



# Pender County

## Agenda

### Planning Board Meeting

Wednesday, January 4, 2023 @ 7:00 PM  
Pender County Public Assembly Room

|                                                                                                                                            | Presenter | Page    |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------|
| 1. CALL TO ORDER                                                                                                                           |           |         |
| 2. ROLL CALL                                                                                                                               |           |         |
| 3. INVOCATION                                                                                                                              |           |         |
| 4. PLEDGE OF ALLEGIANCE                                                                                                                    |           |         |
| 5. ADOPTION OF AGENDA                                                                                                                      |           |         |
| 6. ADOPTION OF MINUTES                                                                                                                     |           |         |
| December 6, 2022 Meeting Minutes                                                                                                           |           | 3 - 11  |
| <a href="#">December 6, 2022 Meeting Minutes - Pdf</a>                                                                                     |           |         |
| 7. PRESENTATIONS                                                                                                                           |           |         |
| 8. PUBLIC COMMENT                                                                                                                          |           |         |
| 9. PUBLIC HEARINGS                                                                                                                         |           |         |
| REZONE 2022-39: General Use Rezoning of one tract of land in the<br>Topsail Township from RA, Rural Agriculture to GB, General<br>Business |           | 13 - 38 |
| <a href="#">Output Document (AIR - 2814) - Pdf</a>                                                                                         |           |         |
| REZONE 2022-40                                                                                                                             |           | 39 - 62 |
| <a href="#">REZONE 2022-40 - Pdf</a>                                                                                                       |           |         |
| 10. DISCUSSION                                                                                                                             |           |         |
| 11. NEXT MEETING DATE                                                                                                                      |           |         |
| 12. ADJOURNMENT                                                                                                                            |           |         |





## **Pender County December 6, 2022 Meeting Minutes**

---

**TO:** Planning Board  
**FROM:** Justin Brantley  
**DATE:** January 4, 2023  
**SUBJECT:** December 6, 2022 Meeting Minutes

---

**SUMMARY:**

See attached meeting minutes from the December 6, 2022 meeting of the Pender County Planning Board.

**ACTION REQUESTED:**

To review and approve 12/6/2022 meeting minutes.

**ATTACHMENTS:**

1. 12/6/2022 Meeting Minutes



**DRAFT MINUTES**  
**Planning Board Meeting**  
**Tuesday, December 6, 2022**  
**805 S. Walker Street/BOCC Meeting Room**  
**7:00 PM**

**MEMBERS PRESENT:** Delva Jordan, Chairman  
Damien Buchanan, Vice-Chairman  
Norman "Ken" Teachey  
Jeffrey Pitts  
Margaret Mosca  
Jeff Beaudoin

**MEMBERS ABSENT:** John Gruntfest

**OTHERS PRESENT:** Justin Brantley, Interim Planning Director  
Trey Thurman, County Attorney  
Donna Sayre, Administrative Specialist

**1 CALL TO ORDER**

Chairman Delva Jordan called the meeting to order at 7:02 pm

**2 ROLL CALL**

**3 INVOCATION**

**4 PLEDGE OF ALLEGIANCE**

**5 ADOPTION OF AGENDA**

Motion to approve agenda as presented made by Jeffrey Pitts,  
seconded by Norman "Ken" Teachey. Vote was unanimous.

*Motion to approve*

|                 | For | Against | Abstained | Absent |
|-----------------|-----|---------|-----------|--------|
| Delva Jordan    | X   |         |           |        |
| Damien Buchanan | X   |         |           |        |
| Jeffrey Pitts   | X   |         |           |        |
| Margaret Mosca  | X   |         |           |        |

|                      |   |   |   |   |
|----------------------|---|---|---|---|
| John Gruntfest       |   |   |   | X |
| Jeff Beaudoin        | X |   |   |   |
| Norman (Ken) Teachey | X |   |   |   |
|                      | 6 | 0 | 0 | 1 |

CARRIED.

## 6 NEW BUSINESS

### 6.1 Assign County Attorney Trey Thurman as Moderator

Mr. Jordan stated that Mr. Thurman has been assigned as the Moderator.

### 6.2 Nomination and Selection of Chairman and Vice-Chairman

Mr. Thurman informed the Board that he will open the floor for nominations and that the Board members can nominate a member or themselves. A second to the motion is not needed and a vote will be taken.

Mr. Thurman opened the floor for the nomination of Chairman. Mr. Buchanan nominated Mr. Jordan, Mr. Beaudoin seconded the motion and the vote was unanimous.

The floor was opened by Mr. Thurman for the nomination of Vice-Chairman. Mr. Pitts nominated Mr. Buchanan. Mr. Jordan seconded the motion and the vote was unanimous.

### 6.3 Adoption of Pender County Planning Board 2023 Meeting Calendar

Mr. Brantley presented the Board members with a tentative 2023 calendar for their review.

Mr. Jordan asked if this calendar does not indicate the meetings that will take place in the Hampstead Annex. Mr. Brantley stated this calendar indicates dates only.

Mr. Teachey asked if certain meeting dates were assigned to be held in the Hampstead Annex. Mr. Jordan stated that in the past, certain meeting dates were designated to be held in Hampstead.

Mr. Buchanan stated that he feels that if an application is filed, especially a Rezoning or Conditional Rezoning, with the property being in the Hampstead area, then the Planning Department and the Board should consider having the meeting take place in Hampstead.

Mr. Brantley suggested that instead of designating certain meetings to be held in Hampstead in advance, the Planning Department can contact the Chairman before the hearing to discuss the meeting being held in Hampstead. Mr. Brantley stated that if the notice is run in the newspaper and the mailers state that the meeting will be held in Hampstead then that is considered proper notice.

Mr. Thurman stated that with a few exceptions as to how the days fall on The calendar, there should not be an issue with having enough time for proper notice. It would be up to the Board's pleasure as to whether the meeting is held in the Hampstead or Burgaw location.

Mr. Jordan questioned the availability of the Hampstead Annex. He stated that he feels that the building should be available on a Tuesday evening. Mr. Brantley stated that the Planning staff can contact the Department that handles the scheduling of the Annex and inquire as to availability prior to running the notice in the newspaper and mailing out the notices.

Mr. Jordan asked if the Annex was unavailable the night of a scheduled Board meeting, could the meeting be moved to another evening. He then stated that if the Planning staff knows in advance that a large crowd will likely have a large crowd show up, that the meeting should be held in Hampstead.

Mr. Thurman stated that at the Board's request, the Annex can be reserved for the first Tuesday of every month by default. He stated one of reasons the County has the Annex building is the availability of having meetings held in the auditorium. The Planning staff can release any reserved date if they see that the meeting will be held in Burgaw which will allow the auditorium to be available for other purposes.

Mr. Buchanan asked the other members of the Board if they had any concerns about the dates listed.

Mr. Teachey stated his concern is to make sure a meeting is not held on The Fourth of July. Mr. Brantley stated that most of the meeting dates are scheduled for the first Tuesday of the month but some of the dates had to be adjusted due to holidays.

Mr. Jordan stated that it appears that January, July, and September have been adjusted due to how a holiday falls. Mr. Brantley stated that September's date was moved to the 6<sup>th</sup> due to the first Tuesday being on the 5<sup>th</sup> and that is the first day after the office being closed for Labor Day. The extra day will give the Planning staff additional time for

preparation.

Mr. Jordan asked if the July meeting could be moved to the following week on Tuesday, which would be the 11<sup>th</sup>. He asked the other Board members if they found any conflict with the proposed date. No members had known conflicts.

Mr. Buchanan stated that he feels that the November date should be changed due to it falling on Election Day, the 7<sup>th</sup>. He feels this would be a conflict and should be held on a different date, such as the 14<sup>th</sup>. Mr. Jordan asked if there was a Board of Commissioners meeting scheduled for the 14<sup>th</sup>. Mr. Thurman stated that the BOCC will be meeting on the 20<sup>th</sup> and not the 14<sup>th</sup>.

Jeffrey Pitts made a Motion to approve the 2023 except for the July and November dates. The July date is changed to the 11<sup>th</sup> and the November date is changed to the 14<sup>th</sup>. The Motion was seconded by Damien Buchanan and the vote was unanimous.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

Mr. Buchanan stated that the previous Planning Director was working on a request made by Mr. Gruntfest concerning agenda meetings, especially on bigger or controversial items. Mr. Buchanan stated that the Board has never heard anything back from the Planning staff about this matter.

Mr. Thurman stated that the Board can hold agenda meetings, but they would need to be open to the public. If the majority of the Board meets for any reason pertaining to the Planning Board, then the meeting must be open to the public. Mr. Thurman stated that even though it is open to the public does not mean there has to be public participation. He stated that agenda meetings can be useful if the Board

members have questions that are presented at the agenda meeting which allows the Planning staff time to research and present a response.

Mr. Buchanan stated that updating the Unified Development Ordinance has been a challenge since he became a Board member three years ago. He asked as a body, should the Planning Board make a recommendation to the Board of Commissioners on how to pursue. Mr. Buchanan stated that hiring a consultant could be a possible recommendation to the Commissioners. He is inquiring as to the status of Planning Staff's progress on this matter. Mr. Brantley stated that he cannot speak on what happened in the past under different management.

Mr. Brantley discussed the need for the Future Land Use Plan and UDO to be updated. Mr. Buchanan stated that was the next subject he wanted to speak of since the County is growing and changing every day. There are future topics the Board needs to be aware of but there are also situations that have already occurred that have not been addressed yet.

Mr. Jordan asked Mr. Thurman what the best way would be to present the Board of Commissioners with a resolution to require updating the UDO and Future Land Use Plan a priority. Mr. Thurman stated that the Board could give feedback then a resolution could be worked on.

Mr. Buchanan stated that the Future Land Use maps are important. He feels that if the County does not handle these issues now, it will only cause more issues in the future.

Mr. Thurman stated that this also needs to be a part of the budget process since this is above a regular request. This would be considered a special project. He stated that he feels if the needed money is not approved during budget planning, then it could not be allocated during the fiscal year. Mr. Thurman stated to allow budgeting, the resolution should go before the Board of Commissioners at the beginning of January.

Mr. Jordan asked if the Board had time to have it placed on the agenda for the meeting being held in January. Mr. Brantley stated that he would work on getting this request satisfied.

Mr. Buchanan stated that he feels a Motion should be made so that this topic of discussion is not just another conversation. He stated it would give direction to the Planning Staff and would be considered a full recommendation.

Damien Buchanan made a Motion that the Board develop



recommendations and a resolution to present to the Board of Commissioners within the next thirty days. The recommendations and resolution should include the Future Land Use Plan and the Unified Development Ordinance. Norman (Ken) Teachey seconded the Motion, and the vote was unanimous.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

#### **ADOPTION OF MINUTES**

Motion to approve the November 1, 2022, Planning Board minutes made by Jeffrey Pitts, seconded by Damien Buchanan. Motion to approve the November 15, 2022, Planning Board minutes made by Margaret Mosca, seconded by Damien Buchanan.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

#### **8. PRESENTATIONS**

There were no presentations.

**9 PUBLIC COMMENT**

Mr. Brantley stated that there is currently a Bicycle and Pedestrian survey located online and he encouraged the Board members to complete the survey and to inform others of the survey. Mr. Jordan asked if the link could be emailed to the Board members and Mr. Brantley responded affirmatively.

**10 PUBLIC HEARINGS**

There were no public hearings.

**11 DISCUSSION**

Mr. Thurman requested a closed session meeting with the Board. Jeffrey Pitts made a Motion for the Board to enter a closed session with Mr. Thurman which was seconded by Damien Buchanan. The vote was unanimous.

*Motion to approve*

|                      | For | Against | Abstained | Absent |
|----------------------|-----|---------|-----------|--------|
| Delva Jordan         | X   |         |           |        |
| Damien Buchanan      | X   |         |           |        |
| Jeffrey Pitts        | X   |         |           |        |
| Margaret Mosca       | X   |         |           |        |
| John Gruntfest       |     |         |           | X      |
| Jeff Beaudoin        | X   |         |           |        |
| Norman (Ken) Teachey | X   |         |           |        |
|                      | 6   | 0       | 0         | 1      |

CARRIED.

**12 NEXT MEETING DATE**

January 4, 2023, at 7:00 p.m.  
Pender County Administration Building  
805 S. Walker Street  
Burgaw, NC 28425

**13 ADJOURNMENT**

Mr. Pitts made a Motion to adjourn with Ms. Mosca seconding the Motion. The vote was unanimous.

*Motion to approve*

|                   | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|-------------------|------------|----------------|------------------|---------------|
| Delva Jordan      | X          |                |                  |               |
| Damien Buchanan   | X          |                |                  |               |
| Jeffrey Pitts     | X          |                |                  |               |
| Margaret Mosca    | X          |                |                  |               |
| John Gruntfest    |            |                |                  | X             |
| Jeff Beaudoin     | X          |                |                  |               |
| Norman K. Teachey | X          |                |                  |               |
|                   | 6          | 0              | 0                | 1             |

CARRIED.

Meeting adjourned at 8:17 p.m.





**Pender County**  
**REZONE 2022-39: General Use Rezoning**  
**of one tract of land in the Topsail**  
**Township from RA, Rural Agriculture to**  
**GB, General Business**

---

**TO:** Planning Board  
**FROM:** Justin Brantley  
**DATE:** January 4, 2023  
**SUBJECT:** REZONE 2022-39: General Use Rezoning of one tract of land in the  
Topsail Township from RA, Rural Agriculture to GB, General Business

---

**SUMMARY:**

Michael Nadeau, applicant on behalf of Earl Brown, owner, is requesting the approval of a Zoning Map Amendment to rezone one tract totaling approximately 1.85 of an acres of land from RA, Rural Agriculture zoning district to the GB, General Business zoning district. The subject property is located on the west side of US Highway 17, approximately 540 feet from the intersection of Whitebridge Road and US Highway 17 in the Topsail Township and may be further identified by Pender County PIN 3282-31-1385-0000.

**ACTION REQUESTED:**

To hold a public hearing and consider the rezoning request.

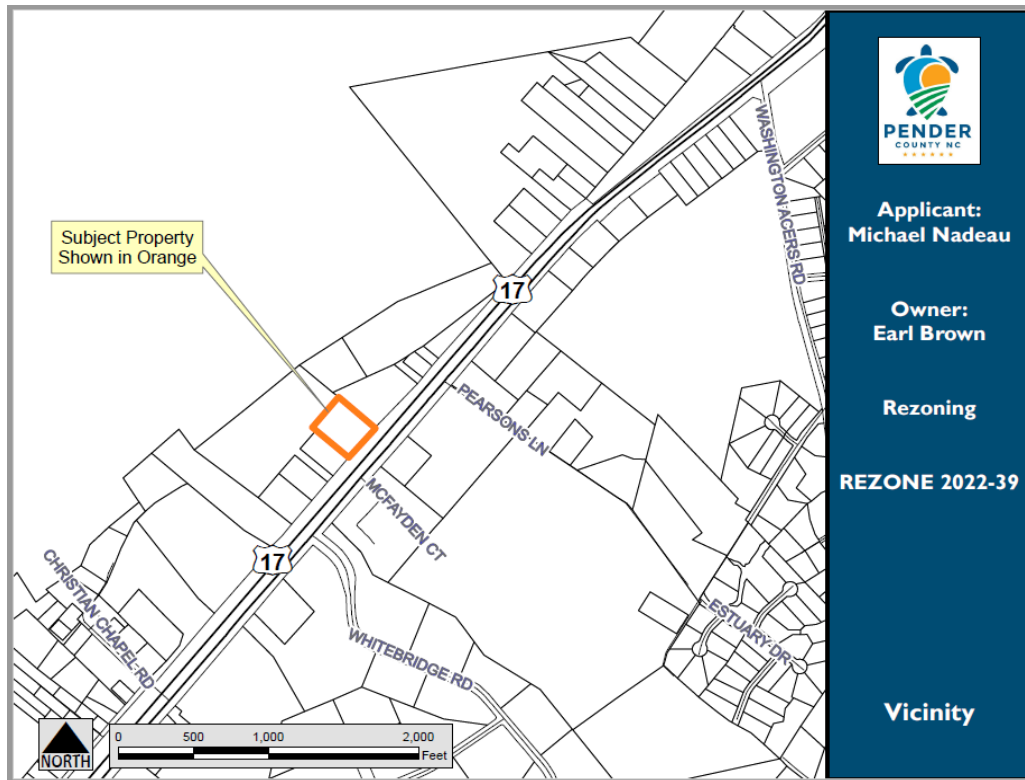
**ATTACHMENTS:**

1. Staff Report
2. Application
3. Narrative
4. Life Estate Agreement
5. Map
6. Map and Warranty Deed
7. Table of Permitted Uses

**STAFF REPORT FOR REZONE 2022-39  
ZONING MAP AMENDMENT APPLICATION**

| <b>APPLICATION SUMMARY</b>          |                                                                              |
|-------------------------------------|------------------------------------------------------------------------------|
| Case Number                         | REZONE 2022-39                                                               |
| Hearing Dates                       | January 4, 2023, Planning Board<br>February 21, 2023, Board of Commissioners |
| Applicant                           | Michael Nadeau                                                               |
| Property Owner(s)                   | Earl Brown                                                                   |
| Parcel Identification Number        | 3282-31-1385-0000                                                            |
| Acreage                             | 1.85                                                                         |
| Township                            | Topsail                                                                      |
| Pender 2.0 Future Land Use Category | Neighborhood Mixed Use                                                       |

| <b>REZONING PROPOSAL</b>                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Michael Nadeau, applicant on behalf of Earl Brown, owner, is requesting the approval of a Zoning Map Amendment to rezone one tract totaling approximately 1.85 acres of land from RA, Rural Agriculture zoning district to the GB, General Business zoning district. |
| <b>LOCATION</b>                                                                                                                                                                                                                                                      |
| The subject property is located on the west side of US Highway 17, approximately 540 feet from the intersection of Whitebridge Road and US Highway 17 in the Topsail Township.                                                                                       |



### REZONING PROPOSAL

The applicant is proposing to rezone one tract of land totaling approximately 1.85 acres from the RA, Rural Agricultural zoning district to the GB, General Business zoning district. The intent of GB, General Business district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. However, any future development of the site must comply with the standards of the GB, General Business zoning district and is subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.



### Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the GB, General Business zoning district apply and are outlined in the table below. The dimensional standards are proposed to apply uniformly to all buildings and uses on the subject properties.

| Minimum Setback (General Business) |     |
|------------------------------------|-----|
| Front                              | 25' |
| Side                               | 10' |
| Rear                               | 10' |
| Corner                             | 12' |
| Max. Height                        | 40' |
| Structure Separation               | 20' |

The minimum lot size in the GB, General Business district is 15,000 square feet. The subject property is compliant with the desired zoning district standards.



### Allowable Uses

Because this is a general use rezoning, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. The table below provides a general list of typical developments permitted in the GB, General Business zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment I.

|                  | GB, General Business                                                                                                                                                                                                                                                                   |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Residential Uses | ≈ 1 uses by-right (Upper Story Residential, Agritourism)<br>≈ 1 use w/ SUP (Cottage Occupation)                                                                                                                                                                                        |
| Commercial Uses  | ≈ 83 uses by-right (Construction of buildings, Artisan Manufacturing, Motor Vehicle and Parts Dealers, Non Store Retailers, Real Estate and Rental and Leasing, ect.)<br>≈ 15 uses w/ SUP (Truss Manufacturing, RV Parks and Recreational Camps, Storage of Boats and Watercraft, ect) |

## TRANSPORTATION INFRASTRUCTURE

### Access

The subject property has direct access to US HWY 17 which is identified as a NCDOT maintained Major Arterial Road based on the WMPO Functional Classification Map.

### Traffic

Traffic Impact Analyses (TIA) are not required for general use rezoning since a site-specific development plan is not required to be included in the application package. The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

The traffic information below shows the volume and planned capacity. According to the WMPO the road has not reached the ultimate capacity and therefor is able to accommodate an increase in traffic.

### NCDOT Average Annual Daily Traffic (AADT) – 2021<sup>1</sup> WMPO

| Road      | Location                                            | Volume | Planned Capacity | V/C  |
|-----------|-----------------------------------------------------|--------|------------------|------|
| US HWY 17 | Between Whitebridge Rd and Pearsons Ln <sup>1</sup> | 39,000 | 37,323           | 1.05 |

## OTHER INFRASTRUCTURE

### Utilities

Public water and is available through Pender County Utilities (PCU). The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

### Schools

There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time.

## ENVIRONMENTAL CONCERNS

|                                |                                                                                                                                                                                                                                                                                                   |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special Flood Hazard Areas     | The subject property does not contain any Special Flood Hazard Areas <sup>1</sup> .                                                                                                                                                                                                               |
| Wetlands                       | Portions of the subject property may contain wetlands <sup>2,3</sup> . The location of any wetlands will be verified when a site-specific development plan is submitted for review. Any disturbance within these wetlands are subject to review and approval by the U.S. Army Corps of Engineers. |
| Areas of Environmental Concern | The subject property does not contain any Areas of Environmental Concern (AEC) <sup>4</sup> .                                                                                                                                                                                                     |

<sup>1</sup> According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

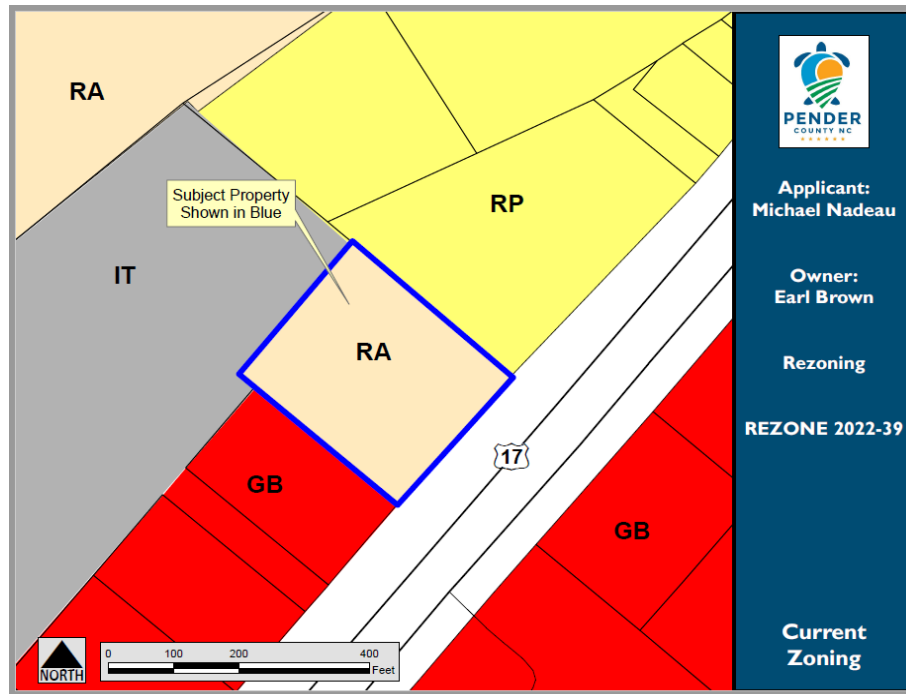
<sup>2</sup> According to the NC Division of Coastal Management (NC DCM)

<sup>3</sup> According to the National Wetlands Inventory (NWI)

<sup>4</sup> According to the North Carolina Department of Environmental Quality (NCDEQ)

## EVALUATION

*Below: Zoning Map of the Area*



### CHARACTERISTICS OF THE SURROUNDING AREA

|              | LAND USE                | ZONING                                                      |
|--------------|-------------------------|-------------------------------------------------------------|
| <b>North</b> | Residential, Vacant     | RP, Residential Performance,<br>IT, Industrial Transitional |
| <b>East</b>  | Residential, Commercial | GB, General Business                                        |
| <b>South</b> | Commercial, Vacant      | GB, General Business                                        |
| <b>West</b>  | Vacant                  | IT, Industrial Transitional,<br>GB, General Business        |

#### **Surrounding Zoning**

The subject property is currently within the RA, Rural Agricultural zoning district. Properties immediately adjacent to the subject properties are currently zoned RP, Residential Performance, GB, General Business, and IT, Industrial Transitional as indicated by the table above.

**Pender 2.0  
Comprehensive Land Use  
Plan Compliance:**

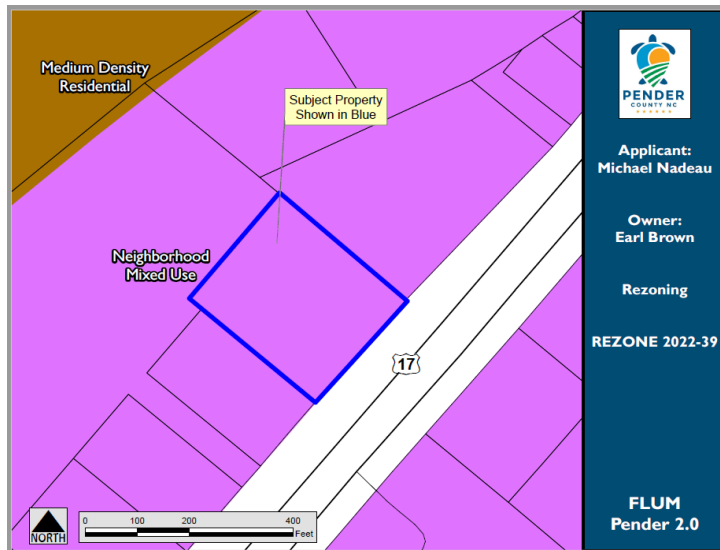
The subject property is located within the Neighborhood Mixed Use Future Land Use Classification within the Pender 2.0 Comprehensive Land Use Plan and as shown in the Future Land Use Map to the right. The Neighborhood Mixed Use future land use category will allow a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed

use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three mile radius. Land use and development within this category is closely coordinated with existing and planned roadway transportation networks, while encouraging bicycle and pedestrian access. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and single-family residential uses. Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller.

The proposed zoning district, General Business, is consistent with the Neighborhood Mixed Use future land use classification due to the General Business districts intention to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

In addition to consistency with the Future Land Use Map, the proposal was found to be consistent with the following three policies and one objective within the Pender 2.0 Comprehensive Land Use Plan:

**Policy 5.1.D: Focused Growth and Development:** The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.



**Policy 5.1.E: Compatible Development:** The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

**Policy 5.1.K: Commercial Development:** The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

**Unified Development Ordinance Compliance:** Section 3.3.5 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. These standards include evaluating proposals against whether adequate public facilities/services (i.e. water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

### **3.3.5 Approval Criteria for Rezoning**

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

- A. Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:
  - 1. be detrimental to the natural environment,
  - 2. adversely affect the health, safety, or welfare of residents or workers in the area,
  - 3. be detrimental to the use or development of adjacent property,
  - 4. materially or adversely affect the character of the general neighborhood, and
  - 5. be reasonable as it relates to the public interest.
- B. Whether adequate public facilities/services (i.e.- water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;
- C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan, CAMA Land Use Plan, and any other adopted land use document.

## RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board Disposition. The proposed Zoning Map Amendment is consistent with the Future Land Use Map and three policies within the Pender 2.0 Comprehensive Land Use Plan. Furthermore, the allowable uses within the requested zoning districts are compatible with the surrounding area. Therefore, Planning staff respectfully recommends approval of the Zoning Map Amendment as detailed in this report.

### PLANNING BOARD ACTION NEEDED:

**TO APPROVE:** Motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies and objectives in the Pender 2.0 Comprehensive Land Use Plan:

- **5.I.D: Focused Growth and Development**
- **5.I.E: Compatible Development**
- **5.I.K: Commercial Development**

The proposed rezoning is consistent with the Neighborhood Mixed Use Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan.

**TO DENY:** Motion to deny the Zoning Map Amendment and to make a finding of denial because although the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

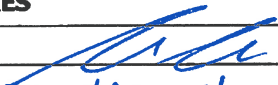
|                                                       |
|-------------------------------------------------------|
| <b>PLANNING BOARD ACTION FOR GENERAL USE REZONING</b> |
|-------------------------------------------------------|

| MOTION | SECONDED |
|--------|----------|
|        |          |

| APPROVED | DENIED | UNANIMOUS |
|----------|--------|-----------|
|          |        |           |

| Jordan | Buchanan | Beaudoin | Gruntfest | Mosca | Pitts | Teachey |
|--------|----------|----------|-----------|-------|-------|---------|
|        |          |          |           |       |       |         |

**APPLICATION FOR REZONING (Zoning Map Amendment)**

| THIS SECTION FOR OFFICE USE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                           |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|----------------------|
| Application No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ZMA                                                                                 | Date                      |                      |
| Application Fee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$                                                                                  | Invoice                   |                      |
| Pre-Application Conference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     | Hearing Date              |                      |
| <b>SECTION 1: APPLICANT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                           |                      |
| Applicant's Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | MICHAEL NADDEAU                                                                     | Owner's Name:             | EARL BROWN           |
| Applicant's Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 15894 Hwy 17                                                                        | Owner's Address:          | 7827 EXETER LANE     |
| City, State, & Zip                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | HAMPSTEAD NC 28443                                                                  | City, State, & Zip        | COLUMBIA SC 29223    |
| Phone Number:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 910 620 1237                                                                        | Phone Number:             | 803-760-9495         |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | MIKE@CREATIVECOMMERCIAL.BIZ                                                         | Email Address:            | EARLBROWN3@YAHOO.COM |
| Legal relationship of applicant to landowner: AGENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |                           |                      |
| <b>SECTION 2: PROJECT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                     |                           |                      |
| Property Identification Number (PIN):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3292-31-1385-0000                                                                   | Total property acreage:   | 1.85                 |
| Current Zoning District:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | RA                                                                                  | Proposed Zoning District: | GB                   |
| Project Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 13111 Hwy 17 HAMPSTEAD NC                                                           |                           |                      |
| Description of Project Location:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ACROSS FROM WHITEBRIDGE SUBDIVISION                                                 |                           |                      |
| <b>SECTION 3: SIGNATURES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                           |                      |
| Applicant's Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | Date:                     | 11/1/22              |
| Applicant's Name Printed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | MICHAEL NADDEAU                                                                     | Date:                     |                      |
| Owner's Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | Date:                     | 11/3/2022            |
| Owner's Name Printed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | EARL BROWN                                                                          | Date:                     |                      |
| <b>NOTICE TO APPLICANT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                           |                      |
| <ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol> |                                                                                     |                           |                      |



**REZONING NARRATIVE**  
**13111 HIGHWAY 17**  
**NOVEMBER 3, 2022**

The Brown family purchased this land and built a home on it in 1944. Ms. Ellen Brown resided there until her passing earlier this year.

During their decades of ownership, the immediate area has been completely transformed, from the construction of a divided highway to the extension of water and sewer.

Twenty years ago, this lot and virtually all the surrounding area were zoned Rural Agricultural (RA). Over those two decades, however, every other lot has been rezoned while this one property owned by the Browns remains RA to this day.

The low-density housing envisioned by RA zoning was once appropriate but this high traffic highway frontage site is no longer suited for housing. The adjoining parcel to the South is zoned General Business (GB) and the land in the rear, to the West, is zoned Industrial Transition.

It is clear that RA is no longer appropriate and, given the Pender Future Land Use Plan targets this entire area for "Neighborhood Mixed Use", we believe rezoning to General Business is both logical and appropriate.

  
MICHAEL NADEAU

DocuSigned by:  
  
4880B05DDDB8434...  
11/3/2022



FILED

BK 2806 PG 082

05 OCT 26 AM 9:00

3282-31-1385-0000  
3281-19-8270-0000  
PIN # 3281-29-0236-0000  
JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC

DATE 10-26-05 JNT KB

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$0.00

Parcel Identifier No. 3282-31-1385-0000;3281-19-9270-0000;3281-29-0236-0000 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ By: \_\_\_\_\_

Mail/Box to: Pollock & Pollock, Attorneys at Law, PO Drawer 999, Burgaw, NC 28425

This instrument was prepared by: Pollock & Pollock, Attorneys at Law

Brief description for the Index:

THIS DEED made this 30<sup>th</sup> day of September, 2005, by and between

| GRANTOR                                                    | GRANTEE                                                                                                                                                                                                |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ellen Brown, Widow<br>Reserving a Life Estate Unto Herself | Subject to Life Estate Held by Rosetta Brown<br>Beulah Fair,<br>An One-half Undivided Interest<br>and<br>Subject to Life Estate Held by Rosetta Brown<br>Earl Brown,<br>An One-half Undivided Interest |

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of , Topsail Township, Pender County, North Carolina and more particularly described as follows:

Parcel One

Tract I. Commencing at a stake on Newbern railroad right-of-way running North West one hundred yards to a stake thence South West ninety yards to a stake thence South East one hundred yards to a stake on Newbern railroad right-of-way thence North East with said right-of-way ninety yards to the beginning containing one acre more or less.  
See Book 193 Page 433.

