

To: Pender County Planning Board

From: Patrick T. Davenport, Director

Date: December 11, 2008

RE: Discussion continued: Density standards for residential development

At the December 2, 2008 meeting, staff was directed to research some examples of residential density calculations. Please find attached an example of how residential densities are calculated in Brunswick County. BrunsCo uses "gross density" to define the maximum limits of allowable density-the densities vary among the districts. This information may be used to stimulate further discussion.

Staff is available for questions.

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# DRAFT

## PLANNING STAFF REPORT Zoning Text Amendment

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### SUMMARY:

**Hearing Date:** February, 2009 – Pender County Board of Commissioners  
**Applicant:** Staff

**Zoning Text & Map Amendment Proposal:** To add an overlay district to the current Pender County Zoning Ordinance § 8.8, Overlay Districts subsection 8.8.1 US Highway 17 Corridor Overlay District with the necessary text to apply to property 1000 feet on either side of US Highway 17 rights of way through Pender County from the New Hanover county line to the Onslow county line and to zone all the effected properties.

**Staff Recommendation:** Staff recommends forwarding this request to add the Highway 17 corridor overlay district to the Pender County Zoning Ordinance.

**Hwy 17 Overlay Citizen Committee Recommendation:** The Committee recommended forwarding this amendment request to the Planning Board for their consideration. In addition, the Committee has submitted a report on additional issues that arose from committee meetings on Highway 17. The Committee recommends this report be accepted, move forward to the Commissioners for acceptance, and utilized by the UDO and Comprehensive Plan Committees.

**Planning Board Recommendation:** The Pender County Planning Board, at the January \_\_, 2009 meeting, voted ( \_ - ) to pass a motion to recommend APPROVAL of the request amending the current Pender County Zoning Ordinance § 8-8 Overlay Districts to allow the Highway 17 Corridor Overlay District.

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### DESCRIPTION:

Currently, the Pender County Zoning Ordinance has only one overlay district. In general, overlay districts allow additional standards to be placed on property. The base underlying zoning district must still be met and should there be a conflict between the base underlying zoning district and the overlay district, the more stringent will apply. The proposed amendment creates a corridor overlay for US Highway 17 through Pender County from county line to county line.

#### **Section 8.8 US Highway 17 Corridor Overlay District**

The US Highway 17 Corridor Overlay District shall contain property extending 1000 feet on each side of the US Highway 17 rights of way. This overlay covers all portions of US Highway 17 within Pender County. If property is split by this boundary, the entire property is subject to these overlay standards. The base underlying zoning district standards apply in addition to these overlay district standards. Should there be a conflict between the base underlying zoning district and the overlay

district, the more stringent standards shall apply. Single family residential and two family residential are exempt from these standards.

Purpose: Major thoroughfares have unique traffic management needs, development pressures, and aesthetic characteristics that require the establishment of additional development standards to meet the County's goals and fulfill the purpose of this ordinance. The intent of the overlay district is to require development along the corridor that is aesthetically consistent, responsive to development pressures, and proportional to the area's traffic management issues.

The overlay district shall apply the following standards:

### **UTILITIES**

- 1) All new utility lines, including but not limited to electric, telephone and TV cable shall be placed underground.
- 2) All ground mounted mechanical equipment shall be screened from view from the designated highway by the use of walls, fences, or landscaping.
- 3) All rooftop mechanical equipment shall be screened from the line of sight of public and private rights of way, private roads, and public sidewalks.

### **SERVICE, LOADING, & EQUIPMENT STORAGE AREAS**

- 1) Service areas, including storage, special equipment, maintenance, and loading areas, shall be screened with landscaping and or architectural treatment so as not to be visible from the primary highway.
- 2) If shopping carts are utilized on the property, they shall be located inside the building or shall be screened from the public view. Shopping cart return areas for the public use are allowed in the parking lot areas.
- 3) Refuse containers, recycling facilities, trash compactors and the like shall be enclosed in a building material that matches the structure or is visually compatible with the structure. Public views of these areas should be limited.

### **ARCHITECTURAL STANDARDS**

- 1) Nonresidential structures shall create a façade designed to reduce massive building scale and eliminate solid monolithic wall appearance. Façade modules shall be incorporated into the building architectural and shall be consistent with the architectural styling and scale that is historically found within an upscale community. This may be accomplished through building scale, materials, and forms, all of which may be embodied in architecture which is contemporary as well as traditional. Architectural plans shall be submitted with a site plan.
- 2) Primary Facades - Nonresidential structures shall incorporate individual façade modules along the primary façade. Each façade module shall contain a minimum of five architectural elements. At least two of the architectural elements shall be unique and cannot be replicated along the remaining length of the primary façade. A minor material may not exceed fifteen

percent of the façade module. Each façade module shall contain at least two approved architectural materials. No single approved architectural material may cover greater than sixty percent of the façade module area. Only one approved architectural material may be reused on any immediately adjacent façade module.

