



Pender County

Agenda

Planning Board Meeting

Tuesday, June 6, 2023 @ 7:00 PM

Pender County Public Assembly Room Burgaw, NC

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
4. PLEDGE OF ALLEGIANCE		
5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
6.1. May 2, 2023 Planning Board Meeting Minutes May 2, 2023, Minutes - Pdf		3 - 19
7. PUBLIC COMMENT		
8. PUBLIC HEARINGS		
8.1. REZONE 2023-48: Request to rezone two parcels totaling approximately 2.66 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district in the Topsail Township REZONE 2023-48 - Pdf		21 - 44
8.2. REZONE 2023-49: Zoning Map Amendment Request for one parcel totaling approximately 1.64 acres from the RM-CD1, Residential Mixed Conditional zoning district, to the GB, General Business zoning district in the Topsail Township REZONE 2023-49 - Pdf		45 - 78
8.3. REZONE 2023-53: Zoning Map Amendment application for one parcel totaling approximately 6.5 acres from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district in the Topsail Township REZONE 2023-53 - Pdf		79 - 104
9. CLOSED SESSION (IF APPLICABLE).		
10. DISCUSSION		
11. NEXT MEETING DATE		
12. ADJOURNMENT		



Pender County May 2, 2023 Planning Board Meeting Minutes

TO: Planning Board
FROM: Daniel Adams
DATE: June 6, 2023
SUBJECT: May 2, 2023 Planning Board Meeting Minutes

SUMMARY:

Planning Board Minutes for May 2, 2023

ACTION REQUESTED:

Approval of minutes from the May 2, 2023, Planning Board Meeting

ATTACHMENTS:

1. May 2, 2023 Planning Board Meeting Minutes



MINUTES
Planning Board Meeting
Tuesday, May 2, 2023
Pender County Hampstead Annex Auditorium
7:00 PM

MEMBERS PRESENT:

Delva Jordan, Chairman
Damien Buchanan, Vice-Chairman
Jeffrey Pitts
Norman "Ken" Teachey
Margaret Mosca
Jeff Beaudoin
John Gruntfest

MEMBERS ABSENT:

OTHERS PRESENT:

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

1 CALL TO ORDER

Chairman Delva Jordan 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 as presented made by Damien Buchanan, seconded by Ken Teachey.

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			
	7	0	0	0

CARRIED.

6 ADOPTION OF MINUTES

Motion to approve the March 4, 2023, Planning Board minutes made by Margaret Mosca, seconded by Damien Buchanan.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey	X			
	7	0	0	0

CARRIED.

7 PUBLIC COMMENT

William Wisecup, 43 Pin Oak Court, inquired as to the apartment complex on Hughes Road and where the traffic is going to “dump” out. Mr. Adams stated that he will gladly speak with him pertaining to his concerns with a phone call tomorrow. Mr. Wisecup verified his phone number was on the sign-up sheet.

Laura Puryear, 209 Abbey Lane, stated that traffic is one of her biggest concerns. She stated that from April of 2022 to April 2023, there have been fifty-one accidents at Hwy. 17, in the Sloop Point Loop Road and Sidbury Road area. Ms. Puryear stated that this does not include the accidents that are just above Scotts Hill Loop Road in New Hanover County. She quoted Jessie Leonard, who works for NCDOT District Three, as stating that traffic numbers are at critical mass in 2022. Ms. Puryear stated that all aspects are not being taken into consideration when traffic studies are performed. She feels that the traffic issue must be handled before any additional building is allowed. Children getting on and off buses should not have their safety jeopardized due to traffic issues.

Wolfgang Herrmann, 4205 Scotts Hill Loop Road, referred to the vision of the Pender County Planning and Community Development Department. He stated that the growth along the coast is greater than anyone attending the meeting ever thought possible ten years ago. The rapid growth is interfering with nature and making traffic far worse over time. Mr. Herrmann stated that the public is not able to get information concerning proposed developments and dates of when meetings are taking place which he feels is a problem. He stated that the public is wanting to help Pender County improve the quality of life for residents.

Jennifer Mackenzie, 103 Leslie Lane, informed the Board that she is thankful for all the supporters who have taken the time to attend the meeting. She stated that the website savescottshill.org has received 3,700 visits and the group has mailed out hundreds of fliers. Ms. Mackenzie stated there was a great deal of misinformation provided. Mostly concerning the sale of Abbey Nature Preserve. She stated that the group is continuing to investigate how the sale took place to find answers. Ms. Mackenzie stated the group would welcome an informal meeting with any or all of the Board members. She stated that the public in Pender County want to be “heard” by the Planning Board.

Alicia Williams, 306 Lafayette Street, stated that she has many traffic concerns which often result in accidents. She stated that due to the traffic, if an accident does occur, it can take State Highway Patrol and ambulances an hour to reach the scene of the accident. Ms. Williams stated that the State Highway Patrol provides twenty-four hour coverage for nearly nine hundred thirty-three square miles of territory. She stated that there are currently only nine troopers providing coverage from Scotts Hill to Holly Ridge and from Surf City to the Ivanhoe area.

Chad Busdeker, 112 Inlet Drive, wanted to let the Board members know that the group that paved Inlet Park did an outstanding job. He is also concerned about Inlet Park having a speed limit of 35 miles per hour when in his opinion it should only be 25. Mr. Busdeker would like to have the speed limit revisited. Mr. Adams stated that he would need to do some research on who he would need to contact concerning the speed limit issue but would call him the following day.

Michele Hickman, 341 Lafayette Street, stated that the group realizes that the Board is limited as to traffic and other state related issues in their decision making but the Board does have a responsibility to the citizens of Pender County. She stated that the Board does have power when it comes to decisions concerning density changes which causes more flooding for existing neighborhoods that do not have proper drainage. Ms. Hickman asked if a long term plan exists. Mr. Adams stated that Pender County does have a Comprehensive Future Land Use Plan and a Future Land Use Map to help guide the Planning Board.

8. PUBLIC HEARINGS

a) REZONE 2023-42 FLUMA

Mr. Beaudoin asked to be recused from this hearing. Mr. Thurman stated that a Motion and vote would need to take place for Mr. Beaudoin to be recused.

Mr. Buchanan made a motion to recuse Mr. Beaudoin, seconded by Mr. Pitts.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			

Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey	X			
	6	0	0	0

CARRIED.

Justin Brantley, Senior Planner, reminded the Board that this case was tabled from the March 7, 2023, meeting.

Mr. Jordan asked Mr. Brantley to present a summary of the application which Mr. Brantley did.

Mr. Buchanan asked if Carolina Creek and South Water Village were approved by rezoning or other means. Mr. Brantley stated that they were zoned PD and a Master Development Plan approval was requested. The Ordinance allows for an increase in density if superior design elements are provided for the project. Mr. Buchanan stated that they were not rezoned with Mr. Brantley affirming.

Mr. Gruntfest stated that with zoning on this property as is, there could be a potential of two houses per acre, which would be equivalent to sixty homes. If the higher density is granted, then there could be the potential for one hundred and eighty homes. Mr. Brantley stated those numbers could potentially be right but the property would have to be looked at closer due to certain factors going against the density.

Mr. Buchanan asked Mr. Brantley to remind the Board members and the public what the motion and dialog was from the March meeting. Mr. Brantley provided the Board with an overview of the proceedings from the March meeting.

Mr. Teachey asked about the density of neighboring properties. Mr. Brantley stated that the property to north is Belvedere and it does have similar medium density.

Mr. Teachey stated that he feels the Board needs to be careful with increasing any density on property located in the Hampstead area due to traffic issues.

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

Attorney Maggie Bennington, on behalf of McAdams Homes, presented her clients' application to the Board.

Ms. Bennington stated that the property consists of approximately thirty acres, with one tract being twenty-seven acres and the second tract being approximately two and a half acres. She stated that the property is currently zoned PD, Planned Development.

Ms. Bennington stated that the Planned Development zoning district was previously capped at five units per acre. She stated that in 2020, a Text Amendment was passed to remove the cap in Planned Development, which she feels restricted the lower density classification. Ms. Bennington stated that Carolina Creek and South water Village were both approved before the 2020 Text Amendment approval.

Mr. Thurman stated that Planned Development history that Mr. Bennington provided was partially incorrect. He provided the Board with a broader history of the Planned Development zoning district.

Ms. Bennington stated that the property is currently zoned low density and her client is requesting that it be changed to medium density. She stated that there are many factors considered when determining how many units are allowed per acre.

Ms. Bennington stated that her client will need to bring before the Board a Master Development Plan for approval.

Ms. Bennington stated that these two tracts of land are right in the middle of two medium density residential neighborhoods. She stated that a difference between low and medium density is the availability of water and sewer. Ms. Bennington stated that her clients' two tracts of land do have access to both water and sewer.

Ms. Bennington indicated that the adjacent properties were approved under the prior UDO with South Water Village being approved at 4.7 units per acre and The Village at Olde Point approved at 4.8 units per acre. She stated that modification will keep this tract consistent with neighboring properties and it will provide for an area of transition between the higher density to the North and the lower density to the South.

Ms. Bennington spoke of the amendment requirements and why she felt her client's application has met every requirement.

Ms. Bennington stated that Mr. Gordon with McAdams Homes is present if the Board members have any questions for him. She also asked to have time for

rebuttal after the members of the public have had a chance to speak.

Mr. Buchanan inquired as to the conversation at the March meeting concerning the Applicant coming back with a Conditional Rezoning and is that not the case tonight. Ms. Bennington stated that they decided to not pursue a Conditional Rezoning since a Master Development Plan must come before the Planning Board for approval.

Mr. Gruntfest asked Ms. Bennington if there was any confusion at the March meeting as to what the Board was requesting. Ms. Bennington stated there was no confusion but she still felt it was best to pursue the FLUMA due to the Board still needing to approve a Master Development Plan.

Mr. Jordan asked if any Board members had additional questions for the Applicant and no questions were presented.

Mitch Rose, 46 Bowman Field Circle, stated that he has a handout for the Board which Mr. Adams accepted and passed to the Board members. He stated that he does not feel an increase in density would be a good idea due to current traffic congestion. He also stated his concern for overcrowding of the schools and water issues.

Brian O'Neill, 212 Bowman Field Circle, stated that he lives in the Carolina Creek community which is adjacent to the properties in question. He stated that he is requesting the Board to deny the request due to the increase in traffic. Mr. O'Neill stated that Arden Lane doesn't need the additional traffic that a possible one hundred and eighty homes would bring. He stated that the schools in that area are already bursting at the seams and cannot handle a big influx of students.

Alvin Griffis, 125 Bowman Field Circle, stated that Arden Road has seven different curves from where the street begins until it reaches Country Club Drive. He stated that the curves range from mild to curvy. Mr. Griffis stated that due to the narrow width of the street, it is almost like playing dodgeball when residents park on the street and is very dangerous to the number of young children that ride their bikes on the street and wait for the bus in the mornings. He would like to encourage the Board to deny this request.

Ms. Bennington stated that she is not naïve enough to believe that anything she is going to say is going to change opinions. She stated that she did want to refer to the By-Pass not being completed until 2029 but they still must develop a Master Development Plan and bring it before the Board for approval before developing the property. Ms. Bennington stated that it would probably be three or four years before any actual building takes place.

Ms. Bennington stated again that there are so many factors that go into determining the units per acre that the highest number of one hundred and eighty may not even be possible.

Ms. Bennington stated that they respectfully request that their application for amending the Land Use Map be approved.

Mr. Jordan asked the Board if there were any questions for the staff and none were presented.

Mr. Gruntfest made a Motion to deny the Future Land Use Map Amendment with Mr. Teachey seconding the motion.

Motion to deny

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan			X	
Jeffrey Pitts		X		
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin				
Norman (Ken) Teachey	X			
	4	1	1	0

CARRIED.

Mr. Adams informed the audience that this is a recommendation and that the Board of County Commissioners will have the final decision. The Applicant may proceed to the Commissioners with a denial recommendation from the Planning Board. This case will be heard before the Board of Commissioners at their June 19, 2023, meeting, which will be held in Burgaw at 7:00 p.m. He stated that mailed notice will be sent to property owners within five hundred feet of the property.

b) REZONE 2023-43 FLUMA and REZONE 2023-44

Mr. Buchanan made a motion for Mr. Buchanan to rejoin the Board with Mr. Pitts seconding the motion.

Motion to approve

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

CARRIED.

Greg Feldman, Long Range Planner, stated that both these applications were discussed at the April 4, 2023, meeting. Mr. Feldman presented the staff with a summary of both requests.

Mr. Gruntfest asked for clarification as to the location of the property with Mr. Feldman responding with location details.

Mr. Gruntfest asked if the property was rezoned to allow the Pender Fire and EMS station to be located there. Mr. Feldman stated that as far as he knows, County facilities are typically permitted in all zoning districts by right. Mr. Thurman stated that it most likely was rezoned due to Pender Fire and EMS being privately owned and not being owned by the County.

Mr. Feldman stated that the property is zoned RP, Residential Performance, which allows for a minimum of 15,000 square foot lots, which equates to just under three, 2.8, units per acre. He stated that if the Applicant was to pursue developing under the current zoning, they would only be allowed to use that density. Mr. Feldman stated that the Applicant is seeking a Zoning Map Amendment from RP to PD, which would require submittal of a Master Development Plan but would allow the Applicant to utilize the underlying Future Lane Use classification density of three to six dwelling units per acre. The Applicant is requesting a change from Medium Density Residential to Regional Mixed Use also.

Mr. Feldman stated that the request has not changed since the April meeting and the Planning staff continues its recommendation of approval for both the Future Land Use Map Amendment and the General Use Rezoning.

Mr. Feldman stated that the Applicant and representatives of the Applicant are present and have prepared a presentation.

Mr. Jordan stated that the Planning staff has stated that the request is consistent with surrounding properties though he sees a lot of Rural Agricultural zoning surrounding it. Mr. Feldman stated that the surrounding tracts are undeveloped and to his knowledge they have never been rezoned since the Ordinance was adopted in 1988. Mr. Feldman stated that there is approximately 3,000 acres of undeveloped land to the north and to the east under common ownership.

Mr. Gruntfest asked if there was a completion date of the water tower. Mr. Feldman stated that he does not know the timeline but does know that the project has been approved and work appears to be actively taking place.

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

Richard Collier, with McKim and Creed, representing DR Horton thanked the Board for granting them thirty additional days at the last meeting. He stated he understands the hesitancy that has been discussed at the meeting. Mr. Collier stated that this property is mostly surrounded by Blake Farm. He stated that this parcel has commercial on the street and is a future connection of one of the connector streets from Blake Farm. The connector street was added in 2014. Mr. Collier stated that the property has an easement on it at one time but due to a possible recording error, the easement was never recorded and when the land transferred over to the Carlson family who currently own it, the easement vanished.

Mr. Collier stated that there are some inconsistencies with the Land Use Plan and they are asking for the inconsistencies to be corrected so that the Applicant can move forward. He stated he feels that single family residential along US Hwy 17 is not the best use for that land.

Mr. Collier stated if the Board feels that Regional Mixed Use is not appropriate, then they are requesting Neighborhood Mixed Use which he feels it should have been all along. He stated that RP, Residential Performance, still allows single family and duplexes without allowing for a higher density.

Mr. Collier is respectfully requesting approval of the two applications due to the fact that regardless, the applicant would need to bring back a Master Development Plan for approval. He stated that a representative from DR Horton is present to answer any questions that the Board may have.

Mr. Jordan asked the members if they have any questions for the Applicant and none were presented.

Kim Meyer, 102 Leslie Lane, stated that she lives in Scotts Hill and is part of savescotthill.org. She stated that at the March 7th meeting it was indicated that a lack of infrastructure is not a reason to deny a rezoning. Ms. Meyer stated that the Comprehensive Land Use Plan 2.0 is the official land use policy document for Pender County and should be faithfully and consistently used as a road map to facilitate the orderly growth and development of the County. She stated that the plan should be used by County leaders, staff, citizens, private landowners and developers as a basis for evaluating short-term actions against long-term goals. Ms. Meyer stated that the plan should be used when developing and approving land development proposals and for setting capital improvement plans and priorities. She stated that the plan overall seeks to convey community based values that set the framework for evolving challenges, decisions, and conflicts that arise from land development.

