



Pender County

Agenda

Planning Board Meeting

Tuesday, August 2, 2022 @ 7:00 PM
Pender County Public Assembly Room

	Presenter	Page
1. CALL TO ORDER		
2. ROLL CALL		
3. INVOCATION		
4. PLEDGE OF ALLEGIANCE		
5. ADOPTION OF AGENDA		
6. ADOPTION OF MINUTES		
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7. PUBLIC COMMENT		
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9. DISCUSSION		
9.1. Cape Fear Council of Governments Presentation and Discussion		
10. NEXT MEETING DATE		
11. ADJOURNMENT		



Pender County Request for Board Action

TO: Planning Board
FROM: Travis Henley
DATE: August 2, 2022
SUBJECT: February 1, 2022 Minutes

SUMMARY:
February 1, 2022 Meeting Minutes attached.

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MINUTES
Planning Board Meeting
Tuesday, February 1, 2022
805 S. Walker Street/BOCC Chambers
7:00 PM

MEMBERS PRESENT: Delva Jordan, Chairman
Damien Buchanan, Vice Chairman
Jeffrey Pitts
Norman Ken Teachey
Jeff Beaudoin

MEMBER ABSENT: John Gruntfest

OTHERS PRESENT: Travis Henley, Planning Director
Vanessa Lacer, Planner II
Trey Thurman, County Attorney
Other Staff and Members of the Public.

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 7:00 pm.

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda as presented.

Moved by Damien Buchanan, seconded by Jeffrey Pitts

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
John Gruntfest				X
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CARRIED.

6 ADOPTION OF MINUTES

Motion to approve Planning Board minutes for January 4, 2022, meeting.

Moved by Jeffrey Pitts seconded by Norman K. Teachey

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
John Gruntfest				X
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CARRIED.

7 PUBLIC COMMENT

There was no public comment.

8 PUBLIC HEARINGS

a) ZTA 2021-15

Vanessa Lacer, Planner II, reviewed the staff report with the board.

Pender County, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Article 3, Sections 3.1.1 'Pre-Submittal Meeting with Staff,' 3.1.2 'Application Requirements,' 3.5.3 'Pre-Application Conference,' 3.5.4 'Review,' 3.9.2 'Pre-Application Conference,' 3.9.3 'Review,' 3.10.2 'Pre-Application Conference,' and 3.14.3 'Pre-Application Conference' and various workflow figures within Article 3 'Review Procedures' to ensure conformance with updated ordinance language. This request revises the current requirements for pre-submittal meetings, fees and waiting periods in order to improve the efficiency of the application review process.

Ms. Lacer stated that the revisions are in compliance with the Comprehensive Plan and are supported by Policy 5.1.G: Development Review. There is no conflicting policy within the Comprehensive Plan. Ms. Lacer stated that the intention of this amendment is to increase the efficiency of the applicant submittal process.

Ms. Lacer stated that there are two main changes being requested. The first is 3.1.1, specifically 3.1.1.B and 3.1.1.C, for face-to-face pre-submittal meetings and a thirty day wait period following the pre-submittal meeting, prior to submission of an application. The Planning Board staff has found applicants are often well-versed in application requirements and the review process, sometimes rendering a pre-submittal meeting unnecessary. Removing the requirement for a pre-submittal meeting would simplify the application process for experienced applicants and increases efficiency for all parties involved, including staff and applicants, as only necessary meetings would be conducted. Removal of the pre-submittal meeting as a requirement, the required thirty day waiting period between pre-submittal meeting and application submission is no longer logical to enforce.

The second requested change is 3.1.2, where currently fees are required at the time of application, but new technology has been implemented allowing staff to review application information then generate an invoice.

Ms. Lacer indicated that the remainder of changes are reflections of the two listed change requests and that the staff is requesting approval to change the United Development Ordinance.

Chairman Jordan asked the Board members if they had any questions or comments for the Planning Department staff. No comments or questions were presented.

Mr. Henley stated that the issues being addressed have been issues that applicants have raised concerns about. Often applicants have hired engineers on their behalf and the Planning Department staff has worked with these engineers on a regular basis. Holding a required Pre-Submittal meeting may be a waste of time for the Planning Department staff, applicant, and the engineer. The Pre-Submittal meeting takes time away from meeting with new developers and engineers who have never worked with Pender County before.

Chairman Jordan stated that he assumes this will streamline the process and Mr. Henley stated that this change will help streamline the process.

Mr. Buchanan stated as a realtor in the community, time is often of the essence.

Mr. Pitts stated that he has worked with the Planning Department and the Department is often stretched thin so anything to streamline the process would be beneficial.

Moved by Damien Buchanan, seconded by Norman Teachey

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
John Gruntfest				X
	5	0	0	1

CARRIED.

9 DISCUSSION

a) Parks and Recreation Master Plan Presentation

Ms. Lacer stated that a great amount of work has occurred behind the scenes. The Plan was first adopted in 2010 and had a ten-year life span necessitating an update. The goal of the 2022 update is to maintain the current plan that is compliant with planning requirements. The project began in July of 2021 and many objectives have been accomplished and is currently in the plan development phase which should be completed on February 22, 2022. A draft with the final plan will be presented in late March of 2022.

