



## REQUEST FOR BOARD ACTION

ITEM NO. 19

**DATE OF MEETING:** May 16, 2016

**REQUESTED BY:** Megan O'Hare, Senior Planner, Planning & Community Development

**SHORT TITLE:** Resolution Requesting Approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance: Article 1 General Provisions, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Enforcement and Penalties, Appendix A, and add Articles 12 and 13.

**BACKGROUND:** Pender County, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance.

**SPECIFIC ACTION REQUESTED:** To Hold a Public Hearing and Consider the Approval of a Zoning Text Amendments to the Pender County Unified Development Ordinance: Article 1 General Provisions, Article 6 Development Requirements and Content, Article 7 Design Standards, Article 11 Enforcement and Penalties, Appendix A, and add Articles 12 and 13. Specifically, the request is to amend: the Traffic Impact Analysis requirements (Section 6.1.2.A.15, Section 6.1.3.A.7, Section 6.1.4.A.16, Section 6.3.C.7 and Section 6.4.A.20); replace references to the *Coastal Pender Collector Street Plan* with the *Pender County Collector Street Plan* (Sections 1.5, Section 7.2.6, 7.2.7, 7.5.1); and to incorporate the Addressing and Road Naming Ordinances into the Unified Development Ordinance (Articles 11, 12, and 13 and Appendix A).

**RESOLUTION**

**NOW, THEREFORE BE IT RESOLVED** by the Pender County Board of Commissioners that:

on May 16, 2016 the Pender County Board of Commissioners (approved, modified, denied) a Zoning Text Amendment request as described herein. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Brown \_\_\_ McCoy \_\_\_ Keith \_\_\_ Piepmeyer \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George Brown, Chairman 5/16/2016  
Date

\_\_\_\_\_  
ATTEST 5/16/2016  
Date

**PLANNING STAFF REPORT  
ZONING TEXT AMENDMENT**

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**SUMMARY:**

**Hearing Date:** May 3, 2016 Planning Board  
May 16, 2016 Board of Commissioners  
**Applicant:** Pender County  
**Case Number:** ZTA 169-2016

**Text Amendment Proposal:** Pender County, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance: Article 1 General Provisions, Article 6 Development Requirements and Content, Article 7, Design Standards Article 11 Enforcement and Penalties, Appendix A, and add Articles 12 and 13. Specifically, the request is to amend: the Traffic Impact Analysis requirements (Section 6.1.2.A.15, Section 6.1.3.A.7, Section 6.1.4.A.16, Section 6.3.C.7 and Section 6.4.A.20); replace references to the *Coastal Pender Collector Street Plan* with the *Pender County Collector Street Plan* (Sections 1.5, Section 7.2.6, 7.2.7, 7.5.1) and to incorporate the Addressing and Road Naming Ordinances into the Unified Development Ordinance (Articles 11, 12, and 13 and Appendix A).

**RECOMMENDATION**

At their meeting on May 3, 2016 The Planning Board unanimously recommended approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as it is consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans.

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**AMENDMENT DESCRIPTION**

The proposed amendment to the Unified Development Ordinance can be simplified by reviewing it as if it is four separate amendments to the document. The amendments will be described in that manner for simplicity.

The first amendment is to Article 6, specifically the requirements for Traffic Impact Analysis studies on master development plans for residential districts, master development plans for commercial and industrial districts, master development plans for mixed use districts, major site development plans and preliminary plat submittals. This amendment requires that a Traffic Impact Analysis is performed when a project is going to generate 100 trips during peak morning or evening hours, or 1,000 trips per day. This amendment is being proposed for consistency with Chapter 6 of the Pender County Collector Street Plan, specifically the target performance measures listed in Table 5.

The second amendment is to Section 1.5, Section 7.2.6 and to Section 7.5.1. This amendment simply replaces references to the Coastal Pender Collector Street Plan with references to the Pender County Collector Street Plan adopted in 2016.

The third amendment is to Appendix A. This amendment adds definitions from the Road Naming and Addressing Ordinances into the Unified Development Ordinance. The following definitions will be added: Addressable Structure, Directional, Master Street Address Guide (MSAG), Official Road Name, Pocket Development, Private Road, Road of Origin, Street, Public Street, Street Suffixes, and T Intersection

The fourth amendment proposed incorporates the Pender County Road Naming Ordinance and the Pender County Addressing and Display Ordinance into the Unified Development Ordinance. This is necessary for improving efficiency in development approvals now that the GIS department, which houses addressing, has been incorporated into the Planning and Community Development Department. These ordinances have been combined into one chapter of the Unified Development Ordinance that will be located in Article 11. The current Article 11, Enforcement and Penalties, will be moved to Article 13. An Article 12 will be reserved for future needs. The adoption of this article will repeal those two ordinances in their entirety. In addition to incorporating these ordinances, regulations have been added to accommodate structures accessed by an alley or from the rear and the ability for the addressing coordinator to issue addresses following preliminary plat on lots with 100 feet of road frontage or less.

