas, particularly where they abut public rights-of-way, so that movement, noise and glare in one area do not adversely distract activity in another area;
    - 2. Limiting physical site access to established points of ingress and egress; and
    - 3. Limiting the internal movement of vehicles and pedestrians to designated traffic configurations.
  - g. To preserve the community's irreplaceable natural heritage for existing and future generations.
- (4) Parking and loading. To ensure that all developments provide for adequate and safe storage and movement of vehicles in a manner consistent with community standards and good engineering and site design principles.
- (5) Stormwater management.
- a. To protect and maintain the chemical, physical and biological integrity of groundwater and surface water.
  - b. To prevent activities which adversely affect groundwater and surface water.
  - c. To encourage the construction of stormwater management systems that aesthetically and functionally approximate natural systems.
  - d. To protect natural drainage systems.
  - e. To minimize runoff pollution of groundwater and surface water.
  - f. To maintain and restore groundwater levels.
  - g. To protect and maintain natural salinity levels in estuarine areas.
  - h. To minimize erosion and sedimentation.
  - i. To prevent damage to wetlands.
  - j. To protect, maintain and restore the habitat of fish and wildlife.
  - k. To implement the national pollutant discharge elimination system established by the Environmental Protection Agency under the Clean Water Act to address the impact of stormwater discharges into waters of the U.S.
- (6) Floodplain protection.
- a. To protect human life and health.
  - b. To minimize expenditure of public money for costly flood control projects.
  - c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at public expense.
  - d. To minimize prolonged business interruptions and damage to public facilities and utilities caused by flooding.

- e. To maintain a stable tax base by providing for the sound use and development of floodprone areas.
  - f. To ensure that potential purchasers of subdivided land are notified that the property is in a floodprone area.
  - g. To ensure that uses and facilities vulnerable to floods are designed and constructed to resist flood damage.
  - h. To preserve natural floodplains, stream channels and natural protective barriers to accommodate floodwaters.
  - i. To limit filling, grading, dredging and other development which may increase erosion, sedimentation or flood damage.
  - j. To prevent unnatural diversion of floodwater to lands that are normally flood-free.
  - k. To maintain the normal movement of surface waters, the optimum storage capacity of watersheds, desirable groundwater levels, water quality and the natural hydrological and ecological functions of wetlands and other floodprone lands.
  - l. To avoid the need of costly and environmentally disruptive flood management structures.
  - m. To encourage the use of floodprone lands as open space.
  - n. To make the town eligible for participation in the National Flood Insurance Program.
- (7) Protection of environmentally sensitive lands.
- a. To protect environmentally sensitive lands and their beneficial functions while also protecting the rights of property owners.
  - b. To protect, maintain and restore the chemical, physical and biological integrity of groundwater and surface water and natural habitats.
  - c. To prevent activities which adversely affect groundwater and surface water, natural habitats and native flora and fauna.
  - d. To maintain recharge for groundwater aquifers.
  - e. To prohibit certain uses that are detrimental to environmentally sensitive areas.
  - f. To protect the recreation opportunities of environmentally sensitive lands for fishing, boating, hiking, nature observation, photography and other uses.
  - g. To protect the public's rights in navigable waters.
  - h. To protect aesthetic and property values.
- (8) Property maintenance.
- a. To identify, protect and enhance the use of structures and improvements to the land.
  - b. To enhance property values and maintain the stability of neighborhoods by preventing the deteriorating influences of improperly maintained structures and improvements.
  - c. To ensure that all structures and improvements to the land are safe and do not endanger the citizens of the town or the environment.
  - d. To maintain and enhance the attractiveness of the community.

(Ord. No. 300, § III(1.05.00), 11-7-90; Ord. No. 399, § 1, 11-20-01; Ord. No. 430, § 2, 12-20-05)