Tract II. Beginning at an iron stake in line with a pipe culvert under U.S. 17, fifty feet from the centerline of said roadway. Bartelle Jones corner and running along the right-of-way of said road North 48 degrees 35' East 303 feet to a stake, thence S 44 degrees 15' East 200 feet to a stake; thence South 48 degrees 35' West, 161 feet to Jones line, thence his line North, 46

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002  
Printed by Agreement with the NC Bar Association – 1981 - Chicago Title Insurance Company

2



degrees 30 West, 200 feet to the beginning containing 1.06 acres.

See Book 321 Page 253; Book 416 Page 206 and Book 500 Page 96.

BK 2806 PG 083

Parcel Two

Beginning of an old iron pipe in the West margin of US Route 17 (100' wide), the grantee's old corner and running with his old line, S 34° 30' E 202 feet to an iron pipe, thence, S 48° 35' West 116 feet to an iron pipe; thence, N 46° 30' W 204 feet to an iron pipe in the East R-of-W of said Route 17; thence, with said RW line, N 48° 35' E 158 feet to the Beginning; being all of that tract conveyed by deed recorded in Book 330 at page 54, Pender Co Registry.

Parcel Three

BEGINNING at a stone in the Southern right-of-way line of U. S. Highway No. 17, said stone being 50 feet from the center line of highway, and being Ephraim Brown, Sr.'s Northwest corner.

From the above described beginning point runs South 39 degrees East, 200 feet to a pipe; thence parallel with the highway South 43 degrees 50 minutes West, 120 feet to a pipe; thence North 39 degrees West 200 feet to the highway right-of-way line; thence with the right-of-way line North 43 degrees 50 minutes East 120 feet to the Beginning, containing .55 Ac., as surveyed by V. W. Herlevich, September, 1954.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_, page \_\_\_\_\_.

A map showing the above described property is recorded in Map Book , Page .

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

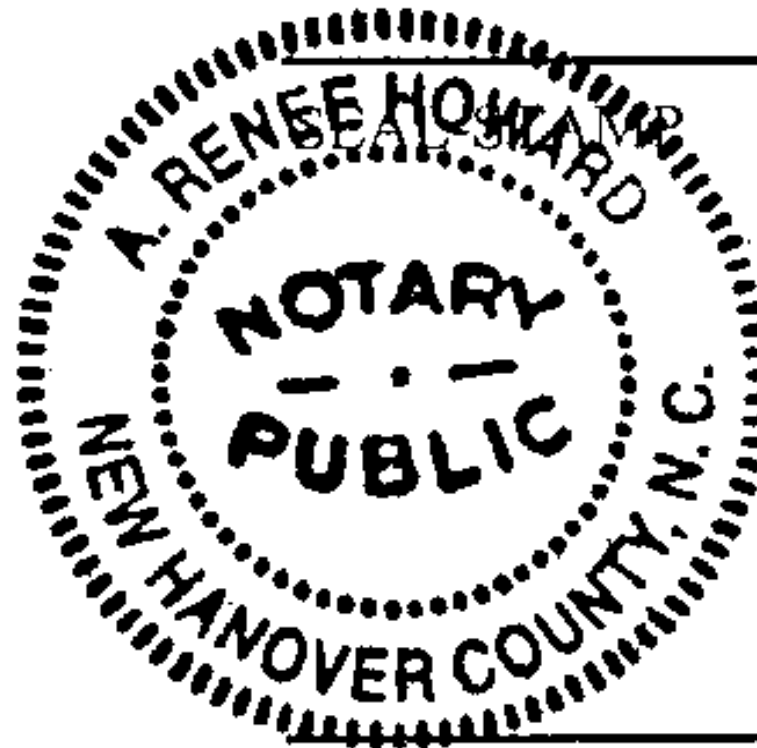
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Grantor herein reserves unto herself for and during the term of her natural life a Life Estate in the above described tract.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

\_\_\_\_\_  
(Entity Name) Ellen Brown (SEAL)  
Ellen Brown

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
The attorney preparing this instrument has made no record search or title examination as to the property herein described, unless the same is shown by his written and signed certificate. \_\_\_\_\_ (SEAL)

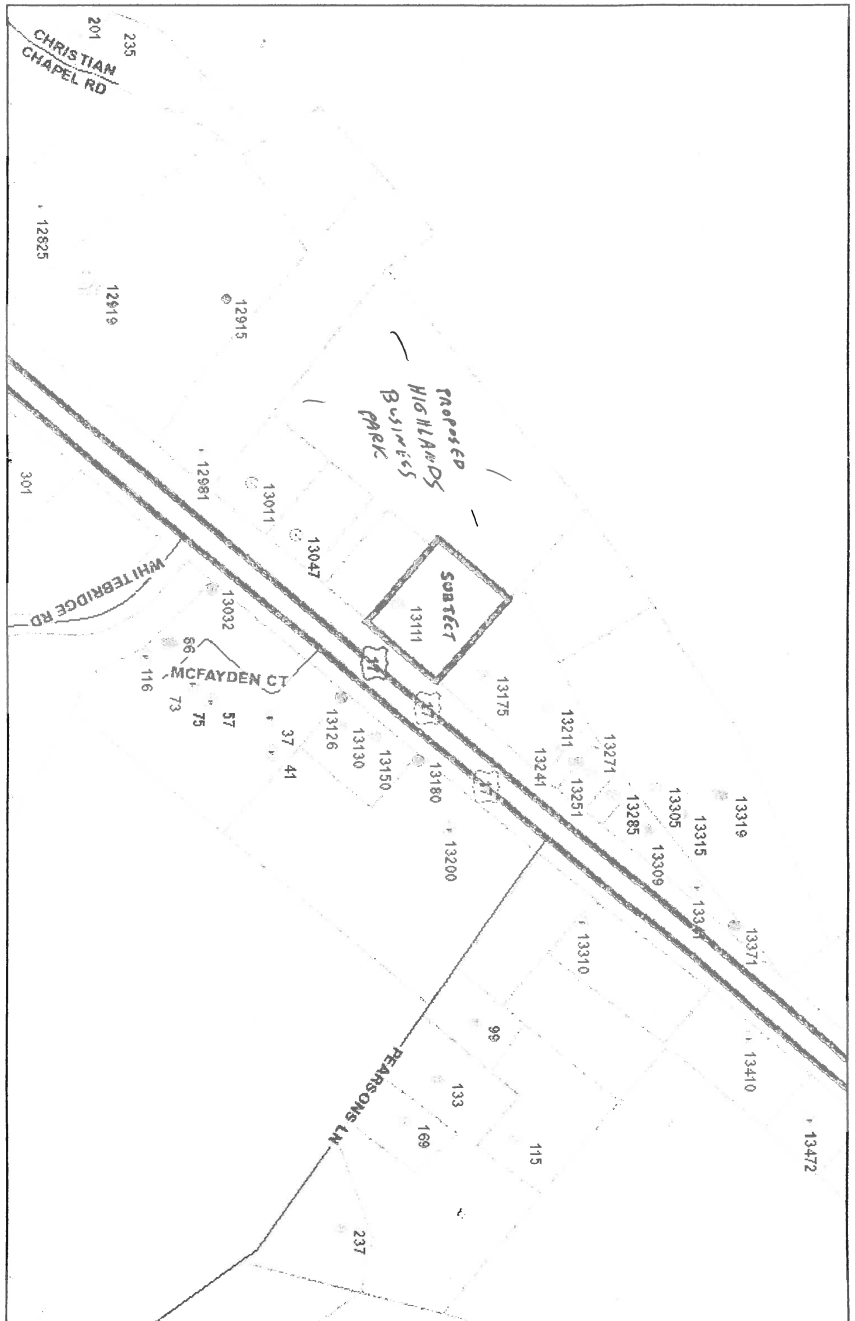


State of North Carolina – County of Pender

I, A. Renee Howard, a Notary Public of the County and State aforesaid, certify that Ellen Brown personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 17<sup>th</sup> day of October, 2005.

My Commission Expires:  
8/21/10

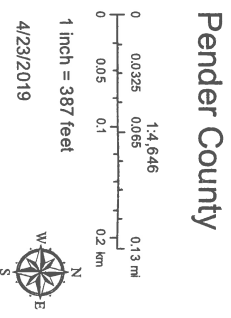
A. Renee Howard  
Notary Public

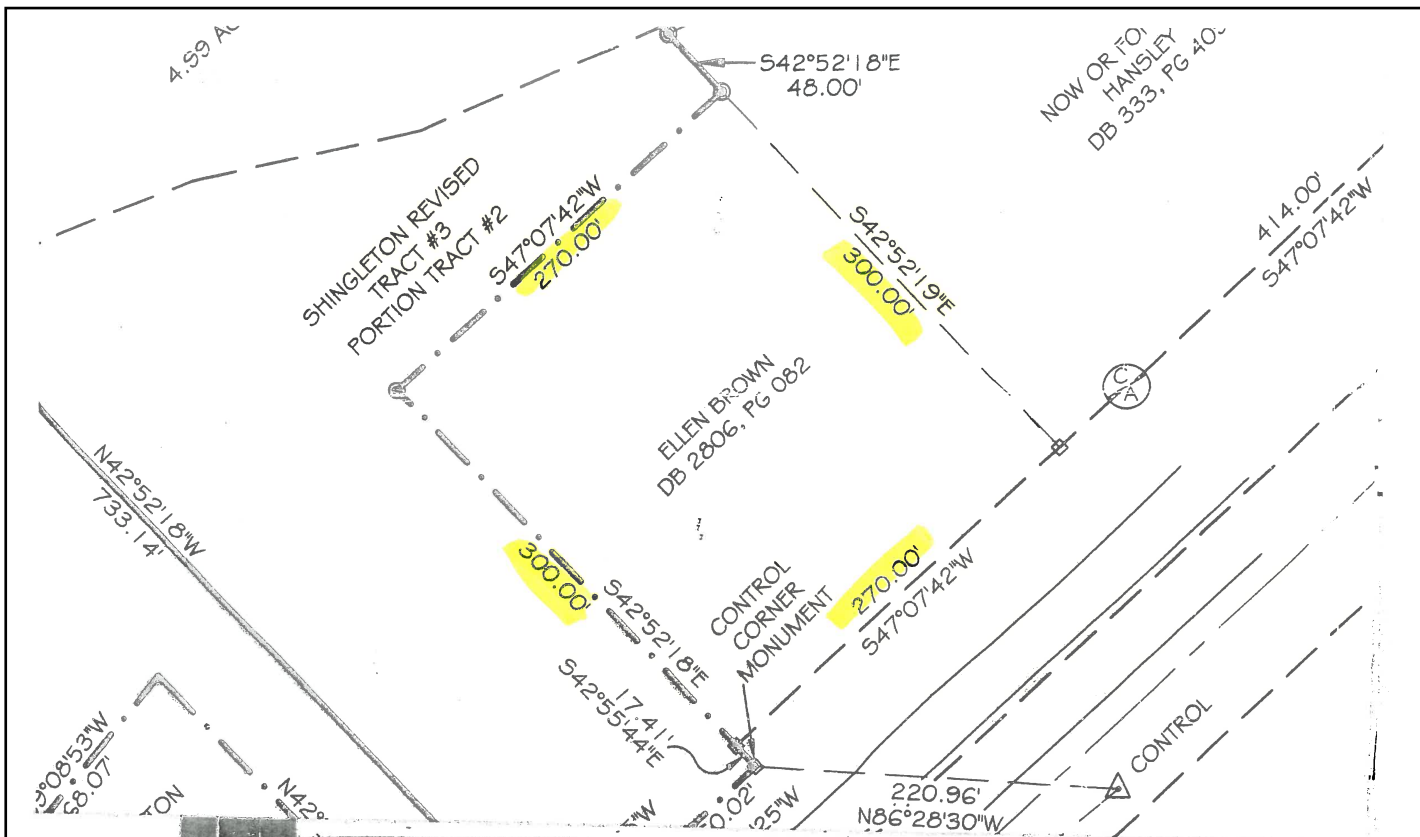


PIN: 3282-31-1385-0000  
 Owner: BROWN, ELLEN  
 13111 US HWY 17  
 HAMPTSTEAD, NC 28443  
 Deed Ref: 4683614

Sale Price:  
 Sale Date: LAST SALE DATE  
 Plat: NO PLAT  
 Account No: 2772  
 Township: TOPSAIL  
 Subdivision:  
 Tax Codes: G01 F29 R40 S64

PCL Class: R  
 Heated Sq Feet: 1576





STATE OF NORTH CAROLINA

Pender

County.

WARRANTY DEED

Witnessed and Subscribed by me, 1st day of March, A.D. 1964, by and between R. F. Shingleton and wife Clementine Shingleton Pender County North Carolina Parties of the first part and Robert Brown Jr of the State of North Carolina Parties of second part

of the first part, and Pender County of Pender and State of North Carolina of the second part.

WITNESSETH, that the said part Y of the first part, for and in consideration of the sum of Two Hundred dollars Dollars, and other valuable considerations to him in hand paid by the said part Y of the second part; the receipt whereof is hereby acknowledged. He gives, grants, bargains and sells, alien and conveys, and by these presents he hereby gives, grants, bargains and sells, alien, conveys and assigns unto the said part Y of the second part and to his heirs and assigns forever, all that certain lot of land, situated, lying and being in Pender County of Pender and State of North Carolina, bounded and described as follows, to wit:

Commencing at a stake on Newbern railroad rightway running North West one hundred yards to a stake thence South West ninety yards to a stake thence South East one hundred yards to a stake on Newbern rail road rightway thence North East with said rightway ninety yard to the Beginning containing one acre more or less.

(55¢ REVENUE STAMPS AND SAME CANCELLED)

| TABLE OF PERMITTED USES                                                                                                                                                              |           |                  |      |    |     |           |            |            |    |                 |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------|------|----|-----|-----------|------------|------------|----|-----------------|----|
| P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process |           |                  |      |    |     |           |            |            |    |                 |    |
| Use Category Specific Use Type                                                                                                                                                       |           | Residential      |      |    |     | Mixed Use | Commercial | Industrial |    | Special Purpose |    |
|                                                                                                                                                                                      |           | Zoning Districts |      |    |     |           |            |            |    |                 |    |
| Use Type                                                                                                                                                                             | Ref NAICS | RA               | RP   | RM | MH  | PD        | GB         | OI         | IT | GI              | EC |
| RESIDENTIAL                                                                                                                                                                          |           |                  |      |    |     |           |            |            |    |                 |    |
| SFD: Detached-Conventional                                                                                                                                                           |           | P                | P    | P  | P   | P         |            |            |    |                 |    |
| SFD: Detached Zero Lot Line                                                                                                                                                          |           |                  |      | P  |     | P         |            |            |    |                 |    |
| SFD-Attached: Duplex                                                                                                                                                                 |           | P                | P    | P  |     | P         |            |            |    |                 |    |
| SFD-Attached: Multiplex                                                                                                                                                              |           |                  |      | P  |     | P         |            |            |    |                 |    |
| SFD-Townhouse (5+ attached)                                                                                                                                                          |           |                  |      | P  |     | P         |            |            |    |                 |    |
| Multifamily (condominium/apartment)                                                                                                                                                  |           |                  |      | P  |     | P         |            |            |    |                 |    |
| Upper Story Residential                                                                                                                                                              |           |                  |      |    |     | P         | P          | P          |    |                 |    |
| Accessory Dwelling Unit                                                                                                                                                              |           | D                | D    | P  |     | D         |            |            |    |                 |    |
| Accessory Dwelling Unit on Non Residential Principal Uses                                                                                                                            |           | D                |      |    |     | D         |            |            | P  | P               |    |
| Manufactured Home                                                                                                                                                                    |           | P                | D    |    | P   |           |            |            |    |                 |    |
| Manufactured Home Park                                                                                                                                                               |           |                  |      |    | PMD |           |            |            |    |                 |    |
| ACCESSORY USES AND STRUCTURES                                                                                                                                                        |           |                  |      |    |     |           |            |            |    |                 |    |
| Accessory Structures                                                                                                                                                                 |           | P                | P    | P  | P   | P         | P          | P          | P  | P               |    |
| Cottage Occupations                                                                                                                                                                  |           | SD               | SD   | SD |     | SD        | SD         |            |    |                 |    |
| Home Occupation                                                                                                                                                                      |           | D                | D    | D  | D   | D         | D          |            |    |                 |    |
| Agritourism Activities on active farms                                                                                                                                               |           | D                | D    | D  | D   | D         | D          | D          | D  | D               | D  |
| Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Nonmetallic Mineral Mining & Quarrying                                                                                                                                               | 2123      | S                |      |    |     |           |            |            |    | S               |    |
| Except: 212392 Phosphate Rock Mining                                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Except: 212321 Borrow Pit Sand Mining                                                                                                                                                |           |                  | PMDS |    |     | PMD       |            |            |    |                 |    |
| Sector 22: UTILITIES                                                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Fossil Fuel Electric Power Generation                                                                                                                                                | 221112    |                  |      |    |     |           |            |            |    | S               |    |
| Other Electric Power Generation                                                                                                                                                      | 221119    | S                | S    |    |     | S         |            |            | P  | P               |    |
| Electric Bulk Power Transmission & Control                                                                                                                                           | 221121    | S                | S    | S  | S   | S         | S          | S          | P  | P               |    |
| Natural Gas Distribution Except Transmission Lines                                                                                                                                   | 221210    |                  |      |    |     |           |            |            |    | P               |    |
| Water Supply Facilities*                                                                                                                                                             | 221310    |                  | S    |    |     | PM        |            |            |    | P               |    |



