

To: Pender County Planning Board

From: Patrick T. Davenport, Director

Date: December 17, 2008

RE: Discussion: Highway 17 Overlay Committee progress

Please find attached a report and draft ordinances recently reviewed and approved by the Committee and recommended for adoption. Staff is forwarding these ordinances for Planning Board review and comment. Staff is requesting the Planning Board make a decision on either combining these draft ordinances into the UDO and Comprehensive Plan projects or conduct an independent public hearing process, separate from the special projects.

After Planning Board decision, staff will forward the Board's action to the Commission for their review and direction.

PTD

# **Final Report of the US Highway 17**

**Citizen's Advisory Committee**

**December 16, 2008**

## **Committee Members**

Marge Ciardella  
Bob Constine  
Chuck Demers  
Karen Gonzales  
Burt Millette  
Stuart Mossman  
Bob Murphy  
Ellery Murphy  
Tony Musolino  
Gary Poirier  
Todd Rademacher  
Bonnie Smith  
Chuck Wilson

## **Staff**

Patrick Davenport, Director

Ken Vafier

Kyle Breuer

Ashley Frank

Penny Tysinger, Facilitator

## **BACKGROUND**

A group of citizens living in the Hampstead area approached the Board of Commissioners about managing the growth taking place along US Highway 17 by implementing additional regulations in this area. It was agreed that the concept of an overlay zoning district should be developed. The Commissioners contracted with the Cape Fear Council of Governments to work with these citizens. A public forum was held in Hampstead in October, 2007 to explain the overlay zoning district concept. The overlay will deal with 5 components. These components are Aesthetics (Architecture), Landscaping, Signage, Transportation Matters (Access & Connectivity) and Land Uses. Citizens were invited to visit stations throughout the room and discuss each of these components and give staff member's ideas of what they would like these components to look like along Highway 17. The meeting was very well attended by citizens living in and near US Highway 17 as well as elected and appointed Board members.

## **COMMITTEE STRUCTURE**

The Board of Commissioners appointed a Citizen's Advisory Committee and tasked them to develop an overlay district for US Highway 17 in Pender County from the New Hanover County Line to the Onslow County Line. The only municipality, the Town of Surf City was made a part of this process since they have jurisdiction along Highway 17. The Commissioners contracted with the Cape Fear Council of Governments (Penny Tysinger) to facilitate this process. The Committee began meeting in February, 2008. Committee members were: Marge Ciardella, Bob Constine, Chuck Demars, Karen Gonzales (Planning Board representative), Burt Millette, Stuart Mossman, Bob Murphy, Ellery Murphy, Tony Musolino, Gary Poirier, Todd Rademacher (Town of Surf City representative), Bonnie Smith, and Chuck Wilson. The Committee also partnered with NC Department of Transportation (DOT), Wilmington Urban Area Metropolitan Planning Organization (MPO), and the Cape Fear Rural Planning Organization (RPO).

The Advisory Committee met monthly beginning in February, 2008 to learn about the process of developing zoning amendments, the local authority Pender County has in developing an amendment, and reviewed the results of the public forum and developed the actual items they would like to recommend for the amendment.

The Committee decided not to address Land Uses or Transportation issues since during this process, the County began new initiatives with the development of a United Development Ordinance (UDO) and Comprehensive Land Use Plan. The Committee did come to a consensus on Architectural elements for nonresidential structures located within

the overlay district, Landscaping elements, and signage elements. The proposed text amendment is attached to this report.

## **OUTCOMES**

The following items were discussed during the committee meetings and the Committee understood these items were outside of the original scope of work. The committee unanimously agreed these items need further discussion by the Planning Board and Board of Commissioners.

- **Implement the Collector Street Plan completed by the MPO.**
- **Consider implementing an overlay on the other major thoroughfares within the County.**
- **Consider a ban on billboards throughout the County. {The planning staff carried this further and the Board of Commissioners adopted an amendment to the signage provisions concerning billboards in November, 2008. Billboards are now allowed only on I-40 with several additional standards.}**
- **Continue to push for the construction of the Hampstead Bypass.**
- **Consider joining the national effort called the Highway 17 Association.**
- **Forward the document, "Ten Ways to Manage Roadway Access in your Community" to the Planning Board so that the concepts contained in the document can be applied to the UDO.**
- **Increase enforcement of existing codes within the overlay district.**
- **Amend the Zoning Ordinance to add provisions for redevelopment coming into compliance with the current ordinance standards.**

## **RECOMMENDATION**

The Citizen's Highway 17 Advisory Committee recommends adoption of the proposed overlay district with an effective date upon adoption. The Committee also recommends this overlay be carried forward in the UDO process. In addition, the Committee proposes a list of issues concerning further development within the County as well as along the Highway 17 corridor and requests the Planning Board to study these issues further as they develop the UDO.

**ATTACHMENTS:**

1. Draft of the Highway 17 Overlay District text amendment.
2. Coastal Pender Collector Street Plan by Wilmington Urban Area MPO
3. 10 Ways to Manage Roadway Access in Your Community by Center for Urban Transportation Research