

**Attachment 2**

**5.2.3 Table of Permitted Uses**

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	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<b>MISCELLANEOUS USES</b>											
Adult and Sexually Oriented Businesses									S	S	
Adult Retail									S	S	
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D
Child Care Center		P	S			S	P	P			
Community Boating Facility		SD	SD	SD	SD	SD					
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD					
Family Care Home		D	D	D	D	D					
<b>Industrial Park</b>											<b>SD</b>
Marina (Commercial)		S	PM			PM					
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
Portable Storage Containers		D	D	D	D	D	D	D	D	D	

## 5.3 Uses with Standards

### 5.3.11 Miscellaneous Uses

#### E. Industrial Park:

1. **Applicability:** In order to qualify as an Industrial Park, the subject property must:
  - a. Be entirely located in a General Industrial zone, according to the official zoning map of Pender County;
  - b. Contain at least 200 acres under unified control;
  - c. Have direct access to a road designated by the NCDOT as a US, or NC Highway; or at least a portion of the property shall be within 5000' of such a road and have direct access to a state maintained road;
  - d. Be served, or have written confirmation from the Utility Authority that the area will be served, by a public water and sewer system; and
  - e. Obtain a Special Use Permit from the Board of County Commissioners.
2. **Subdivision Procedure:** Industrial Parks shall be exempt from the procedures established in Section 3.8, Subdivisions, Section 3.9, Minor Subdivision, and 3.10, Major Subdivision, of the Pender County UDO. The following regulations apply:
  - a. Major and minor subdivisions of an Industrial Park are subject to review by the Technical Review Committee, and are reviewed and approved by the UDO Administrator.
  - b. Plans must meet all the requirements prescribed in Section 6.4, Preliminary Plat Contents, and Section 6.5, Final Plat Contents in the Pender County UDO, except that subdivision plans for an Industrial Park shall be exempt from:
    - i. The timing and phasing requirements of Sections 6.5.A.1, 6.5.A.4, and 6.5.A.8;
    - ii. The homeowner's association requirements of Sections 6.5.B.3 and 6.5.B.6; and
    - iii. The preliminary plat requirements of Sections 6.4.A.9 through 6.4.A.13.
      1. Industrial Parks shall follow the subdivision standards listed in Section 5.3.11.E.3, Subdivision Standards, below.
      2. These standards must be met and shown on the Preliminary Plat.
  - c. A copy of the draft protective covenants to be recorded on the Park shall be submitted with the final plat application.
    - i. The covenants shall address: owner's association, organization, responsibilities & membership, use and other restrictions on the property, term, revisions & renewal of the covenants, nuisances on the property and maintenance of facilities in the park.
    - ii. The covenants as approved under the Special Use Permit shall be recorded prior to division or sale of any parcels and prior to issuance of any zoning permit for or within the Park.
  - d. The final plat shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 30 working days of completed submission. When the final plat is approved the signed original will be provided to the applicant and a signed copy placed in the Record File for the subdivision.

- e. A final plat shall be approved on a finding that the applicant demonstrates that the proposed division meets all of the requirements of the Pender County UDO and will:
  - i. Be in harmony with the Special Use Permit;
  - ii. Be in accordance with the Preliminary Plat;
  - iii. Not endanger the public health or safety;
  - iv. Be in conformity with the County's Land Use Plan.
- 3. **Subdivision Standards:** Industrial Parks shall be exempt from the regulations of Article 7.6, Open Space, and Article 8, Landscaping and Buffers. As an alternative, Industrial Parks are governed by the following open space and landscaping standards:
  - a. **Open Space:**
    - i. Approved Industrial Parks shall provide dedicated area(s) as open space, equating to 5% of the overall Industrial Park.
    - ii. The open space must be dedicated at the time in which at least 25% of the Industrial Park is occupied.
  - b. **Landscaping and Buffers:**
    - i. A visually opaque landscaped buffer of native vegetation at least 20 feet in width and/ or combination of berms and fencing is required along the external perimeter of the Industrial Park.
      - 1. Existing trees and shrubs shall count towards meeting the buffer yard and screening requirements.
      - 2. The buffer areas may be in common area and counted towards meeting open space requirements.
      - 3. For every 1,000 sf. of buffer area, the buffer areas shall include:
        - a. Ten evergreen shrubs; and
        - b. Three trees, which shall consist of the following:
          - i. 50% large maturing;
          - ii. 25% small maturing, and
          - iii. 25% evergreen.
    - ii. Buffers will not be required for internal property boundaries of Industrial Parks with the exception of road frontage.
    - iii. The Administrator may allow modification to the buffer width and planting types when special site conditions exist.
- 4. **Major Site Plan Procedure:** Individual Sites locating within an Industrial Park shall be exempt from Section 3.7, Major Site Development Plan, of the Pender County UDO. The following procedure applies:
  - a. Major Development Plans are subject to review by the Technical Review Committee, and are reviewed and approved by the UDO Administrator.
  - b. Master Development Plans shall meet all of the requirements of Section 6.1.3 Major Development Plans Contents – Commercial and Industrial Districts, with the exception of Section 6.1.3.A.10.
    - i. The Major Development Plan shall meet the Landscaping and Buffer requirements set forth below in Section 5.3.11.E.6.e, Landscaping and Buffers.