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## EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 3.18.5, in evaluating any proposed Ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- 1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- 2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- 3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
- 4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the Planning Board and County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents and the specific intent of this Ordinance.

### 2010 Comprehensive Land Use Plan Compliance

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with two (2) goals and four (4) policies of the 2010 Comprehensive Land Use Plan and conflicts with none.

The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

**Growth Management Goal 1A.1** Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

**Policy 1A.1.4** The County should develop and utilize innovative and flexible landplanning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

**Transportation Goal 2B.1** Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.

**Policy 2B.1.3** The County should utilize and promote a hierarchical, functional transportation system that prioritizes needed improvements, and promotes the proper arrangement of land use patterns to

ensure and determine the proper levels of service (LOS) to reduce any associated negative impacts to the overall transportation network.

**Policy 2B.1.4** Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

**Policy 2B.1.7** Ensure that the Coastal Pender Collector Street Plan, adopted on May 21, 2007, is used consistently when reviewing and approving new development proposals within the Hampstead and Scotts Hill areas of the County. Consider applying Plan recommendations for roadway connectivity to all new developments countywide.

There are no conflicting policies in the 2010 Comprehensive Land Use Plan. The amendments are consistent with the Pender County Collector Street Plan.

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**RECOMMENDATION**

The proposed text amendment is consistent with two (2) goals and four (4) policies within the 2010 Pender County Comprehensive Land Use Plan. The proposed amendment will provide better customer service by streamlining the addressing process. It will update the Unified Development Ordinance to reflect Traffic Impact Analysis policies in the Pender County Collector Street Plan. It will allow for controlled flexibility when development of dead-end streets is reviewed and it will replace outdated plan referenced. The Planning Board unanimously recommended approval of this zoning text amendment to the Unified Development Ordinance as described in this report at their meeting on May 3, 2016.

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**BOARD ACTION FOR ZONING TEXT AMENDMENT**

**Motion:** McClammy    **Seconded:** Fullerton

**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Unanimous:** X

**Williams:** X **Fullerton:** X **Baker:** X **Carter:** X **Edens:** X **McClammy:** X **Nalee:** X

## ATTACHMENT 1

### 6.1.2 Master Development Plan Contents - Residential Districts

- A. Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:
- 1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
  - 2) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
  - 3) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
  - 4) The location and approximate boundaries of existing environmental features as defined.
  - 5) The location of environmental protection land to be included in common open space.
  - 6) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
  - 7) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
  - 8) The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.
  - 9) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
  - 10) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
  - 11) The location and arrangement of street entrances, driveways and parking areas.
  - 12) The use of adjoining parcels and the location of adjoining streets and utilities.
  - 13) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
  - 14) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
  - 15) ~~Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.~~ **A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.**
  - 16) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
  - 17) A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot.
  - 18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.

- 19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
- 20) Location and timing of construction for all amenities.
- 21) Landscaping and Buffer requirements per Article 8.
- 22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
- 23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
- 24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design
- 25) Calculated open space requirements shall adhere to Section 7.6, Open Space.

### 6.1.3 Master Development Plan Contents - Commercial and Industrial Districts

- B. The site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses, including the following:
- 1) A conceptual plan, showing the location and arrangement of proposed uses.
  - 2) The location and approximate boundaries of existing environmental features as defined.
  - 3) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or identified on any historical survey for Pender County.
  - 4) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided.
  - 5) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
  - 6) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
  - 7) ~~Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.~~ **A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.**
  - 8) The proposed location of entrances to the development from existing public streets and proposed parking areas.
  - 9) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
  - 10) Landscaping and Buffer requirements per Article 8.
  - 11) The use of adjoining parcels and the location of adjoining streets and utilities.
  - 12) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
  - 13) A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.

#### 6.1.4 Master Development Plan Contents – Mixed Use Districts

C. Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

- 1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.
- 2) The location and approximate boundaries of existing environmental features as defined.
- 3) The proposed location of entrances to the development from existing public streets and proposed parking areas.
- 4) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.
- 5) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.
- 6) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.
- 7) The use of adjoining parcels and the location of adjoining streets and utilities.
- 8) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
- 9) A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.
- 10) The proposed location and arrangement of all streets and utility systems.
- 11) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.
- 12) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.
- 13) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.
- 14) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
- 15) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
- 16) ~~Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.~~ **A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.**
- 17) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.
- 18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.