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

Mr. Buchanan asked Mr. Thurman what the difference would be between a PD Master Development Plan being brought before the Board for approval and a Conditional Rezoning process. Mr. Thurman stated that a Conditional Rezoning is a legislative function and has a higher ability for the Planning Board and the Board of Commissioners to control development since a Conditional Rezoning must have mutually agreed upon conditions and if the developer does not agree with the conditions that are imposed, then the request would not be granted.

Mr. Buchanan stated that the Planned Development District is his least favorite zoning district and he has no interest in creating more of it. He feels that any density changing in the Hampstead area needs to go through the Conditional Rezoning process that allows the public more input and allows both the Planning Board and the Board of Commissioners the ability to set more conditions on the development.

Mr. Gruntfest asked if parks are allowed in Neighborhood Mixed Use areas. Mr. Adams stated that a certain amount of open space is required based on the number of units.

Mr. Collier stated that he likes Planned Developments for the flexibility that they offer to both the staff and the development community.

Mr. Collier stated that he still feels that they are meeting the intent of the Future Land Use Plan by their request to modify it.

Mr. Collier stated that they respectfully request the Board to approve their request but understands if the Board does not approve it. He will be happy to be back in front of the Board in the next one to two months with a Master Development Plan that indicates all the details that the Board would need to see.

Mr. Thurman stated if a request is for a General Use Rezoning than potential plans cannot be considered but with a Conditional Rezoning the applicant would be able to show the Board every detail of what will be done on the property.

Mr. Buchanan asked if a Conditional Rezoning was approved, then would the Land Use Map be automatically changed to the density that was approved in the Conditional Rezoning. Mr. Thurman responded affirmatively. Mr. Collier stated if that was the case, the existing zoning should have been handled in the same manner on the Future Land Use Plan. Mr. Buchanan stated that they are not talking about the history and Mr. Collier stated that they must talk about the history due to its relevance.

Mr. Beaudoin asked for clarification from the last meeting as to whether the Applicant was requesting to go from RP to PD or was it something else. Mr. Collier stated that their request has always been to go from the RP zoning district to PD.

Mr. Jordan asked the Board if they had additional questions and no questions were presented.

Mr. Collier stated that DR Horton does not want to debate this so if it is not the Planning Board's intent for them to move forward then he would rather just withdraw his application now. He stated they would come back before the Board with a Conditional Rezoning request instead. Mr. Collier doesn't feel it will change anything but require a map, which he will be happy to provide. He stated that he is happy to work out conditions with the Board and that everything is covered in a manner that pleases the Board. Mr. Collier stated that they respectfully withdraw their request and thanked the Board for their time.

c) REZONE 2023-47 CZMA

Greg Feldman, Senior Planner, presented the staff report.

Mr. Jordan asked for clarification as to whether the Applicant intends to connect through Fall Brook. Mr. Feldman stated that no longer connecting through Fall Brook is part of the revision being requested tonight.

Mr. Jordan stated that there are several residences and possibly a church down that road and asked what kind of impact will this have on them being able to get in and out onto US Hwy 117. Mr. Feldman stated that he feels the Applicant from Stroud Engineering, Mr. Fentress, will be better able to respond to the question. Mr. Jordan stated that he would hold his questions open until he is able to ask the Applicant.

Mr. Feldman stated that a TIA, Traffic Impact Analysis, would be needed for a development of this size.

Mr. Feldman stated that in order to make the previously approved connection happen, a significant amount of wetlands would need to be disturbed.

Mr. Feldman stated that part of the requested revision is for the side setback change from ten to five feet but he is going to defer to the Applicant to speak more on that revision request.

Mr. Jordan asked if the setback revision request is granted, will it affect the density. Mr. Feldman stated that it will not have any impact on the density just the size of the home that can be built on the lots.

Mr. Buchanan asked if the Fire Department provided any comment about the side setbacks being changed. Mr. Feldman stated that this project did go before the Technical Review Committee prior to it being brought before the Planning Board and no comments were made to indicate that the Fire Marshall's office had problems with the requested change.

Mr. Feldman stated that this project remains compliant with the Future Land Use Category which is Medium Density Residential. It will have 750 units across 310 acres which equals approximately 2.5 units per acre. He stated that all the policies remain compliant therefore Planning staff recommends approval of the revision request.

Jimmy Fentress with Stroud Engineering, Applicant, stated that when the Planning Board reviewed this back in 2020, they did not have the connection to

Bridgeside Road. He stated that when they were tabled by the Board of Commissioners, they deliberated and decided to add what is known as the Leuven tract to the Master Development Plan. Mr. Fentress stated that it should have been in the final approval in 2022. He stated that they already had a connection to Bridgeside Road on the approved plan but they also had a connection to Fall Brook Lane. He stated that their hope was to eliminate the connection to Fall Brook Lane in order to not disturb a significant amount of wetlands that does exist between the two developments.

Mr. Feldman states that Planning staff's recommendation would be to dissolve the connection.

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

Mr. Fentress stated that they presented this proposal at a community meeting and felt the proposal was favorably received.

Mr. Fentress stated that when they were tabled by the County Commissioners and obtained the additional fourth property, the TIA was also amended to reflect the connection to Bridgeside Road.

Mr. Jordan asked how the three or four residences and possibly a church would be impacted. He stated that he just wants to make sure that the residents have adequate access.

Mr. Gruntfest asked if the condition(s) pertaining to sidewalks were still in place. Mr. Fentress and Mr. Feldman both responded affirmatively.

Matthew Tribett, 44 Casha Road, stated that he is asking for a restriction of construction vehicles on AR Black Road. He stated that he is concerned that other vehicles will also use AR Black Road as a cut-through to US Hwy 117. Mr. Tribett thanked the owner of the property and Stroud Engineering for conducting the public meeting. He stated that his other concern is buffering and would like to see it more defined and increased.

Mr. Buchanan asked if conditions that have already been set by the Board of Commissioners can be enforced. He stated he was specifically referring to the gate at the entrance that is only supposed to be used by emergency vehicles. Mr. Thurman stated that once the development is complete and the developer is gone, then most likely the HOA would need to be the body enforcing any violations. Mr. Thurman stated that the Board could impose a condition stating that the developer must maintain the gate for a certain number of years also.

Mr. Jordan asked if there were any additional questions for Mr. Fentress and no questions were presented.

Aubrey Harvey, 30 Owl Creek Court, stated that the developer has worked with the residents of Fall Brook and have made several adjustments to their plans to accommodate and make the current residents happy. She stated that there was a big showing at the community meeting that Stroud Engineering held and she feels that there was favorable feedback. Ms. Harvey stated that she is for tonight's request and hopes the Board will approve it.

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

Mr. Buchanan made a motion to join the Board with Mr. Pitts seconding the motion.

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			
	7	0	0	0

CARRIED.

Mr. Adams informed the audience that this is a recommendation and that the Board of County Commissioners will have the final decision. This case will be heard before the Board of Commissioners at their June 19, 2023, meeting, which will be held in Burgaw at 7:00 p.m.

9 DISCUSSIONS

Mr. Thurman stated that another community meeting will be held concerning Stormwater issues and that the Board members may hear from the public about the meeting. A date has not been set yet, but he wanted to give the Board members advance notice.

Mr. Jordan and the other members stated their appreciation of working with Mr. Feldman. They appreciate his service and are sorry to see him leave but hope his future endeavors are positive.

10 NEXT MEETING DATE

June 6, 2023, at 7:00 p.m.
Pender County Administration Building
805 S. Walker Street
Burgaw, NC 28425

11 ADJOURNMENT

Mr. Buchanan made a motion to adjourn. Mr. Gruntfest seconded the motion.

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			
	7	0	0	0

CARRIED.

Meeting adjourned at 9:24 p.m.



Pender County
REZONE 2023-48: Request to rezone two
parcels totaling approximately 2.66 acres
from the RP, Residential Performance
zoning district to the GB, General
Business zoning district in the Topsail
Township

TO: Planning Board
FROM: Daniel Adams
DATE: June 6, 2023
SUBJECT: REZONE 2023-48: Request to rezone two parcels totaling
approximately 2.66 acres from the RP, Residential Performance zoning
district to the GB, General Business zoning district in the Topsail
Township

SUMMARY:

Brian Nadeau, applicant, on behalf of Gregory and Mary Noland, owners, is requesting the approval of a Zoning Map Amendment to rezone two tracts of land totaling approximately 2.66 acres from the RP, Residential Performance zoning district, to the GB, General Business zoning district. The subject properties are located on the east side of US Highway 17, south of the intersection of US Highway 17 and Groves Point Drive in the Topsail Township and may be further identified by Pender County PINs 4215-67-9491-0000 and 4215-77-0227-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Zoning Map amendment request.

ATTACHMENTS:

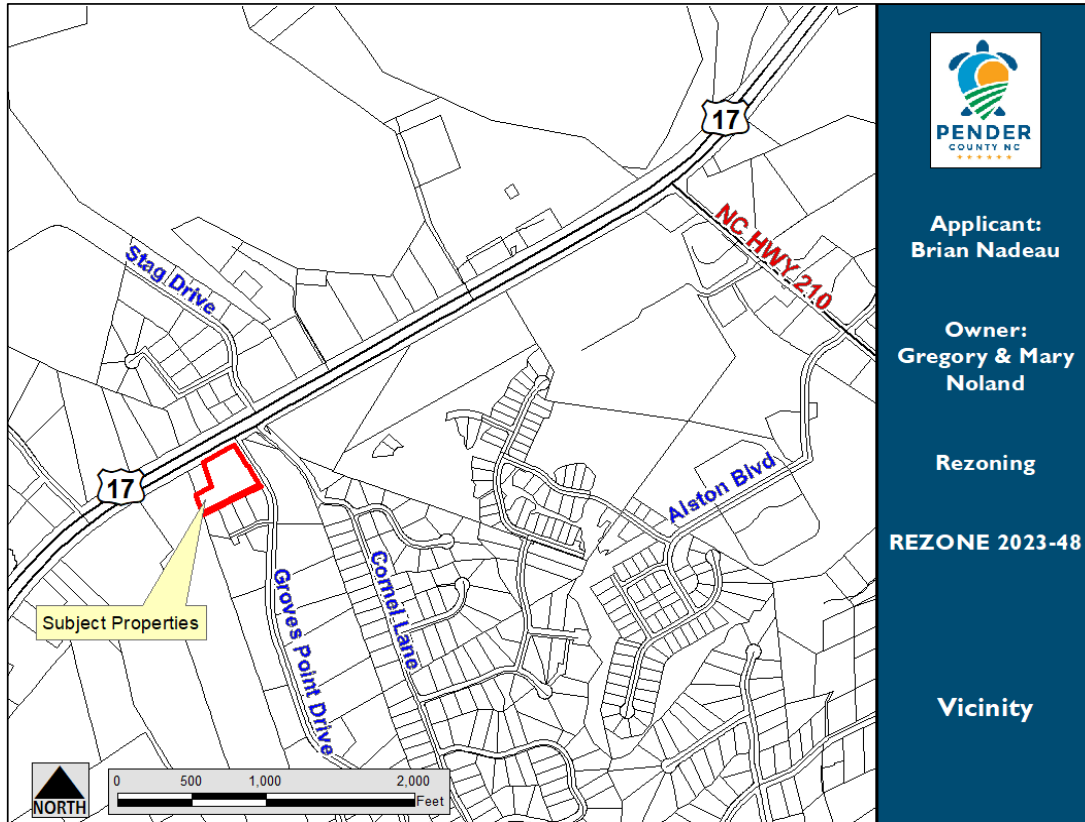
1. Staff Report
2. Application
3. Narrative
4. Site Map
5. Table of Permitted Uses

**STAFF REPORT FOR REZONE 2023-48
ZONING MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-48
Hearing Dates	June 6, 2023 Planning Board July 10, 2023 Board of Commissioners
Applicant	Brian Nadeau
Property Owner(s)	Gregory & Mary Noland
Parcel Identification Number(s)	4215-67-9491-0000 & 4215-77-0227-0000
Acreage	+/- 2.66
Township	Topsail
Pender 2.0 Future Land Use Category	Neighborhood Mixed Use

REZONING PROPOSAL
Brian Nadeau, applicant, on behalf of Gregory and Mary Noland, owners, is requesting the approval of a Zoning Map Amendment to rezone two tracts of land totaling approximately 2.66 acres from the RP, Residential Performance zoning district, to the GB, General Business zoning district.
LOCATION
The subject properties are located on the east side of US Highway 17, south of the intersection of US Highway 17 and Groves Point Drive in the Topsail Township and may be further identified by Pender County PINs 4215-67-9491-0000 and 4215-77-0227-0000.

Below: Vicinity Map of the Area



REZONING PROPOSAL

The applicant is proposing to rezone two parcels that total approximately 2.66 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district. The two subject parcels are contiguous. The larger parcel is approximately 2.5 acres and has frontage on US Highway 17 and Groves Point Drive. The smaller parcel is approximately .16 acres and is located immediately south of the larger parcel.

The proposed Zoning Map Amendment is a general use rezoning, meaning a conceptual plan is not required as part of 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 General Business zoning district. Any future development of the site must comply with the standards of the 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.

Intent of the General Business Zoning District

The General Business zoning district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

Below: Aerial Map of the Subject Properties



Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the 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'

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 General Business zoning district. The table below provides a general list of typical developments permitted in the General Business zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included as an attachment.

	GB, General Business
Residential Uses	Upper story Residential
Commercial Uses	≈ 83 uses by-right (Retail Trade, Real Estate and Rental and Leasing, Professional Scientific and Technical Services, Educational Services, ≈ 18 uses w/ SUP (Utilities, Manufacturing, Arts, Entertainment, and Recreation etc.)

TRANSPORTATION INFRASTRUCTURE

Access

The subject properties have direct access to US Highway 17 and Groves Point Drive. Redevelopment of the subject properties would require driveway approval from the North Carolina Department of Transportation (NCDOT).

Traffic

Traffic Impact Analyses (TIA) are not required for general use rezonings 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. Volume and capacity data for this section of US Highway 17 is shown in the table below.

NCDOT Annual Average Daily Traffic (AADT) – 2021; WMPO Roadway Capacities – 2020

Road	Location	Volume	Planning Capacity	V/C
US Hwy 17	Between NC 210 and Morris Dr	46,000	44,678	1.03

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 US Highway 17. 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. The proposed rezoning would transition the property from a residential use to a commercial use, so impacts to the schools are not anticipated.

Environmental Impacts

The table below discusses potential impacts to environmentally sensitive areas, including flood zones, wetlands, and state-delineated Areas of Environmental Concern.