- ii. The Major Development Plan shall be complete at the time of submittal and must be made by a licensed professional and illustrated at sufficient scale and with detailed design for the all uses located within the industrial park.
  - c. Major Development Plans shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 30 working days of completed submission.
5. **Site Dimensional Standards:** Individual Sites shall be exempt from the regulations of Section 4.14, Zoning District Dimensional Requirements of the Pender County UDO. The following site dimensional standards apply:

Dimensional Standards for Individual Sites in Industrial Parks	
Maximum Height	50 feet
Minimum Setbacks <sup>[1]</sup>	
Front <sup>[2]</sup>	50 feet
Rear <sup>[3]</sup>	25 feet
Side <sup>[3]</sup>	25 feet
Corner <sup>[4]</sup>	50 feet
Minimum Building Separation	North Carolina Building Code Regulations Apply
Minimum Lot Width	100 feet
<p><b>NOTES:</b></p> <p>[1] There must be an owner maintained strip with a minimum of 20 feet in width of landscaped ground along the street property lines, except that drives and walks may be located within the landscaped strip.</p> <p>[2] In the event more than one parcel of land shall be owned by one person or entity, and in the improvement of each parcel of land, a building shall be erected on more than one parcel of land, then the interior rear or side setbacks may be waived.</p> <p>[3] In the case of corner lots, both 50 foot front setbacks will apply.</p>	

6. **Site Design Standards:** Individual Sites shall be exempt from the regulations of Article 7, Design Standards, and Article 8, Landscaping and Buffers, of the Pender County UDO. Individual Sites shall meet the following site design standards:
- a. **Parking:**
    - i. Each Individual Site located within the approved Industrial Park shall provide three parking spaces for each four employees on the largest shift plus additional spaces for vehicles permanently used in the operation of the business.
      - 1. At the discretion of the Administrator, a reduction to the parking requirements may be approved if the applicant demonstrates the peak level of need is lower than these standards require.
      - 2. To justify the reduction, a statement shall be provided by a licensed professional addressing facility usage, employment figures, shift changes, and any other applicable standards.
  - b. **Loading:**
    - i. Off-street loading and unloading facilities shall be provided by each owner or lessee of any parcel of land within the Park when that parcel is developed;
    - ii. Such loading and unloading shall be to the rear or side of any buildings on said parcels of land.

- iii. All loading and unloading facilities shall be screened by effective landscaping or otherwise from view of any public street or access road within or leading to or from the Park.
- c. Outdoor Lighting:
  - i. Outdoor lighting shall utilize illumination so as to not cast direct light beyond any property line.
- d. Outdoor Storage and Screening:
  - i. Outdoor storage yards and storage areas, incinerators, storage tanks, and trucks based on the premises, shall either be housed in closed buildings or be screened for sound and sight from public view as is deemed necessary by the Administrator and shall be placed so as to conform with the setback requirements of Section 5.3.11.E.5, Site Dimensional Standards, above.
  - ii. Such screening shall include landscaping or permanent fences (excluding chain link), or approved solid materials and shall be located so as to most effectively screen the view of the offending items from the street.
  - iii. The Administrator may allow modification to the screening requirements when special site conditions exist.
- e. Landscaping Standards:
  - i. If applicable, Individual Sites must ensure that the 20 foot, visually opaque landscaped buffer required along the external perimeter of the Industrial Park is maintained, according to the requirements of Section 5.3.11.E.3.b, Landscaping and Buffers above.
  - ii. Buffers are not required for internal property boundaries of Industrial Parks with the exception of road frontage.