INTRODUCED BY: Planning Staff **DATE:** November 7, 2007 **ITEM NO:** 6

Pender County Zoning Ordinance Text Amendment
Section 8.9, Services – *Office Only, Single Unit, Business, Government Services and Professional Activities*

SUBJECT: Zoning Ordinance Text Amendment

ACTION REQUESTED: Consider a Text Amendment to the Zoning Ordinance to allow Office Only, Single Unit, Business, Government Services & Professional Activities as a Permitted Use in the R-20, Residential District, requiring a Special Use Permit.

HISTORY/BACKGROUND:
Description of Request: The request consists of amending the current Pender County Zoning Ordinance Table of Permitted Uses, Section 8.9, to allow Office Only, Single Unit, Business, Government Services & Professional Activities as a Permitted Use with a Special Use Permit in the R-20, Residential District *(see attached applicant's application & description of request).*
History/Background Relating to Proposed Amendment: The Zoning Ordinance currently does not permit Single Unit, Business, Government Services & Professional Activities as a use by-right or by Special Use Permit in the R-20, Residential District.

EVALUATION:
A) Public Notifications: Public Notice of the request for text change has been advertised in the Pender Post and Topsail Voice.
B) Planning Staff Recommendation to Planning Board: After further review, the planning staff would like to possibly add this use under special provisions (Section 15.5, Pender County Zoning Ordinance). Staff is presenting this to the Planning Board for possible input on conditions set for this request: Office Only, Single Unit, Business, Government Services and Professional Activities permitted by Special Use in an R-20 Residential District as defined by the Pender County Zoning Ordinance as a district in which the principal use of land is for moderate density single-family residential purposes. The regulations of this district are to permit development compatible with moderate density standards while providing limited growth. It is designed to accommodate residential opportunities for those who desire a moderate density lifestyle and are willing to assume the cost of providing many of their own services and amenities while maximizing the protection of resources and the conservation of open space.

In order to protect the residential uses in this district, specific provisions concerning this use may be needed. Examples are opaque fencing between uses, limiting hours of operation, and lighting and site safety regulations.

Accompanying this report, staff has drafted an ordinance governing this use and district. The Planning Board tabled this request at their October 2, 2007 meeting to allow staff to draft additional conditions.

PLANNING BOARD RECOMMENDATION: The Pender County Planning Board is requested to hold a public hearing for a text amendment.

AMENDMENTS:

Planning Board

Motion:_____Seconded_____

Approved:_____Denied:_____Unanimous_____

Walton ____ Reynolds ____ Garrett ____ Gonzales ____ Marshburn ____ Millette ____ Smith ____

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on November 19, 2007, the Pender County Board of Commissioners (approved, denied, modified) a text amendment to the Pender County Zoning Ordinance (section 8.9 table of permitted used), as described herein and F.D. Rivenbark, Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED_____DENIED_____UNANIMOUS_____

YEA VOTES: Rivenbark____Blanchard____Brown____ Tate____ Williams____

_____ 11-19-2007
F.D. Rivenbark, Chairman **Date**

_____ 11-19-2007
ATTEST **DATE**

PERMITTED USES	PD	R-20C	R-20	R-15	R-10	B-1	B-2	B-3	I-1	I-2	A	RT	RA	FA	WS All
TRADE CONT.															
Pawn Shops							P								
Restaurants	P					P	P	P	P	P		S	S	S	
Shopping Centers(see def. & ZI 13 & 14)	P					S	S	S				S	S		
Wholesaling(see ZI 28)	P						S		P	P		S			
SERVICES															
Appliance Repair	P					P	P	P				S	S		
Automobile, Truck & Small Machinery Repair	P					S	P	S	P	P		S	S		
Automobile Rentals	P						P	P			P	S			
Auto Teller Machines (See Sect. 14.9)	P					P	P	P				P	P		
Bank, Credit Agencies, Savings & Loan	P					P	P	P				P	S		
Barber & Beauty	P					P	P	P				P	P		
Boat Repair	P					S	P	S	P	P		S	S		
Car Wash							S								
Office Only, Single Unit, Business, Government Services & Professional Activities	P		S			P	P	P	P			P	P		
Office Complex, Business, Government Service & Professional Activities	P					S	P	S	P			S			
Printing, Copy Shops, Retail	P					P	P	P	P			S			
Camping, Travel Trailer Parks(See ZI 3 & TT Park Regs)	SP B			S	S		S					S	S	S	
Catering	P					P	P	P	P	P	P	S	S		
Cemeteries (all types)							S	S	S	S	S	S	S		
Crematories (all types)						S	S	S	S	S			S		
Day Care Facility, Child, (6 or more children) (see ZI 3 & 7)	P	S	S	S	S	S	S	S		S	S	S	S		
Drive-In Theater							S								
Dry Cleaning/Laundry Plant/ Laundromat	P					P	P	P	P	P		S			
Electrical Repair Shop	P					P	P	S	P	P		S			
Equipment Rental & Leasing	P					S	P	S	P	P		S			
Fire, Rescue and Medical Transport	P					P	P	P	P	P		P	P		

15.5 Specific Provisions Concerning Certain Listed Special & Permitted Uses

F. Office Only, Single Unit, Business, Government Services & Professional Activities in the R-20, Residential District, approved by Special Use Permit shall meet the following provisions:

1) Character of the site shall match the existing neighborhood in which the specified use is located.
2) Provide buffers (residential) along all property lines including all road frontages. (see section 14)
3) Shall be limited to major county thoroughfares including US HWY 17, US HWY 421, NC 210, NC 117, NC 11 and NC 53.
4) Hours shall be limited to normal operating hours of 8:00 a.m. to 6:00 p.m.
5) The site shall be able to provide adequate ingress and egress to the adjoining road way.
6) There shall be minimal lighting to not disturb neighboring property owners and traffic.

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