

PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



AGENDA

Pender County Planning Board Meeting

November 3, 2009

7:00 p.m.

**Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Note: The Pender County Planning Board Meeting adjourns at 11:00 p.m. Any item not discussed shall be placed on the next regular Planning Board Meeting agenda, unless otherwise stated. The items may not be discussed in the order as shown on the agenda. The agenda may be revised by the Planning Board.

Call to Order: Chairman Reynolds

Roll Call: Chairman Reynolds

Pender County Planning Board Members:

Reynolds ___ Garrett ___ Marshburn ___ Millette ___ Smith ___ Williams ___ Boney ___ Newman ___

1. **Approval of Minutes:** October 6, 2009

Public Hearing

2. **2010 Draft Comprehensive Land Use Plan**

<http://www.pendercountync.gov/Government/Departments/PlanningCommunityDevelopment/PlanningZoning/SpecialProjects/ComprehensivePlan.aspx>

Discussion Items

3. **Planning Staff**

- **Hwy 17 Overlay Committee recommendation/additional design and architectural standards for commercial development**
- **2010 Unified Development Ordinance**
 - a. **Review Authority Table**
 - b. **Table of Permitted Uses**
 - c. **Schedule of District Requirements**
 - d. **Residential District- Housing/Lot types**

4. **Planning Board Members**
5. **Public Comment**
6. **Adjournment**

#3



PLANNING AND COMMUNITY DEVELOPMENT

CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING
PARKS AND RECREATION • PLANNING AND ZONING

To: Pender County Planning Board

From: Patrick T. Davenport, Director

Date: October 26, 2009

RE: Discussion: 2010 Unified Development Ordinance Project-items for review

Please find attached several items associated with the review of the 2010 Unified Development Ordinance for Planning Board discussion and recommendation. Staff will review and discuss the following attached documents with the Planning Board and update the Committee actions from its October 29, 2009 meeting. Although this is not an official public hearing, public comments could be accepted at the Board's discretion.

- 1) Review Authority Table
- 2) Residential District- Housing/Lot types
- 3) Schedule of District requirements
- 4) Table of Permitted Uses

Revised: 10/26/09

2.11 Summary of Review Authority

The following table summarizes review and approval authority under this Ordinance.

	Technical Review Committee	Zoning Administrator / Planning Director	Zoning Board of Adjustment	Planning Board	Board of County Commissioners	Section of UDO
Text Amendment	R	R		<R>	<D>	
Rezoning- Traditional & Conditional	R	R		<R>	<D>	
Master Development Plan	R	R		<D>		
Preliminary Plan in PD District ⁽¹⁾	R	R		<D>		
Preliminary Plan in all other Districts	R	D				
Major Subdivision Final Plat ⁽²⁾	R	D				
Minor Subdivision – (i.e.: “3 lot” or “Family”)	R	D				
Site Dev. Plan – Minor (as defined)		D				
Site Dev. Plan – Major: PD District ⁽¹⁾	R	D		D		
Site Dev. Plan- Major: All other districts	R	D				
Special Use Permits (all)	R	R			<D>	
Zoning Vested Right		R D	<D>			
Appeal of Administrative Decision		R	D			
Variance			<D>			
Zoning			<D>			
Subdivision				<D>		
Telecommunications Tower				<D>		
Administrative Adjust (for error up to 2.0')		D				
Written Interpretation		D				
Zoning Approval/Permits		D				

(1) Unless waived by the PB per applicant request

(2) Unless PB requires review in PD District

KEY: R= Review and recommendation authority
D= Decision authority
<> = Public Hearing required

PROPOSED TABLE OF USES FOR 2010 UDO

P=Permitted Use S=Special Use Approval Req'd P*S*=Permitted in conjunction w/ the MDP process D=Permitted w/ Use Standards

