

Pender County Planning and Community Development

Planning Division

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MEMORANDUM

To: Pender County Planning Board
From: Planning Staff
Date: March 3, 2015
RE: Revisions to By-Right Development Review Process

At the February 3, 2015 Planning Board meeting, Planning Staff presented a proposal to you that would remove the requirement that by-right development be subject to Planning Board review and public hearing. Following Planning Board guidance, Staff will prepare a zoning text amendment to modify Sections 2.9.1 (to include a representative on the Technical Review Committee from the Pender County Planning Board), 2.11, 3.5, 3.7, 3.8, 3.9, 3.10, 6.1 and Figure 3 of Article 3 of the Pender County Unified Development Ordinance (UDO), in accordance with North Carolina General Statutes.

Proposed Changes (Attachment: Proposed Process for By-Right Development)

Proposed changes will eliminate the requirement of a Master Development Plan (including the associated Master Development Plan public hearing) and public hearing during Preliminary Plat approval process for by-right development. This will include Major Subdivisions (Section 3.10) and Major Site Development Plans (Section 3.7) located in by-right zoning classifications: Rural Agricultural, Residential Performance, General Business, Office Institutional, General Industrial, and Industrial Transitional zoning districts.

The approval process for by-right development is proposed as follows (Master Development Plan is not necessary):

1. Applicant attends a pre-submittal meeting with Staff and submits Major Site Development Plan or Preliminary Plat in accordance with Sections 3.7 or 3.10;
2. Major Site Development Plan or Preliminary Plat is reviewed by the Technical Review Committee;
3. Planning Staff has authority to approve Major Site Development Plan or Preliminary Plat (construction can begin with this approval);
4. Major Site Development Plan or Final Plat approved by Planning Staff.

(Note: The review of a Master Development Plan with public hearing and Planning Board approval would still be required for Planned Development, Residential Mixed, and Manufactured Housing Community

zoning districts, which require design standards such as lot sizes, setbacks, and separations to be established at the Master Development Plan hearing.)

Reporting and Public Information

- Planning Staff, as consent or discussion items at the Planning Board meetings, will provide a report to the Planning Board of projects that were recently reviewed by the Technical Review Committee and approved by Staff.
- Planning Staff, with assistance from the Pender County Informational Technology Services Department, will create and implement an online tracking system for the County website so that the public will have access to pending and approved Major Site Development Plan and Major Subdivision projects.
- A mailing will be sent to adjacent property owners, notifying them of pending Major Site Development Plan and Major Subdivision projects, how to access the online tracking system of pending and approved projects, and which Planning Staff member to contact for more information.
- A sign will be posted on the subject property to inform the public that an application for a Major Site Development Plan or Major Subdivision has been received by the Planning Department. The sign will include how to access the online tracking system of pending and approved projects and a phone number to call for more information.

Projected Advantages

The proposal to remove the requirement that by-right development be subject to Planning Board review and public hearing will benefit the applicant, Planning Board, Planning Staff, and the community. Time will be saved for all parties involved, as review by the Planning Board and need for a public hearing will be eliminated. The applicant will have the ability to focus on input from the Technical Review Committee to address specific concerns from technical experts. The community will benefit from having access to all by-right Major Subdivision and Major Site Development activity listed on the County website.

Planning Staff's intent is to communicate the recommended change to the Board of County Commissioners at their March 16, 2015 meeting.

Attachments:

- Proposed Process for By-Right Development

Proposed Process for By-Right Development