- 3) Secondary Facades - Nonresidential structures shall incorporate individual façade modules along fifty percent of the secondary façade. All façade modules within the secondary façade shall be evenly distributed and spaced along the entire length of the secondary façade. Developers may choose to eliminate façade modules on the secondary façade entirely if the façade is screened from view of the public street by means of a screening device of vegetations and or a wall/fence complimentary to the architectural design of the building. Each secondary façade module shall contain a minimum of five architectural elements. At least two of the architectural elements shall be unique and cannot be replicated along the remaining length of the secondary façade. Each secondary façade module shall contain at least two approved architectural materials. No single approved material may cover greater than sixty percent of the façade module area. Only one approved architectural material may be reused on any immediately adjacent façade module.
- 4) All accessory buildings shall be of materials that are visually compatible in appearance with the principal structure.

### SIGNAGE

In addition to the base signage requirements, the following standards shall apply in the overlay district:

- 1) Each parcel shall have an overall sign plan which reflects a consistent style and specify the size and color scheme for proposed signage.
- 2) Materials used in signs and their support structures shall reflect the building served by the sign.
- 3) Sign colors shall be harmonious with the building which they serve.
- 4) Outdoor advertising, billboards, off premises signage are not allowed in the overlay district.
- 5) Freestanding signs have a maximum height of 15 feet.
- 6) All Freestanding signs shall be consistent with and complimentary to the architectural styling of the building. The pole or support structure of all freestanding signs shall be landscaped with evergreen plant material that obscures the pole or support structure to within three feet of the signage display area upon maturity.
- 7) All wall signage areas shall be consistent with and complimentary to the architectural styling of the building. Signage areas shall be clearly delineated on the building elevation plans and or renderings.

### SECTION 2 DEFINITIONS

The following definitions should be added to Section 2 of the Zoning Ordinance:

**Approved Architectural Material** – The structural or applied surface component of a façade including brick, rock, tinted or textured concrete masonry units, wood plank, fiber cement siding, precast concrete, tilt up concrete, shakes, split faced block, marble or simulated substitute. All materials shall be of a high quality. Vinyl and metal siding may be used a minor material of the building façade.

**Architectural Element** – A façade module feature that is applied, inserted, incorporated or constructed into or upon the primary or secondary façade including real or faux windows, real or faux doors, awnings, gables, parapets, porticos, porte cocheres, arcades, arches, cupolas, columns, roof lines, material projections, recesses, cornices, etc.

**Big Box Development** – A single structure containing at least 50,000 square feet of gross floor area that is constructed for the purpose of retail or wholesale occupancy.

**Façade** – The visible exterior portion of a building wall which extends from the ground to the top of the wall or roof line.

**Façade, Primary** – The façade containing the highest number of customer's entrances.

**Façade, Secondary** – A façade which is designed to be viewed from a public street but is not the primary façade.

**Façade, Other** – Any façade which is not considered a primary or secondary façade.

**Façade, Module** – A sixty foot or shorter horizontal section of façade containing a minimum of five unique architectural elements.

**Minor Material** – An architectural material that is described as being lesser, as in size, extent, or importance. A minor material may not exceed fifteen percent of a façade module.

**Outparcel** – A parcel of land associated with and located within a shopping center, mall, or big box development, which is designated on an approved site plan as a location for a structure with an intended use.

**Shopping Center** – Mercantile establishment consisting of a carefully landscaped complex of shops representing leading merchandisers; usually includes restaurants and a convenient parking area; a modern version of a traditional marketplace. May also referred to as a mall or plaza.

**Note:** *There is a current definition of shopping center in the ordinance---is it the intent to replace existing definition with this definition.*

2005 CAMA Land Use Plan states the following for development in Rural Areas of Pender County:

- *Rural area commercial development should be encouraged to locate near crossroad centers or other locations with good access and should be limited to local convenience stores, farm supply stores, and generally accepted rural business establishments.*

**EVALUATION:**

- A) **Public Notifications:** Public Notice of the request for text & map change has been advertised in the Pender Post and Topsail Voice.
- B) **Public Information Meeting/Public Forum II:** A second forum was held at Topsail High School on \_\_\_\_\_ to present the Committee's report and proposed text amendment.
- C) **Planning Staff Recommendation to Planning Board:** The proposal from the Planning Staff and the Hwy 17 Overlay Citizen's Committee consists of amending the current Pender County Zoning Ordinance §2 Definitions and Section 8.8 Overlay Districts and amending the Zoning Map to apply the US Hwy 17 Corridor overlay zoning designation to all properties abutting Hwy 17 and extending 1,000 feet on either side of the Hwy 17 rights of way.

**VOTING AND RESOLUTION:**

**Planning Board**

Motion: \_\_\_\_\_ Seconded \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous \_\_\_\_\_

Reynolds \_\_\_ Gonzales \_\_\_ Garrett \_\_\_ Marshburn \_\_\_ Millette \_\_\_ Smith \_\_\_ Williams \_\_\_

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED,** that on \_\_\_\_\_, 2009, the Pender County Board of Commissioners (approved, modified, denied) a zoning ordinance text amendment and applicable rezoning request for property as described herein and Jimmy Tate, 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: Tate \_\_\_ Brown \_\_\_ Blanchard \_\_\_ Rivenbark \_\_\_ Williams \_\_\_\_\_**

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**JIMMY TATE, CHAIRMAN**

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**DATE**

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**ATTEST**  
Delivered

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**DATE**