ENVIRONMENTAL CHARACTERISTICS	
Special Flood Hazard Areas	The subject property does not 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)

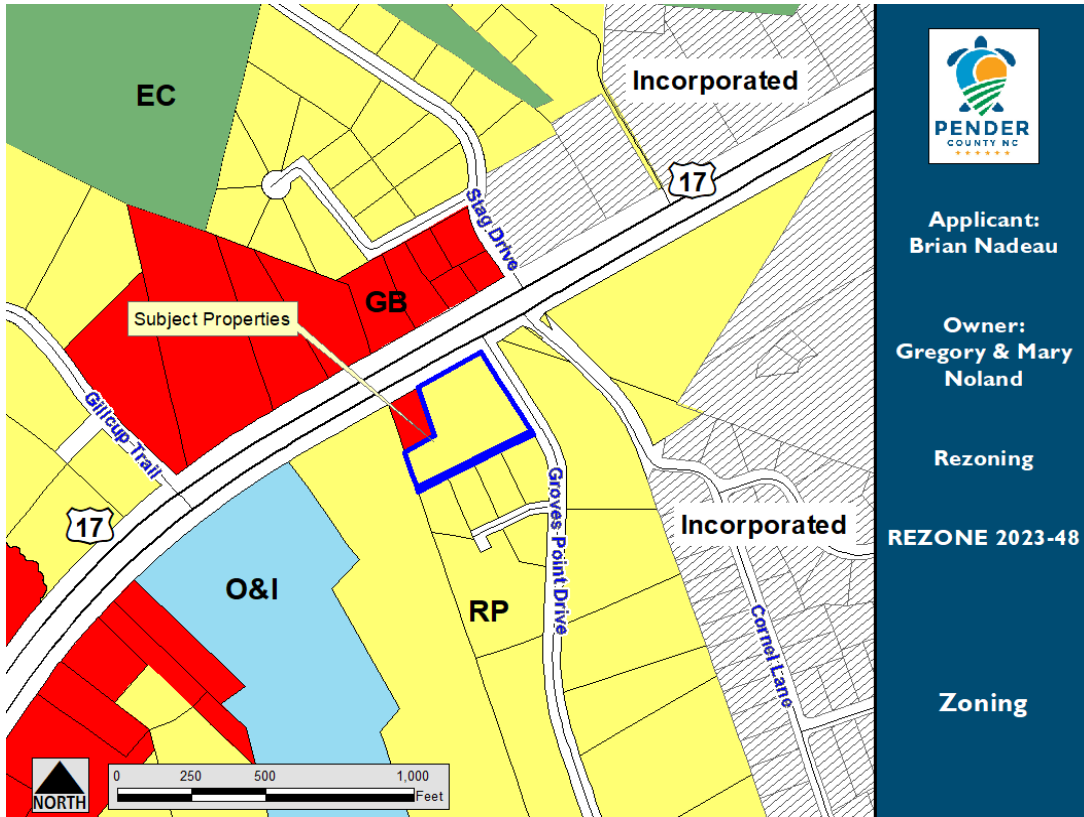
² According to the NC Division of Coastal Management (NC DCM)

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



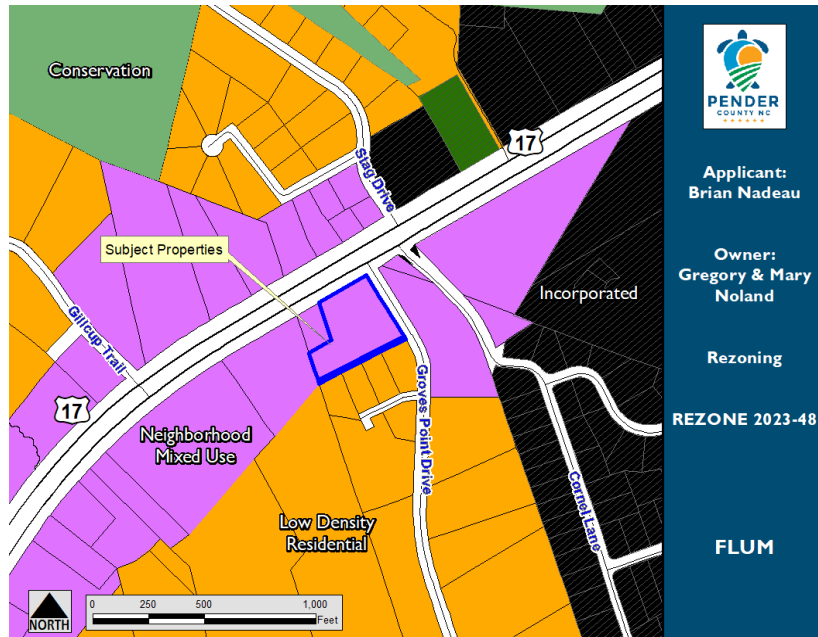
Surrounding Zoning

The table below describes the zoning districts surrounding the subject properties.

CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Residential, Commercial	RP, Residential Performance; GB, General Business; Incorporated
East	Residential	RP, Residential Performance; Incorporated
South	Residential	RP, Residential Performance
West	Commercial, Residential	GB, General Business; RP, Residential Performance; O&I, Office & Institutional

Pender 2.0 Comprehensive Land Use Plan Compliance: The subject properties are located within the Neighborhood Mixed Use Future Land Use Category as shown in the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan. The Neighborhood Mixed Use

category allows for 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. This future land use classification is not intended to be solely reserved for mixed use developments. Single use developments that contribute toward an integrated land use pattern of appropriate commercial, office, civic, and medium density residential uses are encouraged.

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. These areas should be served by water and sewer infrastructure. Development density within this category allows for up to 10 units per acre for residential development.

In addition to the Future Land Use Map, the proposed Zoning Map Amendment request 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.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. 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 this proposal for Planning Board recommendation. The proposed Zoning Map Amendment is consistent with the Future Land Use Map and four policies within the Pender 2.0 Comprehensive Land Use Plan. The request to rezone the subject parcels to the General Business zoning district is consistent with the Pender 2.0 Comprehensive Land Use Plan and the allowable uses within the requested zoning district are generally 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.K**

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]...

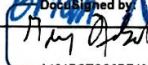
PLANNING BOARD ACTION FOR GENERAL USE REZONING

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS
—		

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE-2023-48	Date	3/27/23
Application Fee	\$ \$500	Invoice	00032217
Pre-Application Conference	N/A	Hearing Date	PB-6/6/23 BOCC-7/10/23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Brian Nadeau	Owner's Name:	Gregory Noland & Mary Noland
Applicant's Address:	15894 US Hwy 17	Owner's Address:	3514 Crymes Rd
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Meherrin, VA 23954
Phone Number:	910-622-6258	Phone Number:	434-607-1463
Email Address:	brian@creativecommercial.biz	Email Address:	gregk.noland@gmail.com
Legal relationship of applicant to landowner: Real Estate Broker			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4215-67-9491-0000; 4215-77-0227-0000	Total property acreage:	2.5 Acres
Current Zoning District:	Residential Performance (RP)	Proposed Zoning District:	General Business (GB)
Project Address:	22550 US Hwy 17		
Description of Project Location:	2.5 acre parcel located at the corner of Hwy 17 and Groves Point Drive. Located 2/3 acre south of intersection of Hwy 17 & Hwy 210		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	3/13/23
Applicant's Name Printed	Brian Nadeau	Date:	3/13/23
Owner's Signature		Date:	3/14/2023
Owner's Name Printed	Gregory Noland	Date:	3/14/2023
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	# 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

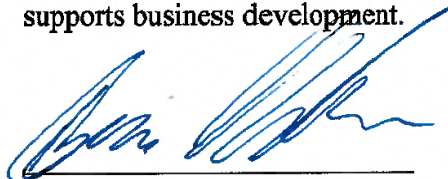
REZONING NARRATIVE
22550 HIGHWAY 17
MARCH 13, 2023

This undeveloped 2.5+/- acre property is located at the corner of Highway 17 and Groves Point Road, about 300' from the Town of Surf City boundary.

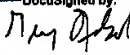
Currently zoned Residential Performance (RP), we are requesting a change to General Business (GB), recognizing this is the most appropriate designation given the frontage on the high traffic highway and the extensive commercial uses already established nearby.

The adjoining parcel to the South has GB zoning, as do ten parcels directly across the street. To the North, within the Town of Surf City, there are many business uses now in place.

Given this area's proximity to the major Highway 17 and Highway 210 intersection, the Pender Future Land Use Plan designates the subject property, and its surroundings, for "Neighborhood Mixed Use", which supports business development.

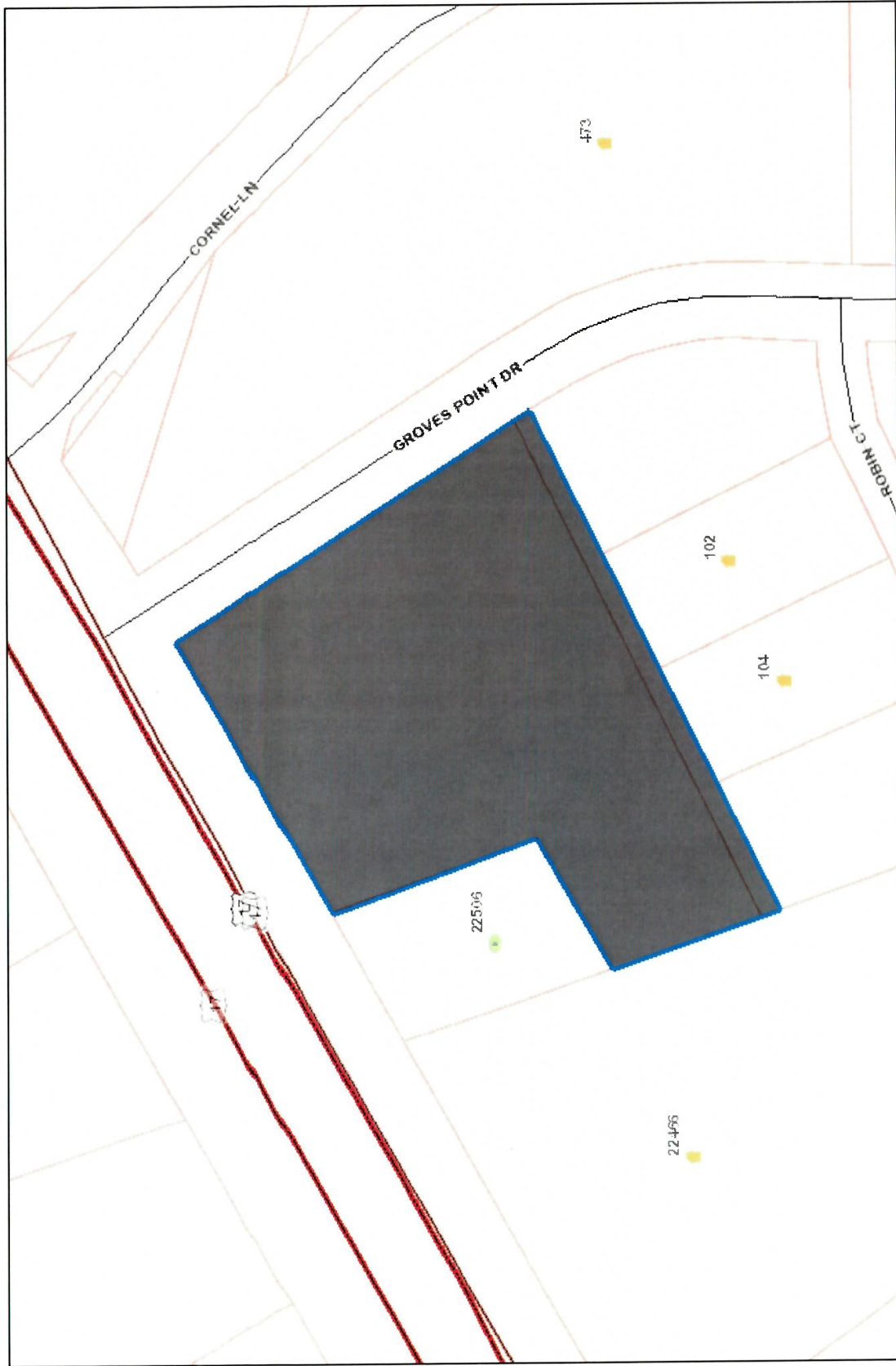


Brian Nadeau
Applicant

DocuSigned by:

A121D2E2C8D7A88

Gregory Noland
Owner

Pender County



1:1,261
0 0.01 0.02 0.03 0.04 mi
0 0.015 0.03 0.06 km

March 10, 2023

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



**Pender County
REZONE 2023-49: Zoning Map
Amendment Request for one parcel
totaling approximately 1.64 acres from
the RM-CD1, Residential Mixed
Conditional zoning district, to the GB,
General Business zoning district in the
Topsail Township**

TO:	Planning Board
FROM:	Justin Brantley
DATE:	June 6, 2023
SUBJECT:	REZONE 2023-49: Zoning Map Amendment Request for one parcel totaling approximately 1.64 acres from the RM-CD1, Residential Mixed Conditional zoning district, to the GB, General Business zoning district in the Topsail Township

SUMMARY:

Henry Nadeau, applicant, and Taylor-Meadows Lands LLC, owner, are requesting the approval of a Zoning Map Amendment to rezone one tract of land totaling approximately 1.64 acres from the RM-CD1, Residential Mixed Conditional zoning district, to the GB, General Business zoning district. The subject property is located on the east side of US Hwy 17, approximately 450 feet south of the intersection of US Hwy 17 and Hoover Road in the Topsail Township and may be further identified by Pender County PIN 3292-08-0050-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Zoning Map Amendment request.

ATTACHMENTS:

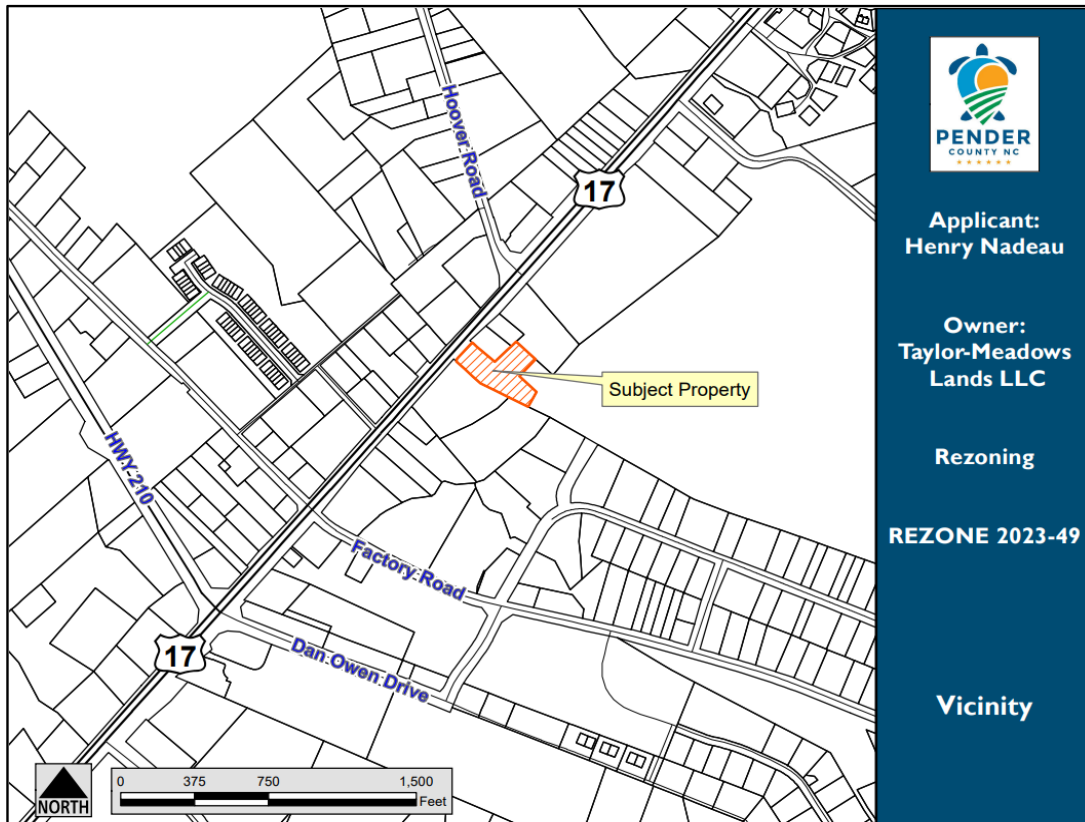
1. Staff Report
2. Application
3. Narrative
4. Site Map
5. Attachment 1-Case Summary
6. Attachment 2-Sanctuary at Forest Sound Site Map
7. Attachment 3-Table of Permitted Uses

**STAFF REPORT FOR REZONE 2023-49
ZONING MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-49
Hearing Dates	June 6, 2023 Planning Board July 10, 2023 Board of Commissioners
Applicant	Henry Nadeau
Property Owner(s)	Taylor-Meadows Lands LLC
Parcel Identification Number(s)	3292-08-0050-0000
Acreage	+/- 1.64
Township	Topsail
Pender 2.0 Future Land Use Category	Regional Mixed Use

REZONING PROPOSAL
Henry Nadeau, applicant, and Taylor-Meadows Lands LLC, owner, are requesting the approval of a Zoning Map Amendment to rezone one tract of land totaling approximately 1.64 acres from the RM-CD I, Residential Mixed Conditional zoning district, to the GB, General Business zoning district.
LOCATION
The subject property is located on the east side of US Hwy 17, approximately 450 feet south of the intersection of US Hwy 17 and Hoover Road in the Topsail Township and may be further identified by Pender County PIN 3292-08-0050-0000.