Ms. Lacer expressed that public input has been an important part of this process. Surveys were sent out and public meetings were held in eight different locations to ask the residents what they desired. Five focus group meetings were held to target people who weren't heard such as the Future Opportunities Group which contained representatives from under-represented communities and groups.

Ms. Lacer presented the Board with a small view of the preliminary findings though the plan is not completed, and data analysis is still taking place. A need for walking, jogging, and hiking trails and bike paths were top priorities.

The final plan will be completed on February 22, 2022, and the public comment period will open. The plan will be presented to the Planning Board in March of 2022, after the public comment period expires. Planning staff will be requesting that the Board adopt the plan.

Mr. Beaudoin expressed his concern pertaining to the safety of people getting into Holly Shelter by using Hwy. 17. He understands that the plan is very general right now but are there any definite plans as to where the bike paths will be located. He feels that plotting out the bike paths should be the next step.

Ms. Lacer stated that the plotting of the bike paths will in the near future. Funds were applied for from the Wilmington Metropolitan Bicycle Pedestrian Plan and Pender County has been selected as a recipient. The final decision will be decided in March of 2022, and if all works as planned, the bike path plan will begin this summer.

Mr. Henley stated that the County will have input as to grant money that is available to accomplish some of the projects. He stated that the sidewalk

project was already approved but has been postponed until the Hampstead By-Pass is complete.

Mr. Buchanan stated that he feels there is a need for more ball fields. There are not enough ball fields now and with more people moving to the area and bringing more children, where do baseball, softball, soccer fields and basketball courts fit into this plan. If this area is not addressed in the next ten years, an injustice will be done to the children. He questioned as to whether this area is being addressed and Ms. Lacer stated that different sport fields are being considered with this plan.

Mr. Henley stated that the County recently acquired a piece of property north of Burgaw to not replace Pender Memorial Park but to have another park option. The County is seeking to acquire more land but that is difficult due to competing with other people, including developers and homebuilders, who are willing to pay high dollar amounts.

Mr. Buchanan stated that many fields are not well maintained. North and South Topsail have great fields but they are not maintained adequately. Is there some type of barrier to being able to utilize those fields?

Mr. Henley stated that one of the recommendations for this plan is to have park systems instead of school systems.

Mr. Buchanan stated that some private non-profit organizations have equipment and are willing to help maintain some of the fields but need to have a place to store the equipment nearby that is cost effective.

Chairman Jordan asked for the locations of the eight meetings. Ms. Lacer and Mr. Henley provided the locations. Mr. Jordan questioned as to whether the County was covered geographically and Ms. Lacer affirmed that the County had been.

Mr. Jordan asked what meeting the most people attended and Mr. Henley responded it was most likely Penderlea.

Mr. Henley stated that the Town of Surf City has quite a robust Parks and Recreation Department.

Ms. Lacer stated that the public has been given ample opportunity to provide input so she would not expect a great deal of additional comments at this stage, though some are likely.

Mr. Jordan expressed that he is not aware of how many basketball courts the County currently has but feels the youth of the County need more

basketball and tennis courts. Not all people play softball or baseball, and he is wanting to make sure that all sports are taken into consideration. Ms. Lacer stated that all sports, exercise, and past times need to be taken into consideration. She stated that walking trails mean different things not necessarily a hiking trail.

Mr. Jordan questioned as to whether certain parks could be located in particular areas, such as ball fields in one location and tennis courts in another. Ms. Lacer stated that a formula is used to a degree plus demand is considered. The plan will include a map showing proposed park locations and type of park broken down by size and function. She stated that feasibility is also a factor that is considered.

Mr. Jordan stated that there is no reason to spend money on something that will not be utilized. Parks need to be located where they will be used, or it would make no sense to invest the money.

Ms. Lacer stated that research has been a very important part of this project and any recommendations made will reflect that research.

Mr. Teachey stated that in the past, school gyms were open for the public to utilize when not in use but the school board appears to have changed that policy. Is this change due to liability reasons? Mr. Thurman responded that liability, security, and the fact that some groups were using the gyms to host basketball tournaments and charging a fee but were not giving a portion of the generated funds back to the school system. This created issues and pushback from the schools. Mr. Thurman also stated that a similar problem was happening at Kiwanis Park where groups would take over areas or fields and the public could not utilize those areas.

Mr. Beaudoin stated that Topsail Basketball Association uses Topsail school gyms and is an organized Association with people being held responsible. He thinks that the Board of Education would be more open to allowing the gyms to be used under this system.

Mr. Thurman stated that he understands the Board of Education's concerns but feels that there should be some way of dealing with the concerns besides not allowing access to the gyms.

Mr. Beaudoin stated that at the entrance of Holly Shelter there is quite a bit of open land which would be perfect for additional fields to be located. That land is in the state's name which may make it difficult to propose having ballfields located there. Mr. Beaudoin asked if leasing that area would be a possibility.

Mr. Jordan asked the Board if they have any additional thoughts or comments and no member responded.

Mr. Henley stated that the Board members are welcomed to contact the Planning Department if any questions or concerns arise.

b) Unified Development Ordinance Update

Mr. Henley stated that he thinks that Chairman Jordan is the only member who has been a part of this process. There have been many delays and the process needs to get restarted. He stated that the goal is to incorporate the action items from the Comprehensive Land Use Plan into the UDO. He stated that currently the UDO is still based on the recommendations of the 2010 Comprehensive Land Use Plan, which has been obsolete for approximately three and a half years. The UDO needs to be brought into compliance with the Comprehensive Land Use Plan. The State adopted new General Statutes related to Land Use controls given to governments and the Ordinance has been update accordingly.

