



Pender County

Agenda

Planning Board Meeting

Tuesday, March 7, 2023 @ 7:00 PM
Hampstead Annex

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
4. PLEDGE OF ALLEGIANCE		
5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
February 7, 2023 Meeting Minutes		3 - 11
February 7, 2023 Meeting Minutes - Pdf		
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. Continued from February 7th Meeting.		13 - 53
REZONE 2022-41 - Pdf		
REZONE 2023-42 FLUMA : Request to modify the Future Land Use Map designations for two tracts of land totaling approximately 29.6 acres from Low Density Residential to Medium Density Residential in the Topsail Township.		55 - 79
REZONE 2023-42 FLUMA - Pdf		
REZONE 2023-46: General Use Rezoning of a portion of two tracts of land in the Topsail Township from RP, Residential Performance to GB, General Business		81 - 110
REZONE 2023-46 - Pdf		
10. DISCUSSION		
11. NEXT MEETING DATE		
12. ADJOURNMENT		



Pender County February 7, 2023 Meeting Minutes

TO: Planning Board
FROM: Daniel Adams
DATE: March 7, 2023
SUBJECT: February 7, 2023 Meeting Minutes

SUMMARY:

See attached meeting minutes from the February 7, 2023 meeting of the Pender County Planning Board.

ACTION REQUESTED:

To review and approve 2/7/2023 meeting minutes.

ATTACHMENTS:

1. 2/7/2023 meeting minutes



DRAFT MINUTES
Planning Board Meeting
Wednesday, February 7, 2023
Pender County Hampstead Annex Auditorium
7:00 PM

MEMBERS PRESENT: Damien Buchanan, Vice-Chairman
Jeffrey Pitts
Jeff Beaudoin
Norman "Ken" Teachey
Margaret Mosca
John Gruntfest

MEMBERS ABSENT: Delva Jordan, Chairman

OTHERS PRESENT: Daniel Adams, Planning Director
Justin Brantley, Senior Planner
Greg Feldman, Long Range Planner
William Welch, Current Planner
Donna Sayre, Planning Technician
Trey Thurman, County Attorney
Members of the Public

1 CALL TO ORDER

Vice-Chairman Damien Buchanan called the meeting to order at 7:01 pm

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda with the comment that the Applicant requested that the Rezoning hearing be postponed until the March 7, 2023, meeting was made by Jeff Beaudoin and seconded by Jeffrey 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			
	6	0	0	1

CARRIED.

6 ADOPTION OF MINUTES

Motion to approve the January 4, 2023, Planning Board minutes made by John Gruntfest, 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			
	6	0	0	1

CARRIED.

7 PRESENTATIONS

There were no presentations.

8 PUBLIC COMMENT

Doug Holstein, 313 Creekview Drive, Hampstead spoke to the Board. He stated that he is representing the old Deerfield Community Association and is speaking on behalf of himself and his neighbors.

Mr. Holstein stated that a recent Facebook posting implied that the Master Development Plan for Evolve Apartments at Headwaters had been changed and this post has caused an uproar with his neighbors. Mr. Holstein stated that he has been on the phone trying to obtain information to answer the questions that have been presented to him. He asked the Planning Board if they know if the Master Plan has changed and if any closed type meetings occurred to change the Plan without the public being able to give their input.

Mr. Buchanan stated that he does not think anything has changed from the permit that was granted in the past and referred to Mr. Thurman and Mr. Adams for their input on the question. Mr. Daniels informed Mr. Holstein that nothing had changed.

Mr. Holstein stated that when he started receiving calls concerning the Facebook post, he went to the Pender County website and utilized the Planning Department option. He stated that the information listed on the Planning Department site was outdated and still listed Travis Henley as the Director. Mr. Holstein stated that if he was able to access up to date information on the website, he could direct people to the website. He then stated that he is asking the Planning Board to use their influence to get this site updated in a timelier manner.

Mr. Buchanan and Mr. Holstein discussed the timeline and process of the Headwaters Master Plan with the Developers eventually deciding to apply for 174 apartments, which made it by-right. Mr. Holstein stated that it did not come without complications and that Mr. Henley denied the application. Mr. Buchanan stated that Mr. Henley did not deny the application, but rather the Planning Board did. Mr. Buchanan then stated that the Applicant appealed the Planning Board's decision and the Appeal was heard by the Board of Adjustment. The Board of Adjustment overturned the Planning Board's decision. Mr. Buchanan stated that this is how the Planning Board's decision was overturned.

Mr. Adams stated that the lack of updating the Planning Department's website

is a fair critique and that the Planning Department is in the process of updating the website to show current projects, the status of those projects, and new projects moving forward. He stated he appreciates Mr. Holstein's concern and is aware of the updating that needs to be done.

9 PUBLIC HEARINGS

REZONE 2022-41

Motion to approve the continuance to the March 7, 2023, Planning Board Meeting made by Jeff Beaudoin, seconded by Margaret Mosca. The March 7, 2023, meeting will be held at 7:00 p.m. at the Hampstead Annex Auditorium.

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.

Mr. Brantley informed the public that if they received a notice in the mail, that another notice will not be received due to the continuance taking place during the hearing.

Mr. Buchanan asked where the Planning Board agenda is advertised. Mr. Brantley stated that a rezoning hearing is normally advertised by a mailing, notice in the local newspaper, and a posted sign on the property. The March public hearing for this case will not be advertised by notice in the local newspaper or by a mailer, but would likely be advertised by another sign being posted on the property.

Mr. Brantley stated that after the Planning Board decision, the rezoning will go before the Board of Commissioners for their final decision and that meeting will be advertised by sending out a mailer, advertising in the local newspaper,

and a sign being posted on the property.

10 DISCUSSIONS

Mr. Feldman spoke to the Planning Board concerning an upcoming Text Amendment. He stated that he is referencing Section 8.1.3, "Tree Survey Required." Mr. Feldman then read a section of the Ordinance to the Board members.

Mr. Feldman stated that according to the Ordinance, a Significant Tree Survey would be required for all commercially or industrially zoned properties, as well as Mixed Zoning Districts which would include PD, Planned Development, and RM, Residential Mixed.

Mr. Feldman listed all the species that are shown by the Ordinance to be significant trees. He stated that the diameter of the tree is measured four and a half foot from the ground. Mr. Feldman stated that in addition to the four species that he listed, any tree included in the planting table, which is found in Appendix B of the Ordinance, that has a trunk caliber of twelve inches measured four and a half foot above the ground, is identified as significant, except for Loblolly Pines.

Mr. Feldman added that any tree species planted under a previously approved Significant Tree Mitigation Plan, regardless of its size, will be considered significant.

Mr. Feldman presented the Board members with an example of a previously approved Variance Application that addresses the issue that he was just speaking of. He stated that the property is zoned commercially and was heavily wooded. Due to requirements, the Applicant had to have a Tree Survey completed, which resulted in seventy-seven trees that would need to be mitigated, which would require one hundred forty-four mitigated trees for this particular property.

Mr. Feldman showed that the Applicant illustrated a planting of one hundred and seventeen mitigation trees, which is less than required, but would deem the property to be undevelopable.

Mr. Feldman stated that there is no deviation or other mechanism in the Ordinance other than planting two mitigation trees in place of every significant tree that is removed.

Mr. Buchanan reiterated the process of mitigating trees as the Ordinance currently reads. He stated how trees are often planted to meet the required amount but are not planted in a healthy way so that the trees can live and thrive.

Mr. Feldman informed the Board members of the possible changes that the Planning staff has proposed. One proposal would be to eliminate the mitigation requirements for industrially zoned properties. He stated that while the Planning staff would like to keep the tree mitigation requirements in commercially and mixed zone districts to encourage industry in the county, the staff is proposing to remove Significant Tree Survey within the county's industrial zoning districts, which include GI, General Industrial, and IT, Industrial Transitional.

Mr. Feldman stated that a second proposal would be to remove the required two to one mitigation requirement to a one-to-one ratio requirement.

Mr. Feldman stated that a third proposal, would be to not require the Applicant to replant the same tree that was removed, but to have the ability to replant any tree that is listed by the Ordinance, as a significant tree.

Planning staff's fourth proposal provides that if the Administrator finds that the complete tree mitigation plan is impractical, a fee-in-lieu be made out to the County's Tree Improvement fund. This could help increase vegetation within facilities and parks as well as tree give-away to county residents. He stated that the mitigation fee would be calculated at a two to one mitigation ratio.

Mr. Teachey asked about the Applicant having the ability to plant a certain number of trees and paying a deed-in-lieu for the remainder of trees required. Mr. Feldman stated that this scenario would be an option.

Mr. Buchanan asked if a proposed property is in an Industrial zoning district, would the Applicant need to put money into the deed-in-lieu fund. Mr. Feldman stated that the proposed language would state that no Tree Mitigation Survey was needed, so no funds would need to be paid. Planning staff and Board members would not have knowledge of how many significant trees are on the property due to no survey being required.

Ms. Mosca asked what the original intent of the tree mitigation portion was. Mr. Feldman stated that he feels that the intent was to keep as much vegetation in the area it already existed in. Ms. Mosca stated that if all the trees cannot be planted back, then the vegetation should be planted around the perimeter so that the land does not look so "barren." She stated that the possibility of creating a bigger buffer should be considered to leave the building

area bigger. Mr. Feldman stated that this would increase the curb appeal and others agreed.

Mr. Feldman stated that some neighboring entities will allow a licensed professional to examine and identify trees that are dead, dying, or diseased to be removed from the property without requiring mitigation.

Mr. Gruntfest asked if while examining neighboring government entities, was there any language to protect trees that are larger or older. Mr. Feldman stated that the City of Wilmington classifies trees bigger than twenty inches in diameter as Heritage trees. He stated that Heritage trees typically require a Board of Adjustment Variance to be removed.

Mr. Feldman stated that Staff is still working on the proposed text amendment language but does anticipate presenting formal language to the Board in the near future.

Mr. Buchanan stated that even if the industrial zoning area does not require a Tree Mitigation Survey, he feels that the perimeter buffer is still important. He agrees with Ms. Mosca that a solid perimeter buffer is a good idea to be more visually appealing. Mr. Feldman stated that most perimeter buffers near the road require a Buffer "A", which is the least dense buffer required.

Ms. Mosca asked if Planning staff looked at Charleston, South Carolina and their buffering requirements. She stated that on Hwy. 17, you see shopping centers and so forth set back from the road with very good buffering at the road, which is more appealing.

Mr. Feldman stated that Mr. Brantley brought up the idea of working with North Carolina Department of Transportation on some of the current roadway projects to find out if they may need vegetation, whether in a median or on ramps. The Planning staff is investigating this option.

Mr. Teachey stated that he does not think there is a requirement as to how long a tree has to live and if a dead one needs to be replaced. Mr. Feldman stated that statement is true in the case of mitigation trees but not in the case of landscaping requirements. The Developer is responsible for replanting any vegetation that dies within the first two years.

Mr. Buchanan asked Mr. Feldman to provide an update on the Bike/Pedestrian Plan that is currently being developed within the County. Mr. Feldman provided information as to the current status and future goals of this project.

Mr. Buchanan stated that the adoption of this plan would let the County be eligible for state and federal grants.

Ms. Mosca stated that another idea for the tree mitigation would be to stop using the two to one ratio altogether and consider using a square foot coverage per acre requirement instead. She stated that the County may be locking itself in by using the ratio method.

Mr. Adams introduced William Welch to the Planning Board as a new Current Planner in the Planning Department.

11 NEXT MEETING DATE

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

12 ADJOURNMENT

Meeting adjourned at 8:31 p.m.



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

TO: Planning Board
FROM: Justin Brantley
DATE: March 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. Continued from February 7th Meeting.

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.