- 19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.
- 20) Location and timing of construction for all amenities.
- 21) Landscaping and Buffer requirements per Article 8.
- 22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
- 23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
- 24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
- 25) Calculated open space requirements shall adhere to Section 7.6, Open Space.

### **6.3 MAJOR SITE DEVELOPMENT PLAN CONTENTS**

The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Administrator no less than 1:50 scale on a paper size no less than 24"X36". The major site plan shall include three general sections, the project information section, the calculations section, and the site plan and details section.

The information required for each section is listed below:

- A. Project information section
  - 1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.
  - 2) The name, address, and phone number of the landowner, developer, and designer.
  - 3) The Pender County Property Identification Number (PIN) of all lots included on the site plan.
  - 4) The number and type of dwelling units included on the site plan for residential uses.
  - 5) The total land area and total developed land area of all lots included on the site plan.
  - 6) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.
  - 7) A reference to any other site plan or Master Development Plan approved by the County for the site.
  - 8) The date the site plan was prepared and a list of all revisions made, including the date and a description of why the site plan was revised.
  - 9) A table of contents including all pages of the site plan.
  - 10) A list of all proposed utility providers, with their address, name and phone number.
  - 11) An inset map showing the location of the site, along with the location of streets, roads and land uses within 500 feet of the property.
  - 12) A statement listing all requirements and conditions placed on the land included in the site plan resulting from approval of conditional zoning or a special use permit.
  - 13) A description of setbacks or conditions placed on the site as a result of an approved variance.
- B. Calculations section.
  - 1) Calculations showing the total number of required and proposed parking spaces, including the total number of existing and proposed spaces.

C. Site plan and details section.

- 1) The location of all adjoining lots with the owner's name, specific use, zoning, and zoning boundaries shown.
- 2) The location of all existing or planned rights-of-way and easements that adjoin the property, with street names, widths, and speed limits shown.
- 3) All nearby entrances that are within 200 feet of any existing or proposed entrances to the site. Existing or proposed interconnections to adjoining sites as applicable.
- 4) All existing and proposed driveways, parking and loading spaces, parking lots and a description of surfacing material and construction details to be used. The size and angle of parking spaces, aisles, maneuvering areas, and loading spaces shall be shown.
- 5) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
- 6) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.
- 7) ~~Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.~~ **A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.**
- 8) A North arrow.
- 9) A graphic scale and statement of scale.
- 10) A legend describing all symbols and other features that need description.
- 11) The present zoning of all portions of the site, with the location of zoning boundaries.
- 12) The location of all existing and proposed structures, with the height, specific use, ground floor area, and total floor area labeled.
- 13) The location of all existing and proposed outdoor uses, with the height, specific use, and land area labeled.
- 14) Existing topographic contour lines at intervals acceptable to the Administrator. Proposed finished grades shall be shown by contour.
- 15) The location of the front, side, and rear yard setback lines required by the applicable zoning district.
- 16) The location and boundaries of existing environmental features, including streams, floodplains, lakes and ponds, wetlands, natural stormwater retention areas, steep slopes, and woodlands.
- 17) The location of outdoor trash receptacles.
- 18) The location of all outdoor lighting fixtures.
- 19) Signage requirements per Article 10.
- 20) Landscaping and Buffer requirements per Article 8.
- 21) The location of sidewalks and walkways.
- 22) The location and width of proposed easements and dedications.
- 23) A stormwater management plan describing the location of all stormwater management facilities with design calculations and details.

- 24) A soil erosion and sedimentation plan describing methods to be used.
- 25) The location and size of sewage disposal and water supply systems.
- 26) A signed seal of the certified design professional who prepared the plan.
- 27) A space labeled "Approved by the Pender County Unified Development Administrator" for the signature of the Administrator, approval date, and a statement that reads "site plan valid for two (2) years from approval date."
- 28) Other information or statements may be required on the site plan by the Administrator to ensure that all requirements of the Pender County Code and Land Use Plans are met.

#### **6.4 PRELIMINARY PLAT CONTENTS**

Preliminary plats not illustrating or containing the following data shall be returned to the developer or his authorized agent for completion and resubmission.

