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ENGINEERING, INC.

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Date: 20 October 2016

Pender County UDO Text Amendment Request - Narrative

The proposed text amendment is brought forth by DRC Hampstead, LLC as a request for an increase in the UDO's allowable density (units per acre) within the RM and PD zoning districts and to simplify the County's density calculations. The following further describes the intension and basis for the proposed text amendment.

RM and PD are the two districts in which the UDO currently allows the highest density of any zoning district in the County, but the maximum density allowed is only 5 dwelling units per acres. The UDO does describe a provision for bonus density, but no clearly defined, objective parameters to determine what qualifies as bonus density. DRC Hampstead, LLC presents this text amendment with clear parameters for bonus density and an identified density increase that is supported by the current, approved Pender County Comprehensive Land Use Plan. This plan identifies 8 units per acre as a recommended density in mixed use areas and higher density to be supported in areas with available water and sewer utilities. These 8 units/ acres is the maximum density we request through the density bonus as outlined in the attached text amendment.

In addition to looking at Pender County's own approved planning documents, the applicant also researched density ordinances in the surrounding municipalities. The research helped formulate the proposed text amendment. Reference *Attachment A* for a compiled summary of all the researched ordinances. While these ordinances are not directly comparable to Pender County's, there are parallels that can be drawn to understand basic planning strategies and density allocations. The most direct comparison by population and general characteristics is Brunswick County. This ordinance research demonstrates that Pender County represents the lowest maximum allowable density of any nearby community, even the rural communities. The research also represents various strategies of planning for growth in ways that blend successfully with development and market strategies. The applicant understands that Pender County has its own identity and may chose not to be compared to the surrounding communities. However, the applicant respectfully requests that you consider the proposed UDO text amendment as presented and look to the County's own planning documents for guidance in determining the appropriate planning and growth strategies for the County.

Part of the conflict between the existing UDO density and the County's Comprehensive Land Use Plans is that both outline apartments and other multi-family dwellings as an acceptable and desired use, but the County's allowable density is severely limited in any real-world application of multi-family projects. The current 5 units/ acre density will not allow for an apartment style or other cluster of higher density housing types unless the developer has large tracts of land over which he/she can spread the overall density. This amendment objectively identifies density bonuses that allow higher densities as recommended by the County's planning documents and that promote a mixture of housing types, including multi-family developments, on medium to small sites without wasting the County's valuable land resources.

The current density calculations as outlined in the UDO result in large tracts of land being purchased to spread the density out across and the density calculations are complicated and damaging to what may be intended. It appears the intention of the calculations is to assure preservation of open space, yet the current calculation encourages developers to provide the least amount of open space possible. (Reference the text amendment for the UDO's current density calculations). The applicant proposes a way to simplify the density calculations. The proposed calculations allow the open space and preservation components of the ordinance to be preserved and serve to promote passive and active open space in developments, yet act separately in the ordinance so as not to confuse the intent of these two objectives of the ordinance. We respectfully request review of the attached text amendment and supporting documents.

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Attachment A Text Amendment Density Summary

REFERENCE Pender County Zoning – Density

Pender County UDO directs RM zoning districts to use PD density calculations

PD and RM zoning max. density allowed: 5 du/ac

Ordinance References:

4.7.3 RM: Residential Mixed

The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall be calculated similar to the Planned Development (PD) District (4.8.1.D.1).

Density Calculation per ordinance:

Number of Dwelling Units (Density)

1) Determination - The number of dwelling units in a project utilizing the PD development standards shall be a maximum of five (5) units per net density. The density is calculated as total tract acreage subtracting the following:

- a) Areas reserved as non-residential development
- b) Total wetland calculations
- c) Rights of way and parking areas
- d) Active and passive open space
  - i) Passive open space may be subtracted from the total wetland delineation in the Master Development Plan if it is calculated to be less than the total wetland area.

2) In effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or the provision of additional amenities such as public and/or private open space.

