



Pender County

Agenda

Planning Board Meeting

Tuesday, February 7, 2023 @ 7:00 PM
Pender County Hampstead Annex Auditorium

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
4. PLEDGE OF ALLEGIANCE		
5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
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7. PRESENTATIONS		
8. PUBLIC COMMENT		
9. PUBLIC HEARINGS		
REZONE 2022-41 : Request to rezone three tracts of land totaling approximately 72.1 acres from RP, Residential Performance zoning district to the RM, Residential Mixed zoning district, within the Topsail Township.		17 - 57
REZONE 2022-41 - Pdf		
10. DISCUSSION		
10.1. Discussion of Upcoming Text Amendment		
11. NEXT MEETING DATE		
12. ADJOURNMENT		



Pender County January 4, 2023 Meeting Minutes

TO: Planning Board
FROM: Justin Brantley
DATE: February 7, 2023
SUBJECT: January 4, 2023 Meeting Minutes of the Pender County Planning Board

SUMMARY:

See attached meeting minutes from the January 4, 2023 meeting of the Pender County Planning Board.

ACTION REQUESTED:

To review and approve 1/4/2023 meeting minutes.

ATTACHMENTS:

1. 1/4/2023 Planning Board Meeting Minutes



DRAFT MINUTES
Planning Board Meeting
Wednesday, January 4, 2023
805 S. Walker Street/BOCC Meeting Room
7:00 PM

MEMBERS PRESENT:

Delva Jordan, Chairman
Damien Buchanan, Vice-Chairman
Jeffrey Pitts
Jeff Beaudoin

MEMBERS ABSENT:

Norman "Ken" Teachey
Margaret Mosca
John Gruntfest

OTHERS PRESENT:

Daniel Adams, Planning Director
Justin Brantley, Senior Planner
Greg Feldman, Long Range Planner
Donna Sayre, Zoning Technician
Trey Thurman, County Attorney

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 7:04 pm

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Mr. Brantley spoke to the members concerning the addition of an item to the agenda pertaining to the resolution requested by the Board at the last meeting. The resolution contains information about updating the

UDO and Future Land Use Plan to be presented to the Board of County Commissioners as part of the budget for the next fiscal year.

Mr. Buchanan asked if the item should be added as 9.B and Mr. Brantley stated that it should be added after the public hearings.

Motion to approve agenda with the additional item added as 9.B made by Damien Buchanan, seconded by Jeff Beaudoin.

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
	4	0	0	3

CARRIED.

6 ADOPTION OF MINUTES

Motion to approve the December 6, 2022, Planning Board minutes made by Damien Buchanan, seconded by Jeff Beaudoin.

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 K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

7 PRESENTATIONS

There were no presentations.

8 PUBLIC COMMENT

There was no public comment.

9 PUBLIC HEARINGS

a) REZONE 2022-39

Greg Feldman, Long Range Planner, presented the staff report.

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. 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.

Mr. Feldman stated that the General Business zoning 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. If approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the General Business zoning district. Any future development of the site must comply with the standards of the General Business zoning district and will be subject to review and approval by the Technical Review Committee (TRC) to endure compliance with all applicable local, State, and Federal regulations.

Mr. Feldman stated that a Traffic Impact Analysis (TIA) is not required for a general use rezoning since a site-specific development plan is not required to be included in the application packet. 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.

Mr. Feldman stated that properties immediately adjacent to the subject property are currently zoned, RP, Residential Performance, GB, General Business, and IT, Industrial Transitional.

Mr. Feldman stated that the subject property is located within the Neighborhood Mixed Use Future Land Use Classification within the Pender 2.0 Comprehensive Land Use Plan. 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.

Mr. Feldman reiterated that the GB, General Business zoning 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. He stated that in the General Business zoning district, upper story residential is permitted and pertaining to commercial uses, this zoning district allows eighty-three uses by-right and eighteen uses with a Special Use Permit.

Mr. Feldman stated that the Planning Department found the rezoning to be consistent with the Pender 2.0 Comprehensive Land Use Plan's Future Land Use Map. The proposal is supported by Policy 5.1.D, Focused Growth and Development, Policy 5.1.E, Compatible Development, and Policy 5.1.K, Commercial Development. Mr. Feldman stated that due to the request being consistent with the Unified Development Ordinance the Planning Department respectfully recommends the approval of the Rezoning.

Mr. Beaudoin asked if the front setback is measured from US Hwy 17. Mr. Feldman stated that the setback is not measured from the center of Hwy 17 but rather the edge of right-of-way.

Mr. Jordan questioned as to what, if anything, is currently located on the property. Mr. Feldman stated that there are currently two structures consisting of possibly a shed and older dwelling. Mr. Jordan then asked if the home was occupied and Mr. Feldman responded that it is not occupied to his knowledge.

Mr. Jordan asked the Board members if there were any additional questions for the Planning staff and no questions were presented.

Applicant, Mike Nadeau addressed the Board.

Mr. Nadeau stated that the residence was occupied until the owner passed away last year. He also stated that the property was zoned RA, Residential Agriculture many years ago and with time, most of the property surrounding this parcel were rezoned except for this parcel in particular.

Mr. Jordan stated that the parcels to the south appear to be zoned GB, General Business. He asked if there were any businesses currently located on those properties. Mr. Nadeau stated that there are twelve acres located near the Shingleton Farm where retail shops are in process and there are existing storage units.

Mr. Jordan asked the Board members if they have any additional questions for the staff or applicant and the board members offered no questions.

Mr. Beaudoin made a motion to approve, seconded by Mr. Buchanan.

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 K. (Ken) Teachey				X
	4	0	0	3

CARRIED.

b) REZONE 2022-40

Greg Feldman, Long Range Planner, presented the staff report.

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 with the Topsail

Township and may be further identified by Pender County PIN(s) 3293-54-0393-000 and 3293-54-2403-0000.

Mr. Feldman stated that if approved, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the General Business zoning district. Any future development of the site must comply with the standards of the General Business zoning district and will be subject to review and approval by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations.

Mr. Feldman stated that the GB, General Business zoning 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. He stated that in the General Business zoning district, upper story residential is permitted and pertaining to commercial uses, this zoning district allows eighty-three uses by-right and eighteen uses with a Special Use Permit.

Mr. Feldman stated that a Traffic Impact Analysis (TIA) is not required for a general use rezoning since a site-specific development plan is not required to be included in the application packet. 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.

Mr. Feldman stated that the proposed rezoning request to the General Business zoning district is consistent with the Regional Mixed-Use future land use category because the zoning district would allow various retail, office, and other commercial uses, near a major corridor, in an area where existing infrastructure needed to serve this type of development is present. In addition to the Future Land Use Map, the proposed Zoning Map Amendment was found to be consistent with Policies 5.1.D, Focused Growth and Development; 5.1.E, Compatible Development; and 5.1.K, Commercial Development.

Mr. Feldman stated that due to the request being consistent with the Unified Development Ordinance the Planning Department respectfully recommends the approval of the Rezoning.

Mr. Jordan asked for clarification pertaining to surrounding properties. Mr. Feldman stated that these two requested parcels adjoin properties that are currently zoned General Business.

Mr. Buchanan stated that the parcels are unique. He asked if the Planning Department took that into consideration when suggesting approval. Mr. Feldman stated that he

does not think that came into consideration but would need to defer to Mr. Brantley for a more informed response.

Mr. Brantley stated that after discussing the rezoning request with the applicant, the Planning Department did not feel it was unreasonable. The applicant is trying to create a bigger area which can be commercially developed.

Mr. Jordan asked if both parcels were owned by the person or entity. Mr. Feldman responded affirmatively. Mr. Jordan then asked about a buffer between one of the proposed properties and an existing property. Mr. Feldman stated that a Buffer C would be required, which generally required fifteen to twenty-five feet of buffering.

Mr. Buchanan asked if the existing woods would be sufficient buffer. Mr. Feldman stated that would have to be shown on a survey map. An Engineer or Landscape Architect would need to verify and certify if the existing vegetation meets the requirement of a C Buffer.

Mr. Beaudoin asked if there is a residence north of the parcel. Mr. Feldman and Mr. Brantley both affirmed that there is some type of building on the property. Mr. Beaudoin then asked about the existing business to the northeast of the parcel. Mr. Brantley stated that the business is retail related.

Mr. Jordan asked the Board members if they have any additional questions for the Planning staff and no questions were presented.

Mr. Brantley stated that he wanted to clarify that there was a miscommunication with the information that the WMPO provided. Their report stated that the road is over capacity but in reality, the road is under capacity.

Applicant, Mike Nadeau addressed the Board.

Mr. Nadeau stated that he owns the property located to the south and fronts Hwy 17 and is in the process of developing it.

Mr. Nadeau stated that approximately half of the .53 acre tract of land is unusable due to wetlands.

Mr. Jordan asked how far the wetlands were from the property line. Mr. Nadeau stated approximately seventy-five feet. The wetland area is approximately fifty-five feet deep and eighty feet wide.

Mr. Buchanan asked Mr. Nadeau how many parking spaces were needed that initiated this process. Mr. Nadeau stated that there are approximately fifty parking spaces needed and is keeping future development in mind.

Mr. Brantley stated that the Board shall not consider any specific uses and should consider all uses permitted in the proposed zoning district.

Mr. Jordan asked if the Board members have any questions of the applicant and no questions were presented.

Kirt Rusenko, 1109 St. John Church Road, stated that he is concerned with residential and business areas combining. He would like to see a buffer installed before any further activity takes place. He stated that the commercial aspect is getting too close to his home.