|                                                                                   |                  |                         |           |           |           |           |           |           |           |           |           |
|-----------------------------------------------------------------------------------|------------------|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Sewage Treatment Facilities*                                                      | 221320           |                         | S         | PMD/S     |           | PMD/S     |           |           |           | P         |           |
| Except: Sewage Lift Stations*                                                     |                  | SD                      | SD        | PMD/S     | PMD/S     | PMD/S     | D         | D         | D         | D         |           |
| *County Owned or County Service District Provided Systems=P                       |                  |                         |           |           |           |           |           |           |           |           |           |
|                                                                                   |                  | <b>Zoning Districts</b> |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                   | <b>Ref NAICS</b> | <b>RA</b>               | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 23: CONSTRUCTION</b>                                                    |                  |                         |           |           |           |           |           |           |           |           |           |
| Construction of Buildings                                                         | 236              |                         |           |           |           |           | D         |           | P         | P         |           |
| Heavy and Civil Engineering Construction                                          | 237              |                         |           |           |           |           | D         |           | P         | P         |           |
| Specialty Trade Contractors                                                       | 238              |                         |           |           |           |           | D         |           | P         | P         |           |
| <b>Sectors 31-33 MANUFACTURING</b>                                                |                  |                         |           |           |           |           |           |           |           |           |           |
| Artisan Manufacturing                                                             |                  | S                       | S         |           |           | P         | P         |           | P         |           |           |
| Food Manufacturing                                                                | 311              |                         |           |           |           |           |           |           |           | P         |           |
| Beverage and Tobacco Product Manufacturing                                        | 312              |                         |           |           |           |           |           |           |           | P         |           |
| Textile Mills                                                                     | 313              |                         |           |           |           |           |           |           |           | P         |           |
| Textile Product Mills                                                             | 314              |                         |           |           |           |           |           |           |           | P         |           |
| Apparel Manufacturing                                                             | 315              |                         |           |           |           |           |           |           |           | P         |           |
| Wood Product Manufacturing                                                        | 321              |                         |           |           |           |           |           |           | P         | P         |           |
| Truss Manufacturing                                                               | 321214           |                         |           |           |           |           | S         |           | P         | P         |           |
| Prefabricated Wood Building Manufacturing                                         | 321992           |                         |           |           |           |           | S         |           | P         | P         |           |
| Prefabricated Metal Building and Component Manufacturing                          | 332311           |                         |           |           |           |           | S         |           | P         | P         |           |
| Paper Manufacturing                                                               | 322              |                         |           |           |           |           |           |           |           | S         |           |
| Converted Paper Product Manufacturing                                             | 3222             |                         |           |           |           |           |           |           |           | P         |           |
| Printing and Related Support Activities                                           | 323              |                         |           |           |           |           |           |           | P         | P         |           |
| Petroleum and Coal Products Manufacturing                                         | 324              |                         |           |           |           |           |           |           |           | S         |           |
| Synthetic Dye and Pigment Manufacturing                                           | 32513            |                         |           |           |           |           |           |           |           | P         |           |
| Other Basic Organic Chemical Manufacturing                                        | 32519            |                         |           |           |           |           |           |           |           | P         |           |
| Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing | 3252             |                         |           |           |           |           |           |           |           | P         |           |
| Pharmaceutical Manufacturing                                                      | 3254             |                         |           |           |           |           |           |           | P         | P         |           |
| Paint, Coating and Adhesive Manufacturing                                         | 3255             |                         |           |           |           |           |           |           |           | P         |           |

|                                                              |       |  |  |  |  |  |  |  |  |   |  |
|--------------------------------------------------------------|-------|--|--|--|--|--|--|--|--|---|--|
| Soap, Cleaning Compound and Toilet Preparation Manufacturing | 3256  |  |  |  |  |  |  |  |  | P |  |
| Other Chemical Product and Preparation Manufacturing         |       |  |  |  |  |  |  |  |  | P |  |
| Except: 32592 Explosive Manufacturing                        |       |  |  |  |  |  |  |  |  |   |  |
| Plastics and Rubber Products Manufacturing                   | 326   |  |  |  |  |  |  |  |  | P |  |
| Clay Product and Refractory Manufacturing                    | 3271  |  |  |  |  |  |  |  |  | P |  |
| Ready-Mix Concrete Manufacturing                             | 32732 |  |  |  |  |  |  |  |  | P |  |
| Concrete Pipe, Brick, & Block Manufacturing                  | 32733 |  |  |  |  |  |  |  |  | P |  |

| Use Type                                                              | Ref<br>NAICS | Zoning Districts |    |    |    |    |    |    |    |    |    |
|-----------------------------------------------------------------------|--------------|------------------|----|----|----|----|----|----|----|----|----|
|                                                                       |              | RA               | RP | RM | MH | PD | GB | OI | IT | GI | EC |
| <b>Sectors 31-33<br/>MANUFACTURING</b>                                |              |                  |    |    |    |    |    |    |    |    |    |
| Other Concrete Product Manufacturing                                  | 32739        |                  |    |    |    |    |    |    |    | P  |    |
| Gypsum Product Manufacturing                                          | 32742        |                  |    |    |    |    |    |    |    | P  |    |
| Fabricated Product Manufacturing                                      | 332          |                  |    |    |    |    |    |    |    | P  |    |
| Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing | 3327         |                  |    |    |    |    |    |    | P  | P  |    |
| Machinery Manufacturing                                               | 333          |                  |    |    |    |    |    |    |    | P  |    |
| Computer & Electronic Product Manufacturing                           | 334          |                  |    |    |    |    |    |    | P  | P  |    |
| Electrical Equipment, Appliance, & Component Manufacturing            | 335          |                  |    |    |    |    |    |    |    | P  |    |
| Transportation Equipment Manufacturing                                | 336          |                  |    |    |    |    |    |    |    | P  |    |
| Furniture and Related Product Manufacturing                           | 337          |                  |    |    |    |    |    |    | P  | P  |    |
| Miscellaneous Manufacturing                                           | 339          |                  |    |    |    |    |    |    | P  | P  |    |
| <b>Sector 42 WHOLESALE<br/>TRADE</b>                                  |              |                  |    |    |    |    |    |    |    |    |    |
| Wholesale Trade                                                       | 42           | S                |    |    |    |    |    |    | P  | P  |    |
| <b>Sectors 44-45 RETAIL TRADE</b>                                     |              |                  |    |    |    |    |    |    |    |    |    |



|                                                              |                      |           |           |           |           |           |           |           |           |           |           |
|--------------------------------------------------------------|----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Motor Vehicle and Parts Dealers                              | 441                  | S         |           |           |           |           | P         |           | P         |           |           |
| Furniture and Home Furnishings Stores                        | 442                  |           |           |           |           |           | P         |           | P         |           |           |
| Electronics and Appliance Stores                             | 443                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Building Material, Garden Equipment & Supplies Dealers       | 444                  | S         |           |           |           |           | P         |           | P         | P         |           |
| Food and Beverage Stores                                     | 445                  | S         | S         |           |           | P         | P         |           | P         |           |           |
| Health and Personal Care Stores                              | 446                  | S         | S         |           |           | P         | P         | P         | P         |           |           |
| Gasoline Stations                                            | 447                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Clothing and Clothing Accessories Stores                     | 448                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Sporting Goods, Hobby, Book, and Music Stores                | 451                  |           |           |           |           | P         | P         |           | P         |           |           |
| Miscellaneous Store Retailers                                | 453                  | S         |           |           |           | P         | P         |           |           |           |           |
| Non store Retailers                                          | 454                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Liquefied Petroleum Gas Dealers                              | 454312               |           |           |           |           |           |           |           |           | P         |           |
| <b>Sectors 48-49:<br/>TRANSPORTATION AND<br/>WAREHOUSING</b> |                      |           |           |           |           |           |           |           |           |           |           |
| Air Transportation                                           | 481                  |           |           |           |           |           |           |           | P         | P         |           |
| Rail Transportation                                          | 482                  |           |           |           |           |           |           |           | P         | P         |           |
| Truck Transportation                                         | 484                  |           |           |           |           |           |           |           | P         | P         |           |
| Transit and Ground Passenger Transportation                  | 485                  |           |           |           |           |           |           |           | P         | P         |           |
| Interurban and Rural Bus Transportation                      | 4852                 |           |           |           |           |           | P         |           | P         | P         |           |
| Taxi and Limousine Service                                   | 4853                 |           |           |           |           |           | P         |           | P         | P         |           |
| School and Employee Bus Transportation                       | 4854                 |           |           |           |           |           |           |           | P         | P         |           |
| Charter Bus Industry                                         | 4855                 |           |           |           |           |           |           |           | P         | P         |           |
| Support Activities for Transportation                        | 4881                 |           |           |           |           |           |           |           | P         | P         |           |
| Support Activities for Road Transportation                   | 4884                 | S         |           |           |           |           | P         |           | P         | P         |           |
| Postal Services                                              | 491110               | S         | S         |           |           | P         | P         | P         |           |           |           |
| Couriers and Messengers                                      | 492                  |           |           |           |           |           | P         | P         | P         | P         |           |
| <b>Zoning Districts</b>                                      |                      |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                              | <b>Ref<br/>NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |

|                                                                                            |        |   |   |   |   |   |   |   |   |   |  |
|--------------------------------------------------------------------------------------------|--------|---|---|---|---|---|---|---|---|---|--|
| <b>Sectors 48-49: TRANSPORTATION AND WAREHOUSING</b>                                       |        |   |   |   |   |   |   |   |   |   |  |
| Warehousing and Storage                                                                    | 493    | S |   |   |   |   |   |   | P | P |  |
| <b>Sector 51: INFORMATION</b>                                                              |        |   |   |   |   |   |   |   |   |   |  |
| Information                                                                                | 51     |   |   |   |   | P | P | P | P | P |  |
| Finance and Insurance                                                                      | 52     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 53: REAL ESTATE AND RENTAL AND LEASING</b>                                       |        |   |   |   |   |   |   |   |   |   |  |
| Real Estate and Rental and Leasing                                                         | 53     | S | S |   |   | P | P | P | P | P |  |
| Commercial and Industrial Machinery and Equipment Rental and Leasing                       | 5324   |   |   |   |   |   |   |   | P | P |  |
| <b>Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES</b>                          |        |   |   |   |   |   |   |   |   |   |  |
| Professional, Scientific, & Technical Services                                             | 54     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES</b>                                  |        |   |   |   |   |   |   |   |   |   |  |
| Management of Companies and Enterprises                                                    | 55     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES</b> |        |   |   |   |   |   |   |   |   |   |  |
| Administrative and Support Services                                                        | 561    | S |   |   |   | P | P | P | P | P |  |
| Solid Waste Collection Public                                                              | 562111 | P | P | P | P | P | P | P | P | P |  |
| Solid Waste Collection Private                                                             | 562111 |   |   |   |   |   |   |   |   | S |  |
| Solid Waste Landfill                                                                       | 562212 |   |   |   |   |   |   |   |   | S |  |
| Solid Waste Combustors and Incinerators                                                    | 562213 |   |   |   |   |   |   |   |   | S |  |
| Other Nonhazardous Waste Treatment and Disposal                                            | 562219 | S |   |   |   |   | S |   | S | S |  |
| Remediation Services                                                                       | 562910 |   |   |   |   |   |   |   |   | S |  |
| Materials Recovery Facilities                                                              | 562920 |   |   |   |   |   |   |   |   | S |  |
| All Other Waste Management Facilities                                                      | 56299  |   |   |   |   |   |   |   |   | S |  |
| <b>Sector 61: EDUCATIONAL SERVICES</b>                                                     |        |   |   |   |   |   |   |   |   |   |  |
| Educational Services                                                                       | 611    | P | S |   |   | P | P | P |   |   |  |

|                                                                                           |                  |           |           |           |           |           |           |           |           |           |           |
|-------------------------------------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Business Schools, Computer & Management Training                                          | 6114             | S         |           |           |           | P         |           | P         | P         |           |           |
| Technical and Trade Schools                                                               | 6115             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Other Schools and Instruction                                                             | 6116             | S         |           |           |           | P         | P         | P         | P         |           |           |
| <b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>                                       |                  |           |           |           |           |           |           |           |           |           |           |
| Ambulatory Health Care Services                                                           | 621              |           |           |           |           | P         | P         | P         |           |           |           |
| <b>Except:</b> Outpatient Mental Health and Substance Abuse Centers                       | 62142            |           |           |           |           |           | P         | S         |           |           |           |
| Hospitals                                                                                 | 622              | S         |           |           |           | P         | P         | P         |           |           |           |
| <b>Zoning Districts</b>                                                                   |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                           | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>                                       |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Except:</b> Psychiatric and Substance Abuse Hospitals                                  | 6222             |           |           |           |           |           |           | S         |           |           |           |
| <b>Except:</b> Outpatient Mental Health and Substance Abuse Hospitals                     | 62142            |           |           |           |           |           | S         | S         |           |           |           |
| Nursing and Residential Care Facilities                                                   | 623              | S         | S         |           |           | P         | P         | P         |           |           |           |
| <b>Except:</b> Residential Mental Retardation, Mental Health & Substance Abuse Facilities | 6232             | S         |           |           |           |           |           | S         |           |           |           |
| Social Assistance                                                                         | 624              | S         |           |           |           | P         | P         | P         |           |           |           |
| Vocational Rehabilitation Services                                                        | 6243             |           |           |           |           |           | P         | P         | P         | P         |           |
| <b>Sector 71: ARTS, ENTERTAINMENT, AND RECREATION</b>                                     |                  |           |           |           |           |           |           |           |           |           |           |
| Performing Arts Companies                                                                 | 7111             | S         |           |           |           | P         | P         |           |           |           |           |
| Spectator Sports                                                                          | 7112             | S         |           |           |           |           | P         |           | P         |           |           |
| Promoters of Performing Arts, Sports and Similar Events                                   | 7113             | S         |           |           |           | S         | S         |           |           |           |           |
| Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures          | 7114             |           |           |           |           | P         | P         | P         |           |           |           |
| Museums, Historical Sites and Similar Institutions                                        | 712              | S         |           |           |           | P         | P         | P         |           |           |           |
| Amusement and Theme Parks                                                                 | 713110           | S         |           |           |           | S         | S         |           |           |           |           |
| Amusement Arcades                                                                         | 713120           |           |           |           |           |           | P         |           |           |           |           |