- A. The preliminary plat shall be prepared in accordance with the following specifications:
  - 1) The plat must be prepared by an authorized Licensed Professional.
  - 2) The name of the subdivision.
  - 3) The name(s), address(es), and telephone number(s) of the owner(s), registered land surveyor(s), land planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision and the registration number(s) and seal(s) of the registered land surveyor(s).
  - 4) A sketch vicinity map at an appropriate scale, showing the relationship between the subdivision and the surrounding area.
  - 5) The exact boundary lines of the tract to be developed fully dimensioned by bearings and distances, and the location of intersecting boundary lines of adjoining lands.
  - 6) Scale at 1" = 50' or larger, denoted both graphically and numerically.
  - 7) North arrow in accordance with the Standards of Practice for Land Surveyors.
  - 8) Approved road names.
  - 9) Landscaping and Buffers shall be shown on the site plan and adhere to the landscaping standards set forth in Article 8, Landscaping and Buffers.
  - 10) All subdivided land and parcels shall comply with Section 7.2, Lot Design.
  - 11) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and any other dedicated land as stated in Section 7.3, Homeowners Association Requirements.
  - 12) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.
  - 13) Calculated open space requirements must adhere to Section 7.6, Open Space.
  - 14) The location, purpose, and dimensions of areas to be used for purposes other than residential;
  - 15) The names of current owners of adjacent landowners along with PIN, current uses, other legal reference where applicable, shall be shown.
  - 16) The location and measurements of all proposed minimum building setback lines.

- 17) The location and dimensions of all proposed and existing rights-of-way, utility or other easements, riding trails, pedestrian or bicycle paths, natural buffers, and areas if any to be dedicated to public use with the purpose of each stated.
- 18) Existing traffic counts for road(s) and intersection(s) studied and dates/times counts were conducted.
- 19) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.
- 20) ~~Based on estimated traffic counts, a Traffic Impact Analysis may be required stating the dates and times counts were conducted for the proposed development.~~ **A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.**
- 21) Right-of-way lines and pavement widths of all roads and the location and width of all adjacent roads and easements.
- 22) Property lines, buildings or other structures, water courses, railroads, bridges, culverts, storm drains, and corporate limits, township boundaries, and county lines.
- 23) Sufficient survey to determine readily and reproduce on the ground every straight or curved boundary line, road line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distances for the center line of curved roads and curved property lines that are not the boundary of curved roads. All dimensions shall be in accordance with the Standards and Practices of Land Surveyors.
- 24) The accurate locations and descriptions of all monuments, markers, and control points.
- 25) The blocks lettered alphabetically throughout the entire subdivision and the lots numbered consecutively throughout each block.
- 26) The date of the survey and the plan preparation; with spaces per subsequent revision.
- 27) The name of the township, county, and state in which the subdivision is located.
- 28) Deed book and reference of ownership acquisition.
- 29) Certificate of approval by the Pender County Addressing Coordinator for proposed road names.
- 30) Compliance with all applicable requirements of this Ordinance.
- 31) Agreement with the most recently adopted CAMA Land Use Plan and any other applicable adopted land use document(s). Reference of recently approved MDP.
- 32) For non-residential and multifamily projects, the location of trash handling, recycling, grease bins, and other waste-related facilities employed in the normal operation of the use.
- 33) The location and design of parking areas and pedestrian and vehicular access points.
- 34) That the design of traffic patterns, traffic control measures and street pavement areas, including plan profiles and cross section views, and with provisions for maintaining traffic flows for both public use as well as emergency management services are consistent with the requirements of this Ordinance.
- 35) Compliance with site construction specifications.

- 36) Stormwater facilities, water supply, sanitary sewer service, fire protection and hydrants, street signs, and street lighting designed in conformance with department standards, specifications and guidelines; Plan profile and cross section of drainage and utility services and
- 37) Other proposed easements or dedications as required.

## 1.5 RELATIONSHIP TO ADOPTED PLANS

The administration, enforcement, and amendment of this Ordinance shall be accomplished with consideration of recommendations presented in the documents comprising the Comprehensive Plan. These documents include, but are not limited to, the following: the Pender County Comprehensive Plan, the Pender County CAMA Land Use Plan, ~~Coastal Pender Collector Street Plan~~, **Pender County Collector Street Plan** and the Parks and Recreation Master Plan. A copy of the adopted Pender County Comprehensive Plan shall be filed with the County Clerk.

### 7.2.6 Lots on Thoroughfares

Major or minor subdivisions shall not be approved that provide for individual residential lots to access Principal Arterial, Minor Arterial or Major Collector roads or streets as shown on the ~~Coastal Pender Collector Street Plan~~ **Pender County Collector Street Plan**, Pender County Transportation Plan or other approved State Transportation Improvement Plan.

### 7.5.1 Public and Private Street Design

- A. Layout of streets as to arrangement, width, grade, character, and location shall conform to the following:
  - 1) ~~Coastal Pender Collector Street Plan~~, **Pender County Collector Street Plan**, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan.
  - 2) Adjoining street systems,
  - 3) Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
  - 4) To provide for continuity in existing streets and proposed streets,
  - 5) Provide adequate right-of-way for collector streets,
  - 6) Reasonable access will be provided to adjacent properties for development.
- B. Spite strips along development boundaries preventing access to streets from adjacent properties are prohibited.
- C. Street Alignment – local residential street intersections should be directly aligned if possible.
- D. When such intersections cannot be aligned, they shall be offset centerline to centerline by not less than 125 ft. Intersections of Collector streets as defined herein or shown on the ~~Coastal Pender Collector Street Plan~~, **Pender County Collector Street Plan**, Pender County Transportation Plan or other approved State Transportation Improvement Plan.