Mr. Jordan asked if Mr. Rusenko's property could be identified. Mr. Feldman and Mr. Brantley located and indicated the requested property.

Alfonso Nixon, 57 Alfonso Nixon Drive, stated that he feels that the property has not been surveyed correctly. He feels that the survey presented by Mr. Nadeau represents improper property and boundary lines. Mr. Nixon requested that everything be put on hold until a proper survey can be done.

Mr. Beaudoin asked for Mr. Nixon's property to be identified and pointed out to the Board members. Mr. Brantley and Mr. Feldman identified the property for the Board members.

Mr. Beaudoin asked Mr. Nixon if he is aware of a survey being done on his property. Mr. Nixon stated that he is not aware of one. He stated that this is heir property passed down by his parents. His sister and brother both have homes on this property also.

Mr. Beaudoin stated that there is a process if there is a disputed property line. He stated that there would be an opportunity in the future to ensure that the property lines are correct.

Jacqueline Hardison, 24390 US Hwy 17 N, stated that she is the daughter of Alfonso Nixon. Ms. Hardison stated that she represents the heirs of Rosefield Jones, who is her great grandfather. She indicated as her father did that, she wants to ensure that the land is properly surveyed to the family's satisfaction so that they are clear and don't feel like they are losing their land. Ms. Hardison stated that she feels that everything in Hampstead is going commercial and she wants to make sure that older people, such as her father, are represented and that their land is not taken from them.

Ms. Hardison stated that there are wetlands on the property and feels that the wetlands are constantly being uprooted, disturbed, and destroyed.

Mr. Nadeau stated that when he started looking to acquire additional land, he started with the tax maps. He stated that he had a title search done. Mr. Nadeau stated that

Mr. Nixon's land does not adjoin the requested parcels. The survey that was completed matches the tax map.

Mr. Nadeau stated that he received a telephone call from Mr. Nixon stating that he felt the survey flags were in the wrong locations. Mr. Nadeau stated that once that conversation took place, he contacted the surveyor and recommended that they pull their research together to show how they created the survey map. The surveyor's office has the legal representation of Attorney Ray Blackburn.

Mr. Nadeau stated that he is only interested in purchasing part of Mr. Rowland's property and not any of the other heirs. He stated that he is wanting to work out the title dispute or issue, whatever it may be.

Mr. Jordan asked the Board members if they had any questions. No questions were presented by the members of the Board.

Mr. Buchanan stated that these are complicated issues. He stated that the Planning Board is an advisory board to the County Commissioners and if something is inappropriate, the Planning Board will gladly listen. There is a legal process that Mr. Nixon can pursue if he feels that the survey is not correct, and he is not sure that the Planning Board is the body to determine that. Mr. Buchanan stated that the Planning Board is the body to determine if the rezoning is correct and in accordance with the Future Land Use Plan and UDO.

Mr. Beaudoin stated that he encourages the Nixon family to engage with their own surveyor and have an independent survey completed. He stated as for the meeting tonight, the Board is looking only at the area that the rezoning is being requested on.

Mr. Thurman stated that the Planning Board and the Board of Commissioners will not address or try to resolve the property dispute. The dispute will need to be heard and resolved by a court. Both Boards listed do not have the authority to resolve property issues. Mr. Thurman stated that regardless of the Planning Board vote, the matter will still need to be placed before the Board of Commissioners for their approval or denial.

Mr. Pitt made a motion to approve, seconded by Mr. Buchanan

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
	4	0	0	3

CARRIED.

Mr. Brantley informed the Board members and members of the public that this item will be heard by the Board of County Commissioners on February 21, 2023, at 7:00 p.m.

c) RESOLUTION

Mr. Brantley presented the Board members with the Resolution that was already presented to the Chairman and Vice-Chairman. The Chairman and Vice-Chairman gave their approval of the resolution. Mr. Brantley stated that the resolution highlights the power of the Planning Board and where that power comes from.

Mr. Brantley stated that the Resolution discussed Pender County's growth pattern. He stated that after the 2020 census was complete, the County had 60, 441 residents. It is projected that between 2020 and 2030, the population will increase by 14,435 and between 2030 and 2040, it will increase by 10,000.

Mr. Brantley stated that the Resolution also contains information pertaining to the Hampstead bypass and how it will affect the County, changes that are taking place on Hwy. 421, and overburdened schools in the County. It also refers to the fact that the UDO was adopted in June of 2010 and has had many individual text amendments made to it, but it needs to have a complete re-write. He stated that after discussion with the Board members at the last meeting, the County should pursue updating the Future Land Use Plan and once that is complete to pursue updating the UDO.

Mr. Brantley informed the Board members that the Resolution put before them would formally make the mentioned recommendations to the Board of County Commissioners. It will be brought to the attention of the Commissioners during the upcoming budget cycle to formally request that funds be allocated.

Mr. Buchanan stated that he feels that this Resolution is reasonable. The Planning staff has tried in the past but has been unsuccessful for different reasons.

Mr. Jordan agreed with Mr. Buchanan that this Resolution is reasonable and also feels that the projected population numbers are on the low side. He stated that he feels the majority of the growth will continue to be in the Hampstead area.

Mr. Buchanan made a motion to approve the Resolution, seconded by Mr. Pitts.

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
	4	0	0	3

CARRIED.

10

DISCUSSIONS

Mr. Brantley informed the Board members that as of Monday, January 9, 2023, Daniel Adams will be the Director over the Planning and Inspection Departments.

Mr. Jordan asked if there were any other items on the agenda to be discussed. Mr. Brantley stated that there are no more items on this agenda but that it appears that there is one item on the agenda for the February meeting. Mr. Jordan asked if the item is controversial and if it pertains to an issue in the Hampstead or Burgaw area. Mr. Brantley informed the Board that the agenda item is a rezoning off Hoover Road in the Hampstead area.

Mr. Buchanan made a motion for the February Planning Board meeting to be held at the Hampstead Annex. Mr. Pitts seconded the motion and 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
	4	0	0	3

CARRIED.

Mr. Brantley informed the Board that the Planning Department is in the process of filling two Current Planner positions and the positions should hopefully be filled within the next two or three weeks.

Mr. Jordan and Mr. Thurman discussed the high turnover rate of employees in Pender County and the ability to possibly make a change to that turnover.

Mr. Adams stated his concern also and provided that he is dedicated to trying to make improvements to the issue.

11 NEXT MEETING DATE

February 7, 2023, at 7:00 p.m.
Pender County Hampstead Annex Building
15060 US Hwy 17
Hampstead, NC 28443

12 ADJOURNMENT

Meeting adjourned at 8:28 p.m.



Pender County
REZONE 2022-41 : General Use
Rezoning of three tracts of land from
RP, Residential Performance to the RM,
Residential Mixed

TO: Planning Board
FROM: Justin Brantley
DATE: February 7, 2023
SUBJECT: REZONE 2022-41 : Request to rezone three tracts of land totaling approximately 72.1 acres from RP, Residential Performance zoning district to the RM, Residential Mixed zoning district, within the Topsail Township.

SUMMARY:

Wade J Pudwill with WithersRavenel, applicant, on behalf of Hoover Rd Investments, LLC, owner, is requesting the approval of a Zoning Map Amendment to rezone three tracts of land totaling approximately 72.1 acres from RP, Residential Performance zoning district to the RM, Residential Mixed zoning district. The subject properties are located on the east side of Hoover Road, across from Tim Moore Drive in the Topsail Township and may be further identified by Pender County PINs 3283-94-9377-0000, 3283-93-1673-0000, and 3283-83-9765-0000.

ACTION REQUESTED:

To hold a public hearing and consider the rezoning request.

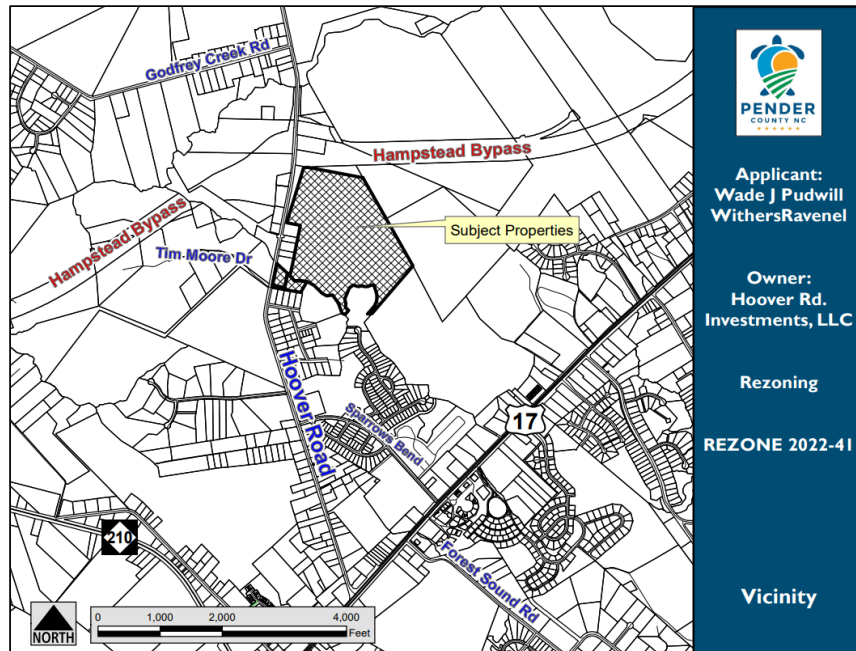
ATTACHMENTS:

1. Staff Report
2. Application
3. Narrative
4. Adjacent Owner List
5. Zoning Map
6. Hoover Road Investments, LLC Deed
7. Table of Permitted Uses

STAFF REPORT FOR REZONE 2022-41 ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
Case Number	REZONE 2022-41
Hearing Dates	February 2023 Planning Board March 13, 2023 Board of Commissioners
Applicant	Wade J Pudwill, WithersRavenel
Property Owner(s)	Hoover Rd. Investments, LLC
Parcel Identification Number(s)	3283-94-9377-0000; 3283-93-1673-0000; 3283-83-9765-0000
Acreage	+/- 72.1
Township	Topsail
Pender 2.0 Future Land Use Category	Regional Mixed-Use, Medium Density Residential

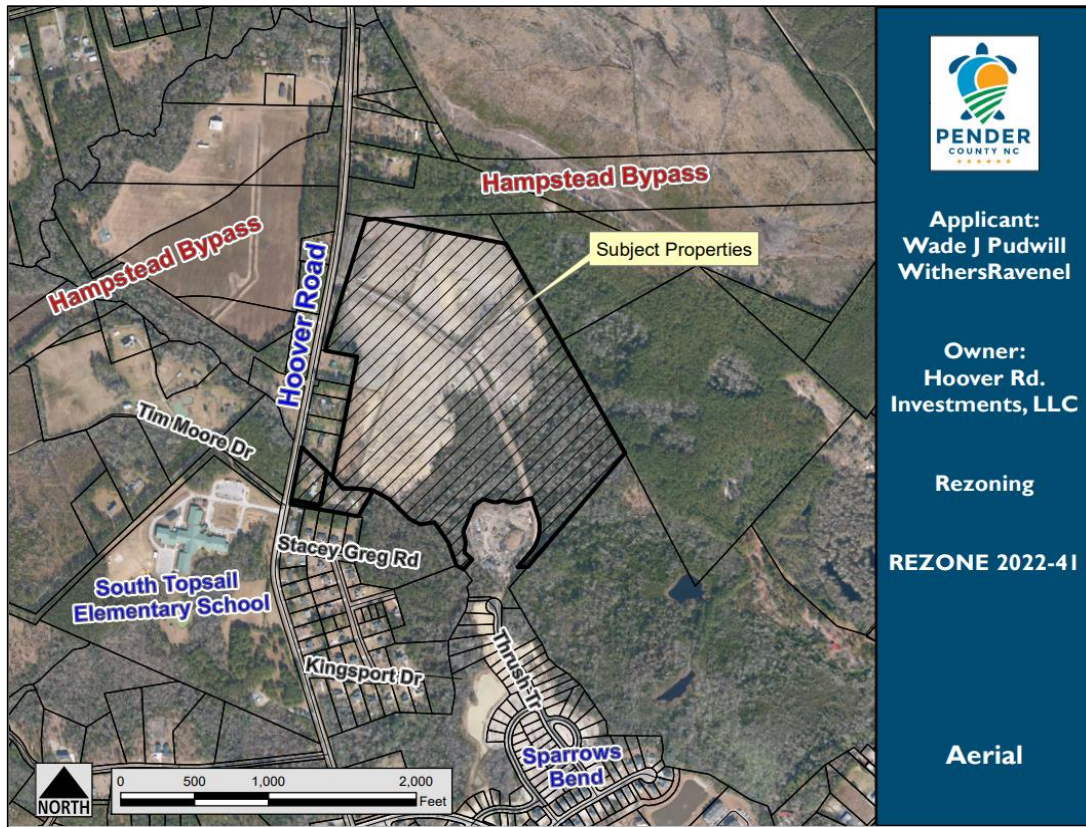
REZONING PROPOSAL
Wade J Pudwill with WithersRavenel, applicant, on behalf of Hoover Rd. Investments, LLC, owner, is requesting approval of a Zoning Map Amendment to rezone three tracts totaling approximately 72.1 acres of land from the RP, Residential Performance zoning district to the RM, Residential Mixed zoning district.
LOCATION
The subject properties are located on the east side of Hoover Road, across from Tim Moore Drive in the Topsail Township and may be further identified by Pender County PINs 3283-94-9377-0000, 3283-93-1673-0000, and 3283-83-9765-0000.



REZONING PROPOSAL

The applicant is proposing to rezone approximately 72.1 acres from the RP, Residential Performance zoning district to the RM, Residential Mixed zoning district. See attached Narrative. 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 RM, Residential Mixed zoning district. However, any future development of the site must comply with the standards of the RM, Residential Mixed zoning district and is subject to review and approval by the Technical Review Committee (TRC) and Planning Board to ensure compliance with all applicable local, State, and Federal regulations.

The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall be calculated similar to the Planned Development (PD) District (4.8.I.D.1 of the Pender County UDO).



Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the RM, Residential Mixed use 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	(1)
Side	(1)
Rear	(1)
Corner	(1)
Max. Height	(45')
Structure Separation	(1)

- (1) Dimensional standards in the Planned Development (PD) and Residential Mixed (RM) Districts are required to be specified on a Master Development Plan.

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 RM, Residential Mixed use zoning district. The table below provides a general list of typical developments permitted in the RM, Residential Mixed use zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment I.

	RM, Residential Mixed
Residential Uses	≈ 11 uses by-right (SFD: Detached-Conventional, SFD-Attached: Duplex, SFD-Attached: Multiplex, SFD-Townhouse, Multifamily (condominium/apartment), Home Occupation)
Commercial Uses	≈ 5 uses by-right (Solid Waste Collection, Public Administration, private residential boating facility, Public Parks, Public Sewage Treatment Facilities) ≈ 2 uses w/ SUP (Electric Bulk Power Transmission & Control, Private Sewage Treatment Facilities)

TRANSPORTATION INFRASTRUCTURE

Access

The subject property has direct access to Hoover Road (SR). Redevelopment of the subject properties would involve driveway approval from the North Carolina Department of Transportation (NCDOT).

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.

NCDOT Average Annual Daily Traffic (AADT) – 2020; WMPO Roadway Capacities – 2020

Road	Location	Volume	Planning Capacity	V/C
Hoover Road	Between Stacy Greg Rd and Godfrey Creek Rd	3,600	13,895	0.26

OTHER INFRASTRUCTURE

Utilities

Public water is available through Pender County Utilities (PCU) and according to available GIS data, the nearest PCU water main is along the West side of Hoover Road. Based on available data and information from private sewer providers, private sewer is available at this location. 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. Because the proposed rezoning is from a predominantly residential zoning district to a higher density predominantly residential zoning district, an impact to school capacity is anticipated.

ENVIRONMENTAL CONCERNS

Special Flood Hazard Areas	The subject property does contain Special Flood Hazard Areas ¹ .
Wetlands	The subject properties may contain characteristics of wetlands. ^{2, 3}
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC) ⁴ .

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

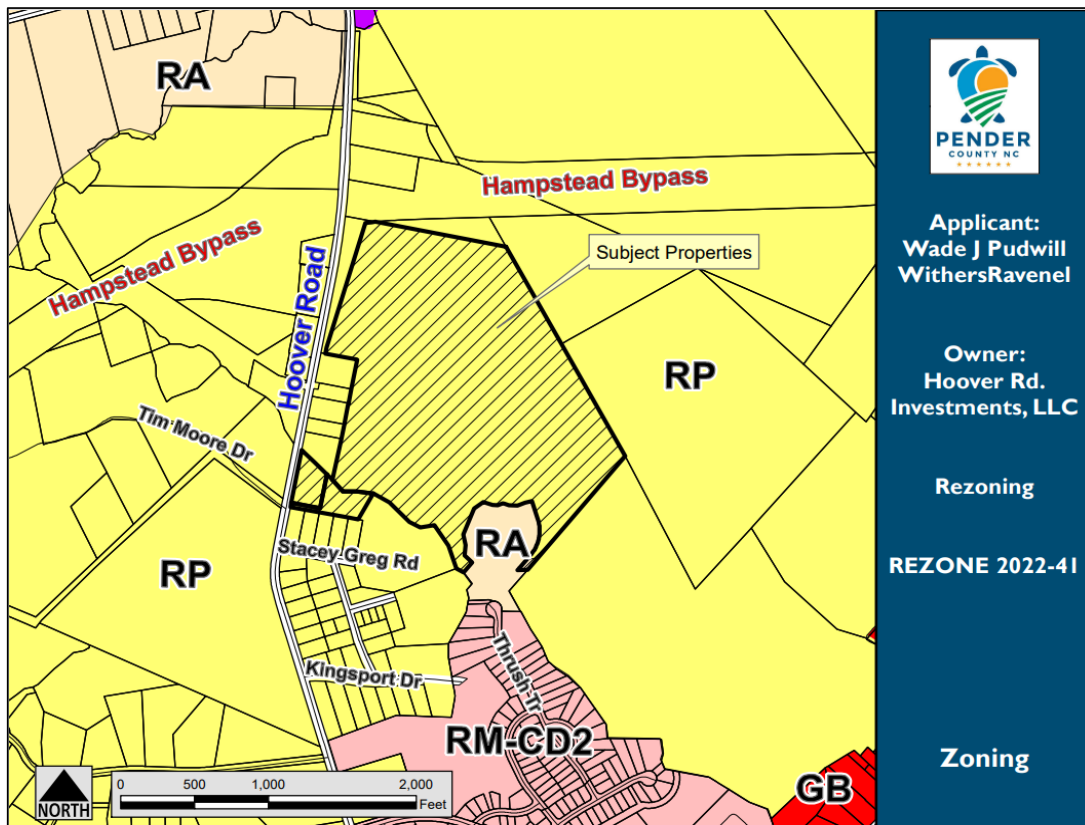
² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