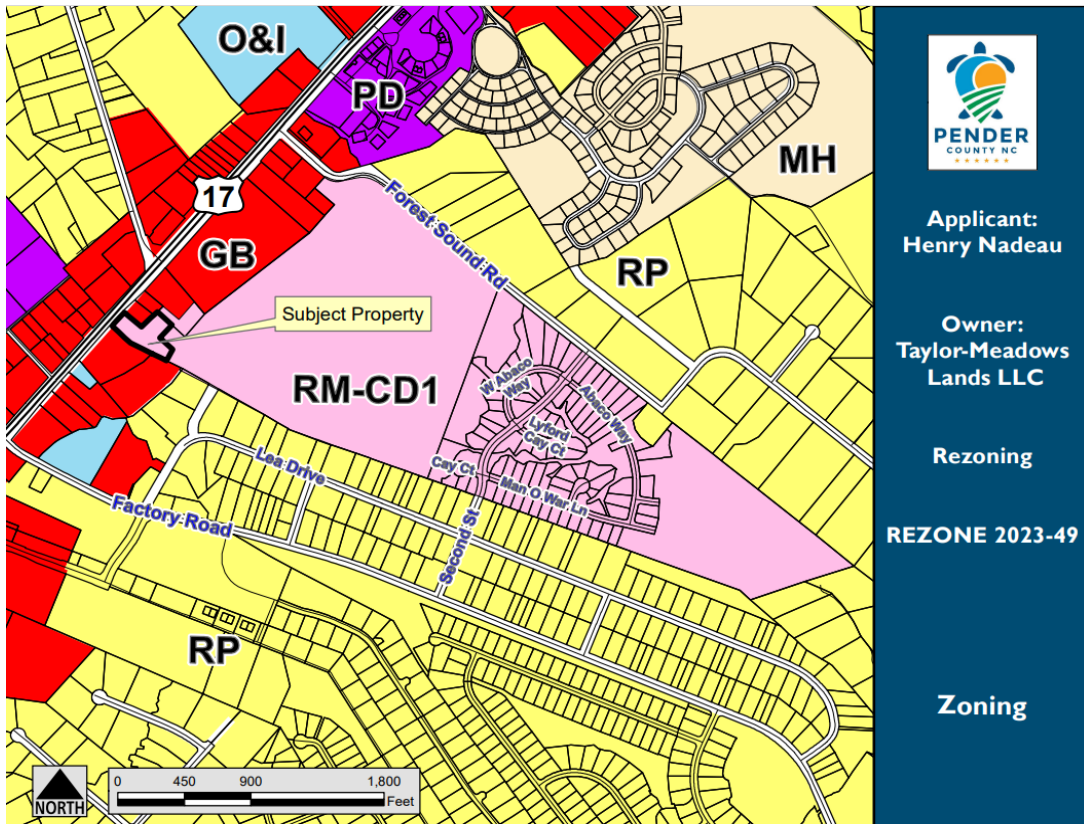
Below: Vicinity Map of the Area



REZONING PROPOSAL

The applicant is proposing to rezone approximately 1.64 acres from the RM, Residential Mixed Conditional zoning district to the GB, General Business zoning district. The intention of the application is for the zoning of the subject property to be consistent with the surrounding zoning designations and land uses along this section of US Hwy 17. The application and narrative for the request are provided as attachments. 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) and Planning Board to ensure compliance with all applicable local, State, and Federal regulations.

Below: Zoning Map of the Area



Background

On November 23, 2015 the Pender County Board of Commissioners approved a zoning map amendment for a conditional rezoning from RP, Residential Performance zoning district to RM, Residential Mixed conditional zoning district I for one tract totaling approximately 120.87 acres. This approval allowed for the development of a single-family neighborhood consisting of 106 homes with neighborhood amenities. This development is known as the Sanctuary at Forest Sound and is located between Forest Sound Road to the north and Lea Drive to the south. Planning Staff are currently reviewing an application for a Final Plat for the third and final phase of the subdivision. To see a complete summary of the RM-CDI Zoning District see attachment 1 and attachment 2 for the approved site plan by the Board of Commissioners.

While the current request is for a parcel of land that is along US Hwy 17, it is nearly half a mile from the nearest home in this subdivision. The reason for this separation is due to a large area of undevelopable land within the RM-CDI zoning district.

This project was required to provide 3.18 acres of open space based on the number of proposed residential lots. See table below from the plan approved by the Board of Commissioners.

OPEN SPACE REQUIREMENTS	
REQUIRED:	0.03 ACRES/ 106 UNITS = 3.18 ACRES
ACTIVE SPACE:	NO LESS THAN 50% = 1.59 ACRES
PASSIVE SPACE:	NO MORE THAN 50% = 1.59 ACRES
PROVIDED:	5.73 ACRES
ACTIVE SPACE:	3.26 ACRES
PASSIVE SPACE:	2.47 ACRES

The portion of the rezoning site associated with the current request was not included as part of the required or provided open space (passive and active) requirement.

North Carolina General Statutes (NCGS) provide the following in Section 160D-703(b) concerning Conditional Districts: "If multiple parcels of land are subject to a conditional zoning, the owners of individual parcels may apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Any modifications approved apply only to those properties whose owners petition for the modification."

It is the determination of Planning Staff that this request would have no material effect on the approval of the RM-CDI zoning district.

Intent of the General Business Zoning District

The General Business zoning district is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

Below: Aerial Map of the Area



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 property.

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

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 3.

	GB, General Business
Residential Uses	Upper story Residential
Commercial Uses	≈ 83 uses by-right (Retail Trade, Real Estate and Rental and Leasing, Professional Scientific and Technical Services, Educational Services, ≈ 18 uses w/ SUP (Utilities, Manufacturing, Arts, Entertainment, and Recreation etc.)

TRANSPORTATION INFRASTRUCTURE

Access

The subject property has direct access to US Hwy 17. Development of the subject property would require 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) – 2021; WMPO Roadway Capacities – 2020

Road	Location	Volume	Planning Capacity	V/C
US Hwy 17	Between NC 210 and Morris Dr	44,500	37,232	1.20

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 US Hwy 17. 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 RM-CD1, Residential Mixed Conditional zoning district, to a GB, General Business zoning district, impact to school capacity is not anticipated.

ENVIRONMENTAL CONCERNS

Special Flood Hazard Areas	The subject property does not contain Special Flood Hazard Areas ¹ .
Wetlands	The subject property 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)

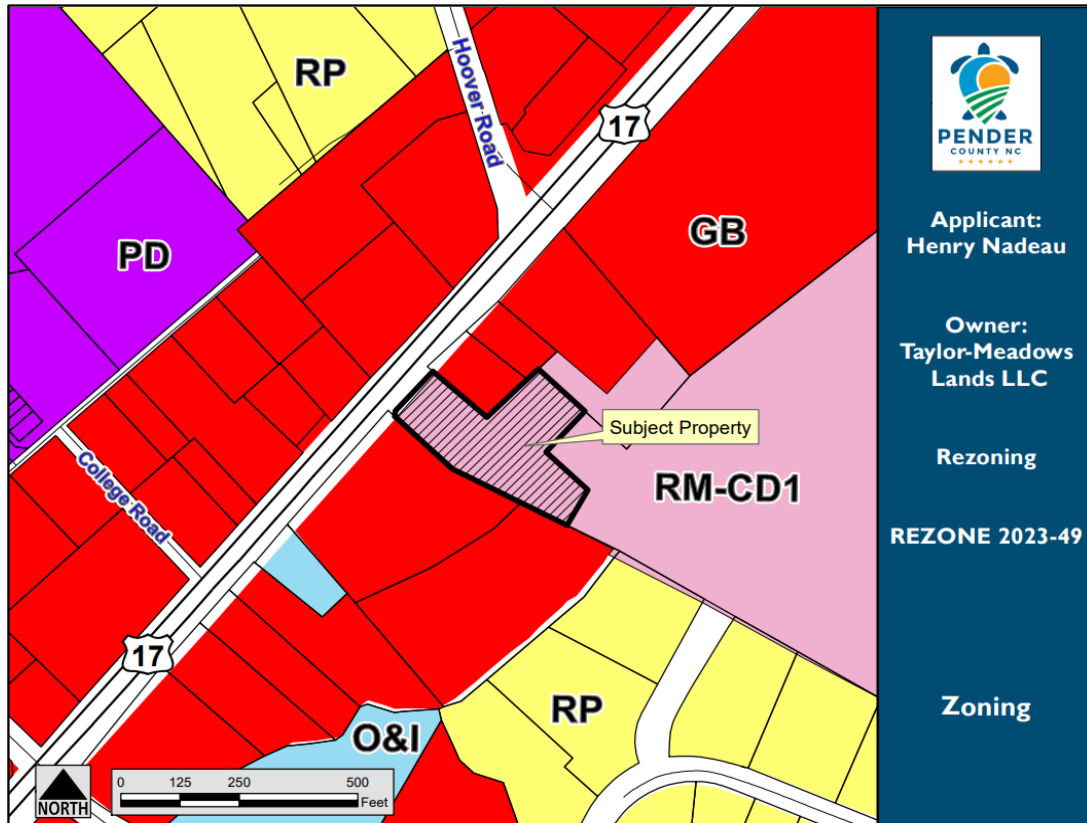
² According to the NC Division of Coastal Management (NC DCM)

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



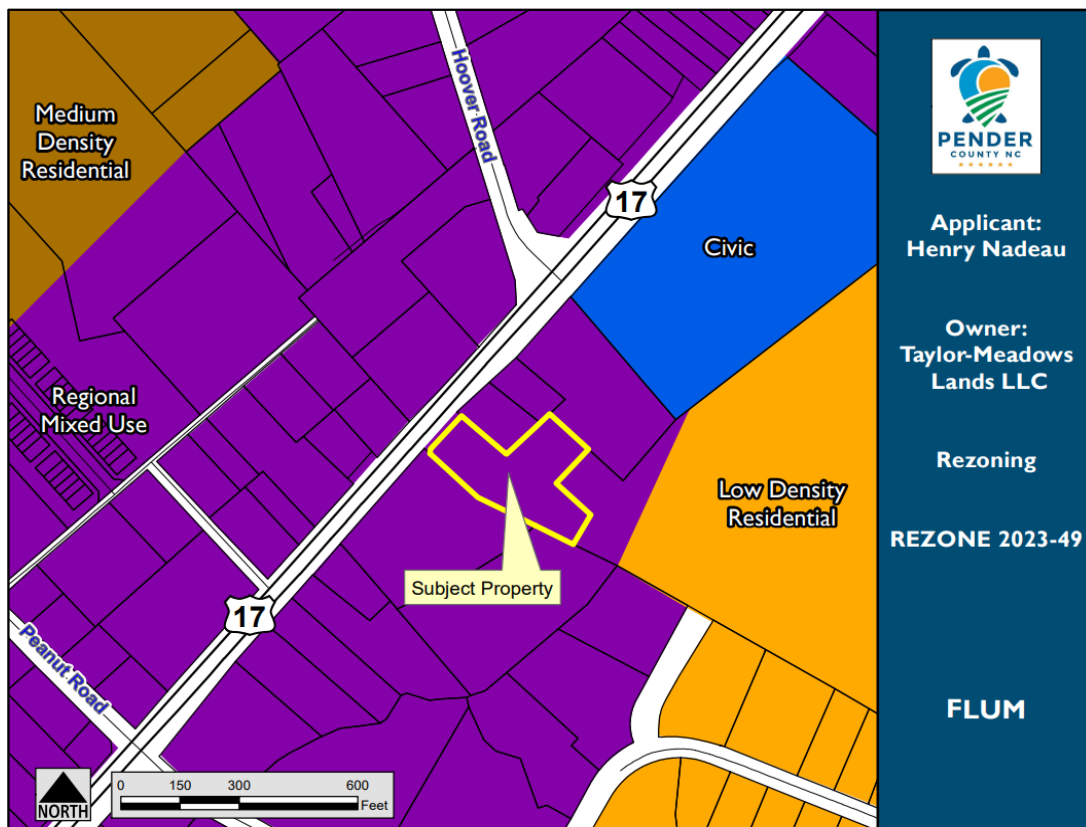
CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Commercial	GB, General Business
East	Residential	RM-CD1
South	Commercial	GB, General Business
West	Commercial	GB, General Business

Surrounding Zoning

The subject property is currently within the RM-CDI, Residential Mixed Conditional zoning district. Properties immediately adjacent to the subject property are currently zoned GB, General Business, and RM-CDI, Residential Mixed Conditional Zoning, as indicated by the table above.

Below: Future Land Use Map of the Area



Pender 2.0 Comprehensive Land Use Plan Compliance: The subject property is located within the Regional Mixed Use Future Land Use Category as shown in the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan.

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.

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.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. 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 four policies within the Pender 2.0 Comprehensive Land Use Plan. The proposed GB, General Business 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. Furthermore, Staff finds that this zoning map amendment would not have an adverse or material impact on the approval of the RM-CDI zoning district, known as the Sanctuary at Forest Sound.

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:

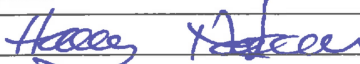
- **Policy 5.1.C**
- **Policy 5.1.D**
- **Policy 5.1.H**
- **Policy 5.1.K**

The proposed rezoning is consistent with the Regional Mixed Use 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

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE-2023-49	Date	4/6/2023
Application Fee	\$ 500	Invoice	00032807
Pre-Application Conference	N/A	Hearing Date	PB-6/6/2023 BOCC-7/10/2023
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Henry Nadeau	Owner's Name:	Taylor Meadows Lands, LLC
Applicant's Address:	P.O. Box 56	Owner's Address:	326 Howards Ln
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	(910) 524-7184	Phone Number:	
Email Address:	Henry@CreativeCommercial.biz	Email Address:	MrsLTaylor@gmail.com
Legal relationship of applicant to landowner: Authorized Agent			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	#3292-08-0050-0000	Total property acreage:	1.64
Current Zoning District:	BM-CD1	Proposed Zoning District:	GB
Project Address:	14900 Hwy 17, Hampstead, NC		
Description of Project Location:	Vacant Development Lot w/ Hwy 17 Frontage.		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	4/5/23
Applicant's Name Printed	Henry Nadeau	Date:	
Owner's Signature		Date:	4/5/23
Owner's Name Printed	Linda Taylor For Taylor Meadows Lands	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			

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA	Date	4/6/2023
Application Fee	\$	Invoice	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Henry Nadeau	Owner's Name:	Taylor Meadows Lands, LLC
Applicant's Address:	P.O. Box 56	Owner's Address:	326 Howards Ln
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	(910) 524-7184	Phone Number:	
Email Address:	Henry@CreativeCommercial.biz	Email Address:	MrsLTay@gmail.com
Legal relationship of applicant to landowner: Authorized Agent			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	#3292-08-0050-0000	Total property acreage:	1.64
Current Zoning District:	BM-CD1	Proposed Zoning District:	GB
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SECTION 3: SIGNATURES			
Applicant's Signature		Date:	4/5/23
Applicant's Name Printed	Henry Nadeau	Date:	
Owner's Signature		Date:	4/5/23
Owner's Name Printed	Linda Taylor for Taylor Meadows Lands	Date:	4/5/2023
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REZONING NARRATIVE

APRIL 5, 2023

14900 Hwy 17

Hampstead, NC

The subject parcel requesting rezoning is a 1.64 acre lot fronting Hwy 17 +/-450 feet from the busy Hoover Road intersection in Hampstead.

Currently, Parcel #3292-08-0050-0000 is zoned RM-CD1 tied to a residential project in the rear. However, this site is isolated from the developable portion of the adjacent tract by substantial wetland slough and a steep change in elevation.

We propose to rezone the parcel to General Business (GB) to match the neighbors on Hwy 17 and across the street.

The County's Future Land Use Plan designates this entire parcel for "Regional Mixed Use" Development, consistent with the GB zoning designation.