Surrounding Municipalities Density Analysis

Brunswick County (most comparable to Pender County in land, use, and population characteristics)

Performance Residential Density Allowed (du/ac)

Typology	RR	R7500	R6000	SBR6000	MR3200
SF Lot (no water/sewer)	2.2	2.9	4.4	4.4	6.2
SF Lot (with water/sewer)	2.9	5.8	7.3	7.3	13.6
Duplex (no water/sewer)	1.24	n/a	2.56	n/a	6.2
Duplex (with water/sewer)	2.9	n/a	7.3	n/a	13.6

Multifamily requires a PD designation

PD uses the same density as the underlying zoning district UNLESS applying density bonus for the following:

Workforce Housing	up to 20-25% depending on type of unit and type of housing designation (affordable, % of overall units designated for workforce, etc.)
Land Dedication of Public Facilities	1 to 1 density bonus

Exceptional Design Bonus	development could obtain up to 25% density bonus for exceptional design per UDO section 6.1

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Density Calculation: (per UDO section 4.14.3)
Divide the total site acreage by the allowable zoning density.
(Nothing is backed out of the site acreage, but still have to accommodate open space, etc. for each district)

Town of Surf City

Lot coverage applies to the following zoning districts as represented in the chart Section 4.2 Setbacks

R5	5000sf lot (8.7 du/ac) (alternate unit densities for various lot sizes)
R10	10,000sf lot (4.36 du/ac)
MHS	5,000 sf lot (8.7 du/ac)
RA	20,000 sf lot (2.18 du/ac)
O&I	7,500 sf lot (5.8 du/ac)
NB	5,000 sf lot (8.7 du/ac)
C1 residential	5,000 sf lot (8.7 du/ac)
C1 commercial	2,500 sf lot (17.42 du/ac)
MU residential	5,000 sf lot (8.7 du/ac)
MU commercial	5,000 sf lot (8.7 du/ac)
C3	10,000 sf lot (4.36 du/ac)
R15	15,000 sf lot (2.9 du/ac)
SF	5,000 sf lot (8.7 du/ac)
MFC Multi-family Cluster District	10 du/ac max.
PUD	16 du/ac overall - mixture of low (5du/ac), medium (16du/ac), high (24 du/ac) density required with 10% of gross residential area as open space; Commercial density limited to 10% overall project acreage

Density Calculation:
All districts except PUD: Net site acreage defined as only contiguous areas held in fee simple title and including only:

- Land above mean high sea level
- Legally fillable wetland/marsh
  (subtract proposed and existing roads, easement, right of way, parks, or other areas not included in the calculation

New Hanover County

Performance Residential Density Allowed

R20	1.9 du/ac
R15	2.5 du/ac
R10	3.3 du/ac
R7	6 du/ac
O&I	2.5 du/ac

High Density Development allowed with Exceptional Design Density Bonus System

R10	17 du/ac
R15	10.2 du/ac
R20	4.25 du/ac
O&I	10.2 du/ac

PD 4.25 du/ac in Urban or Transition Land Use Designations (CAMA LUP)
PD 2.5 du/ac outside of Urban or Transition

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Density Calculation:
Total Site Acreage
Subtract: Class IV (wetland) soils & rural, conservation or resource protection areas as shown in the Land Use Plan
(open space can be counted in developable area per section 51.1-2 (12) performance residential)

Onslow County

Zoning District	Max. Density (du/ac)
RA	n/a
R-90	n/a
R-30M	1
R-20	2
R-15	2
R-10	4
R-8M	8
R-5	10

Cottage Development higher density allowed than base zoning provide 3000sf per cottage (approx. 14.52 du/ac) up to 25 units max.

Density Calculation:
Remove street right of way and access easements from overall acreage. (Section 1003.2 Lot sizes)

PUD shall have 25% open space (subdivision ordinance Section 703.2 Design Standards)