⁴ According to the North Carolina Department of Environmental Quality (NCDEQ)

EVALUATION

Below: Current Zoning Map of the Area



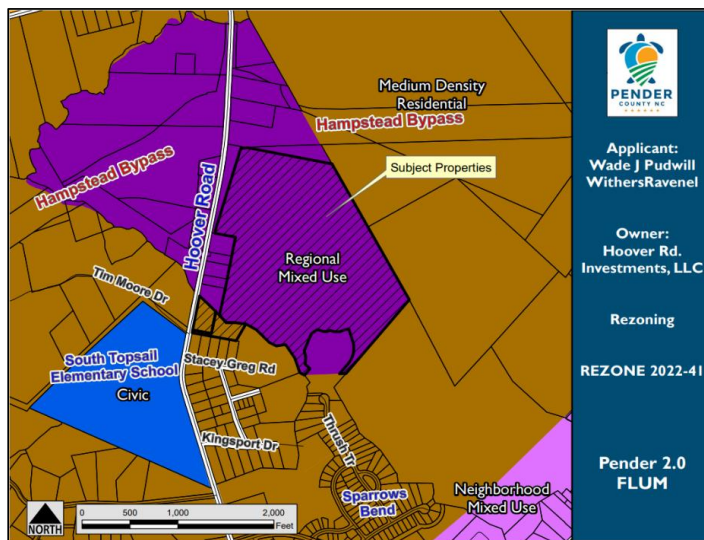
CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Residential, Vacant	RP, Residential Performance
East	Vacant	RP, Residential Performance
South	Residential, Vacant	RP, Residential Performance; RA, Rural Agriculture; RM-CD 2
West	Residential, Elementary School	RP, Residential Performance; RA, Rural Agriculture

Surrounding Zoning

The subject properties are currently within the RP, Residential Performance zoning district. Properties immediately adjacent to the subject properties are currently zoned RA, Rural Agricultural, and RP, Residential Performance as indicated by the table above.

Pender 2.0 Comprehensive Land Use Plan Compliance:

The subject properties are located within the Regional Mixed Use and Medium Density Residential Future Land Use Categories as shown in the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan. Regional mixed use allows for the strategic allocation of future development and population growth, while limiting land use conflicts within existing neighborhoods. Growth is focused in locations that are served by water/sewer infrastructure and are located along planned major collector roadways and existing primary roadway corridors in the southern portion of the County (I-40, US 17, US 117, US 421, and NC-210). This future land use category provides access to retail, office, and multi-family residential uses. These land uses are primarily accessed by the automobile, but facilities should be included to increase the viability of access via walking or cycling.



The preferred land use mix is primarily commercial/retail and office with multi-family residential uses. Large employment centers and retail spaces are encouraged. Higher density single-family uses should account for less than 25% of a development proposal and should complement a more substantial mix of commercial/office and multi-family development. Development within this

category should provide ample landscaping and street trees to present an inviting environment to travelers passing through the County. More intense commercial and offices uses requiring larger lots sizes, parking area, and stormwater infrastructure are permitted in this land use category. Artisan manufacturing is encouraged in this category. Development density within this category allows for up to 15 units per acre for multi-family residential development and up to 10 units per acre for single family development.

The Medium Density Residential designation provides that medium density residential uses are vital to supporting Pender County's growing population by strategically locating more dense residential development in areas that will not create conflicts with existing neighborhoods. These uses are located in close proximity to supporting services and a mixture of development types, and are generally found in the southern portion of the County. Appropriate uses include single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations. Townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new residential communities is encouraged. Planned communities may also include well-integrated neighborhood-scale commercial and office uses. Industrial and manufacturing uses, and commercial and office uses not located within a planned community, are inappropriate. Development density within this category is three to six dwelling units an acre or less.

With the planned Hampstead Bypass located directly to the north of the rezoning site, availability of utilities and the underlying future land use designation of this area as Regional Mixed Use makes an ideal location for a higher density residential development consistent with the zoning request.

In addition to the Future Land Use Map, the proposed Zoning Map Amendment was found to be consistent with the following policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

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.H: Mixed Use Development: The County supports a wide range of commercial and residential development at varying intensities, when appropriately located, and provided that impacts to adjacent property owners and traffic congestion is mitigated.

Policy 5.1.I: Multi-family Residential Development: The County shall allow multifamily development in designated and appropriate areas as identified within the Regional Mixed Use future land use category.

Policy 5.1.J: Multi-family Residential Development and Infrastructure: The County shall coordinate the expansion of multi-family residential development with the availability of water and sewer infrastructure.

Policy 5.1.V: Residential Development: The County supports a range of housing types and development at appropriate densities and locations that are compatible with their surroundings and are in accordance with the future land use map.

The proposed Zoning Map Amendment was found to be consistent with the policies above because it has the potential to provide higher density residential development in an area that has both existing and planned infrastructure in terms of utilities and the Hampstead Bypass.

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. 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 recommendation. The proposed Zoning Map Amendment is consistent with the Future Land Use Map and six policies within the Pender 2.0 Comprehensive Land Use Plan.

The proposed RM, Residential Mixed zoning district rezoning request is consistent with the Pender 2.0 Comprehensive Land Use Plan and the allowable uses within the requested zoning district are compatible with the surrounding area. 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 in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.C**
- **Policy 5.1.D**
- **Policy 5.1.H**
- **Policy 5.1.I**
- **Policy 5.1.J**
- **Policy 5.1.V**

The proposed rezoning is consistent with the both the Regional Mixed Use and Medium Density Residential Future Land Use classifications in the Pender 2.0 Comprehensive Land Use Plan because it has the potential to be generally consistent with current land uses in the vicinity.

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

Pender County Planning and Community Development

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Zoning Map Amendment Submission (Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1. X **Pre-submittal Meeting**
Date of Meeting 11/21/2022
2. X **Signed Application**
3. \$3,171 **Payment** $72.1 \text{ Acres} = \$3,171 ((\$500 \times 5) + (67.1 \times \$10) = \$3,171))$ \$1,171.00 JBB
\$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter
4. X **Requested Revision Boundary Map**
Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. X **Narrative**
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5. X **Digital Submission**
For all documents submitted in paper copy, bring a digital copy with paper submission.
6. X **Adjacent Property List**
A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7. X **Adjacent Property Envelopes**
The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

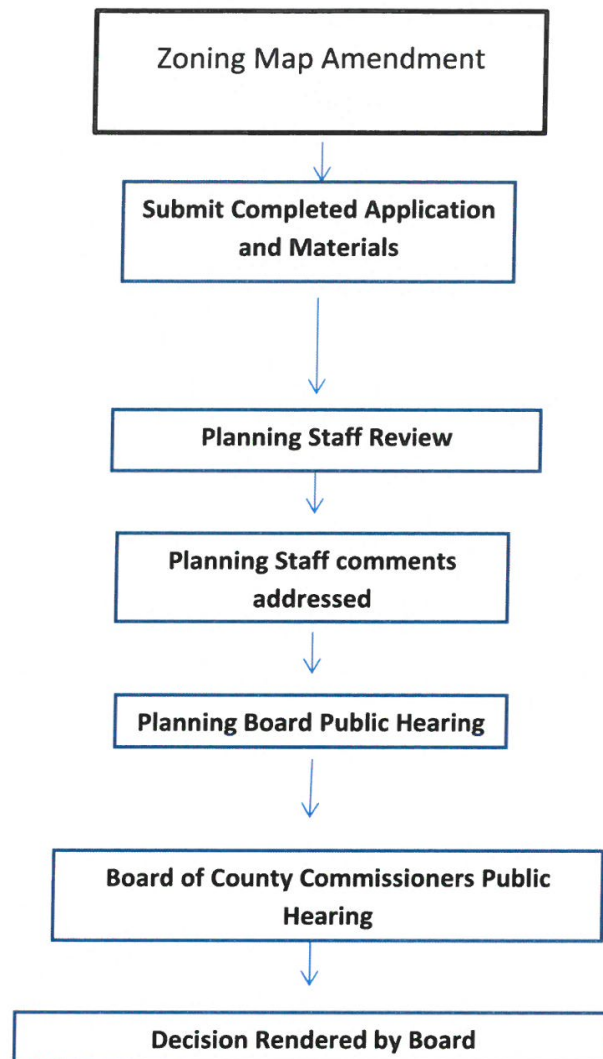
I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant 

Date 12/01/22

Printed Name Wade J Pudwill

Staff Initials:	<u>JBB</u>
Date:	<u>12/10/22</u>



		Agenda Deadline	Planning Board Meeting Date	Board of Commissioners Meeting
Planning Board and Board of Commissioners	January	11.21.19	1.7.20	3.16.20
	February	12.13.19	2.4.20	4.20.20
	March	1.17.20	3.3.20	5.18.20
	April	2.14.20	4.7.20	6.15.20
	May	3.13.20	5.5.20	7.6.20
	June	4.17.20	6.2.20	8.17.20
	July	5.15.20	7.7.20	9.21.20
	August	6.12.20	8.4.20	10.19.20
	September	7.17.20	9.1.20	11.16.20
	October	8.14.20	10.6.20	12.7.20
	November	9.18.20	11.3.20	January 2021
	December	10.16.20	12.1.20	February 2021

Complete Application Date: All documents must be received by 12PM on the deadline date to be considered a complete application.