|                                                                |                  |           |           |           |           |           |           |           |           |           |           |
|----------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Golf Courses and Country Clubs                                 | 713910           | S         | PM        |           |           | P         |           |           |           |           |           |
| Fitness & Recreational Sports Centers                          | 713940           | S         |           |           |           | P         | P         | P         | P         |           |           |
| Bowling Centers                                                | 71395            |           |           |           |           | P         | P         | P         | P         |           |           |
| All Other Amusement & Recreation Industries                    | 71399            | S         |           |           |           | P         | P         |           | P         |           |           |
| Aviation Clubs, Recreational                                   | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Canoeing, Recreational                                         | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Fishing Clubs, Recreational                                    | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Flying Clubs, Recreational                                     | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Guide Services (i.e. Fishing, Hunting, Tourist)                | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Horse Riding, Recreational                                     | 713990           | P         | S         |           |           |           |           |           |           |           |           |
| Outdoor Shooting Ranges                                        | 713990           | S         |           |           |           |           |           |           |           |           |           |
| <b>Zoning Districts</b>                                        |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 72: ACCOMMODATIONS AND FOOD SERVICES</b>             |                  |           |           |           |           |           |           |           |           |           |           |
| Hotels and Motels                                              | 72111            |           |           |           |           | P         | D         | D         |           |           |           |
| Bed and Breakfast Inns                                         | 721191           | S         | S         |           | S         | P         | P         |           |           |           |           |
| All Other Traveler Accommodation                               | 721199           | S         | S         |           | S         | P         | P         |           |           |           |           |
| RV Parks and Recreational Camps                                | 7212             | SD        |           |           |           |           | SD        |           |           |           |           |
| Recreational and Vacation Camps                                | 721214           | S         |           |           |           |           |           |           |           |           | S         |
| Rooming and Boarding Houses                                    | 721310           | S         |           |           |           | P         | P         |           |           |           |           |
| Full Service Restaurants                                       | 7221             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Limited Service Eating Places                                  | 7222             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Special Food Services                                          | 7223             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Drinking Places (Alcoholic Beverages)                          | 7224             | S         |           |           |           | P         | P         |           |           |           |           |
| <b>Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION</b> |                  |           |           |           |           |           |           |           |           |           |           |
| Automotive Repair and Maintenance                              | 8111             | S         |           |           |           |           | P         |           | P         | P         |           |
| Electronic and Precision Equipment Repair and Maintenance      | 8112             | S         |           |           |           |           | P         | P         | P         | P         |           |

|                                                                                                             |                  |           |           |           |           |           |           |           |           |           |           |
|-------------------------------------------------------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance | 8113             |           |           |           |           |           |           |           | P         | P         |           |
| Personal and Household Goods Repair and Maintenance                                                         | 8114             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Personal Care Services                                                                                      | 8121             | P         | S         |           |           | P         | P         | P         | P         |           |           |
| Funeral Homes and Funeral Services                                                                          | 81221            | S         |           |           |           |           | P         | P         | P         | P         |           |
| Cemeteries and Crematories Except: Private Cemetery                                                         | 81222            | S         | S         |           |           | S         | S         | S         | S         | S         |           |
| Coin Operated Laundries and Drycleaners                                                                     | 812310           | P         |           |           |           | P         | P         |           |           |           |           |
| Dry-cleaning and Laundry Services                                                                           | 812320           | S         |           |           |           | P         | P         |           | P         | P         |           |
| Linen & Uniform Supply                                                                                      | 81233            |           |           |           |           |           |           |           | P         | P         |           |
| Other Personal Services                                                                                     | 8129             | S         |           |           |           | P         | P         | P         | P         |           |           |
| Pet Care Services                                                                                           | 812910           | D         |           |           |           |           | D         |           | D         | D         |           |
| Religious Organizations                                                                                     | 8131             | P         | S         |           |           | P         | P         | P         | P         |           |           |
| Grant making and Giving Services                                                                            | 8132             |           |           |           |           | P         | P         | P         | P         |           |           |
| Social Advocacy Organizations                                                                               | 8133             |           |           |           |           | P         | P         | P         | P         |           |           |
| Civic and Social Organizations                                                                              | 813410           | S         | S         |           |           | P         | P         | P         |           |           |           |
| Business, Professional, Labor, Political and Similar Organizations                                          | 8139             |           |           |           |           | P         | P         | P         | P         |           |           |
| Public Administration                                                                                       | 92               | P         | P         | P         | P         | P         | P         | P         | P         | P         |           |
| <b>Zoning Districts</b>                                                                                     |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                                             | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>MISCELLANEOUS USES</b>                                                                                   |                  |           |           |           |           |           |           |           |           |           |           |
| Adult and Sexually Oriented Businesses                                                                      |                  |           |           |           |           |           |           |           | S         | S         |           |
| Adult Retail                                                                                                |                  |           |           |           |           |           |           |           | S         | S         |           |
| Bona fide Farm Purposes                                                                                     |                  | D         | D         | D         | D         | D         | D         | D         | D         | D         | D         |
| Child Care Center                                                                                           |                  | P         | S         |           |           | S         | P         | P         |           |           |           |
| Community Boating Facility                                                                                  |                  | SD        | SD        | SD        | SD        | SD        |           |           |           |           |           |
| Community Boating Facility in conjunction with a Master Development Plan                                    |                  | SD        | PMD       | PMD       | PMD       | PMD       |           |           |           |           |           |
| Disaster Volunteer Housing                                                                                  |                  | D         | D         | D         | D         | D         | D         | D         | D         | D         |           |

|                                                                                                                  |  |    |     |   |   |     |    |    |    |    |  |
|------------------------------------------------------------------------------------------------------------------|--|----|-----|---|---|-----|----|----|----|----|--|
| Family Care Home                                                                                                 |  | D  | D   | D | D | D   |    |    |    |    |  |
| Family Child Care Home                                                                                           |  | P  | P   |   |   | P   | P  | P  |    |    |  |
| Industrial Park                                                                                                  |  |    |     |   |   |     |    |    |    | SD |  |
| Marina (Commercial)                                                                                              |  | SD | PMD |   |   | PMD |    |    |    |    |  |
| Portable Storage Containers                                                                                      |  | D  | D   | D | D | D   | D  | D  | D  | D  |  |
| Private Cemetery less than 6,000 sq. ft.                                                                         |  | D  | D   |   |   |     | D  | D  | D  |    |  |
| Private Cemetery 6,000 sq. ft. and larger                                                                        |  | S  | S   |   |   |     | S  | S  | S  |    |  |
| Public Parks                                                                                                     |  | P  | P   | P | P | P   | P  | P  | P  | P  |  |
| Private Residential Boating Facility                                                                             |  | D  | D   | D | D | D   |    |    |    |    |  |
| Salvage Operations                                                                                               |  | S  |     |   |   |     |    |    |    | D  |  |
| Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage |  | S  |     |   |   |     |    |    | P  | P  |  |
| Storage of boats and watercraft outdoors or on dry stack structures                                              |  |    |     |   |   |     | S  |    |    |    |  |
| Sweepstakes Center                                                                                               |  |    |     |   |   |     | SD |    | SD | SD |  |
| Telecommunication Facilities                                                                                     |  | SD | SD  |   |   | SD  | SD | SD | SD | SD |  |
| Telecommunication Facilities – Public Safety                                                                     |  | SD | SD  |   |   | SD  | SD | SD | SD | SD |  |
| Temporary Manufactured Homes                                                                                     |  | P  | P   |   |   | P   |    |    |    |    |  |
| Temporary Modular/Manufactured Offices                                                                           |  |    |     |   |   | P   | P  | P  | P  | P  |  |
| Temporary Fruit & Vegetable Stands                                                                               |  | P  | P   |   |   |     |    |    |    |    |  |
| Temporary Buildings for Construction or Development                                                              |  | D  | D   | D | D | D   | D  | D  | D  | D  |  |
| Temporary Events                                                                                                 |  | D  |     |   |   |     | D  | D  | D  | D  |  |

### 5.3 USES WITH STANDARDS

#### 5.3.1 General

- A. These standards shall only apply to those districts and uses where the “S”, “PM” or “D” is designated on the use table in Section 5.2.3. In addition to these standards the use shall be permitted in compliance with the general development standards of the underlying



**Pender County**  
**REZONE 2022-40: General Use Rezoning**  
**of two tracts of land in the Topsail**  
**Township from RP, Residential**  
**Performance to GB, General Business**

---

**TO:** Planning Board  
**FROM:** Justin Brantley  
**DATE:** January 4, 2023  
**SUBJECT:** REZONE 2022-40

---

**SUMMARY:**

Michael Nadeau, applicant on behalf of John Rowland, owner, is requesting the approval of a Zoning Map Amendment to rezone approximately 0.53 acres of land across two tracts that total approximately 1.65 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. The subject properties are located on St Johns Church Road approximately 600 feet from where the road terminates to the west. The subject properties are located within the Topsail Township and may be further identified by Pender County PIN(s) 3293-54-0393-0000 and 3293-54-2403-0000.

**ACTION REQUESTED:**

To hold a public hearing and consider the rezoning request.

**ATTACHMENTS:**

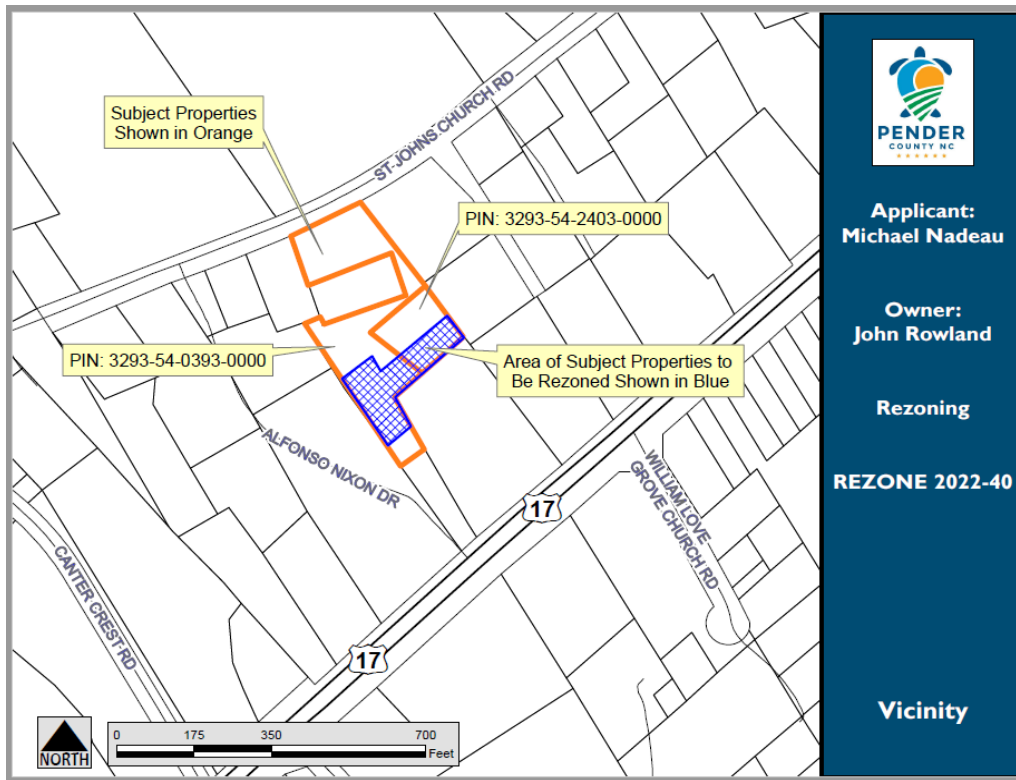
1. Staff Report
2. Application
3. Legal Description
4. Narrative
5. Map
6. Table of Permitted Uses

**STAFF REPORT FOR REZONE 2022-40  
ZONING MAP AMENDMENT APPLICATION**

| <b>APPLICATION SUMMARY</b>          |                                                                              |
|-------------------------------------|------------------------------------------------------------------------------|
| Case Number                         | REZONE 2022-40                                                               |
| Hearing Dates                       | January 4, 2023, Planning Board<br>February 21, 2023, Board of Commissioners |
| Applicant                           | Michael Nadeau                                                               |
| Property Owner                      | John Rowland                                                                 |
| Parcel Identification Number(s)     | 3293-54-0393-0000, 3293-54-2403-0000                                         |
| Proposed Rezoning Area              | .53                                                                          |
| Township                            | Topsail                                                                      |
| Pender 2.0 Future Land Use Category | Neighborhood Mixed Use,<br>Medium Density Residential                        |

| <b>REZONING PROPOSAL</b>                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Michael Nadeau, applicant on behalf of John Rowland, owner, is requesting the approval of a Zoning Map Amendment to rezone approximately 0.53 acres of land across two tracts that total approximately 1.65 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. |
| <b>LOCATION</b>                                                                                                                                                                                                                                                                                                     |
| The subject properties are located on St Johns Church Road approximately 600 feet from where the road terminates to the west. The subject properties are located within the Topsail Township.                                                                                                                       |





### REZONING PROPOSAL

The applicant is proposing to rezone .53 acres across two tracts of land that totaling 1.65 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. The intent of GB, General Business district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

Because this is a general use rezoning, a conceptual plan is not included within the application. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. However, any future development of the site must comply with the standards of the GB, General Business zoning district and is subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.



### Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the GB, General Business zoning district apply and are outlined in the table below. The dimensional standards are proposed to apply uniformly to all buildings and uses on the subject properties.

| Minimum Setback (General Business) |     |
|------------------------------------|-----|
| Front                              | 25' |
| Side                               | 10' |
| Rear                               | 10' |
| Corner                             | 12' |
| Max. Height                        | 40' |
| Structure Separation               | 20' |

The minimum lot size in the GB, General Business district is 15,000 square feet. The subject properties are in compliance with the zoning district standards.

### Allowable Uses

Because this is a general use rezoning, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the GB, General Business zoning district. The table below provides a general list of typical developments permitted in the GB, General Business zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment I.

|                  | GB, General Business                                                                                                                                                                                                                                                                   |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Residential Uses | ≈ 1 uses by-right (Upper Story Residential, Agritourism)<br>≈ 1 use w/ SUP (Cottage Occupation)                                                                                                                                                                                        |
| Commercial Uses  | ≈ 83 uses by-right (Construction of buildings, Artisan Manufacturing, Motor Vehicle and Parts Dealers, Non Store Retailers, Real Estate and Rental and Leasing, ect.)<br>≈ 15 uses w/ SUP (Truss Manufacturing, RV Parks and Recreational Camps, Storage of Boats and Watercraft, ect) |

## TRANSPORTATION INFRASTRUCTURE

### Access

The subject area consists of two parcels. Parcel PIN: 3293-54-0393-0000 has direct access to St Johns Church Road while parcel PIN: 3293-54-2403-0000 is a land locked parcel with no road frontage. St Johns Church Rd is classified as a local road.

### Traffic

Traffic Impact Analyses (TIA) are not required for general use rezoning since a site-specific development plan is not required to be included in the application package. The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

The traffic information below shows the volume and planned capacity. According to the WMPO the roads have not reached the ultimate capacity and therefor are able to accommodate an increase in traffic.

### NCDOT Average Annual Daily Traffic (AADT) – 2021<sup>1</sup>

| Road      | Location                                                           | Volume | Planned Capacity | V/C  |
|-----------|--------------------------------------------------------------------|--------|------------------|------|
| US HWY 17 | Between Alfonso Nixon Dr and willing Love Grove CH Rd <sup>1</sup> | 44,000 | 37,323           | 1.18 |

## OTHER INFRASTRUCTURE

### Utilities

Public water is available through Pender County Utilities (PCU) via St Johns Church Rd and sewer is available through Pluris via US HWY 17 provided a utility easement was granted for both parcels. The method of water and sewer service will be determined when a site-specific development plan is submitted for review.

### Schools

There is no development proposal associated with this general use rezoning, so no specific impacts to the school system are known at this time.