Mr. Henley spoke of the major items that are trying to be accomplished and not all the items are going to be directly addressed in the UDO.

Mr. Henley talked of the schedule that was given back in September of 2019, stating that it called for the adoption of the UDO on January 21, 2020, but due to various delays, this goal was not met.

Mr. Henley stated that the current Zoning Districts are not aligned with the Comprehensive Land Use Plan. The Zoning Districts are supposed to allow some flexibility to maximize the future land use needs.

Mr. Teachey stated that certain areas of the County have a lot of rural areas with very few houses and that is what the people living there want. The people do not want houses all around them. They don't want to be "crowded out" and "crowding out" becomes "priced out".

Mr. Henley stated that with the by-pass in the Highway 17 area, the County may need to rethink what is wants to see on that corridor. The County is trying to look and think ahead but that is somewhat difficult until the impact of the by-pass is known.

Mr. Henley and the Board members discussed the parking space requirements that are currently enforced. Mr. Henley stated that the reason why parking lots have so much unused parking spaces is

because of the Planning Department requirements. If the business wants fifteen spaces but is required to have thirty, why is this being enforced when less parking equals less impervious surfaces which is better for the environment.

Mr. Jordan agrees with the less parking but questioned what would happen if the business was to fail.

Mr. Buchanan stated that he feels the market will drive what the need is.

Mr. Henley stated that he feels the parking lot requirements are too strict and they don't need to be. Anything over five spaces must be paved, which he feels is unnecessary. New Hanover and Brunswick do not have such strict guidelines.

Mr. Henley then spoke of Resource Conservation Areas which involves the same calculations that are being currently used for conditional rezoning. This will be one of the last matters that will be reviewed. He thinks the idea was good and well intentioned but mandating it everywhere is not.

Mr. Henley then discussed putting into place incentives for the development patterns that the County wants to see take place. The Comprehensive Land Use Plan provides several recommendations for providing density bonuses for going above and beyond what it required.

Mr. Buchanan stated that pertaining to Stormwater and Flooding, the County needs to protect the environment but not put an undue burden on developers and clustering may be one way to achieve this goal.

Mr. Henley stated that New Hanover County is further than Pender County in terms of affordable housing and are trying some new options. Pender County could possibly take lessons from them or other similar counties across the state. He told the Board that it is hard to compare North Carolina to other states due to our General Statutes. Places that are on the fringe of rapidly growing counties are the best to model after. The County can learn from those places and put into place a system that works for Pender County.

Mr. Henley stated that Pender County needs to make sure a system is developed that will actually work. It is easy to write an Ordinance that takes care of every objective, but if nobody takes advantage of it, then it would not be successful.

Mr. Henley stated that he feels the best way to restart this process is to handle it in phases and not the whole document at one time. Articles 1,2,3,6,9,10,11 and 13 are considered standard language.

Mr. Henley stated that Articles 4 and 5 would make sense to do at the same time due to 4 addressing zoning districts and 5 addressing permitted uses. Articles 7 and 8 should be done at the same time also due to 7 addressing design standards and 8 addressing landscaping. Articles 7 and 8 will probably have the most changes.

Mr. Buchanan asked if when the items go before the Commissioners and if the item is approved, does it immediately go into effect and Mr. Henley responded affirmatively.

Mr. Henley stated that the Planning Board's role is to serve as the steering committee for this project. All the Planning Board members will be directly involved. He stated that after speaking to some of the members, there may be a desire to establish a smaller group that is more involved with the actual process.

Mr. Thurman stated that participation is vital and very important.

Mr. Henley stated that many lessons were learned from this process the first time. The goal is to implement the County's Comprehensive Land Use Plan and if the fit is not consistent with the Comprehensive Land Use Plan then it should not be implemented in the UDO.

Mr. Buchanan asked if input meetings would be needed and Mr. Henley responded by stating that to do it right, the input meetings will be necessary or if not with input meetings, using tools to get the public input in other means such as the use of surveys.

Mr. Buchanan stated that he feels "phasing" is an excellent approach which would help the public from becoming overwhelmed if they were given all the information at one time. He feels that a more involved sub-committee is needed also to assist the Planning Staff.

Mr. Henley stated that New Hanover County has been doing quarterly maintenance on their Ordinance and once Pender County has a new UDO adopted, the quarterly system will become a part of it.

Mr. Jordan asked if the sub-committee needs to be a public forum and Mr. Henley stated that if a sub-committee is formed, there will be no required amount of members on the committee.

Mr. Thurman stated that all sub-committee meetings would have to be open to the public but there does not have to be a forum and there would be no requirement pertaining to advertising the meetings.

Mr. Jordan asked if the Planning Department would have to record and take minutes and Mr. Buchanan responded that he doubts the Planning Department would need to take minutes but he feels the meetings would need to be streamed to YouTube or something similar.

Mr. Henley stated that the Planning Department would want to record the meetings.

Mr. Buchanan and Mr. Pitts both stated that they would be willing to be members of the sub-committee.