**Definitions to be added to Appendix A**

**Addressable Structure:** Any structure requiring the installation of a dedicated permanent electrical meter.

**Directional:** This includes the cardinal (North, South, East, West) points of direction.

**Master Street Address Guide (MSAG):** Consists of the street name, number range, and emergency providers for that range.

**Official Road Name:** Any road name that has been approved by the Pender County Board of Commissioners.

**Pocket Development:** A type of planned development that consists of a grouping of structures that face a shared common green space accessed by an alleyway and designed to promote a close knit sense of community.

**Private Road:** A road that has not been or not intended to be accepted for permanent maintenance by North Carolina Department of Transportation for use by the public.

**Road of Origin:** Each road shall have a road of origin. Generally, a road’s origin will be the beginning point of the road as accessed from another road, from major road to minor roads, and from proximity to the axis point. These road origins shall be established by the Addressing Coordinator.

**Street:** Is defined as a thoroughfare for motor vehicle use.

**Street, Public:** A road, so classified by the North Carolina Department of Transportation or by the standards of Pender County, designed to provide access to adjoining or abutting properties.

**Street Suffixes:** The word following the street name that indicates the street type.

**T Intersection:** A place where one road joins two others but does not cross them, so that the roads form the shape of the letter “T”.

**Article 11 Section 1 General**

11.1 Under the authority and provisions of the General Statutes of North Carolina, Chapter 153A-121, 239.1., and local modifications thereto, a county may by ordinance, name or rename any road within the county and not within a city, and may assign or reassign street numbers for use on such a road.

11.1.1 These regulations shall apply to and govern each and every public or private road within the County of Pender outside of the jurisdiction of any incorporated municipality.

11.1.2 The Addressing Coordinator, or their assigned agent, shall be responsible for assigning a number for each addressable structure in Pender County, including the municipalities of St. Helena and Watha, and for the naming of public and private roads as directed by the provisions of this article. As conditions merit, such official numbers may be changed upon proper official notice to the property owner and public agencies.

11.1.3 In naming or renaming a road, a county may not:

- A. Change the name, if any, given to the road by the Board of Transportation unless the Board of Transportation agrees;
- B. Change the number assigned to the road by the Board of Transportation, but may give the road a name in addition to its number; or
- C. Give the road a name that is deceptively similar to the name of any other public road in the vicinity.

11.1.4 After naming or renaming a road, or assigning or reassigning street numbers on a road, a county shall cause notice of its action to be given to the local postmaster with jurisdiction over the road, to the Board of Transportation, and to any city within five miles of the road.

**Article 11 Section 2 Purpose**

11.2 The purpose of this article is to provide a uniform system of road naming and addressing along both public and private roads in order to facilitate the provision of adequate public safety and emergency response services. This article is designed to:

- A. Establish the procedures by which a road may be named and addressed or by which an existing name may be changed and readdressed.
- B. Establish and maintain an official map and listing of all roads in Pender County.
- C. Eliminate duplicate or phonetically similar road names in accordance with the National Emergency Number Association (NENA) road naming standards.
- D. Provide for the uniform marking of roads.
- E. Implement a systematic numbering system for all addressable structures within the geographic limits of Pender County as related to the Emergency 911 Telephone System.
- F. Establish procedures through which the implementation of Chapter 62A of the North Carolina General Statutes may be carried out.

**Article 11 Section 3 Road Naming**

11.3 The Pender County Addressing Coordinator or their designated agent is authorized to determine the need for new road names or road name changes within jurisdiction of Pender County for both private and public roads outside the corporate limits of any municipality within the county.

11.3.1 New Road Names. When a public or private road provides access to more than three (3) addressable structures or combinations thereof, regardless of the length of such road, a road name shall be assigned.

11.3.2 The property owners along such road shall provide a petition with the proposed road name to the Pender County Addressing Coordinator within thirty (30) days of written notice.

11.3.4 The proposed road name will be subject to review pursuant to the criteria set forth in this article.

11.3.5 If there is a unanimous decision among the property owners as to the name of the road and the submitted name satisfies the criteria established by this article, the Addressing Coordinator or their designated agent shall review the petition and approve the submitted name.

11.3.6 If a consensus among the property owners cannot be met, the Addressing Coordinator or their designated agent shall submit the name recommended by the majority of the property owners to the Pender County Board of Commissioners.