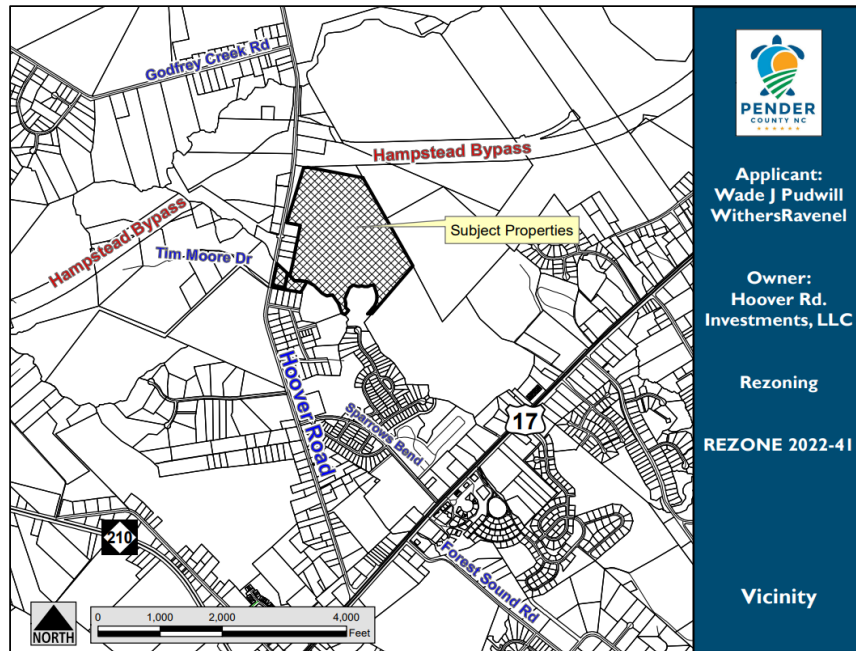
ATTACHMENTS:

1. Staff Report
2. Application
3. Narrative
4. Adjacent Owner List
5. Zoning Map
6. Hoover Road Investments, LCC 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 7, 2023 Planning Board (Continued) March 7, 2023 Planning Board April 17, 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

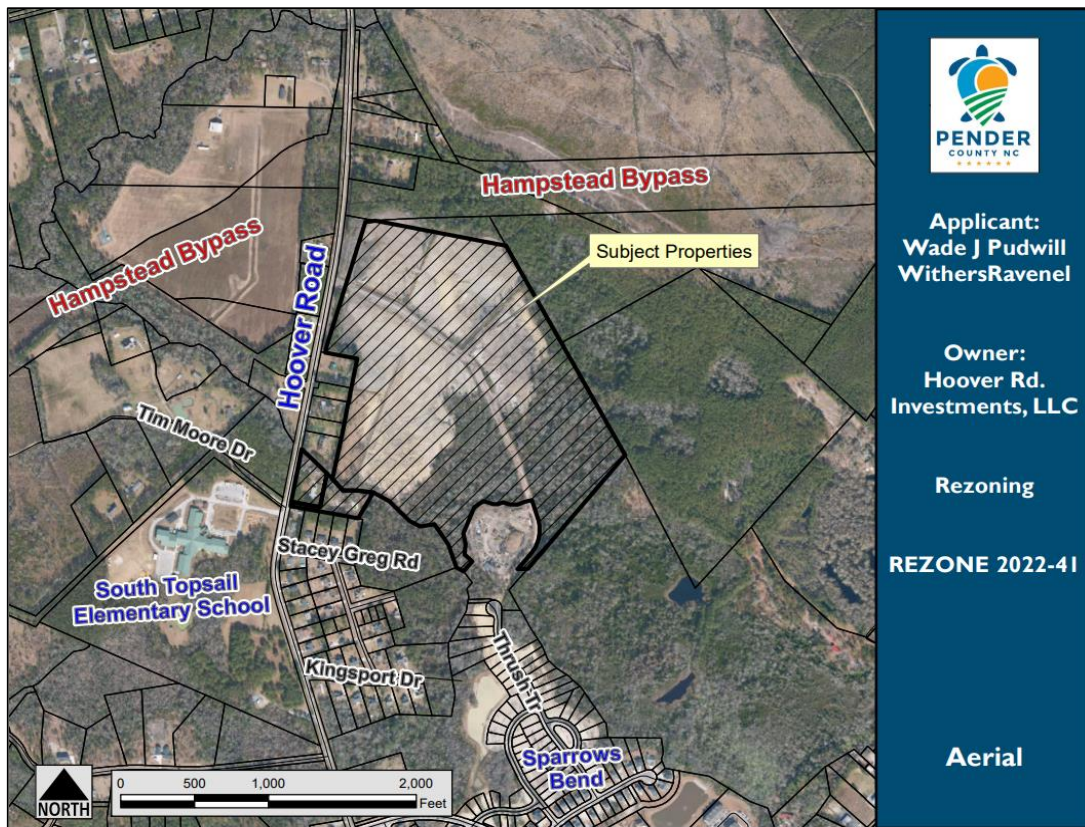
REZONING PROPOSAL
Wade J Pudwill with WithersRavenel, applicant, on behalf of Hoover Rd. Investments, LLC, owner, is requesting approval of a Zoning Map Amendment to rezone three tracts totaling approximately 72.1 acres of land from the RP, Residential Performance zoning district to the RM, Residential 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)

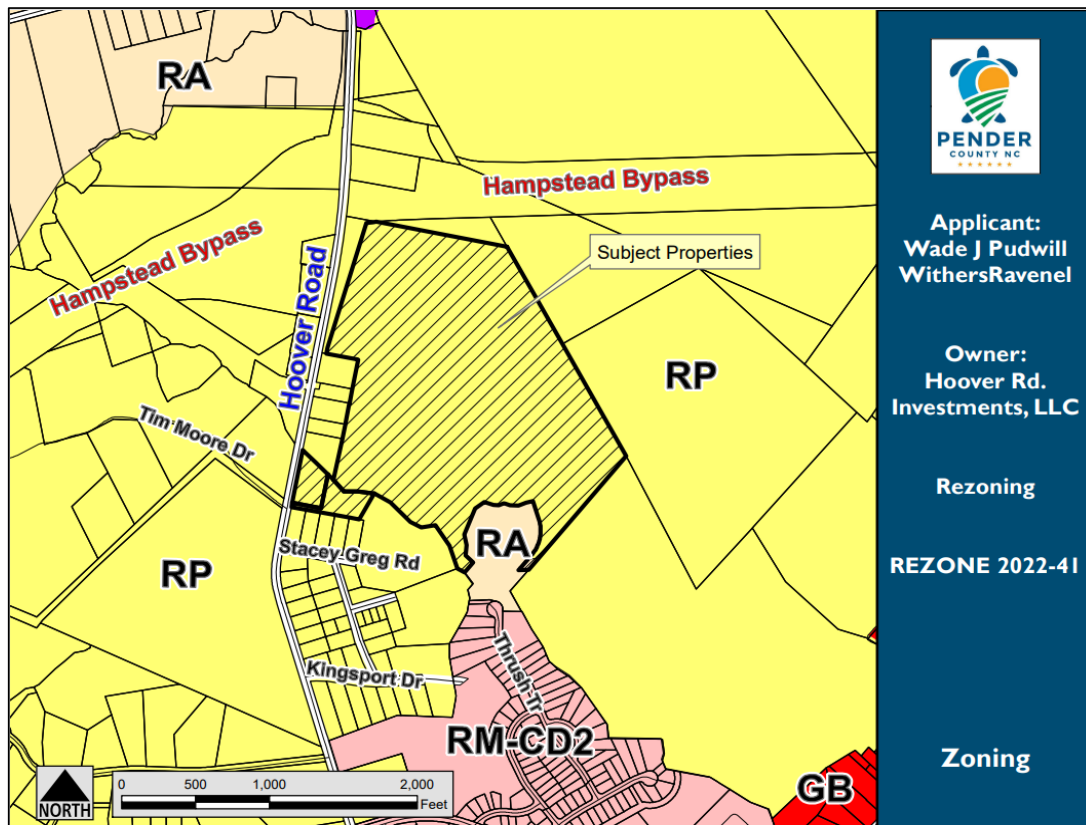
² According to the NC Division of Coastal Management (NC DCM)

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



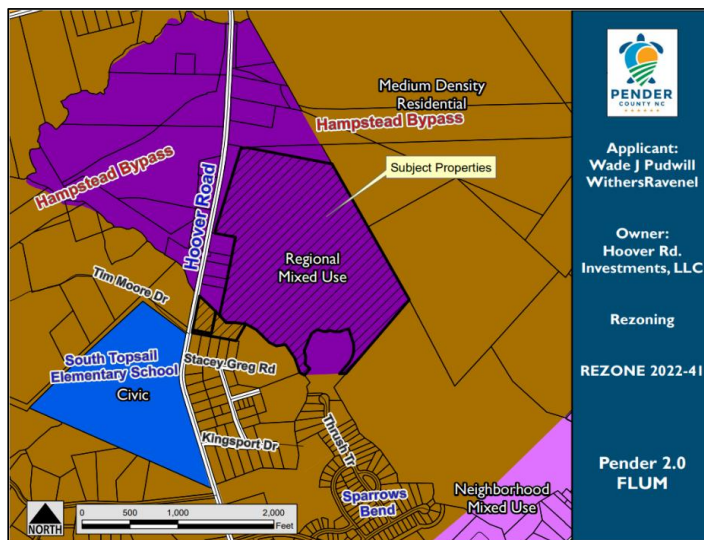
CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Residential, Vacant	RP, Residential Performance
East	Vacant	RP, Residential Performance
South	Residential, Vacant	RP, Residential Performance; RA, Rural Agriculture; RM-CD 2
West	Residential, Elementary School	RP, Residential Performance;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

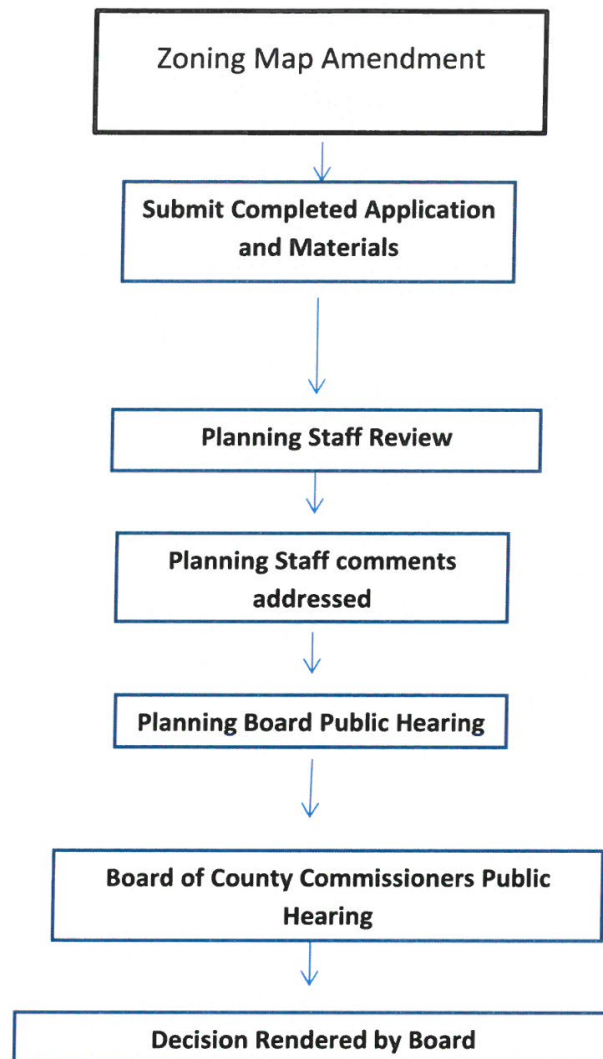
I certify that all information presented in this application is accurate to the best of my knowledge.