Zoning Map Amendment Specific Requirements

1. Application Submittal

- Application
- Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
- All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.
- Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan.
- The rezoning application must contain a description and/or statement of the present and proposed zoning regulation or district boundary, and the name(s) and address(es) of the owner(s) of the property involved as required by General Statute.
- The applicant shall provide an accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail for the rezoning to be located on the Official Zoning Map.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.3.8)

- A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
- B. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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 and CAMA Land Use Plan or any other adopted land use document.
- D. Whether the proposed amendment is reasonable as it relates to the public interest.

Pender County Planning and Community Development

Planning Division

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GENERAL USE REZONING

GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.
2. Amendments to the Zoning Map, also called a Rezoning, shall be made in accordance with the provisions of the Pender County UDO and shall follow the review process as shown in Figure 1 at the end of Section 3.4.
3. The County Commissioners shall approve or deny amendments to the Zoning Map of Pender County, as may be required from time to time.
4. Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of the UDO. An illustration containing a metes and bounds description is required.
5. All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.
6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).
2. Whether adequate public facilities/services (i.e., water, wastewater, roads) 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.
3. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
4. Whether the proposed amendment is reasonable as it relates to the public interest.

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2022-41	Date	12/10/2022
Application Fee	\$ \$1,171.00	Invoice	00030166
Pre-Application Conference	N/A	Hearing Date	2/7/23 (PB) & 3/13/23 (BOCC)
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	WithersRavenel / Wade J Pudwill	Owner's Name:	Hoover Rd. Investments, LLC
Applicant's Address:	137 S. Wilmington - Suite 200	Owner's Address:	60 Gregory Rd.
City, State, & Zip	Raleigh, NC 27601	City, State, & Zip	Bellville, NC 28451
Phone Number:	919-469-3340	Phone Number:	910-742-6472
Email Address:	wpudwill@withersravenel.com	Email Address:	tlong@loganhomes.com
Legal relationship of applicant to landowner: Engineer for Owner			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3283-94-9377; 3283-93-1673; 3283-83-9765;	Total property acreage:	+/- 72.1 AC.
Current Zoning District:	RP - Residential Performance	Proposed Zoning District:	RM - Residential Mixed
Project Address:	(3283-93-1673)1042 Hoover Rd.; (3283-83-9765)1038 Hoover RD.; (3283-94-9377) Hoover Rd.;		
Description of Project Location:	Take US Hwy northeast out of Hampstead and turn north onto Hoover Rd. Travel north on Hoover road until you come to the next driveway after the South Topsail Elementary School driveway. The proposed development is opposite Tim Moore Drive.		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	12/01/22
Applicant's Name Printed	WithersRavenel / Wade J Pudwill	Date:	12/01/22
Owner's Signature		Date:	12/1/22
Owner's Name Printed	Hoover Rd. Investments, LLC	Date:	12/01/22
<u>NOTICE TO APPLICANT</u>			
1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 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. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda			

Rezoning/Zoning Map Amendment Checklist

☒	Signed application form
☒	Application fee
☒	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.
☒	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list.
☒	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
☒	18 (11"x17") map copies to be distributed to the Planning Board
☒	20 (11"x17") map copies to be distributed to the Board of Commissioners
☒	Digital (.pdf) submission of all application materials
☒	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.
<u>Office Use Only</u>	
☐	ZMA Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter) Total Fee Calculation: \$
Attachments Included with Application: (Please include # of copies)	
CD /other digital version	☐ Y ☐ N
Plan Sets	# of large
# of 11X17	Other documents/Reports
	☐ Y ☐ N
Payment Method:	Cash : ☐ \$ _____
	Credit Card: ☐ Master Card ☐ Visa
	Check: ☐ Check # _____
Application received by:	Date:
Application completeness approved by:	Date:
Dates scheduled for public hearing: ☐ Planning Board: ☐ Board of Commissioners:	

RETURN COMPLETED APPLICATION TO:
 Pender County Planning & Community Development
 805 South Walker Street
 P.O. Box 1519
 Burgaw, NC 28425

Project Narrative

Hoover Road Rezone

This document and accompanying exhibits submitted herewith are provided pursuant to Pender County Unified Development Ordinance (UDO) provisions for a Rezone. The proposed Rezone addresses three parcels totaling approximately 72 acres. See Table below, for Parcel Information.

Proposed Rezone Parcel Information.

Parcel	Address	Acres	Long Range Plan	Current Zoning
3283-94-9377	Hoover Rd	69.11	Regional Mixed Use	RP
3283-83-9765	1038 Hoover Rd	1.4	Medium Density Residential	RP
3283-93-1673	1042 Hoover Rd	1.59	Medium Density Residential	RP

The proposed Rezone for the three parcels listed above in the Table is from Residential Performance (RP) to Residential Mixed (RM). The Pender County Unified Development Ordinance Residential Mixed District is defined as follows:

The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall be calculated similar to the Planned Development (PD) District (4.8.1.D.1).

Comprehensive Land Use Plan

The Pender County 2.0 Comprehensive Land Use Plan shows the larger parcel is within the Regional Mixed Use designation and the smaller two parcels along Hoover Road are within the Medium Density Residential designation.

Medium Density Residential is defined as follows:

MEDIUM DENSITY RESIDENTIAL

Medium density residential uses are vital to supporting Pender County's growing population by strategically locating more dense residential development in areas that will not create conflicts with existing neighborhoods. These uses are located in close proximity to supporting services and a mixture of development types, and are generally found in the southern portion of the County. Appropriate uses include single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations. Townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new residential communities is encouraged.

Planned communities may also include well-integrated neighborhood-scale commercial and office uses. Industrial and manufacturing uses, and commercial and office uses not located within a planned community, are inappropriate. Development density within this category is three to six dwelling units an acre or less.

Desired Uses:

Medium Density Residential

- Single-family dwellings – detached and duplex (up to two units per structure)
- Townhomes may be suitable when included as part of a master planned community
- Age appropriate retirement housing
- Recreation, parks, and open space

Regional Mixed Use is defined as follows:

REGIONAL MIXED USE

The regional mixed use category will allow for the strategic allocation of future development and population growth, while limiting land use conflicts within existing neighborhoods. Growth is focused in locations that are served by water/sewer infrastructure and are located along planned major collector roadways and existing primary roadway corridors in the southern portion of the County (I-40, US 17, US 117, US 421, and NC-210). This future land use category provides access to retail, office, and multi-family residential uses. These land uses are primarily accessed by the automobile, but facilities should be included to increase the viability of access via walking or cycling.

The preferred land use mix is primarily commercial/retail and office with multi-family residential uses. Large employment centers and retail spaces are encouraged. Higher density single-family uses should account for less than 25% of a development proposal and should complement a more substantial mix of commercial/office and multi-family development. Development within this category should provide ample landscaping and street trees to present an inviting environment to travelers passing through the County. More intense commercial and offices uses requiring larger lots sizes, parking area, and stormwater infrastructure are permitted in this land use category. Artisan manufacturing is encouraged in this category.

Big box buildings, such as department stores, variety stores, warehouse retail centers, grocery stores, furniture outlets, and similar buildings shall be designed such that the exterior façade has the appearance of several smaller, human scale, buildings through the use of vertical treatments and elements that break up the horizontal wall.

Internal circulation patterns should create street-like spaces lined with on-street angled or parallel parking and parking areas. Internal pedestrian connections should also be provided

whereby structures within a development are connected with each other. Sidewalks should connect all buildings within the site and to adjoining sites. Sidewalks should have street trees and pedestrian lighting. Surface parking lots should be heavily shaded, landscaped, and located in the rear of new development where practicable. Shared parking should be encouraged where multiple uses are located within walking distance (1/4 mile). Stormwater infrastructure should be located behind buildings or incorporated into the design of the development as an amenity. Development density within this category allows for up to 15 units per acre for multi-family residential development and up to 10 units per acre for single family development.

Desired Uses:

- Most commercial, retail, office, & institutional uses
- Employment centers
- Artisan manufacturing
- Multi-family residential
- High density single-family residential uses
- Upper story residential