Use Category Specific Use Type	Ref NAICS	Zoning Districts							
		RA	R?	MH	PD	GB	OI	IT	GI
RESIDENTIAL									
SFD: Detached-Conventional design		P	P	P	P				
SFD: Detached-Modular design		P	P	P	P				
SFD-Attached: Duplex			P		P				
SFD-Attached: Multiplex			P		P				
SFD-Townhouse (5+ attached)			P		P				
Multifamily (condominium/apartment)			P		P				
Apartment/condominium over commercial/office					P	P	P		
Accessory Dwelling		P	P		P				
Accessory Dwelling on Non Residential Principal Uses		P			P			P	P
Manufactured Home		P	P	P					
Manufactured Home Park				P					
ACCESSORY USES AND STRUCTURES									
Accessory Structures		P	P	P	P	P	P	P	P
Cottage Occupations		S	S		S				
Home Occupation		P	P	P	P				
Agritourism Activities on active farms		D	P		P				
SECTOR 11: AGRICULTURE, FORESTRY, FISHING AND HUNTING									
Crop Production	111	P	P	P	P	P	P	P	P
Animal Production, except Hog and Pig farming	112	P	P	P	P	P	P	P	P
Hog and Pig farming	1122	S							
Aquaculture	1125	P						P	P
Forestry and Logging	113	P	P	P	P	P	P	P	P
Support Activities for Agriculture and Forestry	115	P							

Use Type	Ref NAICS	Zoning Districts							
		RA	R?	MH	PD	GB	OI	IT	GI
Sector 51: INFORMATION									
Information	51				P	P	P	P	P
Sector 52: FINANCE AND INSURANCE									
Finance and Insurance	52	S	S		P	P	P	P	P
Sector 53: REAL ESTATE AND RENTAL AND LEASING									
Real Estate and Rental and Leasing	53	S	S		P	P	P	P	P
Except: 5324 Commercial and Industrial Machinery and Equipment Rental and Leasing	5324							P	P
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES									
Professional, Scientific, and Technical Services	54	S	S		P	P	P	P	P
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES									
Management of Companies and Enterprises	55	S	S		P	P	P	P	P
Zoning Districts									
Use Type	Ref NAICS	RA	R?	MH	PD	GB	OI	IT	GI
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES									
Administrative and Support Services	561	S			P	P	P	P	P
Solid Waste Collection	562111								S
Solid Waste Landfill	562212								S
Solid Waste Combustors and Incinerators	562213								S
Other Nonhazardous Waste Treatment and Disposal	562219								S
Remediation Services	562910								S
Materials Recovery Facilities	562920								S
All Other Waste Management Facilities	56299								S
Sector 61: EDUCATIONAL SERVICES									
Educational Services	611	P	S		P	P	P		
Business Schools and Computer and Management Training	6114				P		P	P	
Technical and Trade Schools	6115				P	P	S	P	P
Other Schools and Instruction	6116	S			P		S	P	

		Zoning Districts							
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE	Ref NAICS	RA	R?	MH	PD	GB	OI	IT	GI
Ambulatory Health Care Services	621				P	P	P		
Except: Outpatient Mental Health and Substance Abuse Centers	62142						S		
Hospitals	622	S			P	P	P		
Except: Psychiatric and Substance Abuse Hospitals	6222						S		
Nursing and Residential Care Facilities	623	S	S		P	P	P		
Except: Residential Mental Retardation, Mental Health and Substance Abuse Facilities	6232	S					S		
Social Assistance	624	S			P	P	P		
Vocational Rehabilitation Services	6243					P	P	P	P
Child Day Care Services	6244	P	S		P	P	P		

		Zoning Districts							
Use Type	Ref NAICS	RA	R?	MH	PD	GB	OI	IT	GI
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION									
Performing Arts Companies	7111				P	P			
Spectator Sports	7112	S			P	P		P	
Promoters of Performing Arts, Sports and Similar Events	7113	S			S	S			
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	7114				P	P	P		
Museums, Historical Sites and Similar Institutions	712	S			P	P	P		
Amusement and Theme Parks	713110	S			S	S			
Amusement Arcades	713120					P			
Golf Courses and Country Clubs	713910	S	P*S^		P				
Marinas	713930	S	P*S^		P*S^				
Fitness and Recreational Sports Centers	713940				P	P	P	P	
Bowling Centers	71395				P	P	P	P	
All Other Amusement and Recreation Industries	71399	S			P	P	P	P	