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

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



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

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	☐ Y ☐ N
# of large	☐ Y ☐ N
# of 11X17	☐ Y ☐ N
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

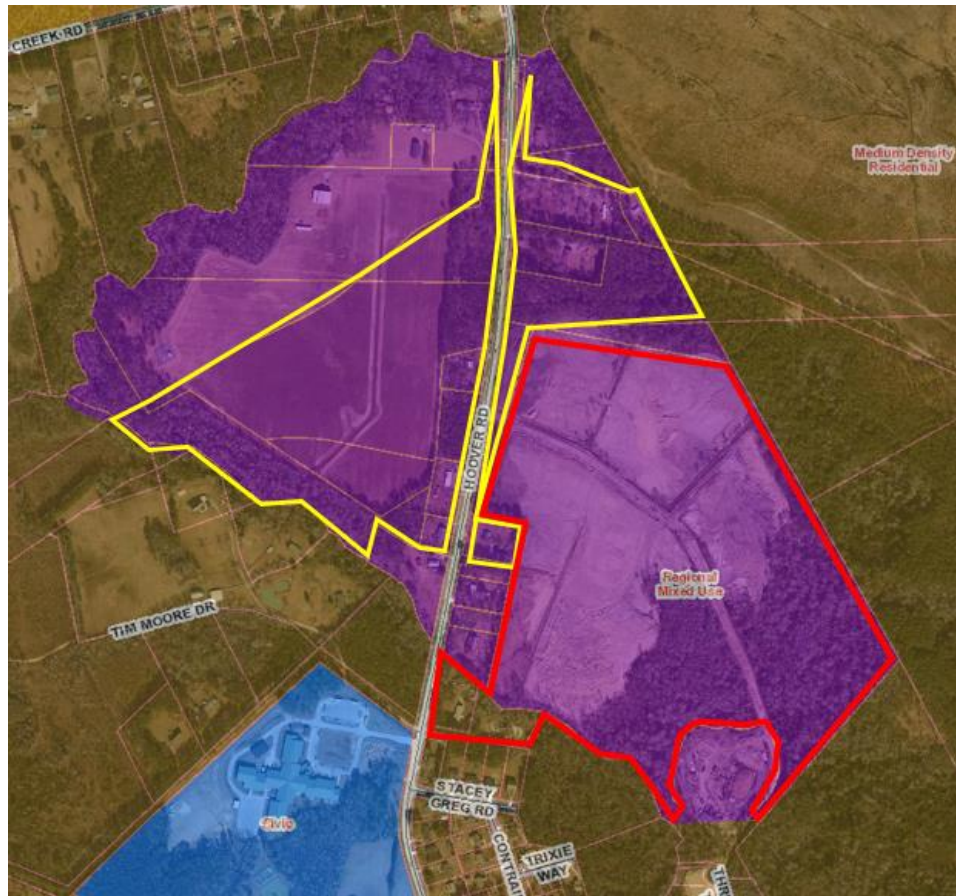
Regional Mixed Use

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.

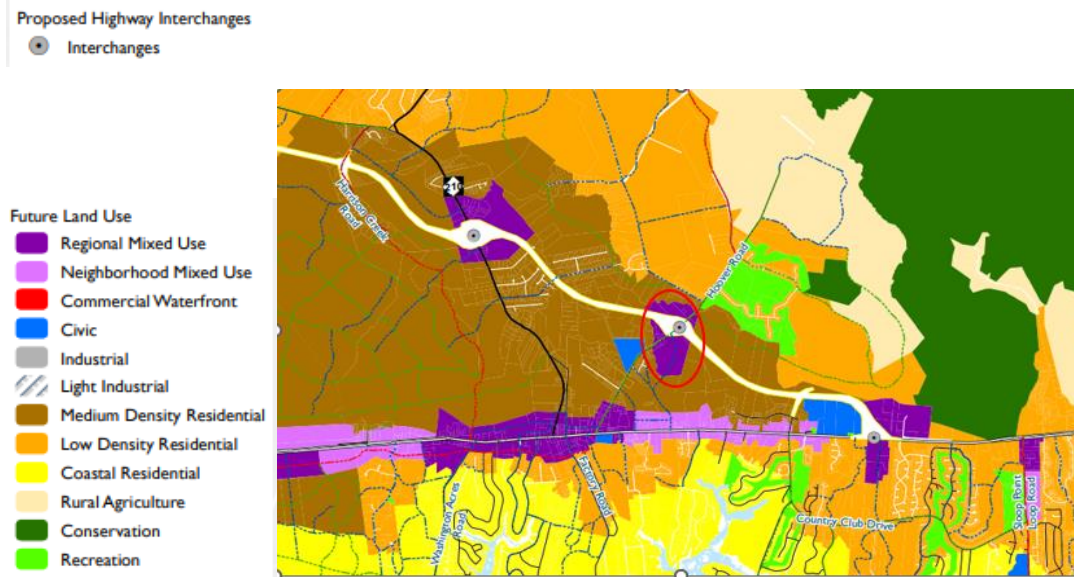
Approximately 177 acres within the Regional Mixed Use designation

<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.

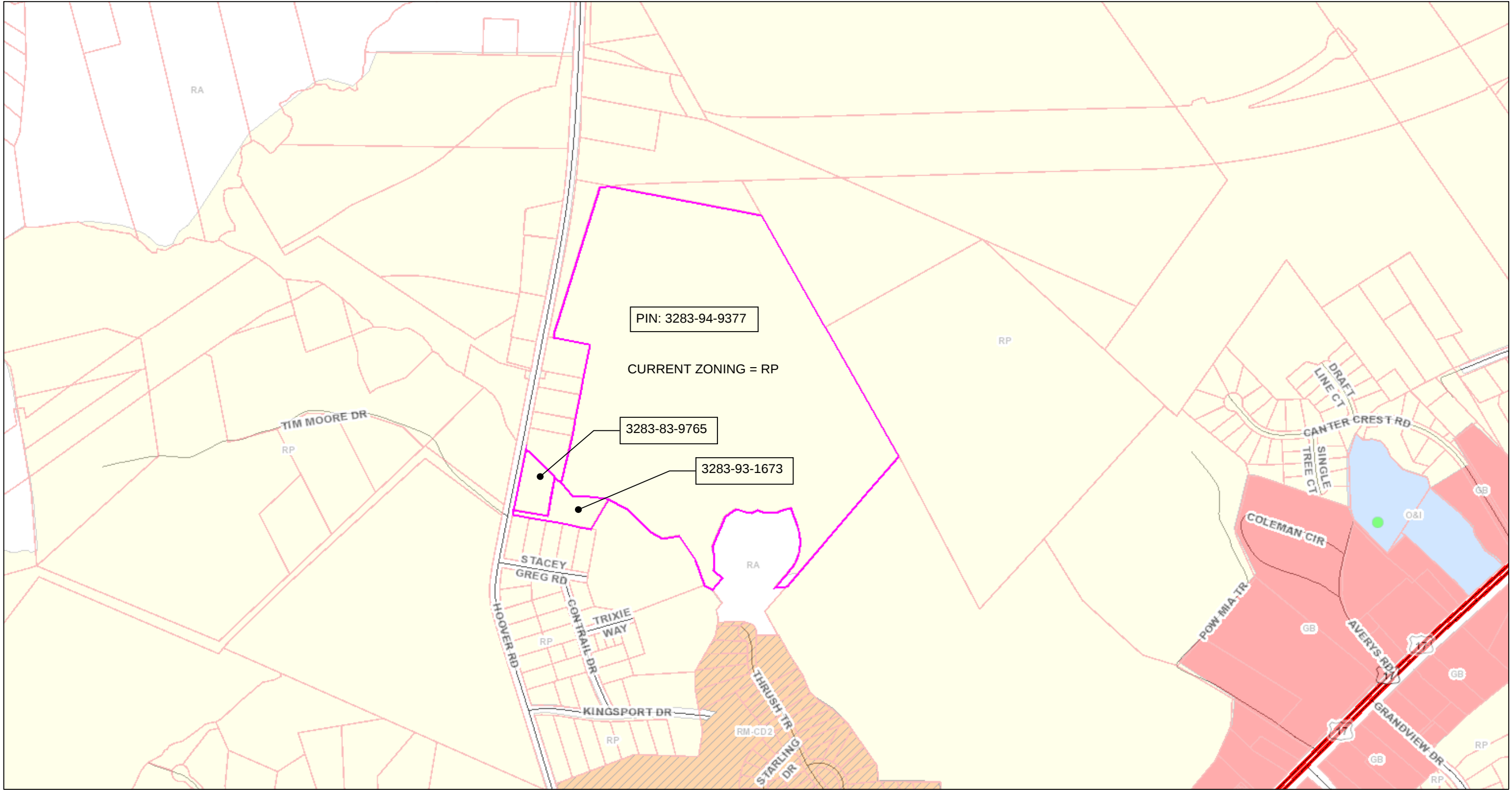
HOOVER ROAD SUBDIVISION

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

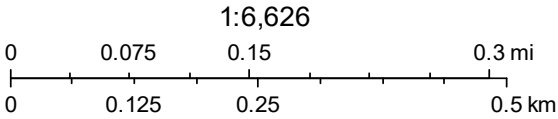
3283-83-8240-0000	0.420944	MILLER, DEBRA JONES	938 HOOVER RD	HAMPSTEAD	NC	28443
3283-83-8131-0000	0.444453	PAPADIMATOS, MATTHEW	P O BOX 9	ROCKY POINT	NC	28457
3283-83-8071-0000	0.430024	THYSON, CHRISTOPHER F	894 HOOVER RD	HAMPSTEAD	NC	28443
3283-93-0127-0000	0.476167	PINKARD, KENNETH C	PSC 557 BOX 887	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

Page 28 of 41



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.

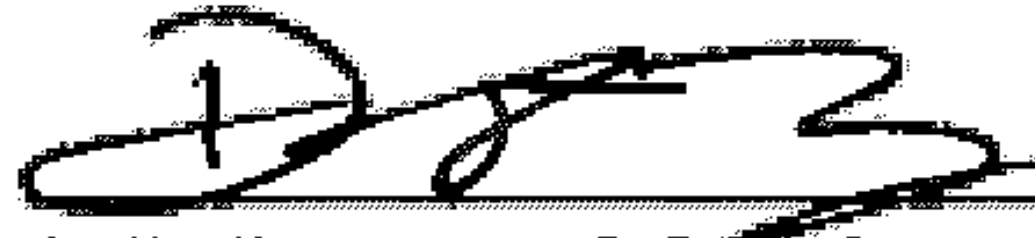
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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

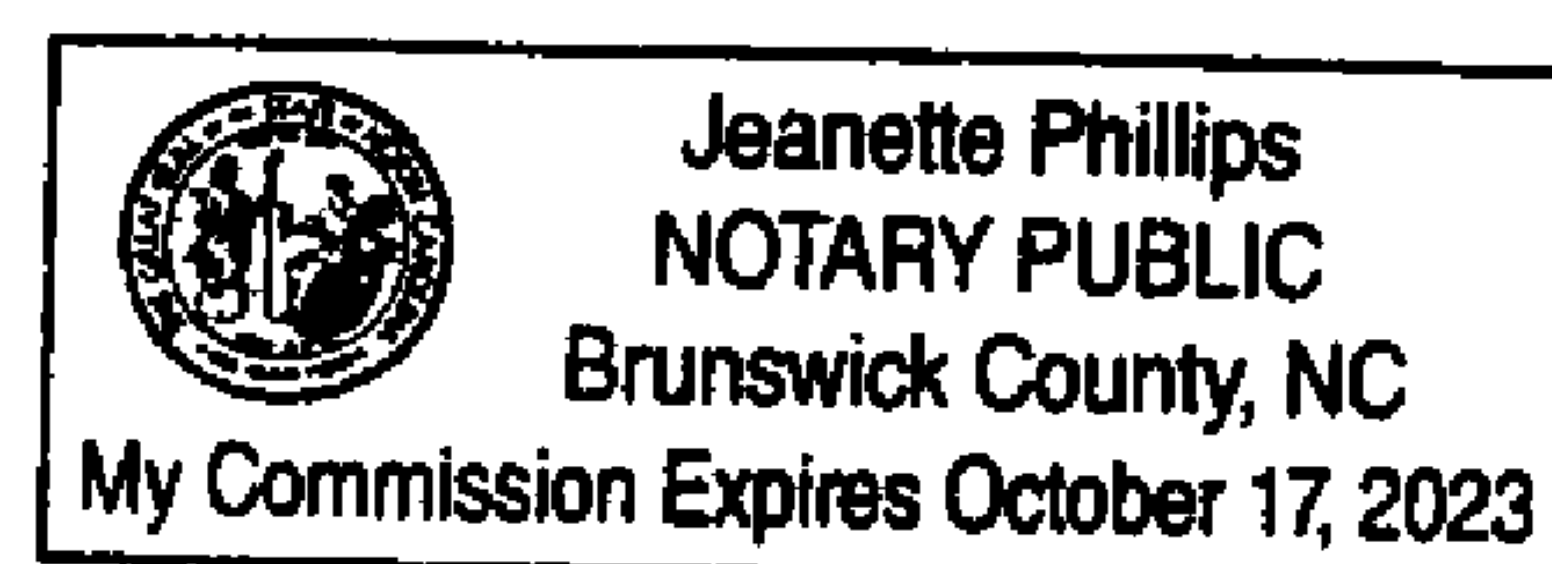


EXHIBIT A
Legal Description

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



**Pender County
REZONE 2023-42 FLUMA : Request to
modify the Future Land Use Map
designations for two tracts from Low
Density Residential to Medium Density
Residential**

TO: Planning Board
FROM: Justin Brantley
DATE: March 7, 2023
SUBJECT: REZONE 2023-42 FLUMA : Request to modify the Future Land Use Map designations for two tracts of land totaling approximately 29.6 acres from Low Density Residential to Medium Density Residential in the Topsail Township.