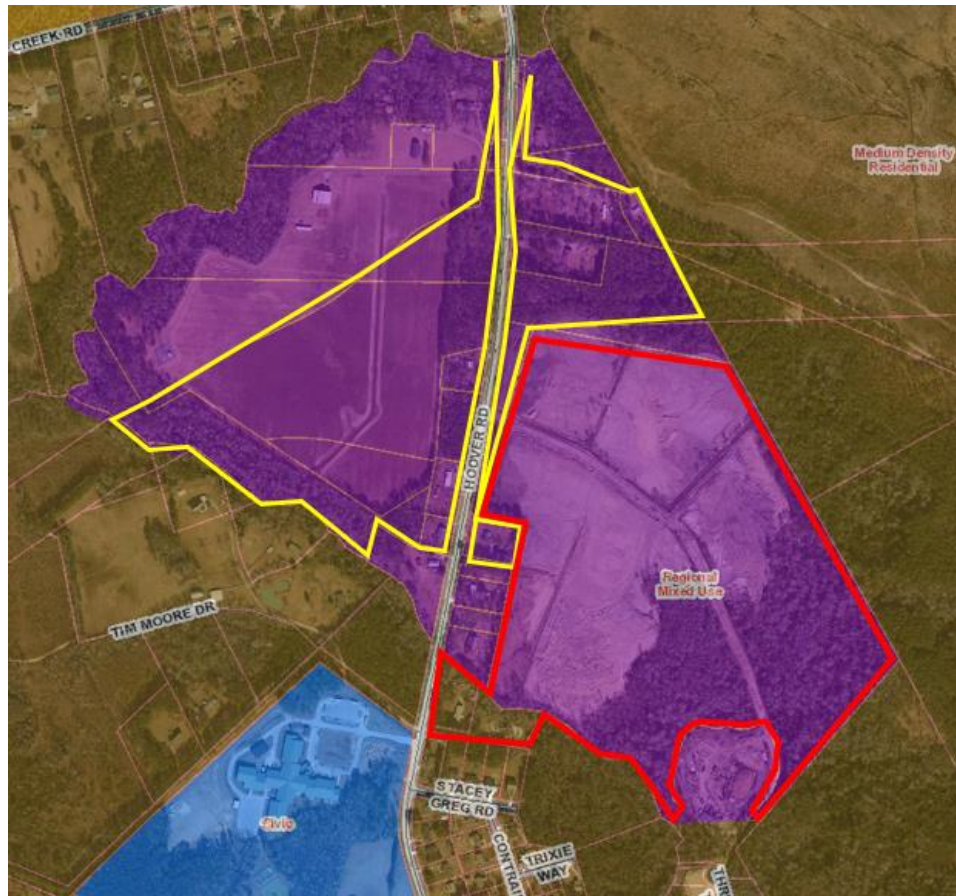
Regional Mixed Use

Surrounding Project Area

The future Hwy 17 Bypass is planned to be north of the 69 acre parcel with an interchange at Hoover Road. The Regional Mixed Use designation area is approximately 177 acres. However, within the 177 acres, approximately 58 acres is reserved for the Hwy 17 Bypass (NCDOT right of way) as shown within the yellow outlined area on the map below.

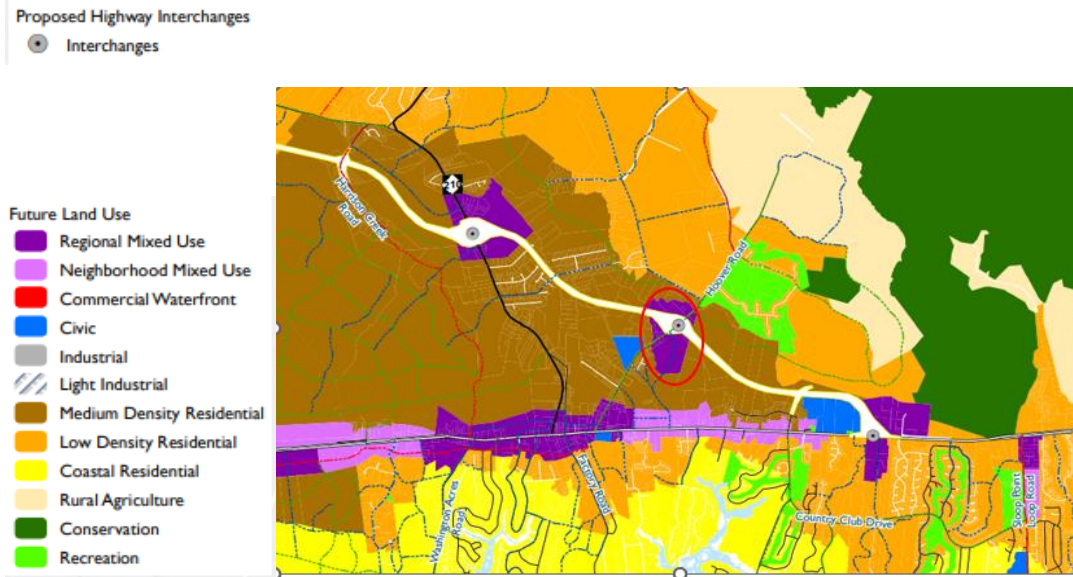
Approximately 177 acres within the Regional Mixed Use designation

<u>Yellow line</u>	58.36 acres (approximate) NCDOT property for Hwy 17 Bypass
<u>Red line</u>	72.1 acres (approximate) Proposed Rezone parcels
<u>Remaining Area</u>	46.87 acres (approximate) within the Regional Mixed Use designation



The surrounding area designation is Medium Density Residential with existing residential single family subdivisions to the south of the project area.

Pender County (Top Sail Region) Future Hwy 17 Bypass and the Land Use Designations.



Regional Mixed Use designations are located at the Hwy 17 Bypass interchanges at Hwy 210, Hoover Road (circled in red on the map) and the existing Hwy 17. Hoover Road is shown as a Minor Collector Street. Hwy 210 and Hwy 17 existing and future traffic counts are higher than existing and future traffic counts on the minor collector Hoover Road and therefore, would warrant a higher desire for Mixed Use (non-residential) than at the Hoover Road interchange.

REZONING CRITERIA

The Pender County Unified Development Ordinance includes Rezoning Criteria as follows:

Whether the entire range of uses permitted by the proposed change would be appropriate to the area concerned, including that the proposed rezoning not:

A.

- 1) be detrimental to the natural environment,

The proposed Rezone to Residential Mixed District (RM) permitted use developments shall be consistent with the Pender County UDO Open Space Requirements and North Carolina Department of Environmental and Natural Resources

- 2) adversely affect the health, safety, or welfare of residents or workers in the area,

The proposed RM district permitted use development will not adversely affect the health, safety, or welfare of residents or workers in the area. Existing and future uses to the south and east are residential. Therefore, the proposed residential mix uses are consistent with the adjacent area.

3) be detrimental to the use or development of adjacent property,

The proposed RM district will not be detrimental to the use or development of the adjacent property, as noted the surrounding adjacent area to the south and east are residential. To the north is the future Hwy 17 bypass and to the immediate west are existing residential along Hoover Road.

4) materially or adversely affect the character of the general neighborhood, and

The proposed RM district rezone is consistent with the surrounding residential neighborhoods.

5) be reasonable as it relates to the public interest.

The proposed RM district rezone is consistent with the existing surrounding residential districts.

- 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;

The proposed RM district Rezone future development will comply with the Pender County public facility/service requirements and roadway requirements. Future development plans will be reviewed by Pender County school district.

- 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.

The proposed Residential Mixed district uses are consistent with the residential component within the Regional Mixed Use designation. The proposed Rezone would allow for a residential mix within the project 72 acres. However, the proposed Residential Mixed district does not include non-residential uses and is not consistent with the non-residential component within the Regional Mixed Use designation.

As stated previously, Hoover Road is shown as a Minor Collector Street as future traffic counts are less than the Hwy 210 and Hwy 17 traffic counts. Therefore, the Hwy 210 and Hwy 17 interchanges would warrant a higher desire for Mixed Use (non-residential) than the Hoover Road interchange. The remaining approximately 40 acres along Hoover Road within the Residential Mixed District could support non-residential uses.

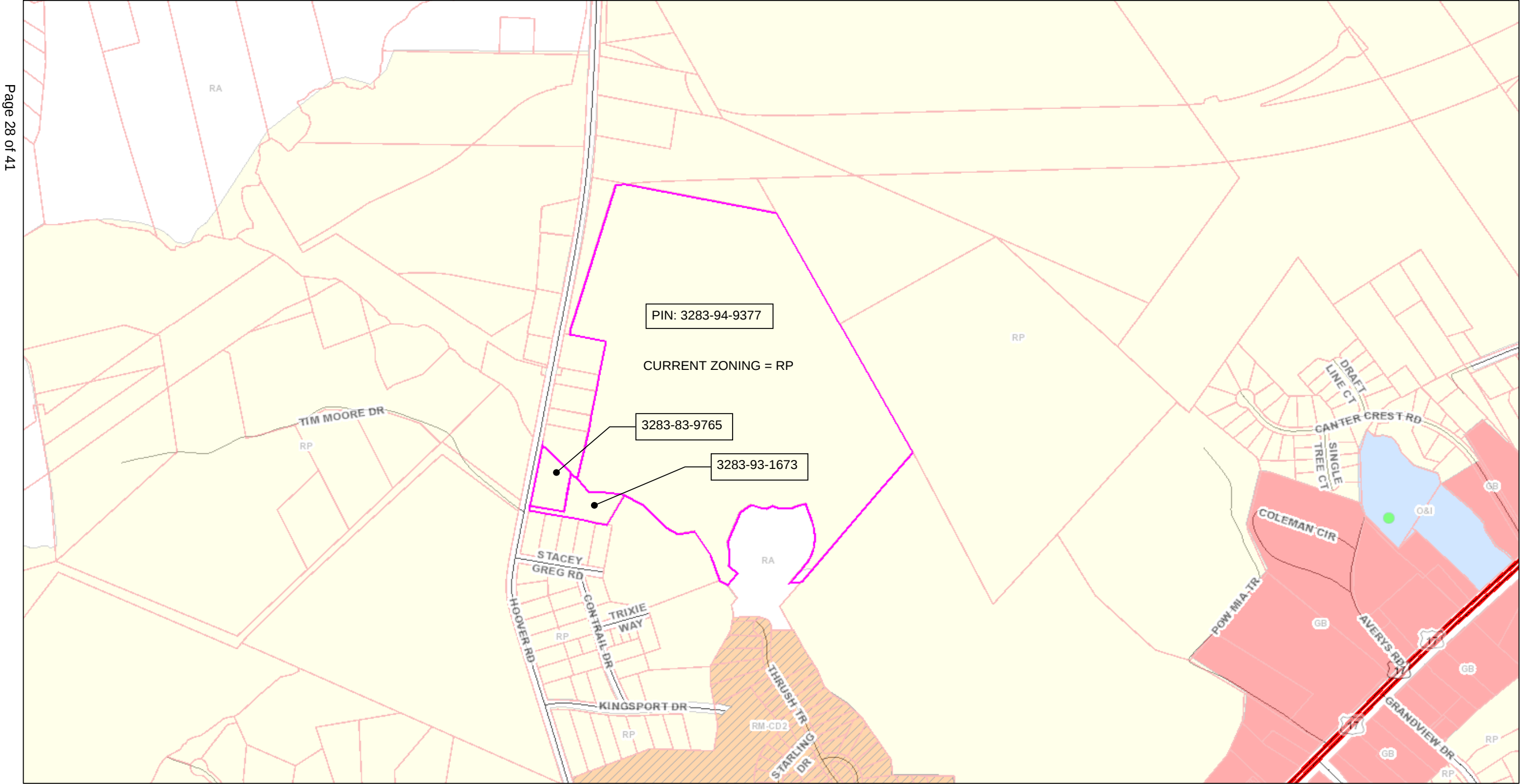
The proposed Residential Mixed district is consistent with the Comprehensive Land Use Plan of Medium Density as permitted uses within the proposed RM district are residential.