Henry Nadeau

Applicant

DocuSigned by:


Linda Taylor

Owner



PIN: 3292-08-0050-0000

Owner: 'TAYLOR MEADOWS' LANDS, LLC'
326 HOWARDS LN
HAMPSTEAD, NC 28443

Deed Ref: 4674/5

Property
Address: US HWY 17
Description: PT PARCEL A PB 60/112 61/133

Sale Price: \$29,500

Sale Date: LAST_SALE_DATE

Plat: 00600112

Account No: 981271

Township: TOPSAIL

Subdivision: L E HOWARD DIVISION

Tax Codes: G01 F22 R40

Acres: 1.64

Land Value: \$131,700

Building Value: \$0

Total value: \$131,700

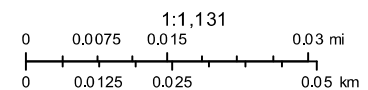
Deferred Value: \$0

Exempt Amount: 0

PCL Class: R

Heated Sq Feet:

Pender County



1 inch = 94 feet

07/01/2019



CASE 132-2015 (11458)

Rezoning Proposal: Grey Bull Inc., applicant, on behalf of Linda Kaye Howard Taylor et al, owner, is requesting approval of a Zoning Map Amendment for a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. The proposed uses within the RM-CD1, Residential Mixed conditional zoning district are; telecommunication tower, single family dwelling conventional detached and other typical neighborhood amenities or project infrastructure. All other uses will be prohibited unless an alteration is made to the approval. It is the applicant's intention to develop the site for a single family residential subdivision. There are 106 proposed residential units on the subject parcel.

Property Record Numbers, Acreage, and Location: The subject property is located to the east of US HWY 17, to the south and west of the residential subdivision Forest Sound, and to north of the residential subdivision Hampstead on the Sound in Hampstead and may be further identified by Pender County PIN 3292-27-2690-0000.

Summary: The application consisted of a conditional rezoning of one (1) tract totaling approximately 120.87 acres from RP, Residential Performance zoning district to RM-CD1, Residential Mixed conditional zoning district. As submitted, the request complies with all criteria set forth in Section 3.4.4 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is not in conflict with the 2010 Comprehensive Land Use Plan. The application is consistent with three (3) goals and thirteen (13) policies of the 2010 Pender County Comprehensive Land Use Plan and potentially conflicts with one (1) policy. At their October 13, 2015 meeting the Pender County Planning Board unanimously recommended approval of the conditional rezoning request with the conditions as outlined in this report.

Project Description: The proposed uses within the RM-CD1, Residential Mixed conditional zoning district are; telecommunication tower, single family dwelling conventional detached and other typical neighborhood amenities or project infrastructure. All other uses will be prohibited unless an alteration is made to the approval. It is the applicant's intention to develop the site for a single family residential subdivision. There are 106 proposed residential units on the subject parcel.

The minimum lot size proposed is 6,800 sq. ft. and a proposed maximum height of forty (40) feet. Setbacks of this conditional rezoning are below:

	Proposed Setbacks (in feet)	RP Zoning District Setbacks (in feet)
Front Yard	5	30
Side Yard	5	10
Corner Yard	5	15
Rear Yard	10	25
Chord Length	40	30

Utilities

The Applicant is proposing a public water connection to Pender County Utilities and all review and approvals for the public water service are per Pender County Utilities Department. An intent to service letter was provided by the applicant on behalf of Old North State Water Company LLC. to service 110 single family residential units. The applicant shall work directly with Old North State Water Company LLC. and Pender County for wastewater approval for service to each phase of the development prior to final approval. Old North State Water Company LLC. currently operates the Majestic Oaks wastewater package plant and the subject parcel is proposing connection into the same plant for wastewater services.

Open Spaces

The applicant is required to provide 3.18 acres of open space with at least 1.59 acres of active open space.

Recreational Units

With 106 lots proposed the applicant is required to provide 1.5 recreational units, which equates to \$15,000. The Applicant intends to develop the recreation facilities within the subject property; a commercial outdoor fitness equipment for the residents to utilize while they are walking throughout the subdivision. There are also “senior playgrounds” where unit has component that are geared toward increasing the balance, coordination and agility of the adult users.

Public Roadways

A public collector roadway will connect Forest Sound Road (private) to Second Street (SR 1616). This roadway is recommended in the 2007 Coastal Pender Collector Street Plan in Figure 4.1 as a priority new collector with bicycle facilities.

Private Roadways

The Applicant has provided evidence of legal rights for ingress and egress through Forest Sound Road (private) from the subject property. The access point and use of Forest Sound Road (private) shall be in accordance with the current HOA of Forest Sound and their road maintenance agreement on this private roadway.

Traffic

A Traffic Impact Analysis (TIA) is required for this development.

Public Input Meeting Summary:

According to Pender County Unified Development Ordinance Section 3.4.3, prior to scheduling a public hearing on the rezoning application, the applicant must conduct one public input meeting. On September 2, 2015 the Applicant held a Community Meeting at the Auditorium of the Hampstead Annex at 4:30PM in accordance with Section 3.4.3 of the Pender County Unified Development Ordinance. Approximately sixty (60) citizens were present at the meeting; concerns raised at this community meeting include but were not limited to;

1. type of product and the projected price point
2. timeframe for construction build out
3. impact on schools
4. planned roadway improvements and the coordination of the U-5732 Hampstead Superstreet

5. traffic and safety at Forest Sound Rd. (private) driveway with US HWY 17
6. maintenance of Forest Sound Rd. (private)
7. construction traffic
8. wetlands, drainage and other environmental impacts
9. safety of neighborhood and the private boat ramp
10. the unknown potential of the stub connection shown on the southwestern portion of the proposal
11. future land use and growth patterns of the County
12. appropriate buffers
13. buildout if the conditional rezoning proposal is not approved
14. utilities connections.

Following the Community Meeting, the Applicant has met with Forest Sound HOA Representatives to devise a list of mutually established conditions to further expand upon on the concerns.

Approval: On November 23, 2015 the Pender County Board of Commissioners approved a zoning map amendment for a conditional rezoning from RP, Residential Performance zoning district to RM, Residential Mixed conditional zoning district 1 as described herein.

Conditions of Approval:

The conditions for this project as approved by the Board of County Commissioners are as follows:

1. Uses allowed shall be limited to one hundred and six (106) Single Family Detached Conventional housing type as defined typical neighborhood amenities and project infrastructure, as well as an approved telecommunication tower (Case 10965). A “single-family detached residence” shall be a dwelling unit located on a single lot with private yards on all four sides.
2. The Applicant shall submit an approved Traffic Impact Analysis (TIA) prior to the approval of any phases of the development proposal.
3. Buffers
 - a. The project shall provide a twenty (20) foot buffer within common area along Forest Sound Road (private) where single family lots are proposed and are adjacent to the private road right of way through a combination of existing vegetation and supplemental plantings to preserve community cohesiveness with the adjacent Forest Sound neighborhood to the extent practical. Buffer plantings shall be installed in addition to existing natural growth on the property where existing vegetation and natural growth does not meet the required buffer.

The plantings shall consist of indigenous trees and shrubs such as but not limited to; wax myrtles, red cedars, oak species, maples and other similar species. The specific plantings shall have a minimum plant size in accordance with the Pender County Unified Development Ordinance (Section 8.1.6) including; for canopy trees a minimum of a two (2) inch caliper measured at four and a half (4.5) feet above ground and planted thirty (30) feet on center or as a mature canopy tree may dictate and for understory trees a minimum of four (4) feet in height at planting.

Landscape and buffer maintenance shall be the responsibility of the homeowners association and referenced within the restrictive covenants and subsequently recorded in the Pender County Register of Deeds. All buffer installation is required prior to the Final Plat approval of any phase.

b. Applicant met with adjacent property owners located on Second Street (SR 1616) where the platted right of way exists located within the legal description of "Lot 1 & 2" and "Lot 19 & 20" on Map Book 8 Page 27 Hampstead on the Sound Section 5 and both parties agreed to mutually define, establish, and install a landscape buffer equal to ten (10) feet in width measured from the outside boundary of the NCDOT right of way identified as Second Street (SR 1616) and the side yard of each property aforementioned.

The plantings shall consist of indigenous trees and shrubs such as but not limited; to wax myrtles, red cedars, oak species, maples and other similar species as available. The specific plantings shall be a minimum of two (2) inch caliper. All buffers shall be installed by the Applicant at Applicant's expense and maintained by property owners as mutually agreed upon.

The developer shall work with NCDOT in the installation of any additional driveway accesses requested by the property owners on Second Street (SR 1616) and culverts, if any, to allow for access to existing rear yards.

c. The project shall contain a twenty (20) foot landscape easement measured from the rear of the lots on the eastern property boundaries (Grovediere Lane), specifically lot numbers 20-23 as depicted on the Conditional Rezoning Site Plan dated September 14, 2015. The easement shall require the Applicant and property owners for these lots to maintain existing and natural vegetation. The easement shall serve as a perpetual vegetative buffer between adjacent properties. Responsibility of maintenance shall be conveyed to each individual property owner and referenced and enforced by the rights conveyed to the homeowners association through the bylaws and restrictive covenants recorded at the Pender County Register of Deeds.

4. Roadways

a. The Applicant shall collaborate with the Forest Sound Homeowners Association, herein FSHA, to devise a Road Maintenance Agreement specifically to address improvements and long-term maintenance of Forest Sound Road (private) from the site entrance to US HWY 17. The applicant has agreed to resurface Forest Sound Road (private) and enter into a mutually satisfactory Agreement, herein "Agreement", with the FSHA to effectuate the same. The Agreement will define the resurfacing to meet or exceed the current NCDOT Subdivision Roads (Secondary Roads) Standards for resurfacing. All improvements are required prior to the approval of Final Plat for any phase.

b. If there are any changes requested to the site plan presented with this Conditional Rezoning or if additional single family residential structures are proposed, the project shall be reevaluated in accordance with Pender County Unified Development Ordinance standards. If future development is proposed, roadway connection to Davis Road and Lea Drive Extension (SR 1614) will be reevaluated.

5. The Applicant and FSHA have collaborated independently from Pender County to mutually agree upon a private agreement to assist in alleviating some of the concerns FSHA expressed as a result of the proposed development. Some of the terms and conditions of the private agreement contain provisions for the following;

- a. Privacy through funding a private gate entrance designed and maintained by FSHA.
- b. Formal education by Applicant delivered to each future homeowner of the proposed residential subdivision through written documents, such as but not limited to Restrictive Covenants, maps, and notices, outlining the easements, buffers and various private property areas of the FSHA and the necessary legal requirements to adhere to the private property restrictions in place to protect unauthorized access of the same.

6. The applicant shall direct site work involved with the construction of the project to the greatest extent possible to ingress on Second Street (SR 1616)and egress on Forest Sound Road (private) to distribute traffic equitably as not to decrease service at any intersection or negatively increase safe conditions to the network (Added at 11/23/2015 Board of County Commissioners Meeting).

GREY BULL PROPERTY
FOREST SOUND RD.
PENDER COUNTY, NORTH CAROLINA

CONDITIONAL REZONING

AUGUST 2015
REVISED 9/14/15 PER TRC MEETING ON 9/8/15

FOR:
GREY BULL, INC.
12917 DURANT RD.
RALEIGH, NC 27614

DEVELOPER:
GREY BULL, INC.
12917 DURANT RD
RALEIGH, NC 27614
ATTN: ROBERT H. JACKSON, (919) 291-8721

ENGINEER (CIVIL):
PARAMOUNTE ENGINEERING, INC.
5911 OLEANDER DRIVE, SUITE 201
WILMINGTON, NORTH CAROLINA 28403
ATTN: TIMOTHY G. CLINKSCALES, P.E. (810) 791-6707

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
C-1.0	OVERALL SITE PLAN
SV-1	PROPERTY SURVEY

NOTICE REQUIRED

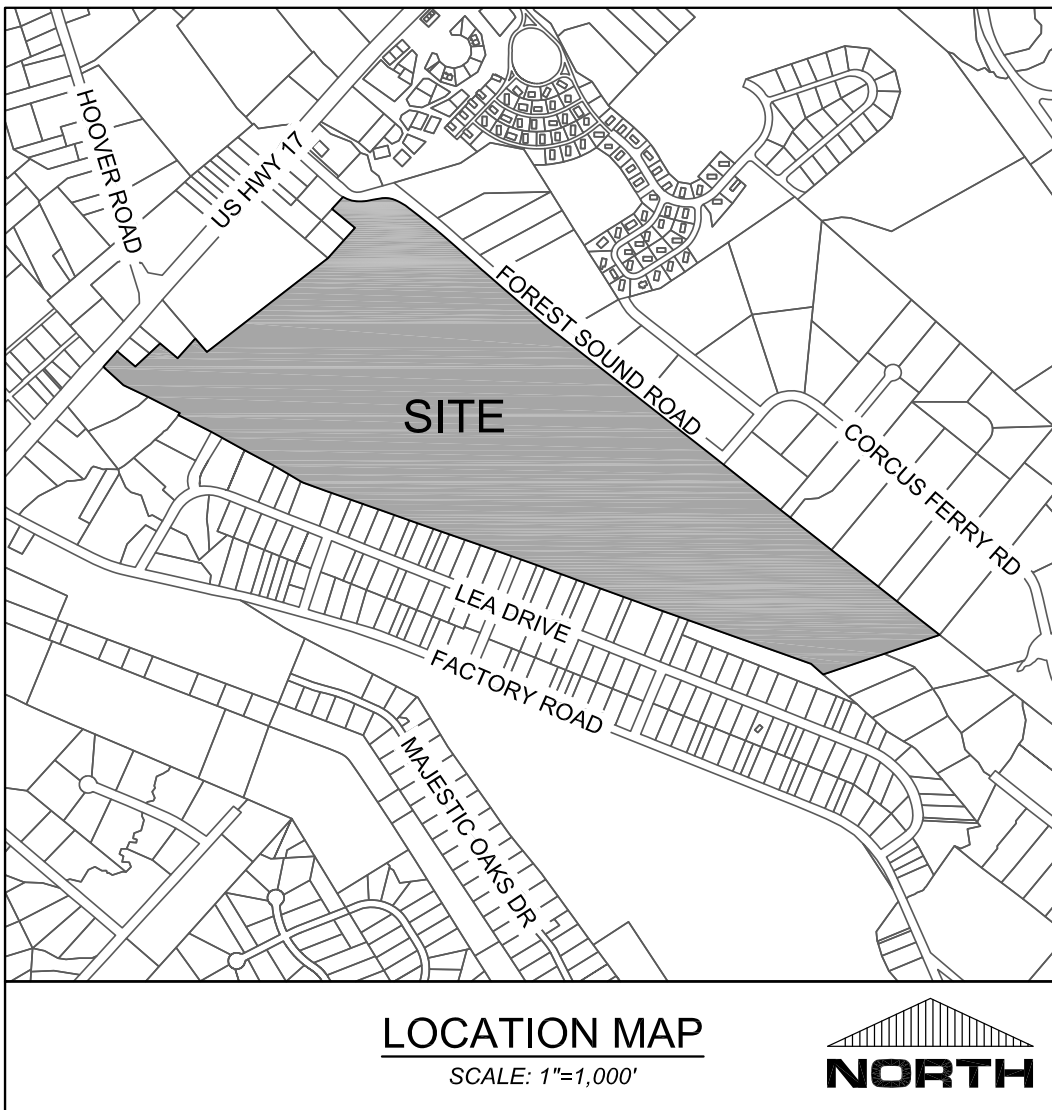
ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF SAID UTILITIES.

CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION.