SUMMARY:

McAdams Homes, LLC, applicant and owner, is requesting the approval of a Future Land Use Map Amendment for two tracts of land totaling approximately 29.6 acres from Low Density Residential to Medium Density Residential. The subject properties are located north of County Club Drive approximately 850 feet southwest of Transfer Station Road in the Topsail Township and may be further identified by Pender County PINs 4203-35-3108-0000 and 4203-25-5746-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Future Land Use Map amendment request.

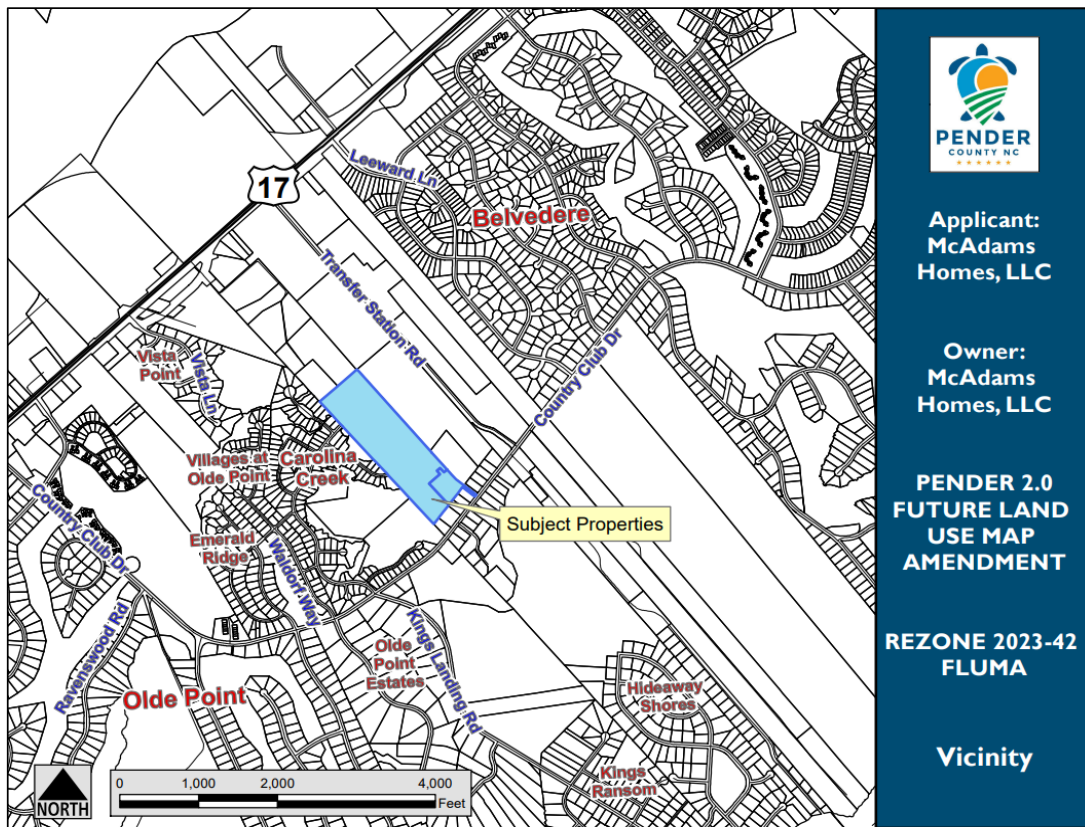
ATTACHMENTS:

1. Staff Report
2. Application Package with Narrative

**STAFF REPORT FOR REZONE 2023-42 FLUMA
FUTURE LAND USE MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-42 FLUMA
Hearing Dates	March 7, 2023 Planning Board April 17, 2023 Board of Commissioners
Applicant	McAdams Homes, LLC
Property Owner(s)	McAdams Homes, LLC
Parcel Identification Number(s)	4203-25-5746-0000 & 4203-35-3108-0000
Acreage	29.64
Township	Topsail
Current Zoning District(s)	PD, Planned Development
Pender 2.0 Future Land Use Category	Low Density Residential
Requested Future Land Use Category	Medium Density Residential

FUTURE LAND USE MAP AMENDMENT PROPOSAL
McAdams Homes, LLC, applicant and owner, is requesting the approval of a Future Land Use Map Amendment for two tracts of land totaling approximately 29.6 acres from Low Density Residential designation to the Medium Density Residential designation.
LOCATION
The subject properties are located north of County Club Drive approximately 850 feet southwest of Transfer Station Road in the Topsail Township and may be further identified by Pender County PINs 4203-35-3108-0000 and 4203-25-5746-0000.



FUTURE LAND USE MAP AMENDMENT PROPOSAL

The applicant is proposing to reclassify the underlying future land use map designation within the Pender 2.0 Comprehensive Land Use Plan for two tracts, under common ownership, totaling approximately 29.64 acres from the Low-Density Residential future land use designation to the Medium Density Residential designation. Pender County PIN 4203-25-5746-0000 totals approximately 27.07 acres and is within the PD, Planned Development Zoning District, PIN 4203-35-3108-0000 is approximately 2.57 acres and is also within the PD, Planned Development zoning district. See attached application package with narrative included as Attachment 1.

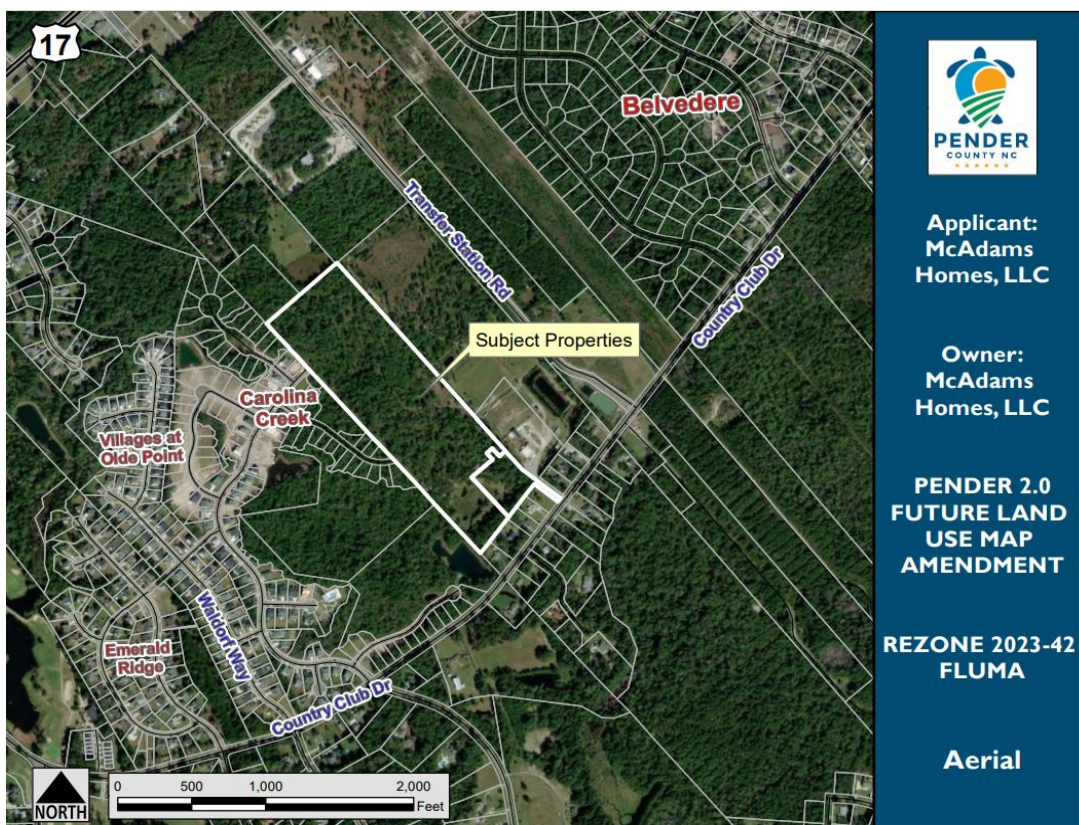
Because this is a proposal for a future land use map amendment, a conceptual plan is not included within the application. If approved, the subject properties could be developed based upon all uses that are permitted by right or by Special Use Permit in the PD, Planned Development zoning district consistent with the underlying future land use map designation. However, any future development of the site must comply with the standards of the PD, Planned Development 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.

Intent of the Planned Development District

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general development standards. The PD District shall not be used as a means of circumventing the County's adopted land development regulations. Maximum density is determined by the Future Land Use Classification within the adopted land use plan.

Dimensional Requirements

As this is a proposed amendment to the future land use map, dimensional requirements such as setbacks, lot sizes, and building heights in the PD zoning district are determined by the underlying future land use category and are established with the Planning Board's approval of a Master Development Plan.



Minimum Setback (Planned Development)	
Front	(1)
Side	(1)
Rear	(1)
Corner	(1)
Max. Height	(1)
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 proposed amendment to the Future Land Use Map, the site could be developed based upon all uses that are permitted by right or by Special Use Permit in the PD, Planned Development zoning district consistent with the underlying Future Land Use Map designation. See descriptions below of existing and proposed future land use categories for allowable uses.

TRANSPORTATION INFRASTRUCTURE

Access

The subject properties have direct access to Country Club Drive. Development 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
Country Club Drive	Between Kings Landing Rd and Transfer Station Rd	5,500	13,895	0.40

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 east side of Country Club Drive. 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 request to amend the Future Land Use Map, so no specific impacts to the school system are known at this time. However, because the proposed Future Land Use Map amendment is from a Low-Density Residential to Medium Density Residential, an increased impact to school capacity is anticipated.

ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain any 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)

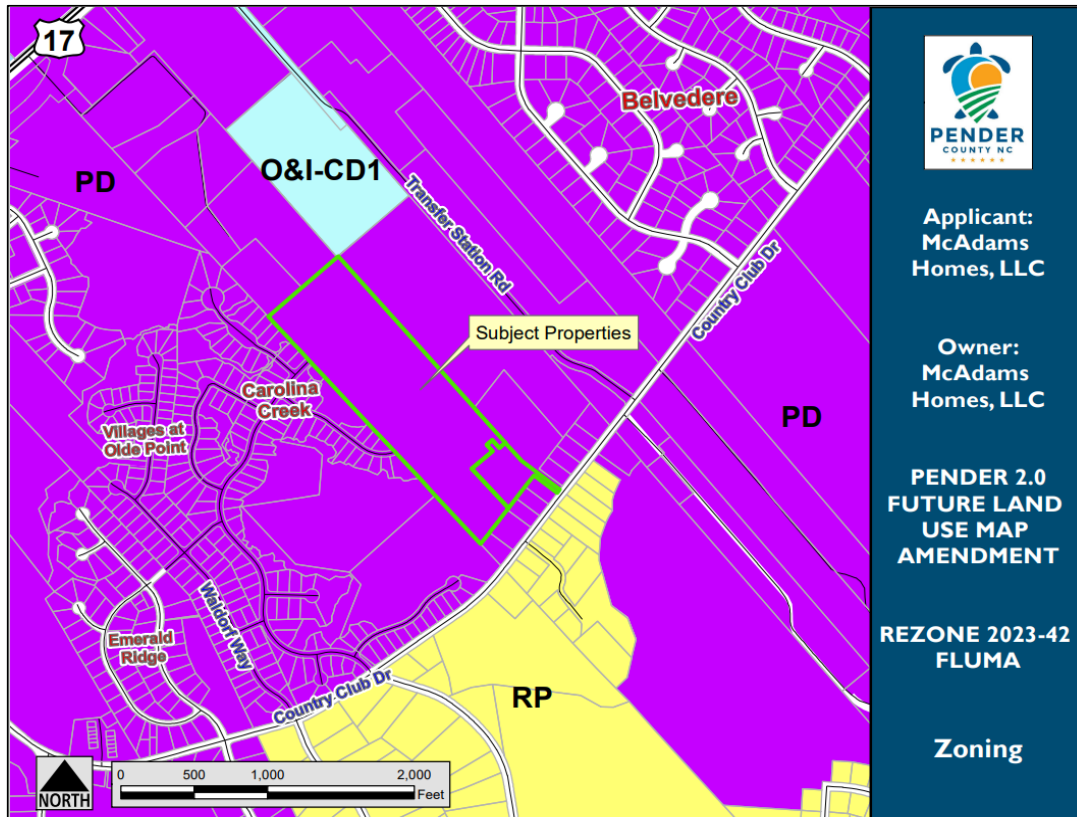
² According to the NC Division of Coastal Management (NC DCM)