HOOVER ROAD SUBDIVISION

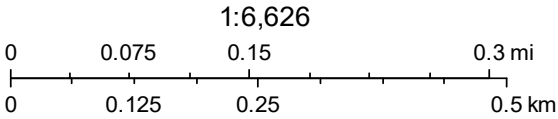
Parcel#	Acres	Owner	Address	City	State	Zip
3283-94-1534-0000	1.18	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	Raleigh	NC	27611
3283-94-1309-0000	0.54	BARANOWSKI, GERTRAUD LIFE ESTATE	1144 HOOVER RD	Hampstead	NC	28443
3283-94-0287-0000	0.84	BARANOWSKI, GERTRAUD LIFE ESTATE	1145 HOOVER RD	Hampstead	NC	28443
3283-94-0174-0000	0.58	BARANOWSKI, GERTRAUD LIFE ESTATE	1146 HOOVER RD	Hampstead	NC	28443
3283-93-0949-0000	1.19	BARANOWSKI, HILDUR CHRISTINA	1098 HOOVER RD	Hampstead	NC	28443
3283-83-8457-0000	0.61	ROCK, PAULA MARIE	982 HOOVER ROAD	Hampstead	NC	28443
3283-83-9464-0000	0.61	BRADLEY, MARK	103 STACEY GREG RD	Hampstead	NC	28443
3283-93-0451-0000	0.611974	PAYNE, LAURA BETH	105 STACEY GREG ROAD	Hampstead	NC	28443
3283-93-1450-0000	0.608822	ANDERSEN, HENRY MICHAEL	PO BOX 456	Hampstead	NC	28443
3283-93-2348-0000	0.606271	THORPE, TIMOTHY A	109 STACEY GREG RD	Hampstead	NC	28443
3283-93-5350-0000	6.76	DURBIN, WILLIAM MELVIN	212 CONTRAIL ROAD	Hampstead	NC	28443
3283-92-7889-0000	4.64	M AND G INVESTMENTS LLC	15894 HWY 17	Hampstead	NC	28443
3293-02-1904-0000	0.09	SPARROWS BEND HOA, INC	60 GREGORY RD	LELAND	NC	28443
3293-02-3754-0000	1.15	SPARROWS BEND HOA, INC	60 GREGORY RD	LELAND	NC	28451
3293-12-7158-0000	77.44	COPP, JAMES M	181 PW-MIA TRAIL	Hampstead	NC	28451
3293-14-6106-0000	51.198244	NADEAU, MICHAEL	P O BOX 56	Hampstead	NC	28443
3293-05-7356-0000	14.88	NADEAU, MICHAEL G	P O BOX 56	Hampstead	NC	28443
3283-95-6698-0000	1.92	NADEAU, MICHAEL G	P O BOX 56	Hampstead	NC	28443
3283-95-8764-0000	8.58	DEPARTMENT OF TRANSPORTATION	1546 MAIL CENTER (TELICS)	WINTERVILLE	NC	28443
3283-95-1295-0000	1.73	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	28443
3283-85-4379-0000	18.7	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-85-9396-0000	0.859687	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-85-9173-0000	1.420765	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-84-9810-0000	1.010811	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-84-5818-0000	3.58	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-84-8588-0000	0.557206	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-74-8998-0000	10.13	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-84-7450-0000	2.16	POWELL, SANDRA KAY	3030 FAISON HWY	RALEIGH	NC	27611
3283-84-6035-0000	4.505117	MOORE, NORMA C	130 TIM MOORE DR	CLINTON	NC	28328
3283-74-6473-0000	15.49	MOORE, NORMA C	130 TIM MOORE DR	HAMPSTEAD	NC	28443
3283-84-6035-0000	4.505117	MOORE, NORMA C	130 TIM MOORE DR	HAMPSTEAD	NC	28443
3283-52-2752-0000	21.59	PENNINGTON, JACKIE C	PO BOX 2149	HAMPSTEAD	NC	28443
3283-83-2003-0000	40.525588	PENDER CNTY BOARD OF EDUCATION	925 PENDERLEA HWY	WILMINGTON	NC	28402
				BURGAW	NC	28425

3283-83-8240-0000	0.420944	MILLER, DEBRA JONES	938 HOOVER RD	HAMPSTEAD	NC	28443
3283-83-8131-0000	0.444453	PAPADIMATOS, MATTHEW	P O BOX 9	ROCKY POINT	NC	28457
3283-83-8071-0000	0.430024	THYSON, CHRISTOPHER F	894 HOOVER RD	HAMPSTEAD	NC	28443
3283-93-0127-0000	0.476167	PINKARD, KENNETH C	PSC 557 BOX 887	FPO	AP	96379
3283-93-0056-0000	0.423929	YODER, TYLER ALAN	211 CONTRAIL RD	HAMPSTEAD	NC	28443
3283-92-0987-0000	0.422676	O'DONNELL, KATHLEEN M	209 CONTRAIL RD	HAMPSTEAD	NC	28443
3283-93-2131-0000	0.395071	DURBIN, WILLIAM MELVIN	212 CONTRAIL ROAD	HAMPSTEAD	NC	28443
3283-92-3929-0000	0.46022	HEMKER, MATTHEW JOSEPH	208 CONTRAIL RD	HAMPSTEAD	NC	28443
3283-92-5844-0000	0.459864	KARELS, BRITTANY	308 TRIxie WAY	HAMPSTEAD	NC	28443
3283-92-8420-0000	3.13	BROWN, SARAH CHRISTINE	111 KINGSPORT DR	HAMPSTEAD	NC	28443
3293-02-0898-0000	0.28	HAYDT, JONATHAN	16 THRUSH TRAIL	HAMPSTEAD	NC	28443
3293-02-0890-0000	0.4	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE S TE 400	FAYETTEVILLE	NC	28443
3293-02-0762-0000	0.5	MCGRATH, ROSS	259 THRUSH TRAIL	HAMPSTEAD	NC	28303
3293-02-0644-0000	0.66	LOGAN DEVELOPERS INC	60 GREGORY ROAD SUITE 1	BELVILLE	NC	28443
3293-02-0554-0000	0.72	ALLEN, FORREST CHRISTOPHER	239 THRUSH TRAIL	HAMPSTEAD	NC	28451
3283-91-9865-0000	15.18	SPARROWS BEND HOA, INC	60 GREGORY RD	HAMPSTEAD	NC	28443
3293-02-2503-0000	0.19	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE S TE 400	LELAND	NC	28451
3293-02-2448-0000	0.17	KUNZE, JOSEPH	62 PAPS POINT	FAYETTEVILLE	NC	28303
3293-02-0243-0000	0.17	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE S TE 400	ROCKY POINT	NC	28457
3293-02-3329-0000	0.18	HUNT, BRYAN CHRISTOPHER	193 THRUSH TRAIL	FAYETTEVILLE	NC	28303
3293-02-3363-0000	0.18	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE S TE 400	HAMPSTEAD	NC	28443
3293-02-4620-0000	0.31	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	2919 BREEZEWOOD AVE S TE 400	FAYETTEVILLE	NC	28303
3293-02-4565-0000	0.25	GRAVES, DEVIN LEE	2919 BREEZEWOOD AVE S TE 400	FAYETTEVILLE	NC	28303
3293-02-4590-0000	0.23	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	7224 CULLODEN CT	WILMINGTON	NC	28411
3293-02-5426-0000	0.26	HANSON, ETHAN ANDREW	2919 BREEZEWOOD AVE S TE 400	FAYETTEVILLE	NC	28303
3293-02-5471-0000	0.31	H&H CONSTRUCTORS OF FAYETTEVILLE LLC	184 THRUSH TRAIL	HAMPSTEAD	NC	28443
3293-06-9673-0000	126.8	PENDER PTNR LLC	2919 BREEZEWOOD AVE S TE 400	FAYETTEVILLE	NC	28303
3293-15-5884-0000	21.2	DEPARTMENT OF TRANSPORTATION	10 S CARDINAL DR	WILMINGTON	NC	28403
3283-96-8122-0000	0.601129	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-95-4965-0000	2.52	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-96-4149-0000	2.952513	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3283-85-9938-0000	4.16	DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611
3293-02-2596-0000	3.68	SPARROWS BEND HOA INC	60 GREGORY RD	LELAND	NC	28451

HOOVER ROAD REZONING



November 30, 2022



BK 4784 PG 1890 - 1893 (4) DOC# 20100331
This Document eRecorded: 04/06/2022 12:56:36 PM
Fee: \$26.00 DocType: DEED Tax: \$760.00
Pender County, North Carolina
Sharon Lear Willoughby, Register of Deeds

THIS INSTRUMENT WAS PREPARED WITHOUT TITLE EXAMINATION BY JUSTIN L. LOCKAMY. A NORTH CAROLINA LICENSED ATTORNEY, P. O. BOX 4548, WILMINGTON, NORTH CAROLINA 28458.