CONTACT "CAROLINA ONE CALL" AT
1-800-632-4949

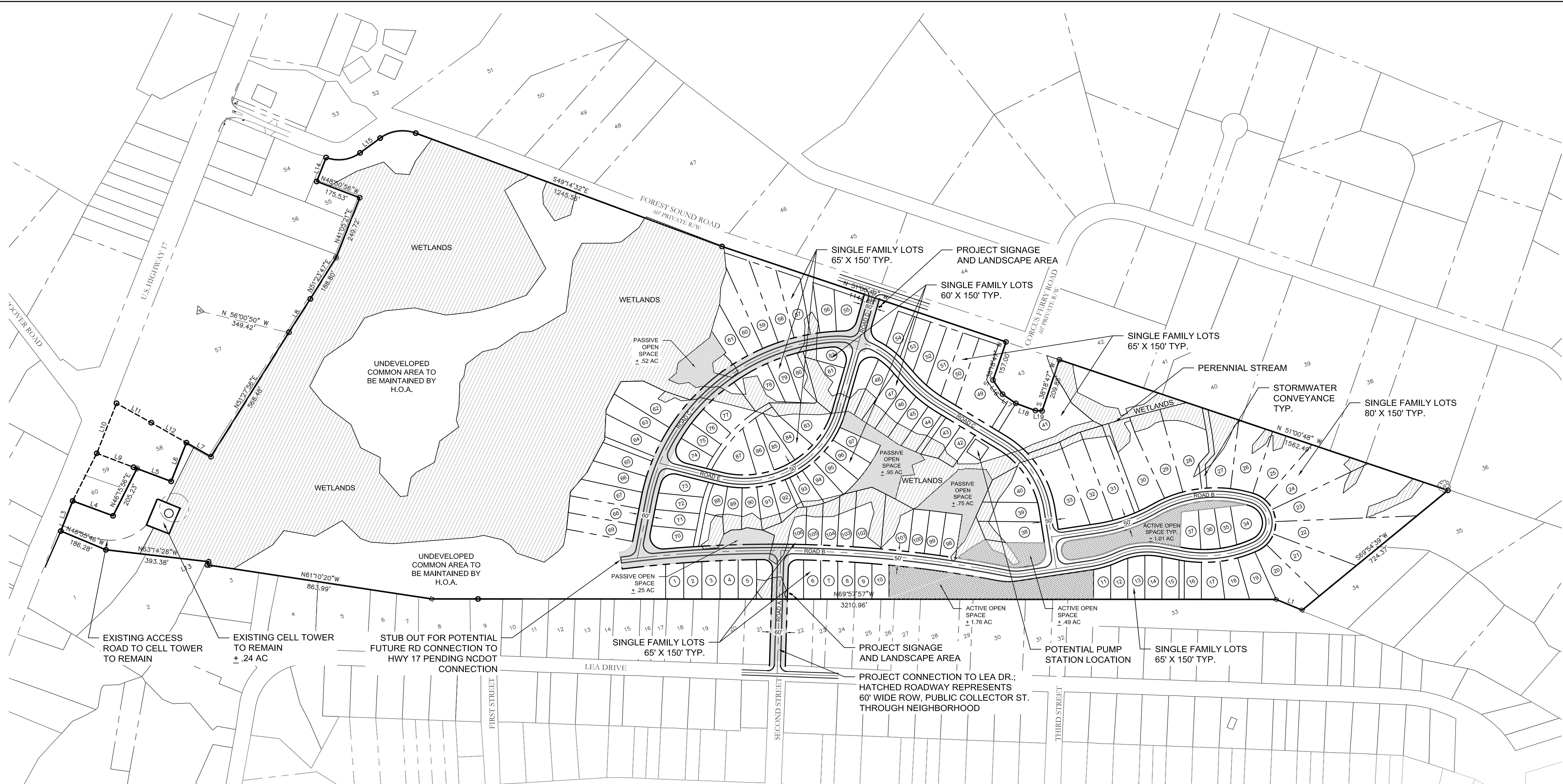
CONTACT THESE UTILITIES

PENDER COUNTY PLANNING AND COMMUNITY DEVELOPMENT ATTN: ASHLEY FRANK PH: 910-259-1274	PENDER COUNTY UTILITIES (WATER & SEWER) ATTN: BRYAN MCABE, PE PH: 910-259-0212
PIEDMONT NATURAL GAS ATTN: CARL PASQUEI PH: 910-350-0242	DUKE ENERGY ATTN: KEVIN LEATHERWOOD PH: 910-602-4304
EMERGENCY DIAL 911 POLICE - FIRE - RESCUE	BELL SOUTH ATTN: STEVE DAYVAULT PH: 910-382-8712
	TIME WARNER CABLE PH: 910-783-4638



PREPARED BY:
PARAMOUNTE
ENGINEERING, INC.
5911 Oleander Drive, Suite 201
Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6760 (F)
NC License #: C-2846
PROJECT # 15204.PE

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION



SITE INFORMATION
CURRENT LAND USE: VACANT LAND
CURRENT ZONING: RP
PIN: 3292-27-2690-0000
PROPOSED ZONING: RESIDENTIAL RM
TOTAL SITE AREA: 120.87 ACRES
OWNER INFORMATION: GREY BULL, INC.

SINGLE FAMILY DIMENSION REQUIREMENTS
MINIMUM LOT SIZE: 6,800 SF
FRONT YARD SETBACK: 5' MINIMUM
SIDEYARD SETBACK: 5' MINIMUM
CORNER SIDEYARD SETBACK: 5' MINIMUM
REAR SETBACK: 10' MINIMUM
CHORD: 40' MINIMUM
MAXIMUM HEIGHT: 40'
DENSITY: NOT TO EXCEED 5 DU/AC

UNIT TOTALS
SINGLE FAMILY: 106 UNITS

NUMBER OF DWELLING UNITS (DENSITY)
FROM PENDER COUNTY DEVELOPABLE AREA FORMULA PER SECTION 4.8.1(C)

TOTAL SITE ACREAGE: 120.87 ACRES
AREAS RESERVED AS NON-RESIDENTIAL DEVELOPMENT (UPLAND ONLY): ± 30.87 ACRES
WETLANDS: ± 41.73 ACRES (44.2 ACRES TOTAL WETLANDS - 2.47 ACRES PASSIVE OPEN SPACE)
RIGHT OF WAY: ± 9.61 ACRES
OPEN SPACE (ACTIVE & PASSIVE): ± 5.73 ACRES
REMAINING DEVELOPABLE AREA: ± 32.93 ACRES
TOTAL PROJECT DENSITY: 3.22 UNITS/ACRE
TOTAL ALLOWABLE DENSITY: 5 UNITS/ACRE

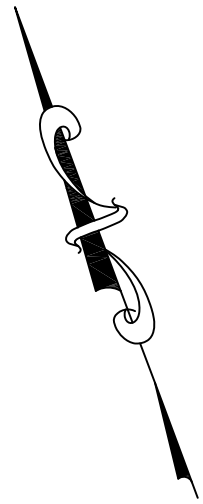
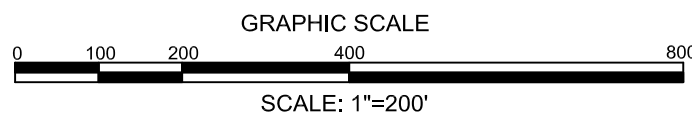
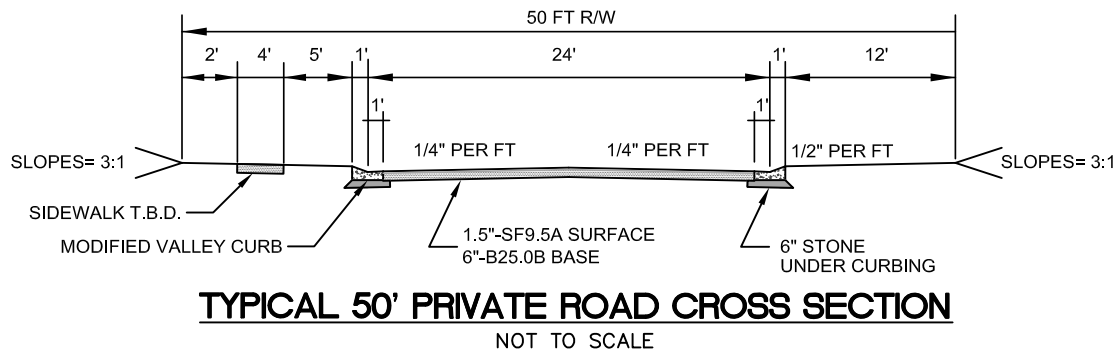
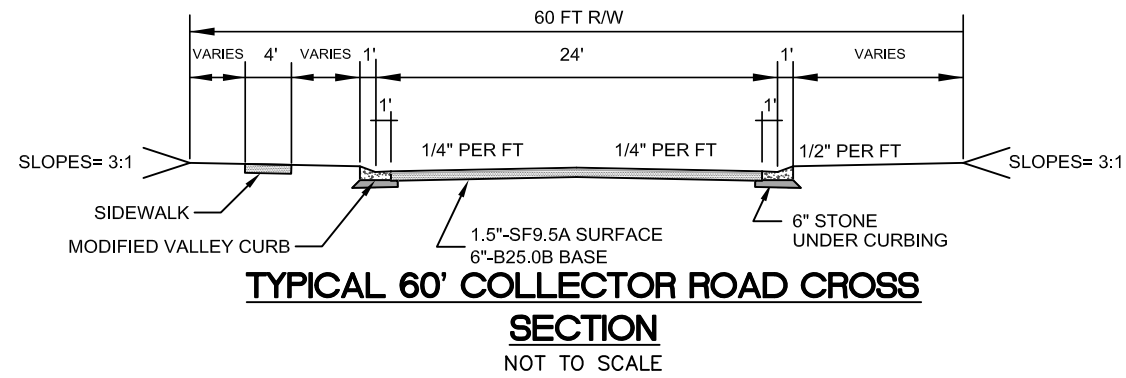
OPEN SPACE REQUIREMENTS
REQUIRED: 0.03 ACRES/ 106 UNITS = 3.18 ACRES
ACTIVE SPACE: NO LESS THAN 50% = 1.59 ACRES
PASSIVE SPACE: NO MORE THAN 50% = 1.59 ACRES
PROVIDED: 5.73 ACRES
ACTIVE SPACE: 3.26 ACRES
PASSIVE SPACE: 2.47 ACRES

UTILITIES
1. ALL WATER UTILITIES WILL BE COORDINATED WITH PENDER COUNTY ENGINEERING; AND SEWER UTILITIES WILL BE COORDINATED WITH OLD NORTH STATE WATER COMPANY, LLC.
2. WATER PROVIDED BY PENDER COUNTY ENGINEERING.
3. SANITARY SEWER PROVIDED BY OLD NORTH STATE WATER COMPANY, LLC. LETTER PROVIDED IN PACKAGE DEPICTS CAPACITY IS AVAILABLE TO SERVE THIS PROJECT.
4. STORMWATER WILL BE HANDLED ON SITE IN COMPLIANCE WITH ALL STATE STORMWATER STANDARDS.

NOTES
1. ALL ADJACENT PROPERTIES ALONG HWY 17 ARE ZONED GB. ALL OTHER ADJACENT PROPERTIES ARE ZONED RP. NO BUFFER OR SCREENING IS REQUIRED BETWEEN RESIDENTIAL USES.

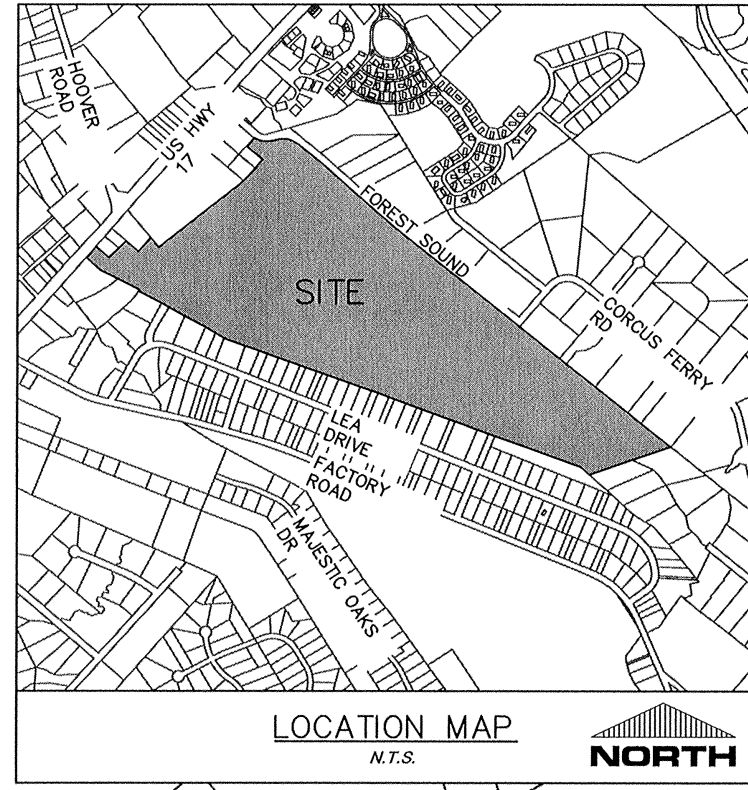
PROJECT NARRATIVE:
THE CONDITIONAL REZONING REQUEST WILL ALLOW THE APPLICANT TO CHANGE THE CURRENT PROPERTY ZONING OR RP TO RM-CONDITIONAL USE. THIS PROPOSED ACTION IS REQUESTED TO ALLOW SMALLER SIZED SINGLE FAMILY LOTS THAN THE CURRENT RP ZONING ALLOWS. PROPOSED LOT SIZES RANGE FROM APPROXIMATELY 6,800 SF PATIO LOTS TO 87,000 SF ESTATE LOTS. RP ZONING DOES NOT ALLOW FOR LOTS LESS THAN 15,000 SF AND LARGER SETBACKS THAN FEASIBLE ON THE SMALLER LOTS PROPOSED. THE REZONING REQUEST ALLOWS THE DEVELOPER TO PROVIDE A RANGE OF PRODUCT TYPES.

PROJECT ROAD NOTES
1. ALL PROPOSED INTERNAL ROADWAY INTERSECTIONS AND CONNECTIONS TO EXISTING ROADWAYS WILL BE 26' RADIUS MINIMUM.
2. STREET NAME SIGNS SHALL BE INSTALLED AS SOON AS ROADWAYS ARE ACCESSIBLE BY VEHICLE TRAFFIC TO INCLUDE DURING CONSTRUCTION AND MEET PENDER COUNTY STREET SIGN SPECIFICATIONS.
3. SIDEWALKS WILL BE LOCATED ON ONE SIDE OF THE COLLECTOR STREET. LOCATION TO BE DETERMINED DURING DESIGN DEVELOPMENT FOR ALL OTHER STREETS.
4. NO PROPOSED ROAD EXCEEDS 1 MILE IN LENGTH OR ACCESSES MORE THAN 200 LOTS. ALL ROADS WILL COMPLY WITH SECTION 7.5.3 OF THE PENDER COUNTY UDO.



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

C-1.0	PEI JOB#: 15204.PE	SEAL	PROJECT STATUS CONFIDENTIAL LAYOUT: _____ FINAL DESIGN: _____ RELEASED FOR CONSTRUCTION: _____	OVERALL SITE PLAN GREY BULL PROPERTY CONDITIONAL REZONING PENDER COUNTY NORTH CAROLINA	PARAMOUNT ENGINEERING 5911 Oleander Drive, Suite 201 Wilmington, North Carolina 28403 (910) 791-6707 (O) (910) 791-6766 (F) NC License #: C-2846	CLIENT INFORMATION: GREY BULL, INC. 12917 DURANT RD RALEIGH, NC 27614	REVISIONS: Rev. 1: Revised per TBC meeting on 8/11/15 9/14/15



LINE TABLE		
LINE	LENGTH	BEARING
L1	107.80	N47°14'28"W
L3	125.71	N41°02'09"E
L4	164.16	S49°19'24"E
L5	139.34	S49°00'59"E
L6	161.41	N41°03'37"E
L7	106.32	S39°43'33"E
L8	162.94	N13°05'51"E
L9	163.98	N48°44'07"W
L10	208.66	N41°07'39"E
L11	152.08	S40°15'12"E
L12	154.73	S39°45'35"E
L13	13.38	N41°03'43"E
L14	99.95	N41°01'23"E
L15	95.84	N72°58'09"E
L16	65.54	N13°24'18"W
L17	61.59	N34°58'18"W
L18	79.84	S48°16'24"E
L19	25.37	N68°05'43"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	135.94	134.17	S77°57'23"E	130.20
C2	142.50	141.25	N78°04'51"W	136.54

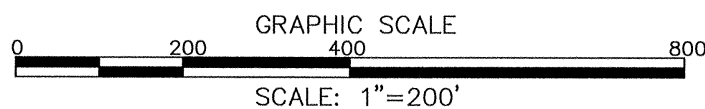
CERTIFICATE OF ACCURACY AND MAPPING

I, TIMOTHY CLINKSCALES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN THE REFERENCES NOTED ON THIS DRAWING), THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS DASHED LINES AS DRAWN FROM INFORMATION NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORD.