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



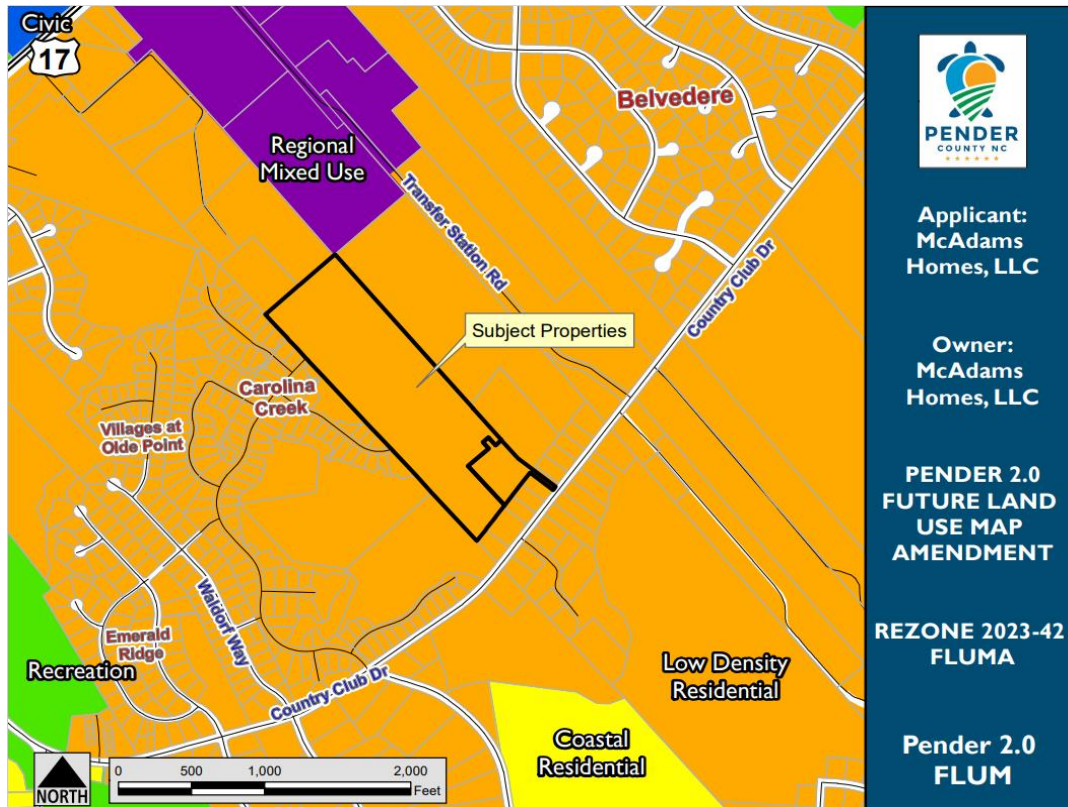
CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Residential, Commercial	O&I-CD-I (Office & Industrial Conditional Zoning District), Planned Development
East	Residential	RP, Residential Performance, PD, Planned Development
South	Residential	RP, Residential Performance, PD, Planned Development
West	Residential	PD, Planned Development

Surrounding Zoning

The subject properties are currently within the PD, Planned Development zoning district. Properties immediately adjacent to the subject properties are currently zoned PD, Planned Development and RP, Residential Performance, and O&I-CD-I, Office and Institutional Conditional District, as indicated by the table above.

Below: Current Future Land Use Map of Area



Existing Future Land Use Classification: Low Density Residential (LDR)

The Low Density Residential future land category is located on the fringe of medium density residential uses and within existing single-family neighborhoods. These areas are typically established single-family neighborhoods with a low density residential development pattern. Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and 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 communities is encouraged.

Development density within this category is two dwelling units an acre or less. Water and sewer service may not be available in these areas.

LDR Desired Uses:

- Single-family residential uses – detached
- Duplexes and townhomes may be suitable when included as part of a master planned community
- Recreation, parks, and open space

LDR Inappropriate Uses:

- Non-residential development
- Single-family dwellings – attached
- Multi-family residential uses

LDR Transportation Infrastructure:

- Automobile: Collector (local, minor), and local roads
- Pedestrian: 5 foot sidewalks on one side
- Cyclist: bicycle lanes and multi-use paths

Proposed Future Land Use Classification: Medium Density Residential (MDR)

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.

MDR Desired Uses:

- 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

MDR Inappropriate Uses:

- Multi-family residential uses

- Commercial, office, and institutional development not integrated into a planned community
- Industrial development

MDR Transportation Infrastructure:

- Automobile: arterial, collector (major, local, minor), and local roads
- Pedestrian: 5 foot sidewalks and crosswalks at primary intersections
- Cyclist: bicycle lanes and multi-use paths

Supporting Pender 2.0 Comprehensive Land Use Plan Policies and Goals:

The proposed Future Land use Map Amendment was found to be consistent with the following policies and goals 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.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.

Goal 5.1.Z: Cluster Development Incentive: The County supports the clustering of residential development within the residential future land use categories for the preservation of coastal natural resources, prime agricultural lands, or wildlife habitat areas.

Planning Staff Recommendation

The proposed Future Land Use Map Amendment was found to be consistent with the three policies and one goal of the Pender 2.0 Comprehensive Land Use Plan as shown above. Planning Staff recommends approval of the proposed change to the Pender 2.0 Comprehensive Land Use Plan's Future Land Use Map for the subject parcels from Low Density Residential to Medium Density Residential for several reasons.

The Pender 2.0 Comprehensive Land Use Plan provides that the Low Density Residential (LDR) category is appropriate where water and sewer may not be available. The area in question does have the availability of both water and sewer infrastructure which supports higher density

residential and commercial projects. The proposal is seeking an increase in residential density from 2 dwelling units an acre or less to 3-6 dwelling units per acre or less under the proposed designation. In addition, as detailed in this report, Country Club drive is at around 40% of the planned traffic capacity for this section and would be able to support an increase in traffic associated with this change in allowed density. And as discussed previously, a Traffic Impact Analysis may be required and would potentially require road improvements in the area.

Staff also supports this request because it has the potential to allow development within these two tracts to better conform with the existing development patterns in this area of Pender County. Lots in this area of the County range from .2 acres in size to around half an acre in size. It is Staff's conclusion that the proposed designation is compatible with the surrounding areas.

While the County is exploring options for the siting of new school facilities within the County, it is important to understand that Staff supports this request in terms of the long term growth of the County but certainly acknowledges capacity issues that the County is currently facing. While it is difficult to predict when the development of this site would move forward, it is clear that the developer would have to go through the Master Development Plan approval process which requires a public hearing and approval by the Pender County Planning Board. Once approved the developer would need to pursue the approval of a preliminary plat and final plat prior to the recordation of any lots. While difficult to predict, this process can often take a few years to complete.

In conclusion, Staff supports the requested change to the Future Land Use Plan as it has the potential to provide a broader variety of housing types in an area where infrastructure to support such development is available.

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 or future land use map amendment 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/Comprehensive LUP Map Amendment

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a map amendment to the zoning map or future land use map, 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 Future Land Use Map Amendment is consistent with three policies and one goal within the Pender 2.0 Comprehensive Land Use Plan. 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 Future Land Use 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.V**
- **Goal 5.1.Z**

The proposed Future Land Use Map Amendment is consistent with 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 Future Land Use 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 FUTURE LAND USE MAP AMENDMENT

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

Future Land Use Plan Amendment Submission

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. ☒ **Pre-submittal Meeting**
Date of Meeting November 29, 2022
2. ☒ **Signed Application**
3. ☒ **Payment**
\$250
4. ☒ **Requested Revision Boundary Map**
Amendment must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a 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 future land use designation and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4. ☒ **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. ☒ **Digital Submission**
For all documents submitted in paper copy, please bring a digital copy with paper submission
6. ☒ **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. ☒ **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

A handwritten signature in blue ink, appearing to read "Adam Sosne", written over a horizontal line.

Date January 5, 2023

Printed Name

McAdams Homes, LLC
Adam Sosne, Member

Staff Initials:

JB

Date:

1/25/23

Application for Future Land Use Amendment

THIS SECTION FOR OFFICE USE			
Application No.	CPMA REZONE 2023-42 FLUMA	Date	1/25/2023
Application Fee	\$ \$250.00	Invoice Number:	00031015
Pre-Application Conference	11/29/2022	Hearing Date	3/7/2023 (PB) & 4/17/2023 (BC)
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	McAdams Homes, LLC	Owner's Name:	McAdams Homes, LLC
Applicant's Address:	6626 Gordon Road, Unit C	Owner's Address:	6626 Gordon Road, Unit C
City, State, & Zip	Wilmington, NC 28411	City, State, & Zip	Wilmington, NC 28411
Phone Number:		Phone Number:	
Email Address:		Email Address:	
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4203-25-5746-0000 & 4203-35-3108-0000	Total property acreage:	4203-25-5746-0000 - 27.07 acres 4203-35-3108-0000 - 2.57 acres Total - 29.64 +/- acres
Current FLU Classification	LDR	Proposed FLU Classification:	MDR
Project Address:	Country Club Drive		
Description of Project Location:	Parcel 1: 2.57 acres Parcel 2: 27.07 acres		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	January 5, 2023
Applicant's Name Printed	McAdams Homes, LLC, Adam Sosne, Member	Date:	January 5, 2023
Owner's Signature		Date:	January 5, 2023
Owner's Name Printed	McAdams Homes, LLC Adam Sosne, Member	Date:	January 5, 2023
NOTICE TO APPLICANT			
1. Applicant must also submit the information described on the 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			

Future Land Use 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. (total of 16 envelopes with stamps)
☒	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.
Office Use Only	
☐	Plan Amendment: \$250
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:	

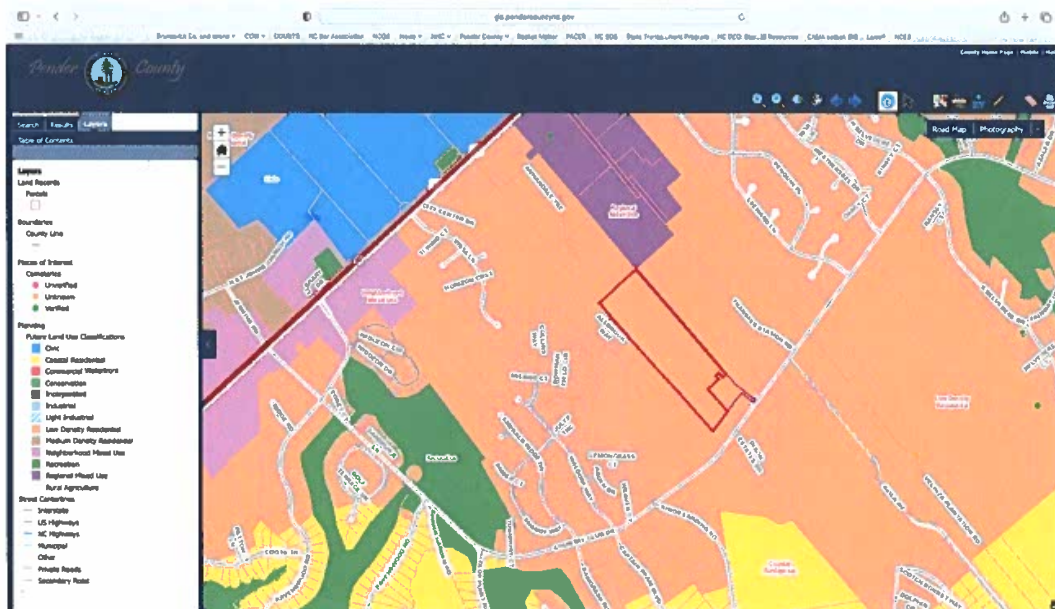
A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case.