11.3.2 Road Name Changes. Any road officially named by the Pender County Board of Commissioners shall not be petitioned for a road name change unless:

- A. Evidence shows a mistake was made in the naming of the road in the form of deeds, plats, or maps.
- B. The road has been physically altered.
- C. By special direction from the Addressing Coordinator for a unique circumstance.

11.3.3 If a petition is made for a road name change, the petition must be signed by a majority of the property owners along the road in question with each such person's mailing address and telephone number listed. The petition shall identify one of the signatories as spokesman for the applicants. Because of the cost involved and the confusion generated during this process, the county will follow a basic policy of discouraging petitioned road name changes.

11.3.4 Criteria. The following criteria shall be used to formulate recommendations for road names or changes:

- A. When appropriate and feasible, commonly known informal road names shall be retained.
- B. The Addressing Coordinator or their designated agent should consider geographical, physical and historically significant factors regarding the road.
- C. U.S. and N.C. highways shall retain their numbers as their road names throughout the county.
- D. Offensive or distasteful road names shall not be used.
- E. Family names for road identification shall be permitted when there is a well-established non-conflicting history as to the particular family being the majority of the residents of the road.
- F. Roads with continuous alignments should have only one name.
- G. New road segments that are an extension or a continuous alignment of an existing road shall maintain the existing road name.
- H. Road names and/or numbers should only change when there is a substantial intersection, or at municipal boundaries.

11.3.5 When renaming a road consider the following:

- A. The road with a name of historical significance should have its name retained.
- B. The road with the most properties on it should retain its name.
- C. The road that has been named for the longest period of time shall retain its name.

11.3.6 A directional must be placed ahead of the road name and cannot be used as a suffix. If a "North" directional is used there must be a "South" directional. If an "East" directional is used there must be a "West" directional. The prefix "N" shall be used for North, the prefix "S" shall be used for South, the prefix "E" shall be used for East and the prefix "W" shall be used for West.

11.3.7 In the case of a double ended road, two different road names may be assigned or a directional prefix may be utilized indicating which direction that portion extends from the road of origin. A cardinal direction is recommended in the naming of a T intersection.

11.3.8 Prohibited Road Names. The Pender County Addressing Coordinator shall not recommend newly proposed road names which fall under the following categories:

- A. Numbers used as part of the name, unless the name is well known and there is a general acceptance.
- B. Names which are difficult to pronounce.
- C. Names which are less than 3 characters in total length or over 20 characters in total length, including spaces, but not including street type.
- D. Names which are duplicated in neighboring counties if the roads are in the same postal district, fire department/rescue district, or telephone exchange.
- E. Names which are similar to the name of an existing subdivision or landmark unless the road lies within that same subdivision.
- F. Duplicate, near duplicate (Ex. Apple Road and Apple Hill Road) or phonetically similar road names.
- G. Streets having the same name but different street types are considered duplicate names.
- H. Streets having the same name but different directionals are considered duplicate names unless they are in continuous alignment and are intersected by another road.
- I. Names that contain a street type or directional within the road name field.
- J. "EXT" is not to be used as a suffix when a road is extended. Instead, the name shall remain the same and the address range extended to accommodate the new section.

11.3.9 Street Suffixes:

Alley = Aly	Lane = Ln
Avenue = Av	Loop = Loop
Bay = Bay	Parkway = Pkwy
Bend = Bend	Path = Path
Boulevard = Blvd	Place = Pl
Branch = Br	Point = Pt
Cay = Cay	Ridge = Rdg
Center = Ctr	Road = Rd
Circle = Cir	Run = Run
Court = Ct	Spur = Spur
Cove = Cove	Station = Sta
Crest = Crst	Street = St
Crossing = Crsg	Terrace = Ter
Drive = Dr	Trace = Trc
Highway = Hwy	Trail = Tr
Hollow = Holw	Walk = Wk
Landing = Ldg	Way = Way

## **Article 11 Section 5 Subdivisions**

11.5.1 For all subdivisions in which new roads are proposed, the following items must be submitted by the developer to the Pender County Addressing Coordinator at the preliminary review phase:

- A. A scaled map of the road layout with the proposed name identified on each road.
- B. An alphabetical list of the proposed road names **and subdivision name**. An alternate for each road name **and subdivision name** should also be submitted for review should the proposed name not comply with this article.
- C. A signature line labeled "Reviewed and Approved by the Addressing Coordinator."

**11.5.2 The new subdivision name shall not duplicate or be phonetically similar to an existing road name or existing subdivision name.**

11.5.3 The Addressing Coordinator will review the proposed road names for overall compliance with the Pender County Unified Development Ordinance. If a submitted road name(s) does not comply with this article, the Addressing Coordinator will contact the developer, explain the reasons for non-compliance, and request new names be submitted. Road names and **subdivision names** for new developments may be reserved for up to two years or through validation of the preliminary plat.