Mr. Henley stated that he would like something to be established tonight pertaining to the sub-committee due to wanting to have the first meeting within the next two or three weeks.

Mr. Jordan questioned whether this matter will need to go before the Board of Commissioners before the first meeting and Mr. Henley stated that it does not need to go before the Board of Commissioners but the Commissioners do need to be made aware of the sub-committee. Mr. Henley stated that the Commissioners are aware that these talks are taking place but then do need to be kept up to date.

Mr. Thurman stated that the Commissioners do not like to be surprised and it is better to give them an update about what is taking place.

Mr. Buchanan asked if the three people have been designated and Mr. Henley stated he thinks he heard three members volunteer, Mr. Buchanan, Mr. Teachey and Mr. Pitts.

Mr. Thurman stated that a motion and vote is not needed for the three members to be on the sub-committee.

Mr. Henley stated that input from all the Board members is needed and just not the three members on the sub-committee. Absent members and any newly appointed members will be asked for their input also.

c) Planning Board Training

Mr. Henley asked the Board members what type of training they would like to have in the future. He offered to invite the Cape Fear Council of

Government back or is willing to research having other people or companies for training and presentations.

Mr. Jordan stated that he would like to have some general guidelines and insights when it comes to deciding whether to vote for or against a matter.

Mr. Buchanan stated that the matter can be covered during the work session scheduled for next month along with stormwater.

10 NEXT MEETING DATE

Motion to move the March 1, 2022, meeting to the Hampstead Annex.

Moved by Mr. Buchanan, seconded by Jeffrey Pitts

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
John Gruntfest				X
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CARRIED.

Approved Meeting Location
March 1, 2022, at 7:00 p.m.
Pender County Hampstead Annex Auditorium
15060 US HWY. 17
Hampstead, NC 28443

11 ADJOURNMENT

Motion to adjourn the meeting at 9:32 p.m.

Moved by Mr. Pitts, seconded by Mr. Teachey

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
John Gruntfest				X
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CARRIED.



Pender County Request for Board Action

TO: Planning Board
FROM: Travis Henley
DATE: August 2, 2022
SUBJECT: July 6, 2022 Minutes

SUMMARY:

July 6, 2022 Meeting Minutes attached.



MINUTES
Planning Board Meeting
Wednesday, July 6, 2022
805 S. Walker Street/BOCC Meeting Room
7:00 PM

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

MEMBERS ABSENT: Delva Jordan, Chairman
Jeffrey Pitts

OTHERS PRESENT: Travis Henley, Planning Director
Trey Thurman, County Attorney
Justin Brantley, Senior Planner
Donna Sayre, Administrative Specialist
Joshua Norwood, GIS Manager
Mike Dickson, Addressing Coordinator
Members of the Public

1 CALL TO ORDER

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

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda as presented.

Moved 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 K. (Ken) Teachey	X			
	5	0	0	2

CARRIED.

6 ADOPTION OF MINUTES

Ms. Mosca requested two changes to the June 7, 2022, Planning Board minutes.

The first change is on page four, under number 8, Public Hearings, MDP-R 2022-38. On the fourth sentence down, she is requesting that it read as follows: "Ms. Mosca again stated she is concerned with elevation issues and the management of the run-off per UDO requirements."

The second request is within the same hearing and is the eighth sentence down. She is requesting that the word "afraid" be replaced with the word "concerned".

Motion to approve Planning Board minutes, with the requested changes by Ms. Mosca for the June 7, 2022, meeting.

Moved by Jeff Beaudion, seconded by Margaret Mosca.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan				X
Damien Buchanan	X			
Jeffrey Pitts				X
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
	5	0	0	2

CARRIED.

7 PUBLIC COMMENT

There was no public comment.

8 PUBLIC HEARINGS

a) ZTA 2022-15

Travis Henley, Planning Director, presented the staff report. Trask Land Company Inc., applicant, is requesting approval of Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of full zoning approval.

Mr. Henley stated that this was originally heard at the June 7, 2022, meeting but was tabled due to the request of the Board members. He added that the Board requested that legal issues be further researched.

Following the June 7, 2022, Planning Board meeting, staff and the applicant have worked together to clarify language stating that tree mitigation requirements run with the land and are required regardless of whether the corresponding development project moves forward or not. Additionally, the proposal now includes additional language in Section 8.1.3 of the Unified Development Ordinance, such that significant trees would include any tree planted under the requirements of an approved tree mitigation plan approved under the Unified Development Ordinance.

Mr. Henley provided an overview of the proposed changes.

Mr. Henley clarified for the Planning Board as to what Zoning Approval entails. Zoning Approval is the approval of a site plan allowing the project to move forward.

Mr. Buchanan asked if this amendment would allow the developer to move forward with site improvements while waiting for external permits that require additional time. Mr. Henley answered affirmatively.

Mr. Beaudoin asked if the developer must adhere to other permit requirements such as NCDEQ. Mr. Henley responded affirmatively.

Andy Wood, PO Box 422, Hampstead, NC, stated that he spoke at the June 7, 2022, Planning Board meeting and wanted to recap some of what he presented at that meeting. Mr. Wood stated that he feels that this amendment is a convenience to developers and does not help the residents of Pender County. He feels that this will diminish the quality of Pender County. By clearing acreage before anything definite is in place is putting the cart before the horse. Mr. Wood is asking for moderation with no need for being reckless. He feels service industry is what the County needs for the economy.