## ENVIRONMENTAL CONCERNS

|                                |                                                                                                                                                                                                                                                                                                   |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special Flood Hazard Areas     | The subject property does not contain any Special Flood Hazard Areas <sup>1</sup> .                                                                                                                                                                                                               |
| Wetlands                       | Portions of the subject property may contain wetlands <sup>2,3</sup> . The location of any wetlands will be verified when a site-specific development plan is submitted for review. Any disturbance within these wetlands are subject to review and approval by the U.S. Army Corps of Engineers. |
| Areas of Environmental Concern | The subject property does not contain any Areas of Environmental Concern (AEC) <sup>4</sup> .                                                                                                                                                                                                     |

<sup>1</sup> According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

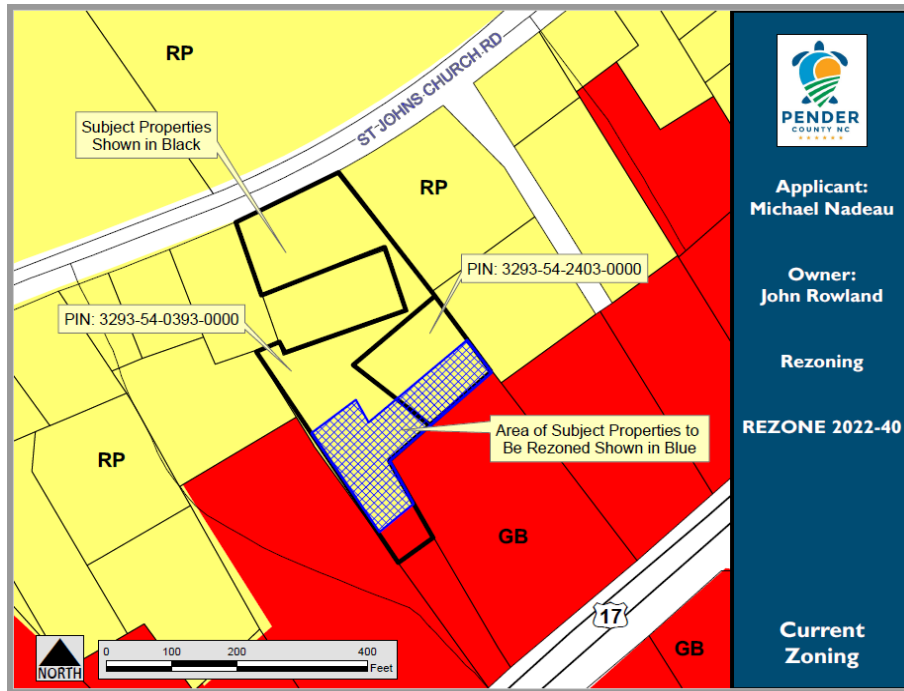
<sup>2</sup> According to the NC Division of Coastal Management (NC DCM)

<sup>3</sup> According to the National Wetlands Inventory (NWI)

<sup>4</sup> According to the North Carolina Department of Environmental Quality (NCDEQ)

## EVALUATION

*Below: Zoning Map of the Area*



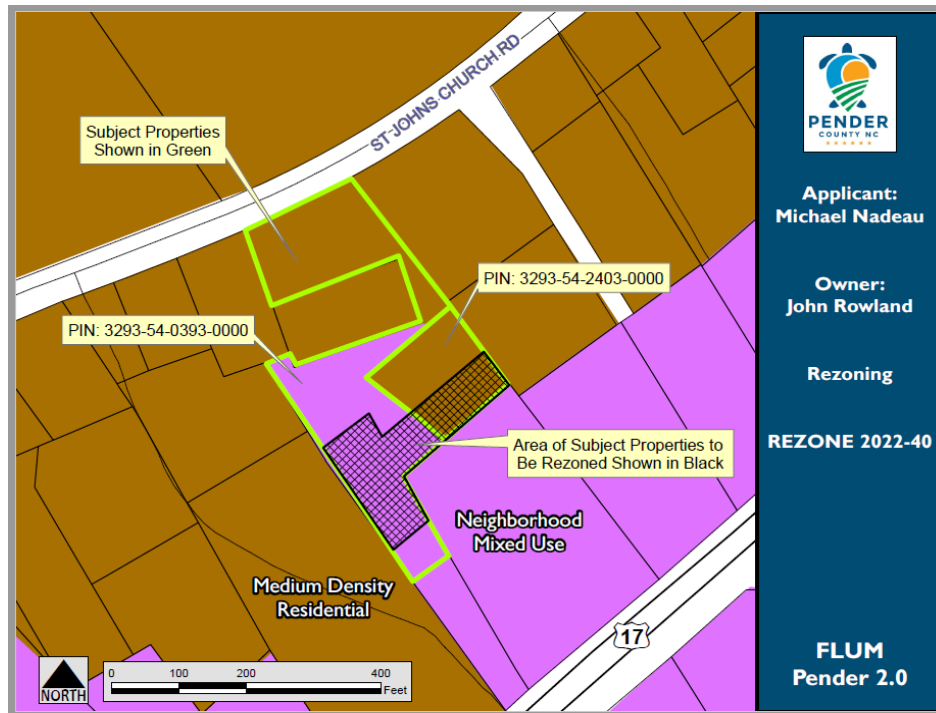
### CHARACTERISTICS OF THE SURROUNDING AREA

|              | LAND USE                                        | ZONING                                            |
|--------------|-------------------------------------------------|---------------------------------------------------|
| <b>North</b> | Residential, Vacant                             | RP, Residential Performance                       |
| <b>East</b>  | Residential, Commercial                         | GB, General Business, RP, Residential Performance |
| <b>South</b> | Non-conforming Residential, Commercial          | GB, General Business                              |
| <b>West</b>  | Residential, Non-conforming Residential, Vacant | RP, Residential Performance, GB, General Business |

#### **Surrounding Zoning**

The larger subject property, PIN: 3293-54-0393-0000, is currently within the RP, Residential performance and GB, General Business zoning districts while the second property smaller property within this rezoning request, PIN: 3293-54-2403-0000, is currently within the RP, Residential Performance zoning district. Properties immediately adjacent to the subject

properties are currently zoned RP, Residential Performance and GB, General Business as indicated by the zoning map and table above.



### Pender 2.0 Comprehensive Land Use Plan Compliance

The subject properties are located within two Future Land Use Classifications. The subject property PIN: 3293-54-0393-0000 is located in the Neighborhood Mixed Use Future Land Use Classification and the Medium Density Residential Future Land Use Classification. The second property PIN: 3293-54-2403-0000 is located within the Medium Density Residential Future Land Use Classification within the Pender 2.0 Comprehensive Land Use Plan and as shown above in the Future Land Use Map.

The Neighborhood Mixed Use future land use category will allow a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three mile radius. Land use and development within this category is closely coordinated with existing and planned roadway transportation networks, while encouraging bicycle and pedestrian access. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and single-family residential uses. Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial

establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller.

The Medium Density Residential future land use category is established in areas that are typically in close proximity to supporting services and a mixture of development types. Appropriate uses include single-family dwellings, duplexes, community recreation and open space uses, and neighborhood-scale institutional facilities such as religious and civic organizations. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators.

The proposed zoning district, General Business, is consistent with the Neighborhood Mixed Use future land use classification due to the General Business districts intention to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses. The General Business zoning district is not consistent with the Medium Density Residential future land use classification as commercial development should be integrated into a planned community. While commercial uses are generally inconsistent with the Medium Density Residential future land use classification, the subject parcel's size and proximity to Neighborhood Mixed Use area aligns with the classification's desire to provide a low intensity transitional use between commercial and residential neighborhoods. Additionally, the proposal is consistent with the spirit of supporting Medium Density Residential classification because the parcel will be in close proximity with supporting services and a mixture of development types, which is the desired in the Medium Density Residential classification.

In addition to consistency with the Future Land Use Map, the proposal was found to be consistent with the following three policies within the Pender 2.0 Comprehensive Land Use Plan:

**Policy 5.1.D: Focused Growth and Development:** The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to accommodate and support future population growth, where necessary infrastructure exists or is planned.

**Policy 5.1.E: Compatible Development:** The County supports new commercial and multi-family developments that blend with surrounding neighborhoods and limit traffic, noise, and light impacts on existing residential uses.

**Policy 5.1.K: Commercial Development:** The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

**Unified Development Ordinance Compliance:** Section 3.3.5 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be



made. These standards include evaluating proposals against whether adequate public facilities/services (i.e. water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

### **3.3.5 Approval Criteria for Rezoning**

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

- A. Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:
  - 1. be detrimental to the natural environment,
  - 2. adversely affect the health, safety, or welfare of residents or workers in the area,
  - 3. be detrimental to the use or development of adjacent property,
  - 4. materially or adversely affect the character of the general neighborhood, and
  - 5. be reasonable as it relates to the public interest.
- B. Whether adequate public facilities/services (i.e.- water, wastewater, roads, schools, etc.) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;
- C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan, CAMA Land Use Plan, and any other adopted land use document.

## **RECOMMENDATION**

Planning Staff is submitting the proposal for Planning Board Disposition. The proposed Zoning Map Amendment is consistent in one area within the Future Land Use Map and three policies within the Pender 2.0 Comprehensive Land Use Plan. While being inconsistent in one area within the Future Land Use Map and one policy. Furthermore, the allowable uses within the requested zoning districts are compatible with the surrounding area to the South and incompatible to the North. Therefore, Planning staff respectfully recommends approval of the Zoning Map Amendment due to the area designated as Neighborhood Mixed as well as the close proximity of the Medium Density Residential portion to the Neighborhood Mixed Use area as detailed in this report.



**PLANNING BOARD ACTION NEEDED:**

**TO APPROVE:** Motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies and objectives in the Pender 2.0 Comprehensive Land Use Plan:

- **5.I.D: Focused Growth and Development**
- **5.I.E: Compatible Development**
- **5.I.K: Commercial Development**

The proposed rezoning is consistent with the Neighborhood Mixed Use and Medium Density Residential Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan.

**TO DENY:** Motion to deny the Zoning Map Amendment and to make a finding of denial because although the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING]...

**PLANNING BOARD ACTION FOR GENERAL USE REZONING**

| MOTION | SECONDED |
|--------|----------|
|        |          |

| APPROVED | DENIED | UNANIMOUS |
|----------|--------|-----------|
|          |        |           |

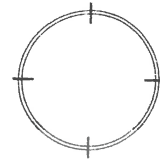
| Jordan | Buchanan | Beaudoin | Gruntfest | Mosca | Pitts | Teachey |
|--------|----------|----------|-----------|-------|-------|---------|
|        |          |          |           |       |       |         |

**APPLICATION FOR REZONING (Zoning Map Amendment)**

| THIS SECTION FOR OFFICE USE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |                           |                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------|-----------------------|
| Application No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ZMA                                                                                 | Date                      |                       |
| Application Fee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$                                                                                  | Invoice                   |                       |
| Pre-Application Conference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     | Hearing Date              |                       |
| <b>SECTION 1: APPLICANT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |                           |                       |
| Applicant's Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | MICHAEL NADEAU                                                                      | Owner's Name:             | JOHN ROWLAND          |
| Applicant's Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | P.O. Box 56                                                                         | Owner's Address:          | 130 LAKE DRIVE        |
| City, State, & Zip                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | HAMPSTEAD NC 28443                                                                  | City, State, & Zip        | DOWINGTON PA 19335    |
| Phone Number:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 910 620 1237                                                                        | Phone Number:             | 484 886 5367          |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | MIKE@CREATIVECOMMERCIAL.BIZ                                                         | Email Address:            | JROWLAND46306MAIL.COM |
| Legal relationship of applicant to landowner: CONTRACTUAL INTEREST                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |                           |                       |
| <b>SECTION 2: PROJECT INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                     |                           |                       |
| Property Identification Number (PIN):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3293-54-0393-0000<br>3293-54-2403-0000                                              | Total property acreage:   | .53                   |
| Current Zoning District:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | RP                                                                                  | Proposed Zoning District: | GB                    |
| Project Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1081 ST JOHN'S CHURCH ROAD                                                          |                           |                       |
| Description of Project Location:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | BETWEEN Hwy 17 AND ST JOHN'S CHURCH ROAD                                            |                           |                       |
| <b>SECTION 3: SIGNATURES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                           |                       |
| Applicant's Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | Date:                     |                       |
| Applicant's Name Printed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | MICHAEL NADEAU                                                                      | Date:                     | 11/3/22               |
| Owner's Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | Date:                     |                       |
| Owner's Name Printed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | JOHN ROWLAND                                                                        | Date:                     | 11/3/2022             |
| <b>NOTICE TO APPLICANT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |                           |                       |
| <ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol> |                                                                                     |                           |                       |

***Hanover Design Services, P.A.***

***Land Surveyors, Engineers, Land Planners***



November 3, 2022

Re: Re-Zoning Part of the John Rowland Tracts

Being a certain parcel or tract of land lying and being in Topsail Township, Pender County, North Carolina and being part of that property described in book 2275 page 222 records of the Pender County Register and being more particularly described as follows:

Beginning at an iron at the northeastern corner of the Gordon Investments LLC tract (book 4726 page 2688), said iron begin located the following bearings and distances from the center line intersection of U.S. Highway 17 (100' public right of way) and Williams Love Grove Church Road (60' public right of way) S 64-18-46 W 176.12' to the southeastern corner of said Gordon Investments LLC tract thence with the eastern line of said tract N 36-49-19 W 96.38' to an iron, thence N 36-42-54 W 249.95' to an iron thence N 37-41-41 W 23.83' to the beginning point: Proceed from said point of beginning and with the northern line of the Gordon Investments, LLC tract S 48-00-00 W 217.56 ft. to an iron at the northwestern corner of said Gordon Investments, LLC tract thence with the western line of said tract S 31-04-31 E 65.00' ft. to a point, thence leaving said western line S 45-32-24 W 61.88' to a point in the eastern line of the Rosefield Jones Heirs Tract (book 4727 page 2223) thence with said eastern line of the Jones Heirs Tract and a portion of the eastern line of the Alfonzo Nixon Tract (book 584 page 188) N 35-14-36 W 175.00' to a point, thence leaving said eastern line N 55-09-45 E 73.39' to a point thence S 30-53-51 E 44.87' to a point, thence N 48-00-00 E 211.81 to a point in the eastern line of said John Rowland tract, thence with said eastern line S 36-51-21 E 54.34' to the point of beginning and containing 0.53 acres.

All bearings are relative to book 4726 page 2688

  
Jonathan L. Wayne PLS 3391



1123 Floral Parkway Wilmington, N.C. 28403 Phone (910) 343-8002 Fax 910) 343-9941  
Business Firm License No. C-0597

**REZONING NARRATIVE**  
**NOVEMBER 3, 2022**

The subject parcel requesting rezoning is situated between St. Johns Church Road, all zoned Residential Performance (RP), and Highway 17, which has exclusively General Business zoning.

The Rowland property originally extended from Highway 17 to St. Johns Church Road. Cass Rowland sold off two acres on the highway and also granted a septic easement on his retained land in back.