		Zoning Districts							
Use Type	Ref NAICS	RA	R?	MH	PD	GB	OI	IT	GI
Sector 72: ACCOMODATION AND FOOD SERVICES									
Hotels and Motels	72111				P	P	P		
Bed and Breakfast Inns	721191	S	S	S	P	P			
All Other Traveler Accomodation	721199	S	S	S	P	P			
RV Parks and Recreational Camps	7212	S		P*S^	P*S^				
Recreational and Vacation Camps	721214	S							
Rooming and Boarding Houses	721310	S			P	P			
Full Service Restaurants	7221	S			P	P	P	P	P
Limited Service Eating Places	7222	S			P	P	P	P	P
Special Food Services	7223	S			P	P	P	P	P
Drinking Places (Alcholoic Beverages)	7224				P	P			

Use Type	Ref NAICS	Zoning Districts							
		RA	R?	MH	PD	GB	OI	IT	GI
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION									
Automotive Repair and Maintenance	8111	S				P		P	P
Electronic and Precision Equipment Repair and Maintenance	8112	S				P	P	P	P
Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113							P	P
Personal and Household Goods Repair and Maintenance	8114	S			P	P	P	P	P
Personal Care Services	8121	P	S		P	P	P	P	
Funeral Homes and Funeral Services	81221	S				P	P	P	P
Cemeteries and Crematories	81222	S	S		S	S	S	S	S
Coin Operated Laundries and Drycleaners	812310	P			P	P			
Drycleaning and Laundry Services	812320	S			P	P		P	P
Linen and Uniform Supply	81233							P	P
Other Personal Services, Except Pet Boarding Kennels	8129	S			P	P	P	P	
Religious Organizations	8131	P	S		P	P	P	P	
Grantmaking and Giving Services	8132				P	P	P	P	
Social Advocacy Organizations	8133				P	P	P	P	
Organizations	8139				P	P	P	P	
Sector 92: PUBLIC ADMINISTRATION									
Public Administration	92	P	P		P	P	P	P	P
Zoning Districts									
Use Type	Ref NAICS	RA	R?	MH	PD	GB	OI	IT	GI
Miscellaneous Uses									
Adult Retail						S			
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S						P	P
Pet Boarding Kennels		S				S		S	P
Public Parks		P	P		P	P	P	P	P
Salvage Operations		S							D

C

Schedule of District Requirements- for all Districts except Residential Performance

	RA	MH	GB	OI	IF	IG	IC
Lot Dimensions							
Min Lot width at front setback (Ft.)	100	60	100	100	200	200	100
Minimum lot area	1.0 ac	4,000 sf	0.5 ac	0.5 ac	1 ac	1 ac	1 ac
Yards							
Front	40	25	25	25	50	50	50
Rear	30	20	10	10	25	25	25
Side	20	10	10	10	25	25	25
Accessory Structures: Side & Rear	10	5	10	10	10	25	10
Other							
Max. height- Principle structure (Ft.)	35	35	40 (3)	40 (3)	50 (4)	50 (5)	35
Max. height- Accessory structure (Ft.)	20	20	20	20	20	30	20
Minimum Structure Separation (Ft.)	40	20	50	30	50	50	50
Minimum Area Rezoning (Acres)	1	5	1	2	5	5	1

- (1) Section 4.8.3.C defines the bonus density standards for the Residential Performance District.
- (3) Additional building height is allowed at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides).
- (4) Complete fencing with vegetative screening if the abutting land is in a residential district. The fence shall be a minimum of six feet (6') in height.
- (5) Structures exceeding 50 feet in height shall be allowed increases at a rate of one additional foot of height for every one foot of additional yard depth (front, rear, and sides).
- (6) PD District requirements are determined at Master Development Plan phase.