I, TIMOTHY CLINKSCALES, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

TIMOTHY CLINKSCALES, PLS LICENSE NO. L-4953

3292-27-2690-0000
DB 4063 PG 215
PB 50 PG 60
AREA=5,264,940 SF
120.67 AC



NOTES:

- AREA CALCULATED BY COORDINATES.
- PROPERTY IS LOCATED WITHIN 349.42' FROM A NCGS MONUMENT "HAMPSHEAD 2 R5".
- THIS TRACT LIES WITHIN DESIGNATED FLOOD ZONE X AND AE 10, ACCORDING TO FEMA FIRM COMMUNITY-PANEL NUMBER 3720329200J, BEARING AN EFFECTIVE DATE OF FEBRUARY 16, 2007.

PIN	NAME	DEED BOOK	DEED PAGE
1	3292-97-8857-0000 HAMPSHEAD CROSSING LLC	4289	200
2	3292-07-1701-0000 HAMPSHEAD CROSSING LLC	4289	200
3	3292-07-3653-0000 ARMSTRONG MARK JEFFERY et al	4415	95
4	3292-07-5477-0000 SMITH CLIFFORD HAROLD III	1549	238
5	3292-07-7430-0000 LORUSSO JESSICA	2045	61
6	3292-07-8384-0000 TOWLER GARY J	673	203
7	3292-07-9360-0000 JONES ROBERT C et al	676	162
8	3292-17-1204-0000 BLAKE JAMES ROY	1056	111
9	3292-17-2158-0000 FUTRELL JOSEPH LEE et al	842	116
10	3292-17-3126-0000 HOWARD CHARLENE C	707	41
11	3292-17-4121-0000 HOWARD CHARLENE C	707	41
12	3292-17-5017-0000 ELMORE ROBERT W et al	587	200
13	3292-17-6004-0000 SMITH CLAUDE ALLEN et al	2323	40
14	3292-17-6074-0000 GARVEY KENNETH L et al	3729	274
15	3292-16-7945-0000 GARVEY KENNETH L et al	3729	274
16	3292-16-8917-0000 GARVEY KENNETH L et al	3729	274
17	3292-16-8964-0000 SMITH GLADYS ANN	501	7
18	3292-16-9952-0000 SMITH GLADYS ANN	466	239
19	3292-26-0826-0000 GARVEY THURMAN et al	3305	152
20	3292-26-1825-0000 WILLIAMS JAMES D JR	4409	53
21	3292-26-2812-0000 JOHNSTON KANSAS KIRT	4239	63
22	3292-26-3777-0000 MURRAY TONY FRANCIS	630	199
23	3292-26-4752-0000 MURRAY TONY FRANCIS	630	199
24	3292-26-5711-0000 MURRAY TONY F	767	216
25	3292-26-5696-0000 SPIVEY EDITH GARVEY	625	234
26	3292-26-6663-0000 SPIVEY EDITH GARVEY	2569	90
27	3292-26-7630-0000 LACIVITA MICHAEL DAVID et al	2415	8
28	3292-26-8543-0000 FUTRELL RANNY H et al	2934	232
29	3292-26-9578-0000 WHALEY JOHNNIE RAY	4104	190
30	3292-36-0468-0000 WARD JACK T JR et al	456	174
31	3292-36-2401-0000 ESPINOZA ROBERTO O et al	1894	110
32	3292-36-2378-0000 ESPINOZA ROBERTO O et al	1894	110
33	3292-36-7371-0000 RHODES ROY LEE et al	559	16
34	3292-46-4159-0000 BRIDGES CHAD A et al	4581	343
35	3292-46-8066-0000 RHODES ROY LEE et al	3762	222
36	3292-56-0561-0000 BRANDT ANNE MARIE	4586	330
37	3292-56-0808-0000 SABELLA JAMES C et al	1188	121
38	3292-46-6885-0000 SONG MARIA DEL MAR et al	2946	233
39	3292-47-5170-0000 LEA GARY NOAH et al	592	104
40	3292-47-3215-0000 SEAR RICHARD HARVEY et al	3287	131
41	3292-47-2402-0000 O'REILLY RYAN D et al	2497	114
42	3292-37-8433-0000 CASTORO JOHN M et al	1073	65
43	3292-37-4993-0000 BUTLER THINA TAYLOR	4288	280
44	3292-37-4817-0000 HYNES ELAINE S REVOCABLE TRUST	1337	158
45	3292-38-0175-0000 MATTIUN JOSEPH et al	1829	281
46	3292-28-8370-0000 TROMBINO JOSEPH JR et al	1031	255
47	3292-28-6001-0000 GARG SHYAM L et al	701	119
48	3292-28-3893-0000 ANDERSON MACK D et al	2552	270
49	3292-28-2962-0000 WARREN WILLIAM L et al	2655	304
50	3292-29-1053-0000 HAWKINS WILLARD T JR et al	3544	158
51	3292-29-1274-0000 EDENS WILLIAM A et al	4015	81
52	3292-19-3858-0000 HAMPSHEAD VILLAGE ASSN INC	744	547
53	3292-19-4204-0000 JONES UNWOOD J	3348	173
54	3292-19-1160-0000 LEA ANITA	403	262
55	3292-19-2965-0000 LEA ANITA	680	59
56	3292-18-0927-0000 JONES JACK P	4500	166
57	3292-08-6686-0000 COUNTY OF PENDER A POLITICAL SUBDIVISION	2317	338
58	3292-08-2304-0000 TAYLOR LINDA KAYE HOWARD et al	4063	215
59	3292-08-1231-0000 GARG SHYAM L et al	676	217
60	3292-08-0136-0000 GARG SHYAM L et al	676	217

REVISIONS

GREY BULL, INC.
12917 DURANT ROAD
RALEIGH, NC 27614

CLIENT INFORMATION

PARAMOUNT ENGINEERING
5911 Olander Drive, Suite 201
Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6760 (F)

PROPERTY SURVEY
GREY BULL PROPERTY
US HWY 17 HAMPSHEAD
TOPSAIL TOWNSHIP
PENDER COUNTY, NORTH CAROLINA

PROJECT STATUS

CONCEPTUAL LAYOUT:
FINAL DESIGN:
RELEASED FOR CONSTRUCTION:

DATE: 9/19/2015
SCALE: 1"=200'
DRAWING INFORMATION
DATE: 9/19/2015
SCALE: 1"=200'
DRAWING INFORMATION
DATE: 9/19/2015
SCALE: 1"=200'

SV-1

PEI JOB#: 15204.PE

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



**Pender County
REZONE 2023-53: Zoning Map
Amendment application for one parcel
totaling approximately 6.5 acres from the
EC, Environmental Conservation zoning
district to the RP, Residential
Performance zoning district in the
Topsail Township**

TO:	Planning Board
FROM:	Justin Brantley
DATE:	June 6, 2023
SUBJECT:	REZONE 2023-53: Zoning Map Amendment application for one parcel totaling approximately 6.5 acres from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district in the Topsail Township

SUMMARY:

Pender County Planning & Community Development, applicant, on behalf of Channing Langrudi, owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 6.5 acres of land from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district. The subject property is located on the north side of Hwy 210, across from Watts Landing Rd in the Topsail Township and may be further identified by Pender County PIN: 4225-36-0682-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Zoning Map Amendment request.

ATTACHMENTS:

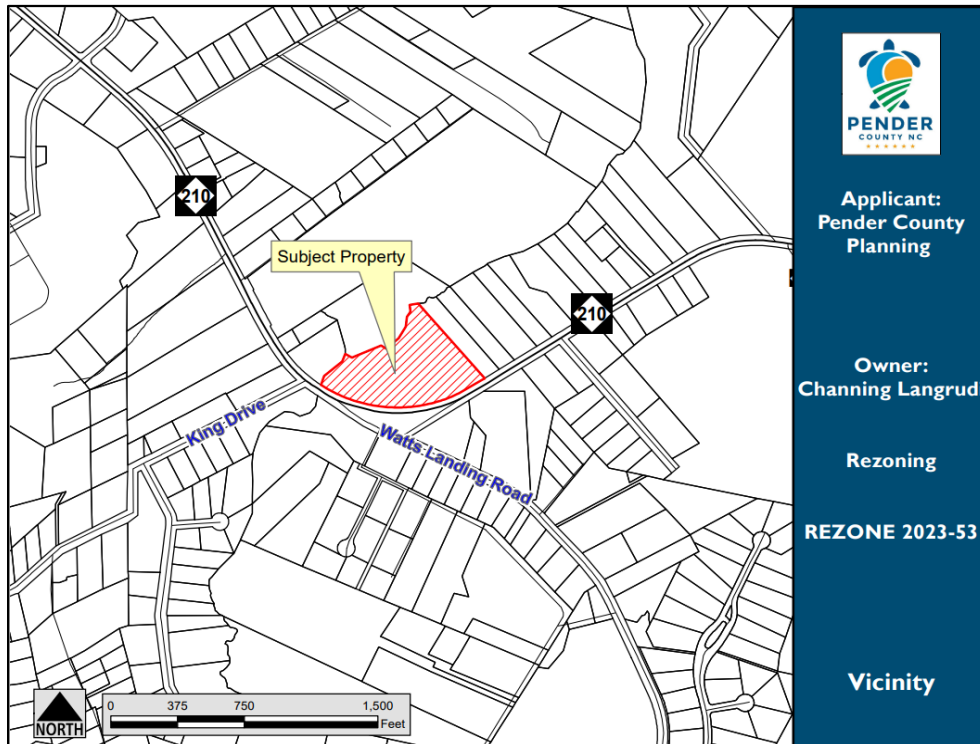
1. Staff Report
2. Application
3. Site Map
4. Attachment 1-Deannexation Documents
5. Attachment 2-Table of Permitted Uses

**STAFF REPORT FOR REZONE 2023-53
ZONING MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2023-53
Hearing Dates	June 6, 2023 Planning Board July 10, 2023 Board of Commissioners
Applicant	Pender County Planning & Community Development
Property Owner(s)	Channing Langrudi
Parcel Identification Number(s)	4225-36-0682-0000
Acreage	+/- 6.5
Township	Topsail
Pender 2.0 Future Land Use Category	Undesignated

REZONING PROPOSAL
Pender County Planning & Community Development, applicant, on behalf of Channing Langrudi, owner, is requesting approval of a Zoning Map Amendment to rezone one tract totaling approximately 6.5 acres of land from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district.
LOCATION
The subject property is located on the north side of Hwy 210, across from Watts Landing Rd in the Topsail Township and may be further identified by Pender County PIN: 4225-36-0682-0000.

Below: Vicinity Map of the Area



REZONING PROPOSAL

The applicant is proposing to rezone approximately 6.5 acres from the EC, Environmental Conservation zoning district to the RP, Residential Performance zoning district. The subject parcel was recently de-annexed back into Pender County from Surf City. See Attachment I for Annexation/De-annexation documentation. When de-annexation occurs, the property defaults to the Environmental Conservation zoning district. Staff was recently made aware of the de-annexation and have since worked with the property owner to rezone the property to the more appropriate zoning district. The Pender County UDO provides the following language:

4.3.2 Areas within the jurisdiction of the County which are not under water

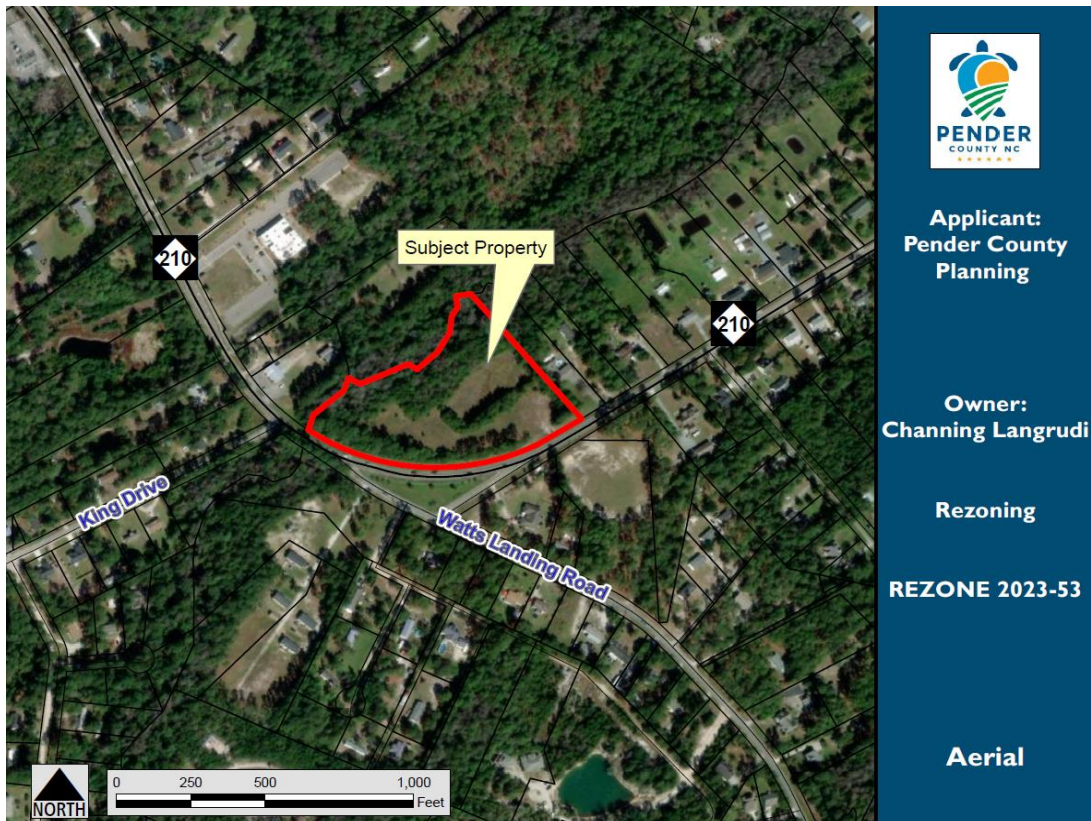
All lands within the jurisdiction of Pender County which are not under water and are not shown as included within the limits of any district shall be considered to be in the Environmental Conservation District, until otherwise classified by amendment to this Ordinance.

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 Residential Performance zoning district. Any future development of the site must comply with the standards of the Residential Performance 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 Residential Performance Zoning District

The Residential Performance zoning district is intended to allow a variety of residential uses and densities and also limited commercial activities as well as agritourism. Existing or new agricultural and farm uses shall be allowed on undeveloped land prior to development.

Below: Aerial Map of the Area



Dimensional Requirements

As this is a general use rezoning, the standard setbacks in the RP, Residential Performance 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 (Residential Performance)	
Front	30
Side	10
Rear	25
Corner	15
Max. Height	35
Structure Separation	30

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 Residential Performance zoning district. The table below provides a general list of typical developments permitted in the Residential Performance zoning district. A comprehensive list of all uses from Section 5.2.3 of the UDO is included in Attachment 2.

	RP, Residential Performance
Residential Uses	≈ 6 uses by-right (Single Family Detached Dwelling, Duplex, Accessory Dwelling Unit, Manufactured Home)
Commercial Uses	≈ 6 uses by-right (Family Child Care Home, Public Park, Temporary Fruit & Vegetable Stand, etc.) ≈ 33 uses w/ SUP (Artisan Manufacturing, Water Supply Facilities, Food and Beverage Stores, Educational Services etc.)

TRANSPORTATION INFRASTRUCTURE

Access

The subject property has direct access to NC Highway 210. Development of the subject property 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 Annual Average Daily Traffic (AADT) – 2021; WMPO Roadway Capacities – 2021

Road	Location	Volume	Planning Capacity	V/C
Hoover Road	Intersection of NC HWY 210 and Watts Landing Road	18,500	20,973*	0.88

*Planning Capacity data are not available at this location. The value is an estimate from WMPO staff based on similar segments of NC HWY 210.

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 north side of NC Highway 210. 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. If approved, the rezoning to Residential Performance would allow for residential development which may bring school-aged children in the future.