Mr. Buchanan asked the Board members if they had any questions for Mr. Wood. All Board members responded with no.

Mr. Buchanan then asked the Board if they had any questions for the Planning Board staff.

Ms. Mosca asked Mr. Henley what is meant by "all" circumstances? What does that cover? Mr. Henley stated that the language will run with the land.

Ms. Mosca then asked who will enforce the tree mitigation requirements and Mr. Henley stated that the Planning Department will enforce and can fine up to \$100.00 a day if it is not complied with. The Department can also take further action, if necessary.

Mr. Teachey questioned who will guarantee that the tree mitigation requirements are enforced and Mr. Henley stated that the Planning Department will be responsible. Mr. Teachey asked what if five or ten years have passed and the tree mitigation requirements have not been complied with and Mr. Henley stated that the process will be on a case-by-case basis.

Ms. Mosca stated that she is still unclear as to how the land will be protected. Can language be added? She is concerned more with the grading aspect.

Mr. Buchanan stated that NCDEQ would be responsible for erosion control. Mr. Beaudoin added that if the site is graded and water is running off the site, then NCDEQ would be responsible for enforcement.

Mr. Buchanan stated that he can see both sides and added that worst-case scenarios must be acknowledged. He feels that this process needs to run with the land.

Mr. Gruntfest stated that for small business owners, time is money and the longer the process takes the more of a hardship it creates. The County is not alone due to the State also being involved in the approvals.

Moved by Jeff Beaudoin, seconded by John Gruntfest

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan				X
Damien Buchanan	X			
Jeffrey Pitts				X
Margaret Mosca		X		
John Gruntfest	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey		X		
	3		0	2

CARRIED.

b) ZTA 2022-16

Michael Dickson, Addressing Coordinator, reviewed the staff report. Pender County, applicant, is requesting the approval of Zoning Text Amendments to the Pender County Unified Development Ordinance.

Specifically, the request is to amend Section 11.1 "Authority;" Section 11.3.1 "New Road Names;" Section 11.4.B "Petition for Road Names;" Section 11.4.3 "Prohibited Road Names;" Section 11.6.1.D, L, and Q

“Numerical Addressing Requirements;” Section 11.10.2 “Identification;” Section 11.11.1 “Installation;” and 11.11.2 “Maintenance.” These amendments are requested to increase the health and safety of the citizens through 911 addressing requirements, clear up ambiguous language, to grant more property rights to the owners of unnamed access easements, to align the code with current workflows and designated departments, to delineate exceptions for addressing requirements, and to encode the necessity of street signs for private roads. He stated that the main reason for this amendment request is to make 911 addressing clearer and easier for EMS to find locations.

Attorney Trey Thurman asked about easement rights. Does the person or persons who own the land the easement is on have sole control of what the road is named.

Mr. Buchanan asked if anyone who owns the road can petition the county. There must be a solution when parties do not agree on the name.

Mr. Norwood stated that a sole property owner would not need to go before the Board of Commissioners for approval.

Mr. Beaudoin stated that this may be an issue for older divisions of land but does not think it should affect newer divisions as much.

Mr. Dickson stated that currently the fourth house on the property would trigger this process. This process is typically not needed for three or less homes.

Mr. Norwood stated that this is not retroactive but rather for future issues. His department will not be trying to proactively locate unnamed easements.

Mr. Buchanan asked the Board if they had any questions or comments. Attorney Thurman asked for clarification as to the cost of a road sign and if it is the landowner’s responsibility for replacing the sign if it is knocked over.

Mr. Dickson stated that the County will replace the sign if it is destroyed or knocked over. Mr. Henley added that County will put up a sign but the replacement sign and pole will only be standard.

Mr. Norwood stated that the developer is responsible for the first sign

but after that the County will replace. He stated that since the mid 1990's, the County has been replacing signs on both private and public roads.

Ms. Mosca asked how long will a temporary address be valid.
Mr. Dickson stated that there is not a set time frame. This statute is more for emergency purposes.

Mr. Buchanan asked the Board members if they had any further questions or comments.

Mr. Thurman and Mr. Norwood further discussed the easement issue.

Mr. Buchanan asked Mr. Thurman if he is comfortable with the language with Mr. Thurman stating that he has no issues with the language.

Moved by Norman Teachey, seconded by Margaret Mosca

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan				X
Damien Buchanan	X			
Jeffrey Pitts				X
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman K. (Ken) Teachey	X			
	5			2

CARRIED.

9 DISCUSSION

Mr. Henley introduced the newly hired Administrative Specialist, Donna Sayre, to the Board members.

Mr. Henley informed the Board members that the Planning Department is starting today to advertise for a Planning Technician. Charlie Ring will continue to handle the Zoning Enforcement aspect.

Mr. Henley read the following day's TRC meeting's agenda to the Board.

Mr. Henley informed the Board members that Pender County received a \$200,000 grant that requires no matching funds from the County. The grant is to perform a Resiliency Analysis for Highway 210 from Rocky Point to Hampstead. The County will be partnering with NCDOT on this project.

Mr. Henley stated that Wyndwater developer has filed an appeal and will be heard at the August of 2022 Board of Adjustment hearing.