The applicant, McAdams Homes, LLC is requesting a modification of the Future Land Use Map classification for parcels 4203-25-5746-0000 and 4203-35-3108-0000 from Low Density Residential (LDR) to Medium Density Residential (MDR) to allow for increased residential density from two units per acre to up to six units per acre which will also allow for a more creative land plan and diversity of housing types. The parcels are zoned Planned Development (PD).

The neighboring properties, while designated LDR, are currently permitted for over two units per acre as the approvals vested before the County Commissioners modified the five unit per acre density calculation in the PD zoning district. The text amendment was intended to allow for greater density in PD developments since the projects are required to receive approval of a Master Development plan. However, the text amendment restricted the lower density residential categories even if the property is zoned PD.

The property is also located in close proximity to the north for an area designated as regional mixed-use parcel.

This modification will provide an area of transition between the higher density land use designations to the north on highway 17 to the lower density land use designations to the south closer to the coastal resources.



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);

The requested change from Low Density Residential (LDR) to Medium Density Residential (MDR) does not change the range of uses as both permit single family detached, single family attached and can permit duplexes and townhouses. LDR development density is two dwelling units per acre or less while MDR development density is three to six dwelling units per acre. MDR may allow neighborhood scale commercial but only as part of a planned community.

The requested change in density is not detrimental to the natural environment; does not adversely affect the health or safety of area residents; and is appropriate for this area since the requested modification only slightly increases the allowed density which is in conformity with neighboring residential project densities.

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;

Low Density Residential (LDR) is appropriate where water and sewer services may not be available. Both services are available on the property subject to this requested modification to Medium Density Residential (MDR). The project is accessed directly from Country Club Drive (SR-1565), a public right of way maintained by the North Carolina Department of Transportation. LDR and MDR are both appropriate Future Land Use Map designations based on the transportation infrastructure.

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; and

The County's Comprehensive Land Use Plan calls for clustering of residential developments. This project and the proposed modification would cluster a residential project in an area with similar residential projects currently constructed or planned and permitted for construction.

The proposed modification from LDR to MDR is supported by many policies in the County's Comprehensive Plan with a few specific as follows:

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.

The area under review has the necessary infrastructure to support the request.

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 proposal will allow a range of housing types at an appropriate density consistent with the surrounding neighborhoods.

Goal 5.1.Z: Cluster Development Incentive: The County supports the clustering of residential development within the residential future land use categories for the preservation of coastal natural resources, prime agricultural lands, or wildlife habitat areas.

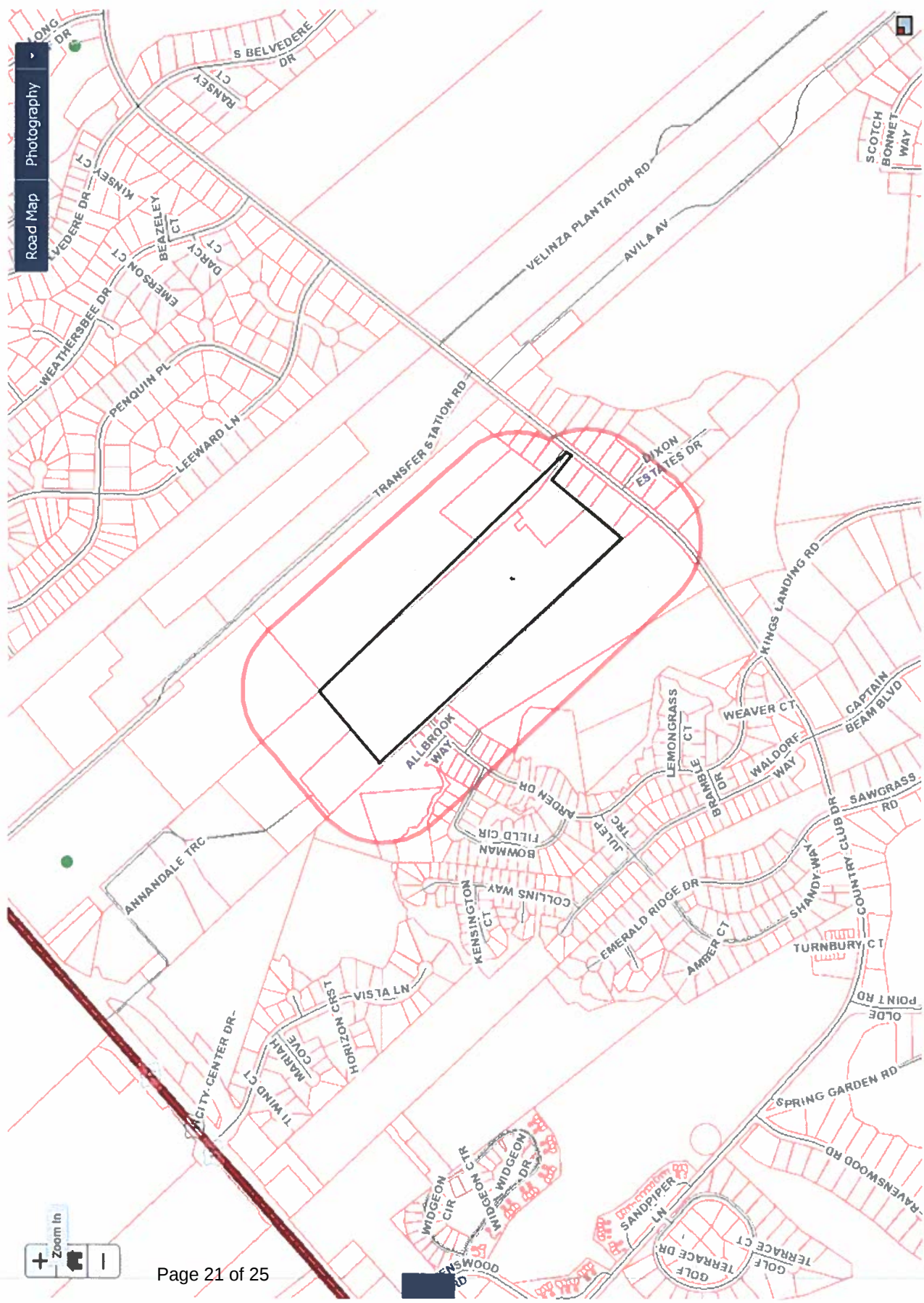
The request clusters residential development within the current appropriate future land use category of residential and does not request a change to the land use classification of any coastal or agricultural lands.

D. Whether the proposed amendment is reasonable as it relates to the public interest.

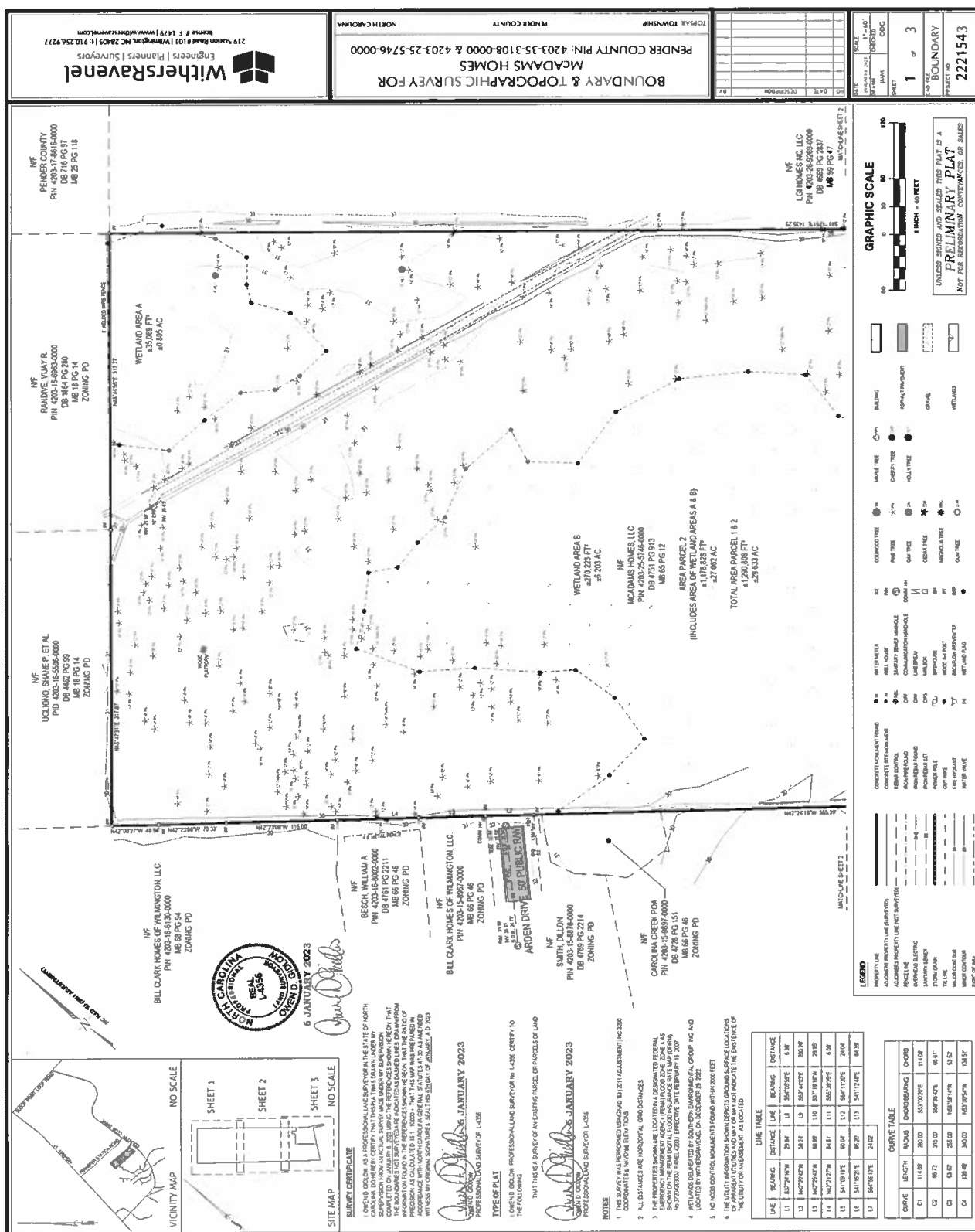
The requested modification is reasonable and in the public interest as the density is compatible with surrounding neighborhoods and current infrastructure exists to support the residential neighborhood and slight density increase. The proposal would allow for a greater range of housing types and assist with the County's need to meet residential housing demands in an appropriate location which is accessed from an NCDOT maintained right of way but in an area clustered with other residential neighborhoods.