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)

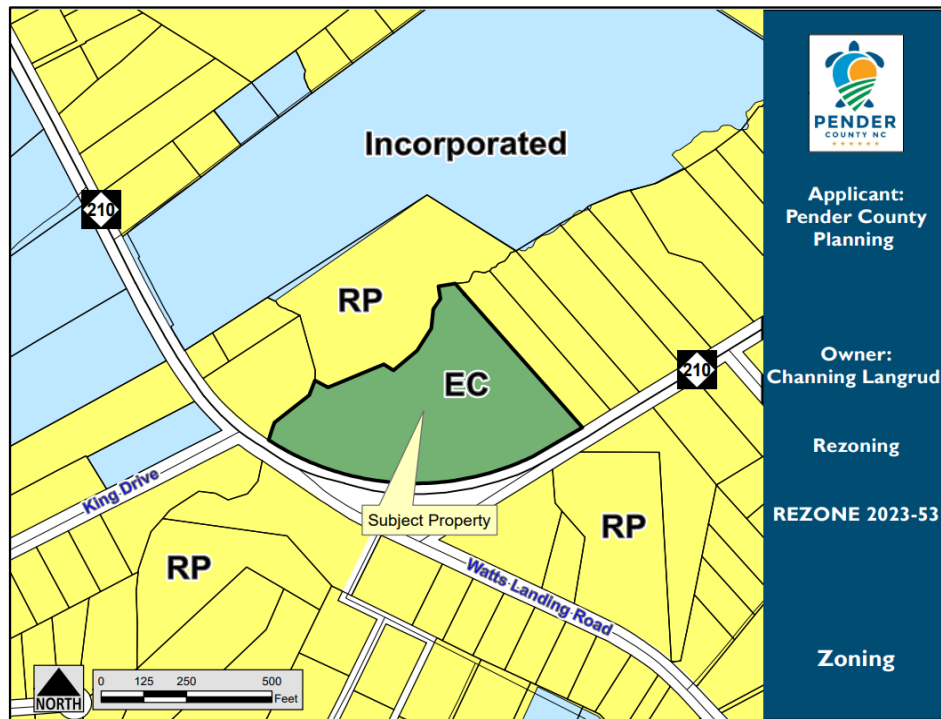
² According to the NC Division of Coastal Management (NC DCM)

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



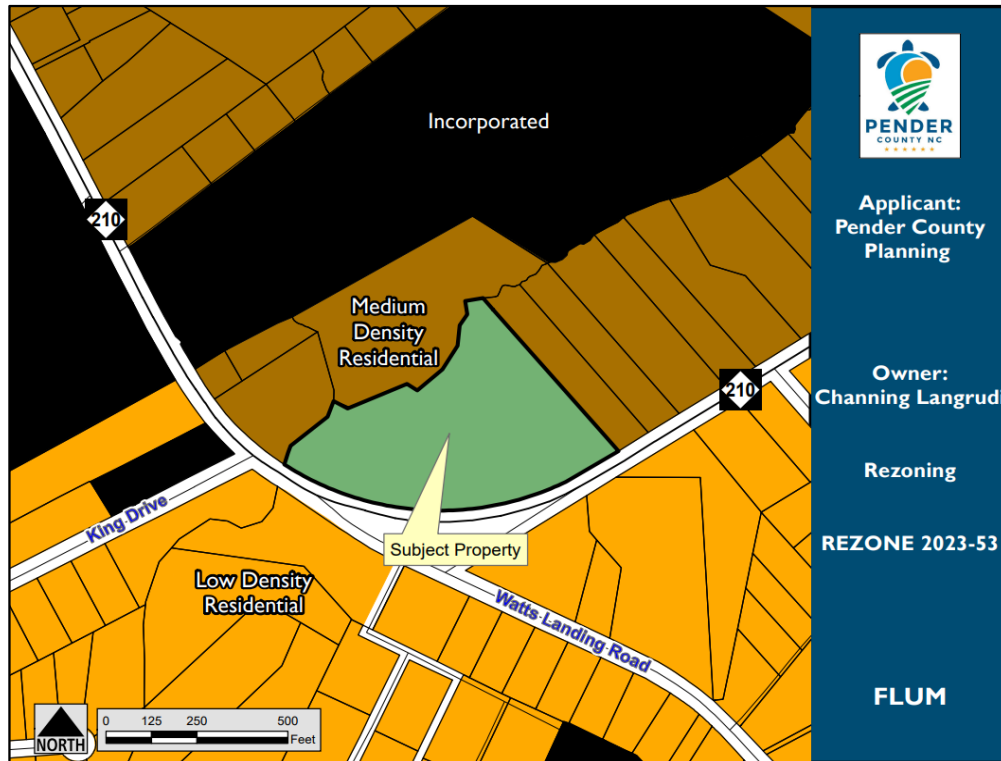
CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Residential	RP, Residential Performance
East	Residential	RP, Residential Performance
South	Residential	RP, Residential Performance
West	Residential	RP, Residential Performance

Surrounding Zoning

The subject properties are currently within the EC, Environmental Conservation zoning district. Properties immediately adjacent to the subject property are currently zoned RP, Residential Performance as indicated by the table above.

Below: Future Land Use Map



Pender 2.0 Comprehensive Land Use Plan Compliance: The subject property is not located within a Future Land Use Category as it was recently de-annexed from the Town of Surf City. Planning staff recommend that that subject property be designated within the Medium Density Residential Category of the Future Land Use Plan as this is the designation of the surrounding properties.

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.

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.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.

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 two policies within 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.

Approval of the rezoning request would also amend the Future Land Use Map to classify the subject property as Medium Density Residential.

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.V**

The proposed rezoning is consistent with the 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. The Planning Board hereby recommends approval of the zoning map amendment with associated amendment to the Future Land Use Map.

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 2023-53	Date	5/15/2023
Application Fee	♦ N/A	Invoice	N/A
Pre-Application Conference	N/A	Hearing Date	June 6th PB, July 10th BOCC
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Pender County Planning & Community Development	Owner's Name:	Channing Langrudi
Applicant's Address:	805 South Walker Street	Owner's Address:	213 Circle Drive
City, State, & Zip	Burgaw, NC	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-259-1202	Phone Number:	
Email Address:	jbrantley@pendercountync.gov	Email Address:	wessellone@gmail.com
Legal relationship of applicant to landowner: Pender County Initiated Rezoning			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4225-36-0682-0000	Total property acreage:	6.5 acres
Current Zoning District:	EC	Proposed Zoning District:	RP
Project Address:			
Description of Project Location: North Side of NC 210 across from Watts Landing Road			
SECTION 3: SIGNATURES			
Applicant's Signature	Justin Brantley, Senior Planner	Date:	5/19/2023
Applicant's Name Printed	Justin Brantley	Date:	5/19/2023
Owner's Signature	Channing Langrudi	Date:	
Owner's Name Printed	Channing Langrudi	Date:	5-16-23
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			



PIN: 4225-36-0682-0000
 Owner: LANGRUDI, CHANNING
 213 CIRCLE DR
 HAMPSTEAD, NC 28443
 Deed Ref: 2387/165

Property
 Address: NC 210 HWY
 Description: 6.51ACRES NC HWY 210 NEAR INTERSECTION W/ SR 1560

Sale Price: \$50,000
 Sale Date: LAST_SALE_DATE
 Plat: NOPLAT
 Account No: 859491
 Township: TOPSAIL
 Subdivision:
 Tax Codes: G01 F32 R40

Acres: 6.51
 Land Value: \$135,930
 Building Value: \$0
 Total value: \$135,930
 Deferred Value: \$0
 Exempt Amount: 0
 PCL Class: R
 Heated Sq Feet:

Pender County

1:1,989
 0 0.0125 0.025 0.05 mi
 0 0.0225 0.045 0.09 km

1 inch = 166 feet

05/16/2004





State of North Carolina
Department of the Secretary of State
Land Records Management Division

Elaine F. Marshall
SECRETARY OF STATE

THOMAS W. MORGAN
LAND RECORDS MANAGER

March 26, 2013

Ms. Patricia Arnold
Town Clerk
PO Box 2475
Surf City, NC 28445

Dear Ms. Arnold:

This is to acknowledge receipt of the following annexation ordinance for the municipality of Surf City.

Ordinance: 2013-03-05 Adopted: 3/5/2013

Please contact me if you have any questions.

Sincerely,

Thomas W. Morgan

Post Office Box 29622, Raleigh, NC 27626-0622 PHONE: 919-807-2206 FAX: 919-807-2210

Page 14 of 26

Exhibit "A"

BEGINNING at a nail in the centerline of N.C. Highway No. 210, which is located along said centerline at a point that is directly above the center of a 60 inch metal culvert that accommodates the water of Pole Bridge Branch beneath the roadway; and running thence,

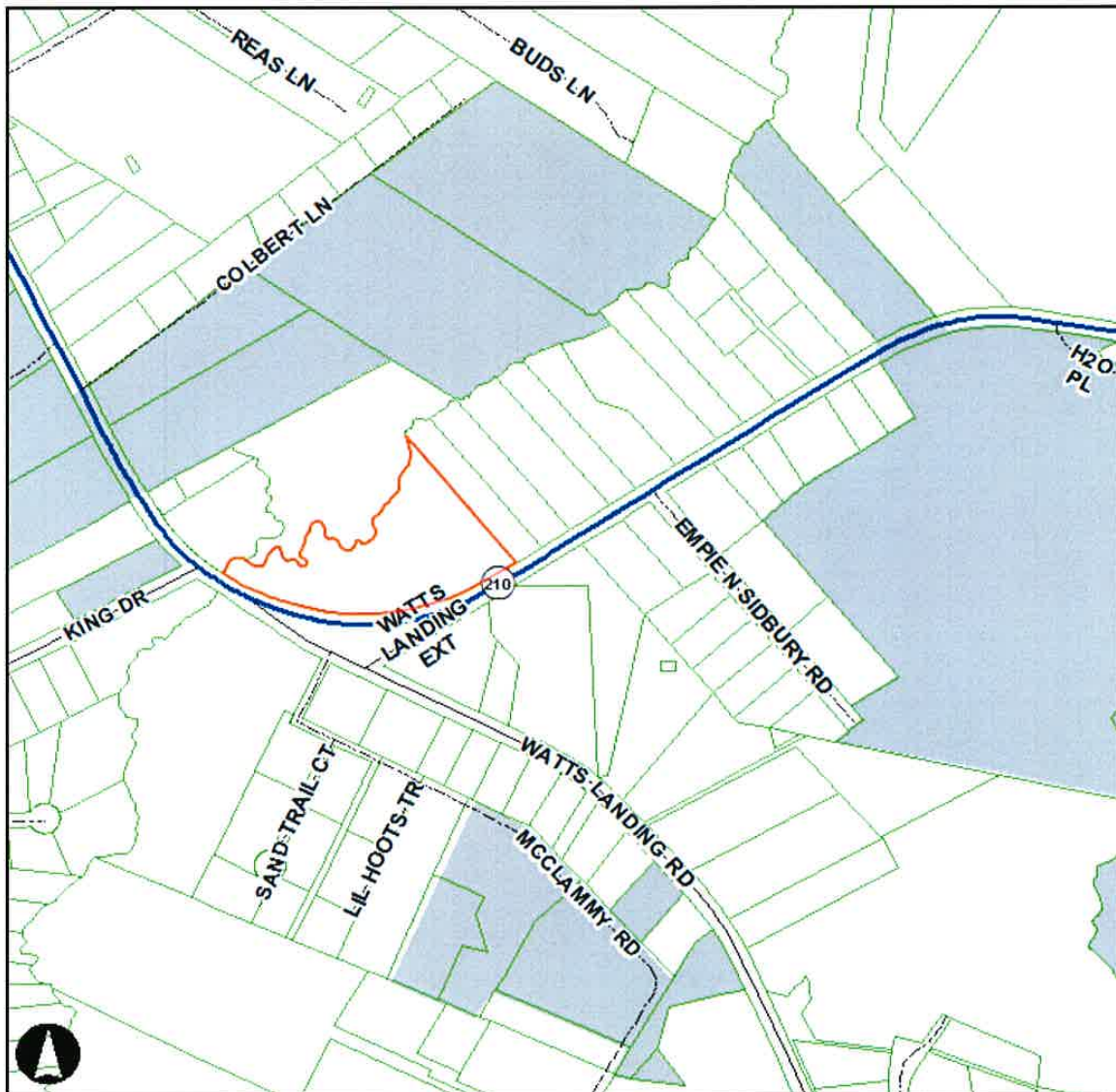
- (1) up the run of Pole Bridge Branch as it meanders in a Northeastwardly direction with the following being traverse courses and distances from point to point along or near said run:

North 25 Degrees 48 minutes 00 seconds East 87.56 feet, North 59 degrees 22 minutes 20 seconds East 130.88 feet, North 28 degrees 37 minutes 50 seconds East 47.26 feet, South 53 degrees 16 minutes 30 seconds East 43.71 feet, North 74 degrees 58 minutes 16 seconds East 177.42 feet, South 48 degrees 29 minutes 30 seconds East 34.01 feet, North 57 degrees 22 minutes 25 seconds East 91.52 feet, North 39 degrees 33 minutes 55 seconds East 78.47 feet, North 14 degrees 02 minutes 55 seconds East 57.34 feet, North 41 degrees 45 minutes 40 seconds East 36.72 feet, North 00 degrees 32 minutes 00 seconds West 38.44 feet, and North 88 degrees 48 minutes 40 seconds East 49.72 feet to an iron pipe in the run of said branch; thence,

- (2) South 32 degrees 55 minutes 20 seconds East 600.68 feet (passing over an iron stake inline at 450.68 feet and an iron pipe inline at 569.38 feet) to a nail and cap in the curved paved centerline of N.C. Highway No. 210; thence,
- (3) South 67 degrees 09 minutes 40 seconds West 133.87 feet with the centerline of N.C. Highway No. 210 to a nail and cap at the beginning of a curve to the right; thence,
- (4) Continuing with said curved paved centerline as it curves to the right the following chord courses and distances:

South 70 degrees 04 minutes 15 seconds West 57.94 feet, South 77 degrees 20 minutes 10 seconds West 145.97 feet, South 87 degrees 55 minutes 30 seconds West 145.69 feet, North 83 degrees 15 minutes 29 seconds West 77.52 feet, North 78 degrees 36 minutes 56 seconds West 75.47 feet, North 69 degrees 19 minutes 55 seconds West 145.50 feet, North 60 degrees 34 minutes 00 seconds West 161.22 feet and North 51 degrees 40 minutes 40 seconds West 67.70 feet to the Beginning,

Containing 6.505 acres, more or less, after the exclusion of that portion of N.C. Highway No. 210 (60 foot wide right of way) contained within the above described boundaries and is as surveyed during October 1996.



Scale: 1:500



PIN: 4225-36-0682-0000
 NAME: LANGRUDI CHANNING et al
 ADDR: 714 E OCEAN RD
 CITY: SURF CITY
 STATE: NC
 ZIP: 28445-0000
 PROPERTY ADDRESS: 210 HWY
 PROPERTY DESCRIPTION: AT INTERSECTION OF
 SR 1560
 DATE: 5/17/2004
 SALE PRICE: \$50,000.00

PLAT: NOPLAT
 ACCOUNT: 859491.000000
 TOWNSHIP: 102
 TNSH DESC: TOPSAIL
 ACRES: 6.51
 LAND VALUE: \$33,250.00
 BUILDING VALUE: \$0.00
 TOTAL VALUE: \$33,250.00
 DEFERRED VALUE: \$0.00
 SUBDIVISION: Null
 ZONE: R20
 TAX CODES: G01 F32 R40

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2022-29
HOUSE BILL 1096**

**AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
LIMITS OF THE TOWN OF SURF CITY.**

The General Assembly of North Carolina enacts:

SECTION 1. The property identified by Pender County Tax Property Identification Number 4225-36-0682-0000 is removed from the corporate limits of the Town of Surf City.

SECTION 2. This act has no effect upon the validity of any liens of the Town of Surf City for ad valorem taxes or special assessments outstanding before the effective date of this act. Such liens may be collected or foreclosed upon after the effective date of this act as though the property were still within the corporate limits of the Town of Surf City.

SECTION 3. This act becomes effective June 30, 2022. Property in the territory described in Section 1 of this act as of January 1, 2022, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2022.

In the General Assembly read three times and ratified this the 30th day of June, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives



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