Attorney Trey Thurman stated that the County will be announcing the newly hired County Manager on Monday. The permanent County Manager should be in place at the beginning of September of 2022.

10 NEXT MEETING DATE

August 2, 2022 (Tuesday) at 7:00 p.m.
Pender County Administration Building
805 S. Walker Street
Burgaw, NC 28425

11 ADJOURNMENT

Meeting adjourned at 8:25 p.m.



Pender County Request for Board Action

TO: Planning Board

FROM: Chris Hatcher

DATE: August 2, 2022

SUBJECT: SUBLIM 2022-191 - Request for Approval of a Limited Subdivision on Edens Lane in the Topsail Township

SUMMARY:

Travis Holder, applicant, on behalf of Hampstead Investment Group LLC, owner, is requesting the approval of a Limited Subdivision on one tract totaling approximately 2 acres of land in the PD, Planned Development zoning district. The subject property is located on the north side of Edens Lane, approximately 400 feet east of its intersection with US HWY 17, and may be identified by Pender County PIN 4204-97-7306-0000.

ACTION REQUESTED:

To hold a public hearing and consider the Limited Subdivision request.

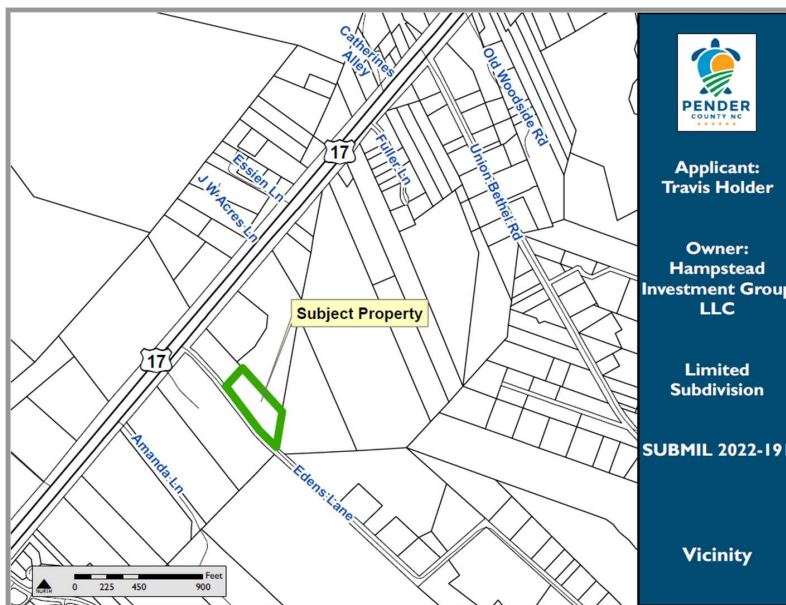
ATTACHMENTS:

1. Staff Report
2. Application
3. Proposed Plat

STAFF REPORT FOR SUBLIM 2022-191 ZONING MAP AMENDMENT APPLICATION

APPLICATION SUMMARY	
Case Number	SUBLIM 2022-191
Hearing Dates	August 2, 2022, Planning Board
Applicant	Travis Holder
Property Owner(s)	Hampstead Investment Group LLC
Parcel Identification Number	4204-97-7306-0000
Acreage	2.0
Township	Topsail
Pender 2.0 Future Land Use Category	Low Density Residential

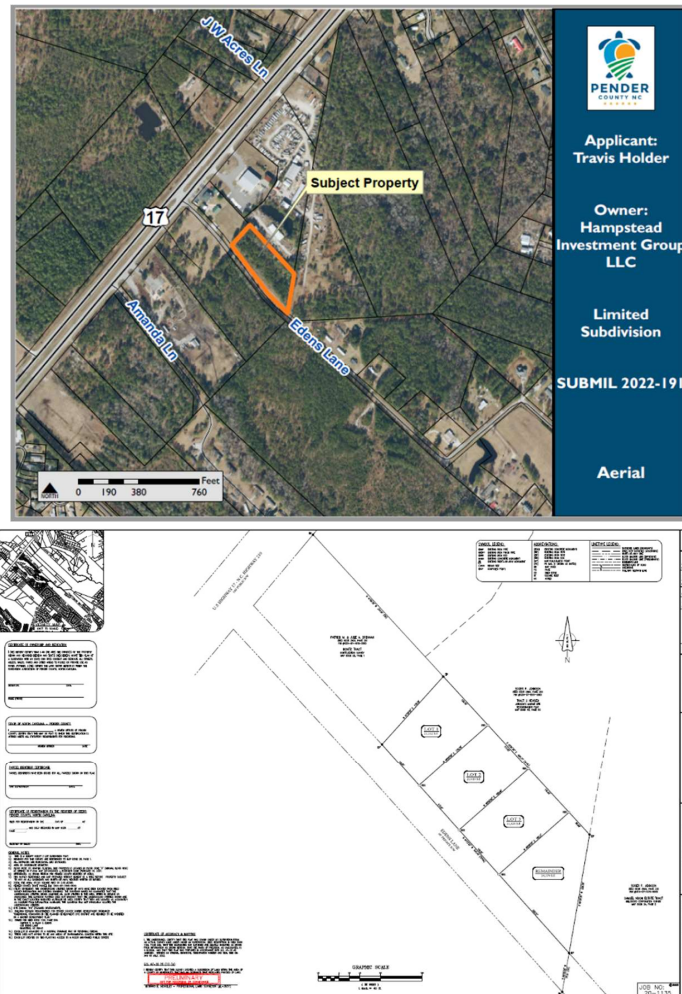
SUBDIVISION PROPOSAL
Travis Holder, applicant, on behalf of Hampstead Investment Group LLC, is requesting the approval of a Limited Subdivision on one tract totaling approximately 2 acres of land in the PD, Planned Development zoning district.
LOCATION
The subject property is located on Edens Lane, east of US Hwy 17, approximately 400 feet east of the intersection of US Hwy 17 and Edens Lane.