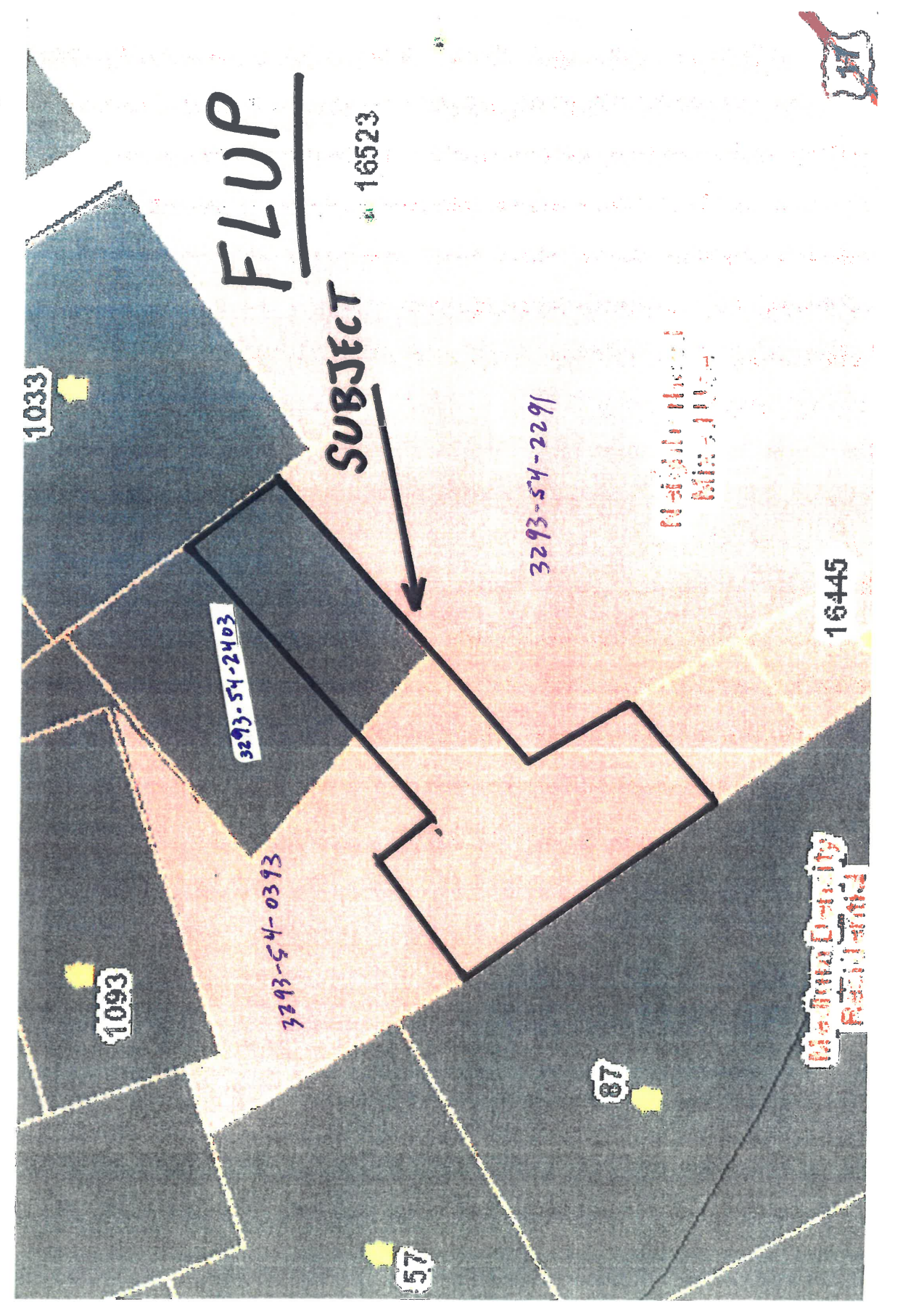
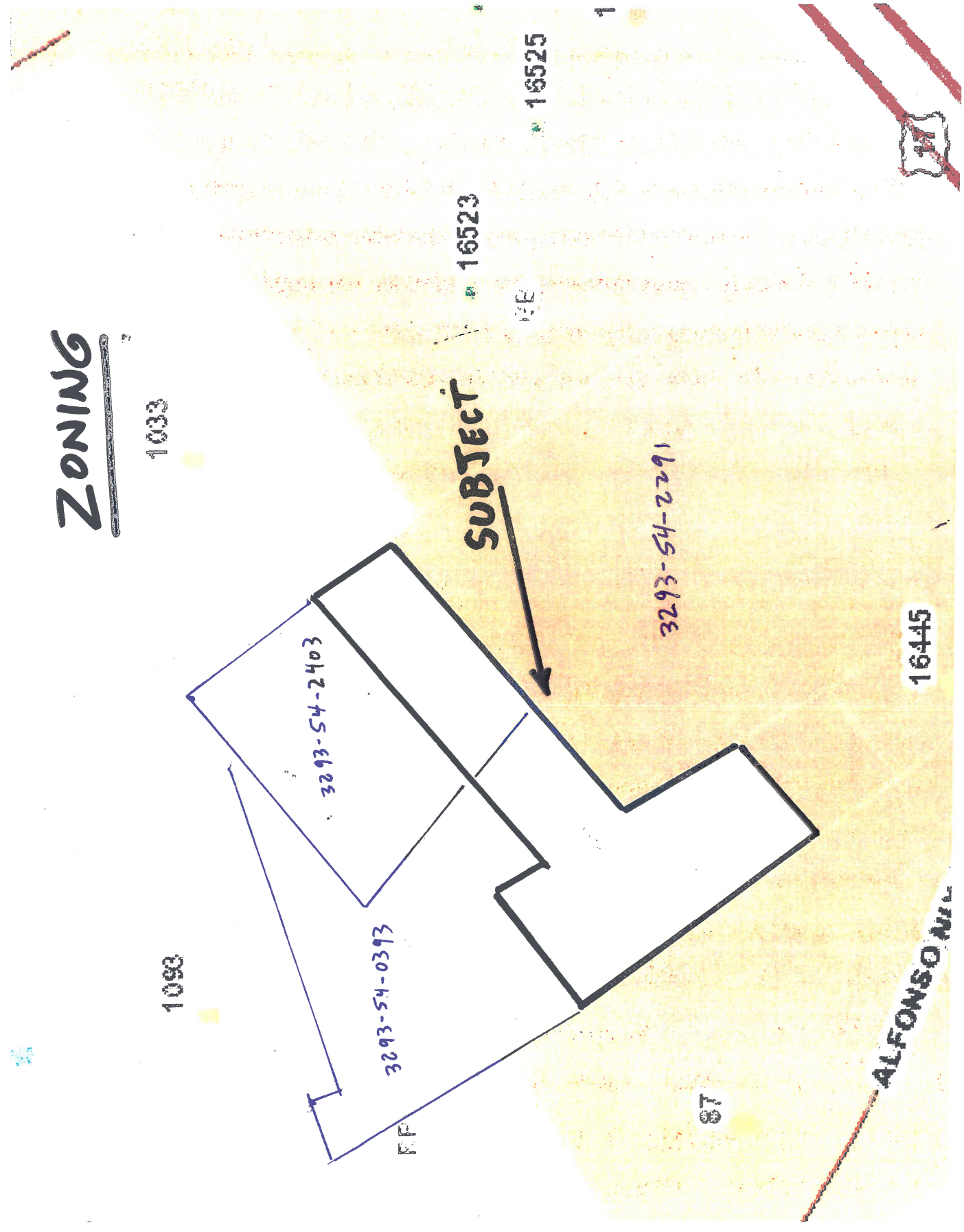
Currently, Parcel 3293-54-0393-0000 is split zoned, containing both GB and RA sections. We request GB line be extended 175' to the West, encompassing .35 acres within this parcel. Of that .35 acres, 100% is targeted to be "Neighborhood Mixed Use" in the Pender "Future Land Use Plan".

On Parcel 3293-54-2403-0000, we request the GB zoning line be extended West 55' to tie into the adjacent parcel, a total of .18-acre. This strip of land is located about 400' from Hwy 17 and 400' from St. John's Church Road.

  
MICHAEL NADEAU

DocuSigned by:  
  
595664E5831F42F...  
11/3/2022







| TABLE OF PERMITTED USES                                                                                                                                                              |           |                  |      |    |     |           |            |            |    |                 |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------|------|----|-----|-----------|------------|------------|----|-----------------|----|
| P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process |           |                  |      |    |     |           |            |            |    |                 |    |
| Use Category Specific Use Type                                                                                                                                                       |           | Residential      |      |    |     | Mixed Use | Commercial | Industrial |    | Special Purpose |    |
|                                                                                                                                                                                      |           | Zoning Districts |      |    |     |           |            |            |    |                 |    |
| Use Type                                                                                                                                                                             | Ref NAICS | RA               | RP   | RM | MH  | PD        | GB         | OI         | IT | GI              | EC |
| RESIDENTIAL                                                                                                                                                                          |           |                  |      |    |     |           |            |            |    |                 |    |
| SFD: Detached-Conventional                                                                                                                                                           |           | P                | P    | P  | P   | P         |            |            |    |                 |    |
| SFD: Detached Zero Lot Line                                                                                                                                                          |           |                  |      | P  |     | P         |            |            |    |                 |    |
| SFD-Attached: Duplex                                                                                                                                                                 |           | P                | P    | P  |     | P         |            |            |    |                 |    |
| SFD-Attached: Multiplex                                                                                                                                                              |           |                  |      | P  |     | P         |            |            |    |                 |    |
| SFD-Townhouse (5+ attached)                                                                                                                                                          |           |                  |      | P  |     | P         |            |            |    |                 |    |
| Multifamily (condominium/apartment)                                                                                                                                                  |           |                  |      | P  |     | P         |            |            |    |                 |    |
| Upper Story Residential                                                                                                                                                              |           |                  |      |    |     | P         | P          | P          |    |                 |    |
| Accessory Dwelling Unit                                                                                                                                                              |           | D                | D    | P  |     | D         |            |            |    |                 |    |
| Accessory Dwelling Unit on Non Residential Principal Uses                                                                                                                            |           | D                |      |    |     | D         |            |            | P  | P               |    |
| Manufactured Home                                                                                                                                                                    |           | P                | D    |    | P   |           |            |            |    |                 |    |
| Manufactured Home Park                                                                                                                                                               |           |                  |      |    | PMD |           |            |            |    |                 |    |
| ACCESSORY USES AND STRUCTURES                                                                                                                                                        |           |                  |      |    |     |           |            |            |    |                 |    |
| Accessory Structures                                                                                                                                                                 |           | P                | P    | P  | P   | P         | P          | P          | P  | P               |    |
| Cottage Occupations                                                                                                                                                                  |           | SD               | SD   | SD |     | SD        | SD         |            |    |                 |    |
| Home Occupation                                                                                                                                                                      |           | D                | D    | D  | D   | D         | D          |            |    |                 |    |
| Agritourism Activities on active farms                                                                                                                                               |           | D                | D    | D  | D   | D         | D          | D          | D  | D               | D  |
| Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Nonmetallic Mineral Mining & Quarrying                                                                                                                                               | 2123      | S                |      |    |     |           |            |            |    | S               |    |
| Except: 212392 Phosphate Rock Mining                                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Except: 212321 Borrow Pit Sand Mining                                                                                                                                                |           |                  | PMDS |    |     | PMD       |            |            |    |                 |    |
| Sector 22: UTILITIES                                                                                                                                                                 |           |                  |      |    |     |           |            |            |    |                 |    |
| Fossil Fuel Electric Power Generation                                                                                                                                                | 221112    |                  |      |    |     |           |            |            |    | S               |    |
| Other Electric Power Generation                                                                                                                                                      | 221119    | S                | S    |    |     | S         |            |            | P  | P               |    |
| Electric Bulk Power Transmission & Control                                                                                                                                           | 221121    | S                | S    | S  | S   | S         | S          | S          | P  | P               |    |
| Natural Gas Distribution Except Transmission Lines                                                                                                                                   | 221210    |                  |      |    |     |           |            |            |    | P               |    |
| Water Supply Facilities*                                                                                                                                                             | 221310    |                  | S    |    |     | PM        |            |            |    | P               |    |

|                                                                                   |                  |                         |           |           |           |           |           |           |           |           |           |
|-----------------------------------------------------------------------------------|------------------|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Sewage Treatment Facilities*                                                      | 221320           |                         | S         | PMD/S     |           | PMD/S     |           |           |           | P         |           |
| Except: Sewage Lift Stations*                                                     |                  | SD                      | SD        | PMD/S     | PMD/S     | PMD/S     | D         | D         | D         | D         |           |
| *County Owned or County Service District Provided Systems=P                       |                  |                         |           |           |           |           |           |           |           |           |           |
|                                                                                   |                  | <b>Zoning Districts</b> |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                   | <b>Ref NAICS</b> | <b>RA</b>               | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 23: CONSTRUCTION</b>                                                    |                  |                         |           |           |           |           |           |           |           |           |           |
| Construction of Buildings                                                         | 236              |                         |           |           |           |           | D         |           | P         | P         |           |
| Heavy and Civil Engineering Construction                                          | 237              |                         |           |           |           |           | D         |           | P         | P         |           |
| Specialty Trade Contractors                                                       | 238              |                         |           |           |           |           | D         |           | P         | P         |           |
| <b>Sectors 31-33 MANUFACTURING</b>                                                |                  |                         |           |           |           |           |           |           |           |           |           |
| Artisan Manufacturing                                                             |                  | S                       | S         |           |           | P         | P         |           | P         |           |           |
| Food Manufacturing                                                                | 311              |                         |           |           |           |           |           |           |           | P         |           |
| Beverage and Tobacco Product Manufacturing                                        | 312              |                         |           |           |           |           |           |           |           | P         |           |
| Textile Mills                                                                     | 313              |                         |           |           |           |           |           |           |           | P         |           |
| Textile Product Mills                                                             | 314              |                         |           |           |           |           |           |           |           | P         |           |
| Apparel Manufacturing                                                             | 315              |                         |           |           |           |           |           |           |           | P         |           |
| Wood Product Manufacturing                                                        | 321              |                         |           |           |           |           |           |           | P         | P         |           |
| Truss Manufacturing                                                               | 321214           |                         |           |           |           |           | S         |           | P         | P         |           |
| Prefabricated Wood Building Manufacturing                                         | 321992           |                         |           |           |           |           | S         |           | P         | P         |           |
| Prefabricated Metal Building and Component Manufacturing                          | 332311           |                         |           |           |           |           | S         |           | P         | P         |           |
| Paper Manufacturing                                                               | 322              |                         |           |           |           |           |           |           |           | S         |           |
| Converted Paper Product Manufacturing                                             | 3222             |                         |           |           |           |           |           |           |           | P         |           |
| Printing and Related Support Activities                                           | 323              |                         |           |           |           |           |           |           | P         | P         |           |
| Petroleum and Coal Products Manufacturing                                         | 324              |                         |           |           |           |           |           |           |           | S         |           |
| Synthetic Dye and Pigment Manufacturing                                           | 32513            |                         |           |           |           |           |           |           |           | P         |           |
| Other Basic Organic Chemical Manufacturing                                        | 32519            |                         |           |           |           |           |           |           |           | P         |           |
| Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing | 3252             |                         |           |           |           |           |           |           |           | P         |           |
| Pharmaceutical Manufacturing                                                      | 3254             |                         |           |           |           |           |           |           | P         | P         |           |
| Paint, Coating and Adhesive Manufacturing                                         | 3255             |                         |           |           |           |           |           |           |           | P         |           |

|                                                              |       |  |  |  |  |  |  |  |  |   |  |
|--------------------------------------------------------------|-------|--|--|--|--|--|--|--|--|---|--|
| Soap, Cleaning Compound and Toilet Preparation Manufacturing | 3256  |  |  |  |  |  |  |  |  | P |  |
| Other Chemical Product and Preparation Manufacturing         |       |  |  |  |  |  |  |  |  | P |  |
| Except: 32592 Explosive Manufacturing                        |       |  |  |  |  |  |  |  |  |   |  |
| Plastics and Rubber Products Manufacturing                   | 326   |  |  |  |  |  |  |  |  | P |  |
| Clay Product and Refractory Manufacturing                    | 3271  |  |  |  |  |  |  |  |  | P |  |
| Ready-Mix Concrete Manufacturing                             | 32732 |  |  |  |  |  |  |  |  | P |  |
| Concrete Pipe, Brick, & Block Manufacturing                  | 32733 |  |  |  |  |  |  |  |  | P |  |

| Use Type                                                              | Ref<br>NAICS | Zoning Districts |    |    |    |    |    |    |    |    |    |
|-----------------------------------------------------------------------|--------------|------------------|----|----|----|----|----|----|----|----|----|
|                                                                       |              | RA               | RP | RM | MH | PD | GB | OI | IT | GI | EC |
| <b>Sectors 31-33<br/>MANUFACTURING</b>                                |              |                  |    |    |    |    |    |    |    |    |    |
| Other Concrete Product Manufacturing                                  | 32739        |                  |    |    |    |    |    |    |    | P  |    |
| Gypsum Product Manufacturing                                          | 32742        |                  |    |    |    |    |    |    |    | P  |    |
| Fabricated Product Manufacturing                                      | 332          |                  |    |    |    |    |    |    |    | P  |    |
| Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing | 3327         |                  |    |    |    |    |    |    | P  | P  |    |
| Machinery Manufacturing                                               | 333          |                  |    |    |    |    |    |    |    | P  |    |
| Computer & Electronic Product Manufacturing                           | 334          |                  |    |    |    |    |    |    | P  | P  |    |
| Electrical Equipment, Appliance, & Component Manufacturing            | 335          |                  |    |    |    |    |    |    |    | P  |    |
| Transportation Equipment Manufacturing                                | 336          |                  |    |    |    |    |    |    |    | P  |    |
| Furniture and Related Product Manufacturing                           | 337          |                  |    |    |    |    |    |    | P  | P  |    |
| Miscellaneous Manufacturing                                           | 339          |                  |    |    |    |    |    |    | P  | P  |    |
| <b>Sector 42 WHOLESALE<br/>TRADE</b>                                  |              |                  |    |    |    |    |    |    |    |    |    |
| Wholesale Trade                                                       | 42           | S                |    |    |    |    |    |    | P  | P  |    |
| <b>Sectors 44-45 RETAIL TRADE</b>                                     |              |                  |    |    |    |    |    |    |    |    |    |