11.5.4 After preliminary approval, any road configuration change or any request to change an approved road name will require resubmission of the map and the road name list for review. The approved road names/**subdivision name** shall be identified on the final approved plan with a signature line labeled "Reviewed and Approved by the Addressing Coordinator" and a copy submitted by the developer to the Addressing Coordinator.

## **Article 11 Section 6 Numerical Addressing System**

11.6.1 Numerical addressing will be assigned using the federal standard scale of 1000 numbers per mile, which calculates to an available number every 5.28 feet.

11.6.2 The range of addresses shall begin with the lowest number in the range being closest to the road of origin. As the numbers are increasing, even numbers will be assigned to structures located on the right side of the road and odd numbers will be assigned to structures located on the left side of the road.

11.6.3 All addresses should numerically balance on both sides of the road.

11.6.4 It is the policy of Pender County to assign addresses when the footing inspection has been approved or when there is a final site plan approval. The only deviation of this policy is when the structure is located in an approved subdivision where addresses have previously been assigned.

**11.6.5 Subdivisions and/or individual lots with up to 100 feet of road frontage may be assigned preliminary addresses following map recordation. Final addresses will not be assigned until compliance with Section 11.6.4 has been demonstrated.**

**11.6.6** Addresses will be assigned to the front door of the structure. Structures that are situated more than two hundred (200) feet from a named road will be addressed where the driveway intersects the road. If the structure is not visible from any distance off the road the address will be assigned at the driveway.

11.6.7 Structures using the same driveway shall be addressed with the structure nearest the road of origin having the lower digit.

**11.6.8 Structures whose vehicular access is via an alley shall be assigned addresses from the alley side of the structure.**

11.6.9 In the event a portion of a roadway that has been addressed using the 5.28 numbering scheme is spot annexed into a municipality, the current numbering scheme shall be maintained.

11.6.10 Corner lots will be assigned an address from the road on which the structure faces. An address can be assigned from the side road location in situations where the front of the building is obscured or difficult to distinguish.

**11.6.11** Addresses should not be assigned to structures that are simply accessory to the principal building.

11.6.12 Garage apartments shall be given a new address. If there are no addresses available then a unit letter may be assigned (ex. 503A) as a last resort.

11.6.13 Duplexes and apartments will be assigned structure numbers as well as unit numbers for secondary locators. For multi-story development the number will reflect the floor number and unit number.

**11.6.14 Townhouses/Condominiums shall be assigned individual addresses for each unit.**

11.6.15 Commercial development will be assigned one address per building as well as suite numbers for secondary location indicators. Each individual building shall have a separate address. For multi-story development the number will reflect the floor number and suite number.

11.6.16 Each mobile home within a mobile home park shall be assigned a primary 911 address. A mobile home park owner may assign lot numbers but the lot numbers shall not be used as the physical address.

#### **Article 11 Section 7 Compliance**

11.7 The Building Inspector shall not issue a Certificate of Compliance or a Certificate of Occupancy until the new structure complies in full with the requirements of this article.

11.7.1 The owner of any existing structure, mobile home park, or complex shall be required to comply with this article within thirty (30) days of written notification by the Pender County Addressing Coordinator, or their agent.

#### **Article 11 Section 8 Size, Color, Maintenance & Location**

11.8 The standard minimum size of a number for a typical residential or nonresidential structure shall be three (3) inches in height.

11.8.1 The standard minimum size of a number for a large residential or nonresidential structure such as an apartment, townhouse, condominium complex or a commercial or industrial complex shall be six (6) inches in height. Minimum sizes larger than the standard shall be required in any situation where the standard size would not provide necessary identification deemed appropriate by the 911 Addressing Coordinator or their assigned agent.

11.8.2 The color of the numbers placed on a structure or pedestal shall be in contrast to the color scheme of the structure or pedestal so that the number is clearly visible. Reflective numbers for nighttime identification are encouraged.

11.8.3 Every structure shall be posted with the official assigned number in at least one location in conformance with this article and as follows:

- A. The location of the numbers shall be maintained within a three (3) foot perimeter of the structure entrance. For apartment, townhouse, condominium, commercial or industrial complexes, the numbers shall be

located in the approximate center of the building or on the end of the building so that they are clearly visible from the road. Each individual unit must also be posted with the assigned unit number/suite number, letter or combination thereof. In the event the structure is located in such a manner that the assigned number is not visible, additional posting of the numbers shall be required at the driveway entrance or access to the structure.