SUBDIVISION PROPOSAL

The applicant is proposing to subdivide approximately 2 acres in the PD, Planned Development zoning district. The applicant has requested to create the subdivision using a "Limited Subdivision Three Lot Division - NCDOT Road." A Limited Subdivision Three Lot Division – NCDOT Road is a subdivision that is located on an existing NCDOT maintained roadway and is limited to no more than three parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance). With the remnant parcel meeting the requirements of the Pender UDO there will be four lots created with this Limited Subdivision, with the smallest lot proposed to be 21,016 Sq ft. The Planned Development District is intended to and encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development.

Subdivision Proposal



Dimensional Requirements

Planned Development tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or master planned development but lack specific standards, shall be subject to the following dimensional requirements: minimum lot width of fifty (50) feet, minimum front yard setback of twenty-five (25) feet, side yard setback of ten (10) feet, rear yard setback of fifteen (15) feet, maximum structure height of thirty-five (35) feet, and minimum required principle structure separation of twenty (20) feet.

Dimensional Requirements(Planned Development)	
Front	25'
Side	10'
Rear	15'
Corner	10'
Max. Height	35'
Structure Separation	20'

TRANSPORTATION INFRASTRUCTURE

Access

The subject property has direct access to Edens Lane (SR 1728). Any access provided via the NCDOT roadway network shall be subject to the requirements of NCDOT and may require the review and approval of a Driveway Permit.

OTHER INFRASTRUCTURE

Utilities

Public water and private sewer service are available through Pender County Utilities (PCU) and Pluris.

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

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

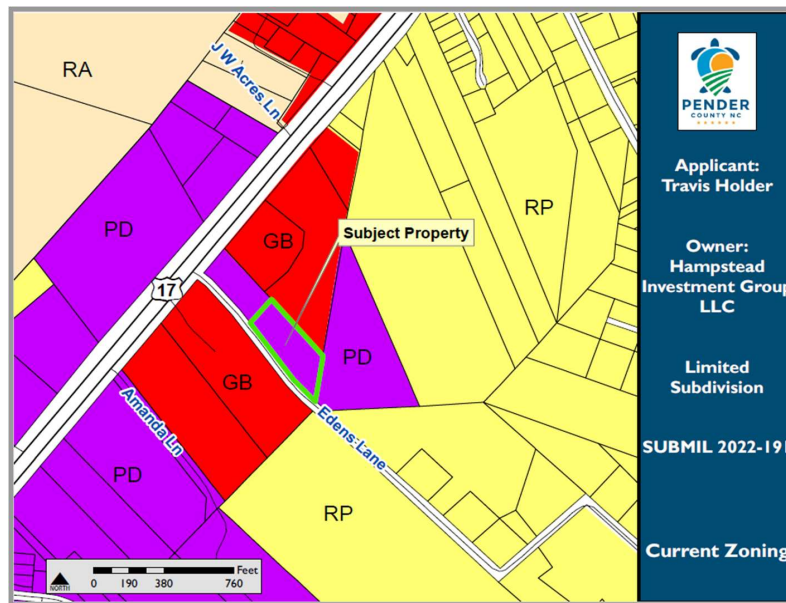
² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

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

EVALUATION

Below: Zoning Map of the Area

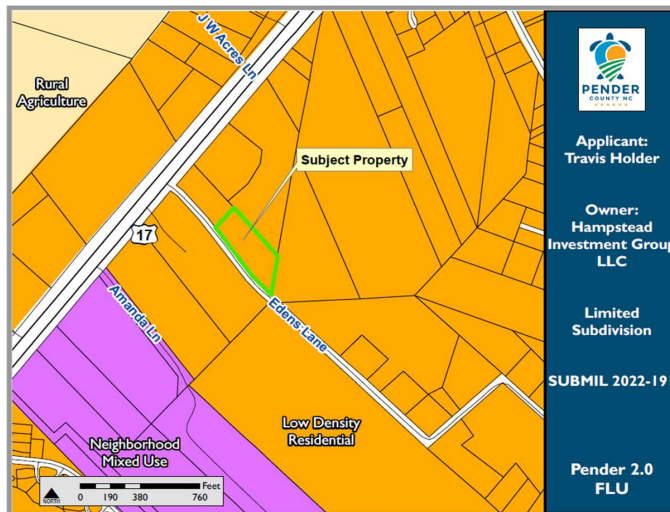


CHARACTERISTICS OF THE SURROUNDING AREA

	LAND USE	ZONING
North	Commercial	GB, General Business
East	Vacant	PD, Planned Development
South	Vacant	GB, General Business
West	Commercial	PD, Planned Development

Pender 2.0 Comprehensive Land Use Plan Compliance:

The subject property is located within the Low Density Residential Future Land Use Classification within the Pender 2.0 Comprehensive Land Use Plan and as shown in the Future Land Use Map to the right. The Low Density Residential future land use category is located on the fringe of medium density residential uses and within existing single-family neighborhoods. These areas are typically established single-family neighborhoods with a low density residential development pattern.