|                                                              |                      |           |           |           |           |           |           |           |           |           |           |
|--------------------------------------------------------------|----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Motor Vehicle and Parts Dealers                              | 441                  | S         |           |           |           |           | P         |           | P         |           |           |
| Furniture and Home Furnishings Stores                        | 442                  |           |           |           |           |           | P         |           | P         |           |           |
| Electronics and Appliance Stores                             | 443                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Building Material, Garden Equipment & Supplies Dealers       | 444                  | S         |           |           |           |           | P         |           | P         | P         |           |
| Food and Beverage Stores                                     | 445                  | S         | S         |           |           | P         | P         |           | P         |           |           |
| Health and Personal Care Stores                              | 446                  | S         | S         |           |           | P         | P         | P         | P         |           |           |
| Gasoline Stations                                            | 447                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Clothing and Clothing Accessories Stores                     | 448                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Sporting Goods, Hobby, Book, and Music Stores                | 451                  |           |           |           |           | P         | P         |           | P         |           |           |
| Miscellaneous Store Retailers                                | 453                  | S         |           |           |           | P         | P         |           |           |           |           |
| Non store Retailers                                          | 454                  | S         |           |           |           | P         | P         |           | P         |           |           |
| Liquefied Petroleum Gas Dealers                              | 454312               |           |           |           |           |           |           |           |           | P         |           |
| <b>Sectors 48-49:<br/>TRANSPORTATION AND<br/>WAREHOUSING</b> |                      |           |           |           |           |           |           |           |           |           |           |
| Air Transportation                                           | 481                  |           |           |           |           |           |           |           | P         | P         |           |
| Rail Transportation                                          | 482                  |           |           |           |           |           |           |           | P         | P         |           |
| Truck Transportation                                         | 484                  |           |           |           |           |           |           |           | P         | P         |           |
| Transit and Ground Passenger Transportation                  | 485                  |           |           |           |           |           |           |           | P         | P         |           |
| Interurban and Rural Bus Transportation                      | 4852                 |           |           |           |           |           | P         |           | P         | P         |           |
| Taxi and Limousine Service                                   | 4853                 |           |           |           |           |           | P         |           | P         | P         |           |
| School and Employee Bus Transportation                       | 4854                 |           |           |           |           |           |           |           | P         | P         |           |
| Charter Bus Industry                                         | 4855                 |           |           |           |           |           |           |           | P         | P         |           |
| Support Activities for Transportation                        | 4881                 |           |           |           |           |           |           |           | P         | P         |           |
| Support Activities for Road Transportation                   | 4884                 | S         |           |           |           |           | P         |           | P         | P         |           |
| Postal Services                                              | 491110               | S         | S         |           |           | P         | P         | P         |           |           |           |
| Couriers and Messengers                                      | 492                  |           |           |           |           |           | P         | P         | P         | P         |           |
| <b>Zoning Districts</b>                                      |                      |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                              | <b>Ref<br/>NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |

|                                                                                            |        |   |   |   |   |   |   |   |   |   |  |
|--------------------------------------------------------------------------------------------|--------|---|---|---|---|---|---|---|---|---|--|
| <b>Sectors 48-49: TRANSPORTATION AND WAREHOUSING</b>                                       |        |   |   |   |   |   |   |   |   |   |  |
| Warehousing and Storage                                                                    | 493    | S |   |   |   |   |   |   | P | P |  |
| <b>Sector 51: INFORMATION</b>                                                              |        |   |   |   |   |   |   |   |   |   |  |
| Information                                                                                | 51     |   |   |   |   | P | P | P | P | P |  |
| Finance and Insurance                                                                      | 52     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 53: REAL ESTATE AND RENTAL AND LEASING</b>                                       |        |   |   |   |   |   |   |   |   |   |  |
| Real Estate and Rental and Leasing                                                         | 53     | S | S |   |   | P | P | P | P | P |  |
| Commercial and Industrial Machinery and Equipment Rental and Leasing                       | 5324   |   |   |   |   |   |   |   | P | P |  |
| <b>Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES</b>                          |        |   |   |   |   |   |   |   |   |   |  |
| Professional, Scientific, & Technical Services                                             | 54     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES</b>                                  |        |   |   |   |   |   |   |   |   |   |  |
| Management of Companies and Enterprises                                                    | 55     | S | S |   |   | P | P | P | P | P |  |
| <b>Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES</b> |        |   |   |   |   |   |   |   |   |   |  |
| Administrative and Support Services                                                        | 561    | S |   |   |   | P | P | P | P | P |  |
| Solid Waste Collection Public                                                              | 562111 | P | P | P | P | P | P | P | P | P |  |
| Solid Waste Collection Private                                                             | 562111 |   |   |   |   |   |   |   |   | S |  |
| Solid Waste Landfill                                                                       | 562212 |   |   |   |   |   |   |   |   | S |  |
| Solid Waste Combustors and Incinerators                                                    | 562213 |   |   |   |   |   |   |   |   | S |  |
| Other Nonhazardous Waste Treatment and Disposal                                            | 562219 | S |   |   |   |   | S |   | S | S |  |
| Remediation Services                                                                       | 562910 |   |   |   |   |   |   |   |   | S |  |
| Materials Recovery Facilities                                                              | 562920 |   |   |   |   |   |   |   |   | S |  |
| All Other Waste Management Facilities                                                      | 56299  |   |   |   |   |   |   |   |   | S |  |
| <b>Sector 61: EDUCATIONAL SERVICES</b>                                                     |        |   |   |   |   |   |   |   |   |   |  |
| Educational Services                                                                       | 611    | P | S |   |   | P | P | P |   |   |  |

|                                                                                           |                  |           |           |           |           |           |           |           |           |           |           |
|-------------------------------------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Business Schools, Computer & Management Training                                          | 6114             | S         |           |           |           | P         |           | P         | P         |           |           |
| Technical and Trade Schools                                                               | 6115             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Other Schools and Instruction                                                             | 6116             | S         |           |           |           | P         | P         | P         | P         |           |           |
| <b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>                                       |                  |           |           |           |           |           |           |           |           |           |           |
| Ambulatory Health Care Services                                                           | 621              |           |           |           |           | P         | P         | P         |           |           |           |
| <b>Except:</b> Outpatient Mental Health and Substance Abuse Centers                       | 62142            |           |           |           |           |           | P         | S         |           |           |           |
| Hospitals                                                                                 | 622              | S         |           |           |           | P         | P         | P         |           |           |           |
| <b>Zoning Districts</b>                                                                   |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                           | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE</b>                                       |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Except:</b> Psychiatric and Substance Abuse Hospitals                                  | 6222             |           |           |           |           |           |           | S         |           |           |           |
| <b>Except:</b> Outpatient Mental Health and Substance Abuse Hospitals                     | 62142            |           |           |           |           |           | S         | S         |           |           |           |
| Nursing and Residential Care Facilities                                                   | 623              | S         | S         |           |           | P         | P         | P         |           |           |           |
| <b>Except:</b> Residential Mental Retardation, Mental Health & Substance Abuse Facilities | 6232             | S         |           |           |           |           |           | S         |           |           |           |
| Social Assistance                                                                         | 624              | S         |           |           |           | P         | P         | P         |           |           |           |
| Vocational Rehabilitation Services                                                        | 6243             |           |           |           |           |           | P         | P         | P         | P         |           |
| <b>Sector 71: ARTS, ENTERTAINMENT, AND RECREATION</b>                                     |                  |           |           |           |           |           |           |           |           |           |           |
| Performing Arts Companies                                                                 | 7111             | S         |           |           |           | P         | P         |           |           |           |           |
| Spectator Sports                                                                          | 7112             | S         |           |           |           |           | P         |           | P         |           |           |
| Promoters of Performing Arts, Sports and Similar Events                                   | 7113             | S         |           |           |           | S         | S         |           |           |           |           |
| Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures          | 7114             |           |           |           |           | P         | P         | P         |           |           |           |
| Museums, Historical Sites and Similar Institutions                                        | 712              | S         |           |           |           | P         | P         | P         |           |           |           |
| Amusement and Theme Parks                                                                 | 713110           | S         |           |           |           | S         | S         |           |           |           |           |
| Amusement Arcades                                                                         | 713120           |           |           |           |           |           | P         |           |           |           |           |

|                                                                |                  |           |           |           |           |           |           |           |           |           |           |
|----------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Golf Courses and Country Clubs                                 | 713910           | S         | PM        |           |           | P         |           |           |           |           |           |
| Fitness & Recreational Sports Centers                          | 713940           | S         |           |           |           | P         | P         | P         | P         |           |           |
| Bowling Centers                                                | 71395            |           |           |           |           | P         | P         | P         | P         |           |           |
| All Other Amusement & Recreation Industries                    | 71399            | S         |           |           |           | P         | P         |           | P         |           |           |
| Aviation Clubs, Recreational                                   | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Canoeing, Recreational                                         | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Fishing Clubs, Recreational                                    | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Flying Clubs, Recreational                                     | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Guide Services (i.e. Fishing, Hunting, Tourist)                | 713990           | S         | S         |           |           | P         | P         |           | P         |           |           |
| Horse Riding, Recreational                                     | 713990           | P         | S         |           |           |           |           |           |           |           |           |
| Outdoor Shooting Ranges                                        | 713990           | S         |           |           |           |           |           |           |           |           |           |
| <b>Zoning Districts</b>                                        |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>Sector 72: ACCOMMODATIONS AND FOOD SERVICES</b>             |                  |           |           |           |           |           |           |           |           |           |           |
| Hotels and Motels                                              | 72111            |           |           |           |           | P         | D         | D         |           |           |           |
| Bed and Breakfast Inns                                         | 721191           | S         | S         |           | S         | P         | P         |           |           |           |           |
| All Other Traveler Accommodation                               | 721199           | S         | S         |           | S         | P         | P         |           |           |           |           |
| RV Parks and Recreational Camps                                | 7212             | SD        |           |           |           |           | SD        |           |           |           |           |
| Recreational and Vacation Camps                                | 721214           | S         |           |           |           |           |           |           |           |           | S         |
| Rooming and Boarding Houses                                    | 721310           | S         |           |           |           | P         | P         |           |           |           |           |
| Full Service Restaurants                                       | 7221             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Limited Service Eating Places                                  | 7222             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Special Food Services                                          | 7223             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Drinking Places (Alcoholic Beverages)                          | 7224             | S         |           |           |           | P         | P         |           |           |           |           |
| <b>Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION</b> |                  |           |           |           |           |           |           |           |           |           |           |
| Automotive Repair and Maintenance                              | 8111             | S         |           |           |           |           | P         |           | P         | P         |           |
| Electronic and Precision Equipment Repair and Maintenance      | 8112             | S         |           |           |           |           | P         | P         | P         | P         |           |

|                                                                                                             |                  |           |           |           |           |           |           |           |           |           |           |
|-------------------------------------------------------------------------------------------------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance | 8113             |           |           |           |           |           |           |           | P         | P         |           |
| Personal and Household Goods Repair and Maintenance                                                         | 8114             | S         |           |           |           | P         | P         | P         | P         | P         |           |
| Personal Care Services                                                                                      | 8121             | P         | S         |           |           | P         | P         | P         | P         |           |           |
| Funeral Homes and Funeral Services                                                                          | 81221            | S         |           |           |           |           | P         | P         | P         | P         |           |
| Cemeteries and Crematories Except: Private Cemetery                                                         | 81222            | S         | S         |           |           | S         | S         | S         | S         | S         |           |
| Coin Operated Laundries and Drycleaners                                                                     | 812310           | P         |           |           |           | P         | P         |           |           |           |           |
| Dry-cleaning and Laundry Services                                                                           | 812320           | S         |           |           |           | P         | P         |           | P         | P         |           |
| Linen & Uniform Supply                                                                                      | 81233            |           |           |           |           |           |           |           | P         | P         |           |
| Other Personal Services                                                                                     | 8129             | S         |           |           |           | P         | P         | P         | P         |           |           |
| Pet Care Services                                                                                           | 812910           | D         |           |           |           |           | D         |           | D         | D         |           |
| Religious Organizations                                                                                     | 8131             | P         | S         |           |           | P         | P         | P         | P         |           |           |
| Grant making and Giving Services                                                                            | 8132             |           |           |           |           | P         | P         | P         | P         |           |           |
| Social Advocacy Organizations                                                                               | 8133             |           |           |           |           | P         | P         | P         | P         |           |           |
| Civic and Social Organizations                                                                              | 813410           | S         | S         |           |           | P         | P         | P         |           |           |           |
| Business, Professional, Labor, Political and Similar Organizations                                          | 8139             |           |           |           |           | P         | P         | P         | P         |           |           |
| Public Administration                                                                                       | 92               | P         | P         | P         | P         | P         | P         | P         | P         | P         |           |
| <b>Zoning Districts</b>                                                                                     |                  |           |           |           |           |           |           |           |           |           |           |
| <b>Use Type</b>                                                                                             | <b>Ref NAICS</b> | <b>RA</b> | <b>RP</b> | <b>RM</b> | <b>MH</b> | <b>PD</b> | <b>GB</b> | <b>OI</b> | <b>IT</b> | <b>GI</b> | <b>EC</b> |
| <b>MISCELLANEOUS USES</b>                                                                                   |                  |           |           |           |           |           |           |           |           |           |           |
| Adult and Sexually Oriented Businesses                                                                      |                  |           |           |           |           |           |           |           | S         | S         |           |
| Adult Retail                                                                                                |                  |           |           |           |           |           |           |           | S         | S         |           |
| Bona fide Farm Purposes                                                                                     |                  | D         | D         | D         | D         | D         | D         | D         | D         | D         | D         |
| Child Care Center                                                                                           |                  | P         | S         |           |           | S         | P         | P         |           |           |           |
| Community Boating Facility                                                                                  |                  | SD        | SD        | SD        | SD        | SD        |           |           |           |           |           |
| Community Boating Facility in conjunction with a Master Development Plan                                    |                  | SD        | PMD       | PMD       | PMD       | PMD       |           |           |           |           |           |
| Disaster Volunteer Housing                                                                                  |                  | D         | D         | D         | D         | D         | D         | D         | D         | D         |           |

|                                                                                                                  |  |    |     |   |   |     |    |    |    |    |  |
|------------------------------------------------------------------------------------------------------------------|--|----|-----|---|---|-----|----|----|----|----|--|
| Family Care Home                                                                                                 |  | D  | D   | D | D | D   |    |    |    |    |  |
| Family Child Care Home                                                                                           |  | P  | P   |   |   | P   | P  | P  |    |    |  |
| Industrial Park                                                                                                  |  |    |     |   |   |     |    |    |    | SD |  |
| Marina (Commercial)                                                                                              |  | SD | PMD |   |   | PMD |    |    |    |    |  |
| Portable Storage Containers                                                                                      |  | D  | D   | D | D | D   | D  | D  | D  | D  |  |
| Private Cemetery less than 6,000 sq. ft.                                                                         |  | D  | D   |   |   |     | D  | D  | D  |    |  |
| Private Cemetery 6,000 sq. ft. and larger                                                                        |  | S  | S   |   |   |     | S  | S  | S  |    |  |
| Public Parks                                                                                                     |  | P  | P   | P | P | P   | P  | P  | P  | P  |  |
| Private Residential Boating Facility                                                                             |  | D  | D   | D | D | D   |    |    |    |    |  |
| Salvage Operations                                                                                               |  | S  |     |   |   |     |    |    |    | D  |  |
| Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage |  | S  |     |   |   |     |    |    | P  | P  |  |
| Storage of boats and watercraft outdoors or on dry stack structures                                              |  |    |     |   |   |     | S  |    |    |    |  |
| Sweepstakes Center                                                                                               |  |    |     |   |   |     | SD |    | SD | SD |  |
| Telecommunication Facilities                                                                                     |  | SD | SD  |   |   | SD  | SD | SD | SD | SD |  |
| Telecommunication Facilities – Public Safety                                                                     |  | SD | SD  |   |   | SD  | SD | SD | SD | SD |  |
| Temporary Manufactured Homes                                                                                     |  | P  | P   |   |   | P   |    |    |    |    |  |
| Temporary Modular/Manufactured Offices                                                                           |  |    |     |   |   | P   | P  | P  | P  | P  |  |
| Temporary Fruit & Vegetable Stands                                                                               |  | P  | P   |   |   |     |    |    |    |    |  |
| Temporary Buildings for Construction or Development                                                              |  | D  | D   | D | D | D   | D  | D  | D  | D  |  |
| Temporary Events                                                                                                 |  | D  |     |   |   |     | D  | D  | D  | D  |  |

### 5.3 USES WITH STANDARDS

#### 5.3.1 General

- A. These standards shall only apply to those districts and uses where the “S”, “PM” or “D” is designated on the use table in Section 5.2.3. In addition to these standards the use shall be permitted in compliance with the general development standards of the underlying