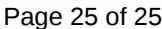
Adjacents List

PIN	NAME	ADDR	CITY	STATE	ZIP	PROPERTY_ADDRESS
4203-17-8616-0000	PENDER COUNTY	805 S WALKER ST	BURGAU	NC	28425	248 TRANSFER STATION RD
4203-15-6724-0000	COX LISA ANN	517 ARDEN DR	HAMPSTEAD	NC	28443	517 ARDEN DR
4203-15-5699-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	507 ARDEN DR
4203-35-8576-0000	PENNINGTON BRUCE EDWARD	142 HIGH TIDE DR	WILMINGTON	NC	28411	1585 COUNTRY CLUB DR
4203-34-2627-0000	MCENTEE SEAN PATRICK	709 BROWN PELICAN LN	HAMPSTEAD	NC	28443	1379 COUNTRY CLUB DR
4203-15-7693-0000	ZAYCER DAVID	516 ARDEN DR	HAMPSTEAD	NC	28443	516 ARDEN DR
4203-16-8002-0000	BESCH WILLIAM A	28 ALLBROOK WAY	HAMPSTEAD	NC	28443	28 ARDEN DR
4203-34-4567-0000	HOWARD ANDREW C	1396 COUNTRY CLUB DRIVE	HAMPSTEAD	NC	28443	1396 COUNTRY CLUB DR
4203-15-2662-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	ARDEN DR
4203-15-6961-0000	CAROLINA CREEK PROPERTY OWNERS ASSOCIATI	127 RACINE DR STE 201	WILMINGTON	NC	28403	ARDEN DR
4203-34-3496-0000	KING DONNA KNOWLES	PO BOX 42	HAMPSTEAD	NC	28443	1344 COUNTRY CLUB DR
4203-35-7336-0000	REID WARREN R	1541 COUNTRY CLUB DRIVE	HAMPSTEAD	NC	28443	1541 COUNTRY CLUB DR
4203-16-5596-0000	UGLIONE SHANE P ET AL	458 ANNANDALE TRACE	HAMPSTEAD	NC	28443	
4203-34-7944-0000	GRAHAM SHARON L ET AL	8601 HAMMOCK DUNES DR	WILMINGTON	NC	28411	1482 COUNTRY CLUB DR
4203-15-2727-0000	CAROLINA CREEK PROPERTY OWNERS ASSOCIATI	127 RACINE DR STE 201	WILMINGTON	NC	28403	BOWMAN FIELD CIR
4203-15-4833-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	189 BOWMAN FIELD CIR
4203-34-3709-0000	SUGG STEVEN K	119 DOWNY DR	HAMPSTEAD	NC	28443	1381 COUNTRY CLUB DR
4203-35-8099-0000	KNOTT NANCY PARHAM	1522 COUNTRY CLUB DRIVE	HAMPSTEAD	NC	28443	1522 COUNTRY CLUB DR
4203-16-6130-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	ARDEN DR
4203-15-9897-0000	CAROLINA CREEK PROPERTY OWNERS ASSOCIATI	127 RACINE DR STE 201	WILMINGTON	NC	28403	ARDEN DR
4203-24-1845-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	COUNTRY CLUB DR
4203-35-3108-0000	MCADAMS HOMES LLC	6626 GORDON ROAD UNIT C	WILMINGTON	NC	28411	COUNTRY CLUB DR
4203-15-6860-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	529 ARDEN DR
4203-15-5729-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	207 BOWMAN FIELD CIR
4203-34-3002-0000	PIVER RUPPERT L	1256 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1256 COUNTRY CLUB DR
4203-35-6220-0000	WARREN LESLIE A	1508 COUNTRY CLUB RD	HAMPSTEAD	NC	28443	1508 COUNTRY CLUB DR
4203-25-5746-0000	MCADAMS HOMES LLC	6626 GORDON ROAD UNIT C	WILMINGTON	NC	28411	COUNTRY CLUB RD
4203-15-8870-0000	SMITH DILLON	11 COBURN DR	HAMPSTEAD	NC	28443	11 COBURN CT
4203-34-4979-0000	COLE CHRISTINE L	1459 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1459 COUNTRY CLUB DR
4203-16-2016-0000	CAROLINA CREEK PROPERTY OWNERS ASSOCIATI	127 RACINE DR STE 201	WILMINGTON	NC	28403	BOWMAN FIELD CIR
4203-15-3667-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	175 BOWMAN FIELD CIR
4203-15-7522-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	492 ARDEN DR
4203-35-3583-0000	JBEAU LLC	PO BOX 538	HAMPSTEAD	NC	28443	1497 COUNTRY CLUB DR
4203-34-3302-0000	MOSHER GREGORY E	1278 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1276 COUNTRY CLUB DR
4203-35-6288-0000	CZAPP KYLE C	1521 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1521 COUNTRY CLUB DR
4203-26-9269-0000	LGI HOMES NC LLC	1450 LAKE ROBBINS DR STE 430	THE WOODLANDS	TX	77380	
4203-15-8967-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	14 ALLBROOK WAY
4203-16-2892-0000	UGLIONE SHANE P ET AL	458 ANNANDALE TRACE	HAMPSTEAD	NC	28443	458 ANNANDALE TRACE
4203-34-6718-0000	MCCASKILL ANGUS G	1446 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1446 COUNTRY CLUB DR
4203-15-5840-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	483 ARDEN DR
4203-35-8404-0000	KELLY REBECCA H	C/O REBECCA ROBINSON	KINGS MOUNTAIN	NC	28086	
4203-15-7849-0000	SALYER NICHOLAS ADAM	549 ARDEN DR	HAMPSTEAD	NC	28443	549 ARDEN DR
4203-34-7289-0000	DIXON CHARLES L	1412 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	DIXON ESTATES DR
4203-15-6894-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	539 ARDEN DR
4203-34-8996-0000	TODD BRENDA CURTIN	1498 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1498 COUNTRY CLUB DR
4203-15-8107-0000	CAROLINA CREEK PROPERTY OWNERS ASSOCIATI	127 RACINE DR STE 201	WILMINGTON	NC	28403	ARDEN DR
4203-24-8646-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	COUNTRY CLUB DR
4203-34-5760-0000	SMITHWICK GARY L	1424 COUNTRY CLUB DRIVE	HAMPSTEAD	NC	28443	1424 COUNTRY CLUB DR
4203-34-7622-0000	DIXON RODNEY H	901 MUTT STREET APT 524	WILMINGTON	NC	28401	DIXON ESTATES DR
4203-15-7557-0000	CHAMPION BRADLEY F	506 ARDEN DRIVE	HAMPSTEAD	NC	28443	506 ARDEN DR
4203-15-6486-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	ARDEN DR
4203-35-5027-0000	LEA PROPERTIES INC	PO BOX 130	HAMPSTEAD	NC	28443	
4203-15-2972-0000	BILL CLARK HOMES OF WILMINGTON LLC	127 RACINE DR SUITE 201	WILMINGTON	NC	28403	167 BOWMAN FIELD CIR
4203-34-3991-0000	TRAVIS TRACY L	1437 COUNTRY CLUB DR	HAMPSTEAD	NC	28443	1437 COUNTRY CLUB DR
4203-16-6963-0000	RANDIVE VJAY R	PO BOX 10700	WILMINGTON	NC	28404	465 ANNANDALE TRACE
4203-15-9735-0000	SNIVELY VICTORIA	27 COBURN COURT	HAMPSTEAD	NC	28443	ARDEN DR
4203-34-6878-0000	DELS CAROLYN B	1462 COUNTRY CLUB DRIVE	HAMPSTEAD	NC	28443	1462 COUNTRY CLUB DR



Page 22 of 25







Pender County
REZONE 2023-46: General Use Rezoning
of a portion of two tracts from RP,
Residential Performance to GB, General
Business

TO:	Planning Board
FROM:	Greg Feldman
DATE:	March 7, 2023
SUBJECT:	REZONE 2023-46: General Use Rezoning of a portion of two tracts of land in the Topsail Township from RP, Residential Performance to GB, General Business

SUMMARY:

Michael Nadeau, applicant on behalf of John Rowland, owner, is requesting the approval of a Zoning Map Amendment to rezone approximately 0.27 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.

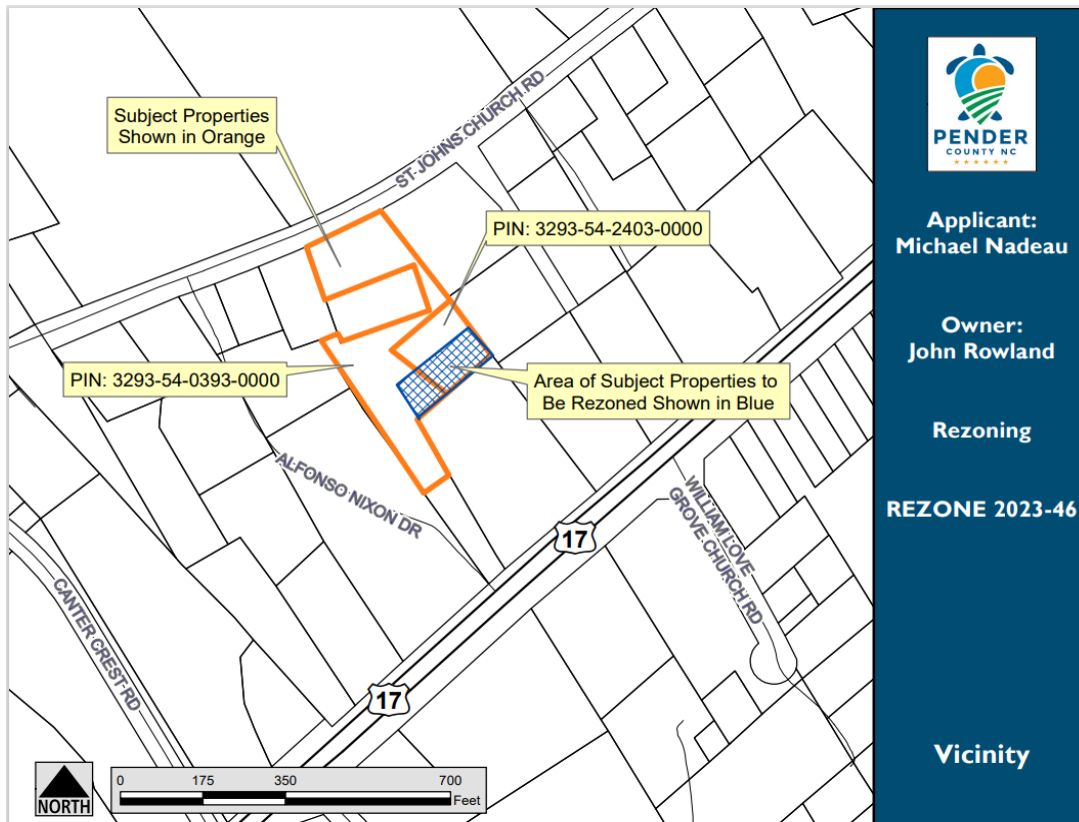
ATTACHMENTS:

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

**STAFF REPORT FOR REZONE 2023-46
ZONING MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-46
Hearing Dates	March 7, 2023, Planning Board April 17, 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	.27
Township	Topsail
Pender 2.0 Future Land Use Category	Neighborhood Mixed Use, Medium Density Residential

REZONING PROPOSAL
Michael Nadeau, applicant on behalf of John Rowland, owner, is requesting the approval of a Zoning Map Amendment to rezone approximately 0.27 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.
LOCATION
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 .27 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) ≈ 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.) ≈ 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) – 2021¹

Road	Location	Volume	Planned Capacity	V/C
US HWY 17	Between Alfonso Nixon Dr and Williams Love Grove Church Rd	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 ¹ .
Wetlands	Portions of the subject property may contain wetlands ^{2,3} . 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) ⁴ .