After recording, please mail to: Lee Kaess, PLLC

Brief Description for the Index: ____

County PID 3283-83-9765-0000 Excise Tax \$760.00 Recording \$26.00
3283-93-1673-0000

STATE OF NORTH CAROLINA GENERAL WARRANTY DEED
COUNTY OF PENDER

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.

THIS DEED, made this 22 day of March, 2022, by and between

GRANTOR	GRANTEE
TIM LONG FAMILY HOLDINGS, LLC a North Carolina limited liability company 211 Bedrock Court Wilmington, NC 28411	HOOVER ROAD INVESTMENTS, LLC a North Carolina limited liability company 60 Gregory Road, Suite 1 Belville, NC 28451

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 Grantee in fee simple, all those certain lots or parcels of land situated in Pender County, North Carolina, and more particularly described as follows:

See Exhibit A.

Submitted electronically by "Lee Kaess, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Pender County Register of Deeds.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 4754, Pages 1392 – 1400 of the Pender County Registry, and does not include the primary residence of the Grantor.

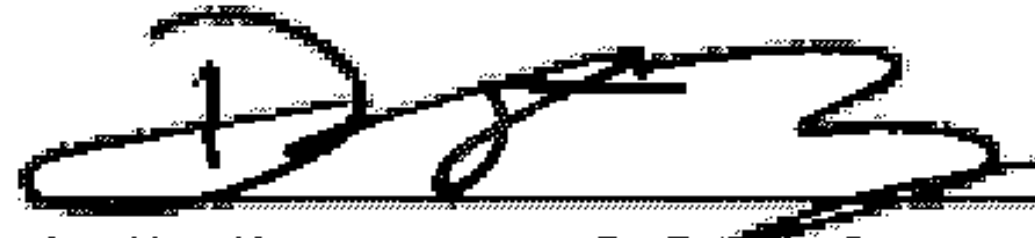
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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:

1. Ad valorem taxes for year 2022 and subsequent years.

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

TIM LONG FAMILY HOLDINGS, LLC

By:  (SEAL)
D I. Logan, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF Brunswick

I certify that the following persons, D I. Logan, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal this 22 day of March, 2022.


Official Signature of Notary
Printed or typed name of Notary Jeanette Phillips
My Commission Expires: October 17, 2023

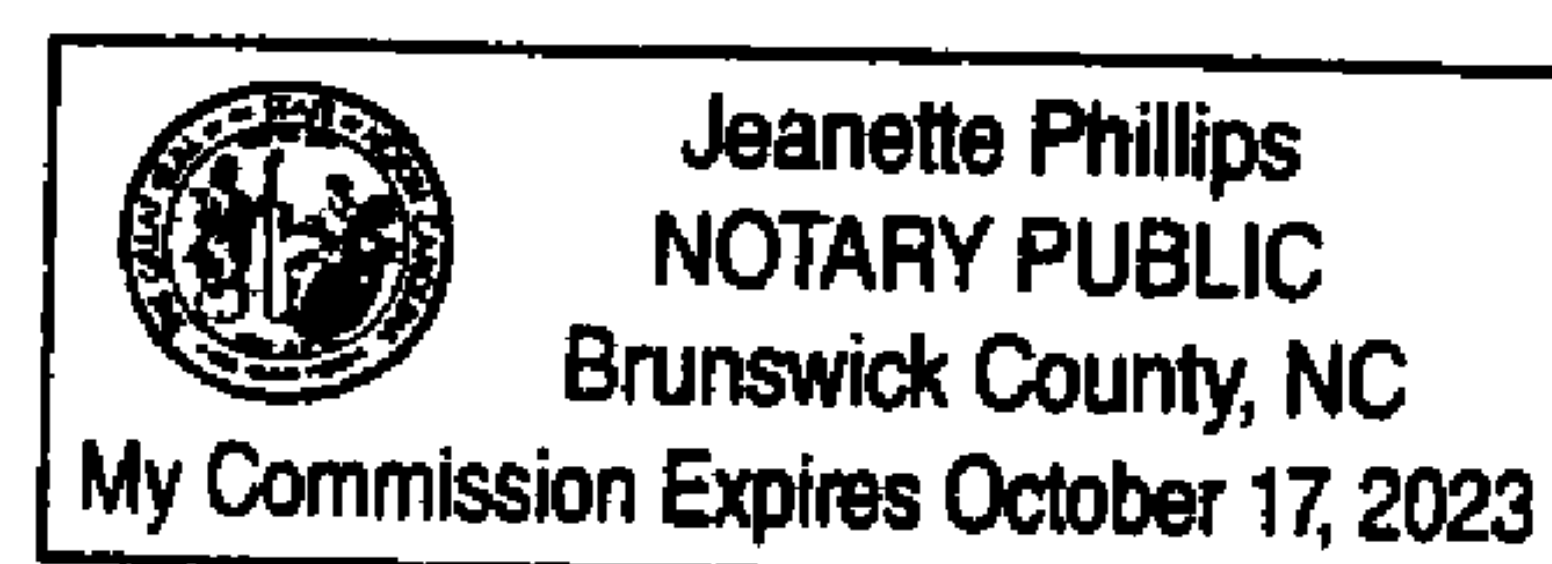


EXHIBIT A
Legal Description

TRACT ONE:

Being all of that tract or parcel of land situate in Topsail Township, Pender County, North Carolina, as shown in Deed Book 1057, Page 140, Pender County Registry, said tract being more particularly described as follows:

Beginning at an existing iron rod on the western margin of NCSR 1569 — Hoover Road, said rod being a corner of the lands shown in Deed Book 4694, Page 975, and being further located N 11°19'29" E 30.32' from an existing iron pipe in the western margin of Hoover Road, the northwest corner of Lot 32 of the Kingsport Subdivision as shown in Plat Book 22, Page 153, and running thence from said Beginning point with the margin of Hoover Road N 10°59'06" E — 370.29' to a new iron rod where the run of an old branch (since channelized by Pender County) intersects the margin of the road;

Thence leaving the margin of the road and running with the line of the lands of Baranowski as shown in Deed Book 4684, Page 1779, S 45°33'41" E 240.54' to an existing iron rod;

Thence with the line of the lands of Nucci as shown in Deed Book 4694, Page 975 the following two (2) calls:

S 11°10'07" W — 237.32' to an existing iron rod;

N 79°07'09" W — 199.93' to an existing iron rod, the Point and Place of Beginning.

Said tract as described containing 60,880 square feet or 1.40 acres, more or less

Property Address: 1038 Hoover Road

PID: 3283-83-9765-0000

TRACT TWO:

Being all of that tract or parcel of land situate in Topsail Township, Pender County, North Carolina, as shown in Deed Book 4694, Page 975, Pender County Registry. Said tract being more particularly described as follows:

Beginning at an existing iron pipe on the western margin of NCSR 1569 — Hoover Road, said rod being the northwest corner of Lot 32 of the Kingsport Subdivision as shown in Plat Book 22, Page 153, and running thence from said Beginning point with the margin of Hoover Road N 11 '19'29" E 30.32' to an existing iron rod;

Thence leaving the margin of the road and running with the line of the lands of Lilley as shown in Deed Book 1057, Page 140 the following two (2) calls:

S 79°07'09" E — 199.93' to an existing iron rod;

N 11°10'07" E — 237.32' to an existing iron rod;

Thence with the line of the lands of Baranowski as shown in Deed Book 4684, Page 1779 S 60°50'46" E 51.36' to an existing iron pipe;

Thence with the line of the lands of Hoover Road Investments, LLC as shown in Plat Book 59, Page 139 the following three (3) calls:

S 33°07'10" E – 107.96' to an existing iron rod;

N 89°05'42" E – 97.59' to a new iron rod;

S 82°38'32" E – 112.62' to a new iron rod;

Thence with the line of the lands of Durbin and Yoder as shown in Deed Book 4709, Page 2188 S 28°01'06" W – 210.82' to an existing iron rod in the northern line of Lot 36 of the Kingsport Subdivision as shown in Plat Book 22, Page 153;

Thence with the line of the Kingsport Subdivision N 79°01'47" W – 470.94' to an existing iron pipe, the Point and Place of Beginning.

Said tract as described containing 68,553 square feet or 1.57 acres, more or less.

Property Address: 1042 Hoover Road

PID: 3283-93-1673-0000

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	
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											
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33 MANUFACTURING											
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 NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 31-33 MANUFACTURING											
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	
Sector 42 WHOLESALE TRADE											
Wholesale Trade	42	S							P	P	
Sectors 44-45 RETAIL TRADE											

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	
Sectors 48-49:											
TRANSPORTATION AND WAREHOUSING											
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	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC

Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Warehousing and Storage	493	S							P	P	
Sector 51: INFORMATION											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
Sector 53: REAL ESTATE AND RENTAL AND LEASING											
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	
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
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	
Sector 61: EDUCATIONAL SERVICES											
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		
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: 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	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
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									
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
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				
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
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	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES											
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