Appropriate uses include single-family dwellings and neighborhood-scale institutional facilities. Commercial and industrial uses are inappropriate in these areas, as are large institutions and other significant traffic generators. Duplexes and townhomes may be suitable when proposed as part of a master planned community whereby the dimensional requirements and uses forming the outer boundary of the community are compatible with the adjacent properties or permissible uses. Clustering of new communities is encouraged. Development density within this category is two dwelling units an acre or less. Water and sewer service may not be available in these areas.

The proposal was found to be consistent with the Pender 2.0 Comprehensive Land Use Plan's Future Land Use Map.

RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with Pender County's Unified Development Ordinance based on section 6.6.2 Limited Subdivision Three Lot Division – NCDOT Road and 4.8.1. PD: Planned Development District. The proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan. Therefore, Planning Staff respectfully recommends the approval of the Limited Subdivision as requested and detailed in the report.

PLANNING BOARD ACTION FOR A LIMITED SUBDIVISION						
MOTION				SECONDED		
APPROVED				DENIED	UNANIMOUS	
-				-	-	
Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey
-	-	-	-	-	-	-

Pender County Planning and Community Development

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



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

Limited Subdivision: Three Lot Division – NCDOT Road

- A. Three lot subdivisions located on an existing NCDOT maintained or other public road will be limited to no more than three such parcels (excluding the remnant parcel, if the remnant parcel meets the requirements of this Ordinance) being created from any parcel that had been created and recorded in the Registry before March 29, 2004.
- B. The division does not create a new public or private street.

~~PIN~~ PIN: 4204-97-7308-CCW

This Section for Office Use Only			
Application No.	SUBLM-2022-191	Date	7-12-2022
Application Fee	\$ 100.00	Invoice Number:	
Applicant Information			
Applicant's Name:	Travis Holder	Owner's Name:	Hampstead Investment Group
Applicant's Address:	156 Hammock Watch Way	Owner's Address:	P.O. Box 10189
City, State, & Zip	Hampstead NC, 28443	City, State, & Zip	Wilmington NC, 28404
Phone Number:	910-520-8905	Phone Number:	910-338-4700
Email Address:	travisrayholder@yahoo.com	Email Address:	travisrayholder@yahoo.com
Legal relationship of applicant to land owner: Owner			
Applicant's Signature:		Date:	7/8/22
Applicant's Printed Name:	Travis Holder	Date:	7/8/22
Qualifications for Limited Subdivision			
Zoning District of Parcel:	PD		
What is the date of the last known subdivision of the property? To qualify for a limited subdivision the parent parcel cannot be subdivided before March 29, 2004		August 1992	

How many parcels are proposed (including the remnant parcel)?	1	2	3	4
Is this subdivision creating a new public or private street?	Yes			No

Staff Review Items		
Lots meet the minimum zoning requirements for the zoning district?	Yes	No
Do all the lots have access?	Yes	No
Does this block future access for properties adjacent properties?	Yes	No
Do all lots have access to NCDOT maintained public street?	Yes	No

The plat contains the following items per Section 6.6.2 of the Pender County Unified Development Ordinance

☒	Clearly designated "Three Lot NCDOT Subdivision" in bold letters
☒	Certification by the Licensed Professional preparing the plat that each lot is adjacent to a natural drainage way or perennial stream or a 20 ft. drainage easement is recorded from each lot toward a natural drainage way or a perennial stream or if the lot or lots front on a NCDOT maintained road, approval from NCDOT for such lots to drain to the public road
☒	Special Flood Hazard Areas are identified on plat
☒	Areas of Environmental Concern are identified on plat
☒	The lots created have access to a NCDOT maintained public street
☒	The plat contains the following note: "All new access easements shown or designated on this plat, include the transfer of an easement to public entities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines." <i>No New access easement</i>
☒	Plat contains ownership and dedication statement signed by the owner or owners in the format provided by the Ordinance

Waste water disposal requirements – ONE of the following FOUR must be met:	
☐	1) An Improvement Authorization Permit has been issued for each of the parcels
☐	2) The soil suitability analysis shows that at least 5,000 sq. ft. of each lot is suitable for traditional on site waste disposal and the required 5,000 sq. ft. is not within 10 ft of any lot boundary
☒	3) Approval has been granted to connect to public sewer or community sewer. <i>Invoice from Aloris Provided.</i>
☐	4) Lots not meeting the requirements of 1, 2, or 3 are indicated by the following note: "THIS PARCEL CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE."

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



DATE:	6/6/2022
Quote #	2 Acres/4 lots
Service Addr:	Edens Ln

Hampstead Investment Group, LLC
Travis Holder
10280 US Hwy 17 North
Wilmington, NC 28422
travisrayholder@yahoo.com

OTHER COMMENTS
Please make check payable to Pluris Hampstead, LLC and remit to:
 1095 NC Hwy 210, Sneads Ferry, NC 28460

Thank You For Your Business!