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

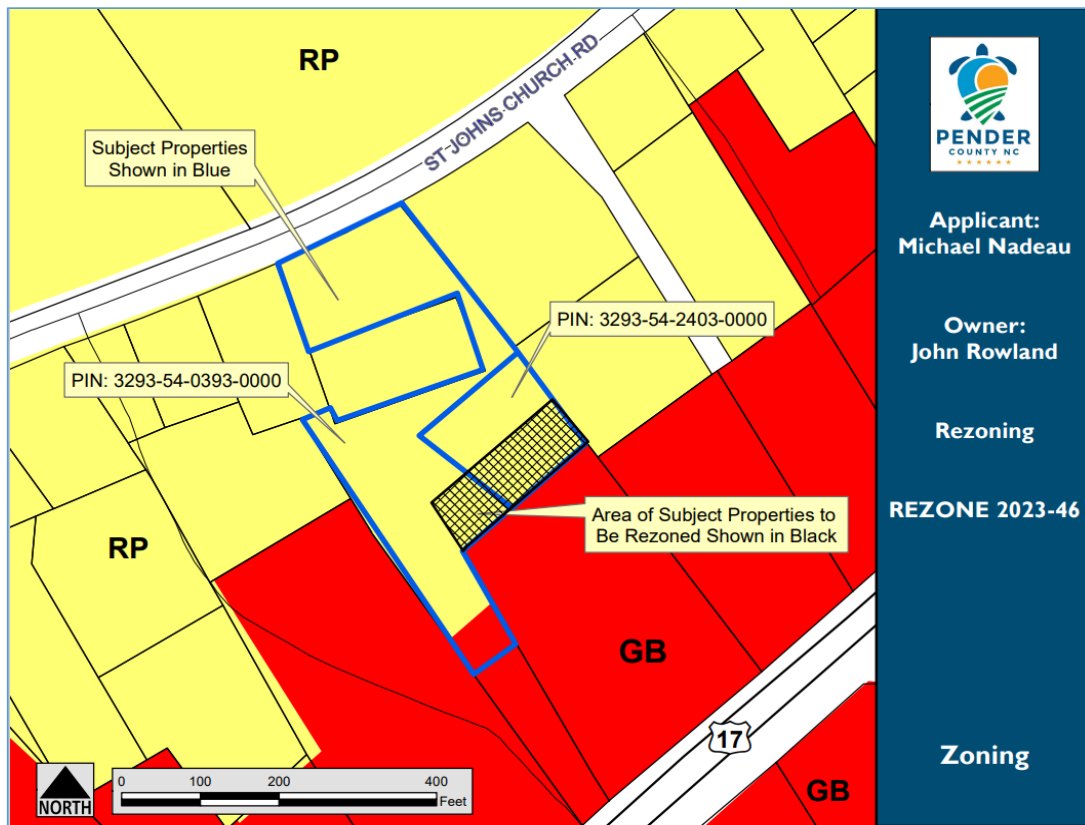
² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

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

EVALUATION

Below: Zoning Map of the Area

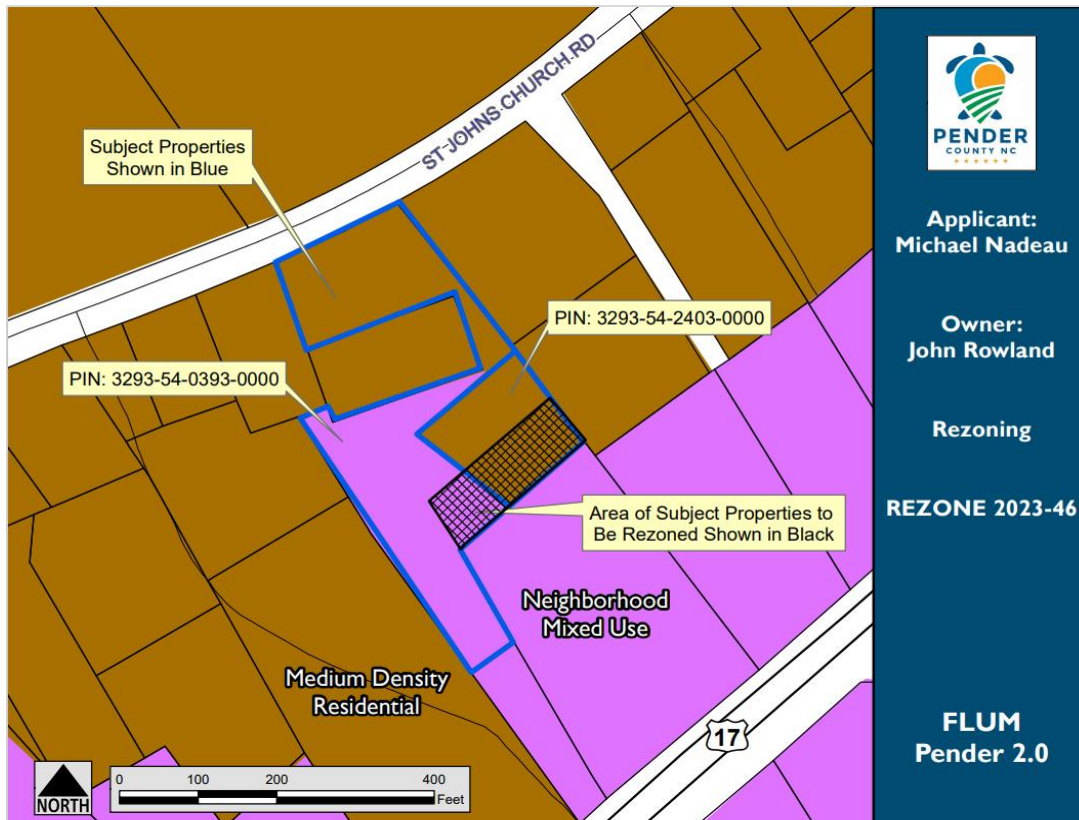


CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Residential, Vacant	RP, Residential Performance
East	Residential, Commercial	GB, General Business, RP, Residential Performance
South	Non-conforming Residential, Commercial	GB, General Business
West	Residential, Non-conforming Residential, 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 classifications 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]...

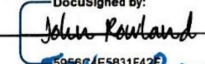
PLANNING BOARD ACTION FOR GENERAL USE REZONING

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

APPLICATION FOR REZONING (Zoning Map Amendment)

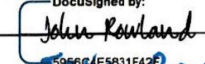
THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE 2023-46	Date	2/15/2023
Application Fee	\$ \$500	Invoice	00031492
Pre-Application Conference	N/A	Hearing Date	PB 3.7.2023, BOCC 4.17.2023
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	MICHAEL NADEAU	Owner's Name:	JOHN ROWLAND
Applicant's 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:	JROWLAND@GMAIL.COM
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3293-54-0393-000 3293-54-2403-000	Total property acreage:	.27
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		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	2/6/23
Applicant's Name Printed	MICHAEL NADEAU	Date:	
Owner's Signature	 DocuSigned by:	Date:	2/6/23
Owner's Name Printed	JOHN ROWLAND	Date:	
NOTICE TO APPLICANT			
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.
Office Use Only	
☐	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	☐ Y ☐ N
# 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

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA	Date	
Application Fee	\$	Invoice	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
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:	JROWLAND@GMAIL.COM
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3293-54-0393-000 3293-54-2403-000	Total property acreage:	.27
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		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	2/6/23
Applicant's Name Printed	MICHAEL NADEAU	Date:	
Owner's Signature		Date:	2/6/23
Owner's Name Printed	JOHN ROWLAND	Date:	
NOTICE TO APPLICANT			
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 NARRATIVE
FEBRUARY 7, 2023
ROWLAND TRACT

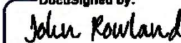
The subject parcel requesting rezoning is situated between St. Johns Church Road, all zoned Residential Performance (RP), and Highway 17, which has exclusively General Business zoning.

Currently, Parcel 3293-54-0393-0000 is split zoned, containing both GB and RA sections. And, the entire parcel is targeted in the Pender "Future Land Use Plan" as the commercial designation "Neighborhood Mixed Use".

On Parcel 3293-54-2403-0000, we request the GB zoning line be extended West 55', a total of .18 acres. This strip of land is located about 400' from Hwy 17 and 400' from St. John's Church Road. About half of this strip of land is targeted in the "Future Land Use Plan" to be the commercial designation "Neighborhood Mixed Use".



Michael Nadeau
Applicant

DocuSigned by:


John Rowland
Owner

REZONING REQUEST

**NAMES AND ADDRESS FOR ADJACENT
PROPERTY OWNERS**

NAME AND ADDRESS

PROPERTY OWNED

HOMEGEVITY, LLC
113 DRAKE RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-53-6992-0000

MARY A. CARR
16444 US HWY 17 N
HAMPSTEAD, NC 28443

Parcel ID: 3293-53-5851-0000

COASTLINE STATION, LLC
3900-11 TEN OAKS RD
GLENELG, MD 21737

Parcel ID: 3293-53-3643-0000

LIVE OAK DEVELOPMENT, LLC
1730 SCOTTS HILL LOOP RD
WILMINGTON, NC 28411

Parcel ID: 3293-54-7562-0000

ARTELLI, LLC
PO BOX 669
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-6431-0000

WELLS COMMERCIAL PROPERTIES OF
HAMPSTEAD
118 BROADVIEW LANE
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-5303-0000

GORDON INVESTMENTS LLC
PO BOX 56
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-2291-0000

ROBERT A. NIXON, JR
16445 US HWY 17 N
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-2047-0000

NAME AND ADDRESS

PROPERTY OWNED

ROSEFIELD JONES HEIRS
C/O JACKIE HARDISON
87 ALFONSO NIXON DR
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-0075-000L

SAMPSON JONES HEIRS
PO BOX 37512
RICHMOND, VA 23234

Parcel ID: 3293-43-9893-0000

MAMIE FONTES, ET AL
374 JETTIE AVENUE NE
CANTON, OH 44705

Parcel ID: 3293-43-8854-0000

CREDERICK BROWN
3980 FAIRCROSS PLACE 5
SAN DIEGO, CA 92115

Parcel ID: 3293-44-6125-0000

LEE ANDREWS JONES L/E
PO BOX 374
HAMPSTEAD, NC 28443

Parcel ID: 3293-44-5319-0000

Parcel ID: 3293-44-6414-0000

JERMAINE F. SIDBURY
64 ALFONSO NIXON DR
HAMPSTEAD, NC 28443

Parcel ID: 3293-44-7146-0000

WYOMA JACOBS MOSES
117 OLD EVANS RD
GARNER, NC 27529

Parcel ID: 3293-44-8058-0000

ALFONSO NIXON
57 ALFONSO NIXON DR
HAMPSTEAD, NC 28443

Parcel ID: 3293-44-9333-0000

JAMES H. NIXON
88 JOHN WILSON RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-44-7512-0000

Parcel ID: 3293-44-7592-0000

NAME AND ADDRESS

PROPERTY OWNED

KIRT WILLIAM RUSENKO
1109 SANIT JOHNS CHURCH ROAD
HAMPSTEAD, NC 28443

Parcel ID: 3293-44-9504-0000

PRD PROPERTIES, LLC
2 RALEIGH STREET
WRIGHTSVILLE BEACH, NC 28480

Parcel ID: 3293-27-6104-0000

HERITAGE EAST HOLDINGS, LLC
1314 LANDFALL DR
WILMINGTON, NC 28405

Parcel ID: 3293-36-9546-0000

JOHN W. ROWLAND
130 LAKE DR
DOWNTOWN, PA 19335

Parcel ID: 3293-54-0393-0000

Parcel ID: 3293-54-0573-0000

Parcel ID: 3293-54-2403-0000

MELVIN LONDON
1033 ST JOHNS CHURCH RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-3524-0000

Parcel ID: 3293-54-3885-0000

PHILLIP LEE JONES, JR.
1029 ST JOHNS CHURCH RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-4687-000L

ANGELICA ALLONDA LONDON
981 SAINT JOHN'S CHURCH RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-4963-0000

Parcel ID: 3293-54-5960-0000

ANDREW M. FURR
1730 SCOTTS HILL LOOP RD
WILMINGTON, NC 28411

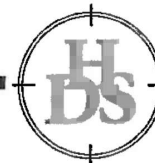
Parcel ID: 3293-54-6715-0000

DIYYA S. MILLER
1039 SAINT JOHNS CHURCH RD
HAMPSTEAD, NC 28443

Parcel ID: 3293-54-2731-0000

Hanover Design Services, P.A.

Land Surveyors, Engineers, Land Planners



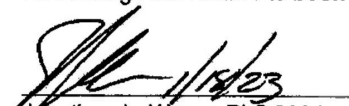
January 18, 2023

Re: Re-Zoning Part of the John Rowland Tract

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 4623 page 2866 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 Rowland tract N 30-53-51 W 55.15' to an iron, thence with a new line N 48-00-00 E 211.81' to an iron in the eastern line of said Rowland tract, thence with said eastern line S 36-51-21 E 54.34' to the point of beginning and containing 0.27 acres.

All bearings are relative to book 4726 page 2688


Jonathan L. Wayne PLS 3391

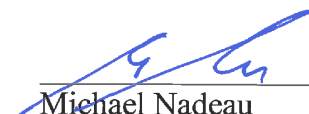


REZONING NARRATIVE
FEBRUARY 7, 2023
ROWLAND TRACT

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.

Currently, Parcel 3293-54-0393-0000 is split zoned, containing both GB and RA sections. And, the entire parcel is targeted in the Pender "Future Land Use Plan" as the commercial designation "Neighborhood Mixed Use".

On Parcel 3293-54-2403-0000, we request the GB zoning line be extended West 55', a total of .27 acres. This strip of land is located about 400' from Hwy 17 and 400' from St. John's Church Road. About half of this strip of land is targeted in the "Future Land Use Plan" to be the commercial designation "Neighborhood Mixed Use".



Michael Nadeau
Applicant



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											
		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