- B. All commercial or industrial buildings that have a rear or side door that is used for deliveries, public entry purposes, or as a required exit, shall be posted with the official assigned number at such doors.
- C. In a “pocket neighborhood” the numbers shall be displayed on the rear of the structure and the front of the structure facing the common green space.

11.8.4 The Addressing Coordinator will have the right to authorize and approve alternate methods of displaying property numbers which meet the intent of this article when strict adherence to the standards herein set forth cannot reasonably be met.

11.8.5 Following the posting of the assigned number, as required, the owner or occupant shall at all times maintain such house or building number in compliance with the above standards. Building numbers shall not be obstructed from view.

#### **Article 11 Section 9 Subdivisions**

11.9 The address shall be displayed on the structure in such a way that is clearly visible from the roadway. Additional requirements are as follows:

- A. If the structure is less than 75 feet from the roadway the address shall be composed of numbers no less than three (3) inches in height.
- B. If the structure is more than 75 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height.
- C. If the structure is more than 150 feet from the roadway the address shall be composed of numbers no less than four (4) inches in height and displayed at the driveway entrance with a decorative post or placard.
- D. According to the U S Postal Service Reform Act a cluster box is required when there are eight (8) or more lots in a subdivision.
- E. When the structure is accessed by an alleyway the address will be assigned from that access.

#### **Article 11 Section 10 Official List, Official Map, and Identification**

11.10.1 Road Name List and Map. The Pender County Planning and Community Development Department shall maintain a listing of all official road names in Pender County as well as maintain an official street centerline database exhibiting the approved names and location of all roads in Pender County.

11.10.2 Identification. A sign showing the official name and state road number shall identify all public roads in the unincorporated areas of Pender County. These road signs shall be placed at all intersections.

11.10.3 A sign showing the official name shall identify all private roads in the unincorporated areas of Pender County. These road signs shall be placed at all intersections.

11.10.4 Every road sign shall comply with the following criteria:

- A. The sign blade shall be constructed of aluminum with green sheeting, 6 inches in width, and extruded edges.
- B. The lettering shall be upper case, 4 inches in height, at least ½ inch in stroke, and shall be made of white reflective material.

- C. The street type and state road lettering shall be upper case, 2 inches in height, at least ¼ inch in stroke, and shall be made of white reflective material.
- D. The post shall be constructed of U-shaped galvanized steel measuring 12 feet in height.
- E. The post shall be firmly anchored with the sign blade approximately 8 feet above ground.

11.10.5 Developers of subdivisions shall be responsible for the initial street signs. The sign blade must meet the criteria as set forth in this article.

11.10.6 Developers of subdivisions may utilize decorative posts and brackets only if the road will not be petitioned for addition to the state highway system. In the event the sign is stolen or damaged, the developer or Homeowners Association shall be responsible for replacing the posts and brackets.

11.10.7 Sign installers shall work with the North Carolina Department of Transportation and the various utility companies as to the particular location of the sign. If the road is private in nature, the sign must be installed within the right-of-way or easement of said road and be clearly visible.

**Article 11 Section 11 Installation and Maintenance**

11.11.1 Installation. The Pender County Public Works Department shall be responsible for the provisions of installation of road signs, except in the case of subdivisions with proposed new roads wherein the developer in that case shall be responsible for the installation of said signs.

11.11.2 Maintenance. The Pender County Public Works Department shall be responsible for repair and replacement of road signs.

**Article 11 Section 12 Violations, Penalties & Enforcement**

11.12.1 It shall be unlawful for any person(s) to:

- A. Erect any road sign with an unofficial name or a name that is substantially similar to any public road or private road in the unincorporated areas in Pender County.
- B. Remove, deface, damage, or obscure a road sign in the jurisdiction of this article.
- C. Erect any road sign that does not meet the Pender County sign specifications.
- D. Number or assign a number to any structure without the written approval of Pender County.
- E. Fail to post the official assigned number in accordance with this article.

11.12.2 Any person who does not comply with this article will be notified, by certified mail, to meet the requirements within 30 days from the date of notification.

11.12.3 Any person violating provisions in this article shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars (\$50) dollars or imprisonment of not more than thirty (30) days as provided by North Carolina General Statute 14-4. Each day shall constitute a separate violation and shall be punishable as a separate offense.

11.12.4 Enforcement - Any person who does not comply with this article will be notified, by certified mail, and required to come into compliance within 30 days from the date of notification.

11.12.5 Any violation of this article may be subject to civil remedies as set forth in North Carolina General Statute 153A-123C.

11.12.6 This article shall be enforceable by citation, injunction and restraining order. Any person violating the provisions of this article shall be subject to a civil penalty for each violation in the amount of fifty dollars (\$50). Each day of violation shall constitute a separate and distinct offense.