Schedule of District Requirements- for Residential Performance

	SFD-T	SFD-U	SFD-C	ZLL	MPX-2	MPX-3/4	TH	MULTF
Lot Dimensions								
Lot Area	20,000 sf	15,000 sf	10,000 sf	6,000 sf	5,000 sf	4,000 sf	2,000 sf	10 ac
Lot Width (Ft.) at front setback	80	70	60	35	30	25	20	n/a
Yards								
Front	40	25	25	25	25	25	25	40
Rear	30	20	20	25	10	10	40	50
Side	20	10	10	25(1)	10	10	30(2)	50(2)
Other								
Maximum Height (Ft.)	35	35	35	35	35	35	40	40
Minimum Parking Spaces/Unit	2	2	2	2	2	1.5	1.5	1.5
Minimum Structure Separation (Ft.)	40	30	30	(6)	50	30	30	50
Minimum Area Rezoning (-20 Acres)	Move	to	Page 4-11	Sect B				

SFD-T: Single Family Detached Traditional; SFD-U: Single Family Detached-Urban; SFD-C: Single Family Detached Cluster

ZLL: Zero Lot line

MPX-2: Duplex; MPX-3/4: Multiplex three or four attached; TH: Townhouse-5-10 attached

MULTF: Multifamily-Apartments or Condominiums

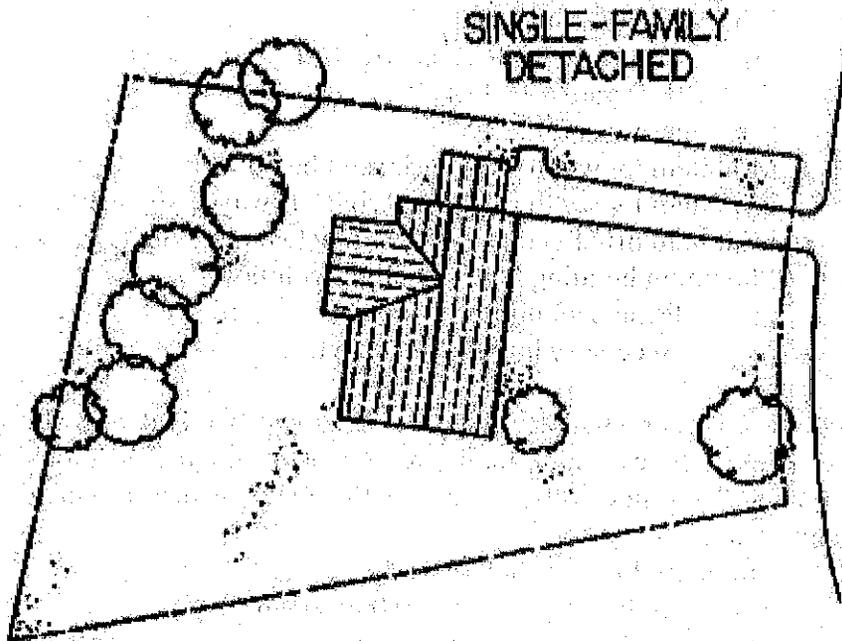
(1)- Zero lot line requires 10' maintenance easement on one side and 25' separation from adjacent dwelling on other side

(2)- Side setbacks for Townhouses and Multifamily apply to the perimeter boundary

PROPOSED HOUSING TYPES

Single-family detached traditional - A "single-family detached traditional residence" shall be a large-lot single-family residence with private yards on all four sides without required common open space:

- i. Minimum lot area shall be 20,000 square feet.
- ii. Minimum yards shall be as follows:
 - (a) Setback from the road right-of-way: 35 feet.
 - (b) Side yards: 10 feet.
 - (c) Rear yard: 25 feet.
- iii. Minimum lot width at setback shall be 80 feet.
- iv. Minimum off-street parking shall be two spaces per unit.
- v. Maximum building height shall be as follows:

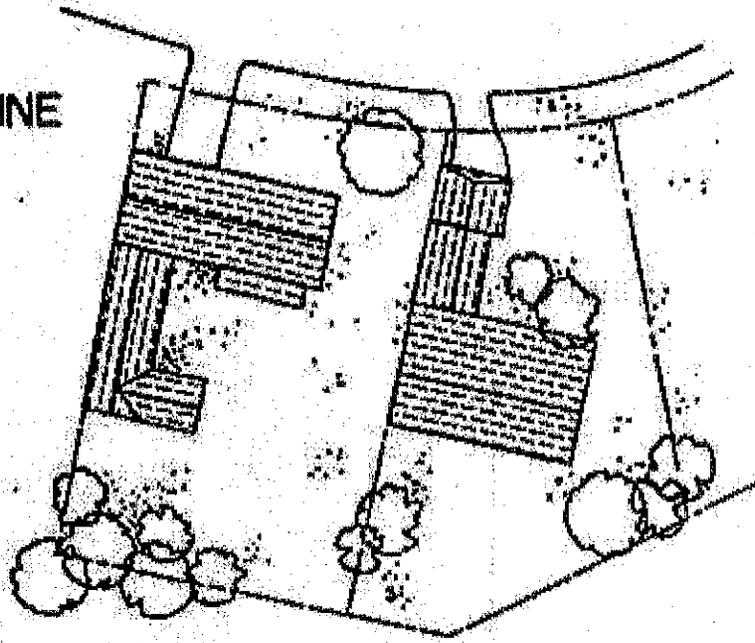


- (a) Principal building: 35 feet.
- (b) Accessory buildings: 20 feet.

2. **Single-family detached urban** - A "single-family detached urban residence" shall be a single-family residence on an individual lot with private yards on all four sides. Properties require access to either community water or sewer.

- i. Minimum lot area shall be 15,000 square feet.
- ii. Minimum yards shall be as follows:
 - (a) Setback from the road right-of-way: 35 feet.
 - (b) Side yards: 10 feet.
 - (c) Rear yard: 25 feet.
- iii. Minimum lot width at setback shall be 70 feet.
- iv. Minimum lot width at road right-of-way shall be 40 feet.
- vi. Minimum off-street parking shall be two spaces per unit.
- vii. Maximum building height shall be as follows:

**ZERO
LOT LINE**



- vii. Supplemental regulations:
 - (a) The opposite side yard may be maintained clear of any obstructions other than a three-foot eaves encroachment, swimming pools, normal landscaping, removable patio covers extending no more than five feet or garden walls or fences not to exceed nine feet in height.
 - (b) The zero lot line side must not be adjacent to a road right-of-way.
 - (c) A maintenance easement of eight to 10 feet in width must be obtained on the lot adjacent to the zero lot line side.

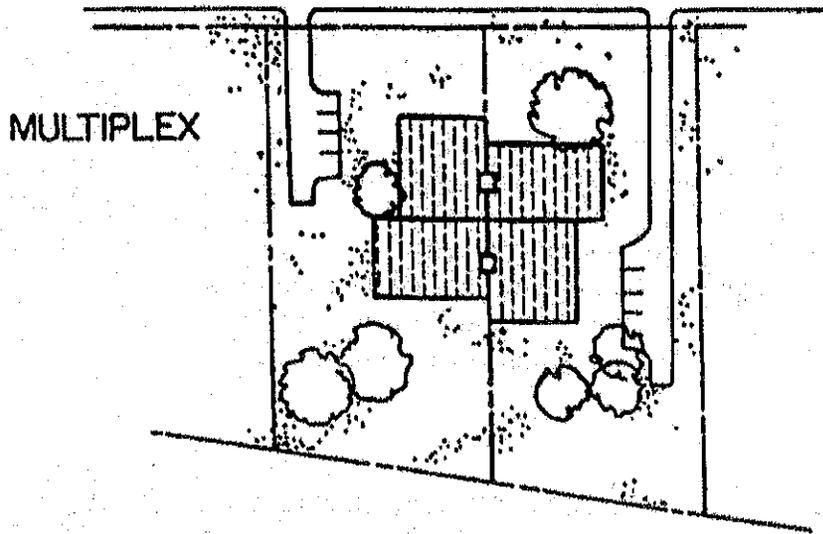
5. **Duplex** A "duplex" is a single-family semidetached residence, having one dwelling unit from ground to roof and only one wall in common with another dwelling unit. The two dwelling units in a duplex building may or may not have individual outside access.

i. Dimensional requirements shall be as follows:

Number of Bedrooms	Minimum Lot Area per Unit (square feet)	Average Lot Area per Unit (square feet)	Off-Street Parking Spaces
1	4,500	5,000	2
2	5,000	5,500	2.25
3 plus	5,500	6,000	2.50

ii. Minimum yards shall be as follows:

- (a) Setback from the road right-of-way: 25 feet.
- (b) Side yard (one side only): 10 feet
- (c) Rear yard: 25 feet.

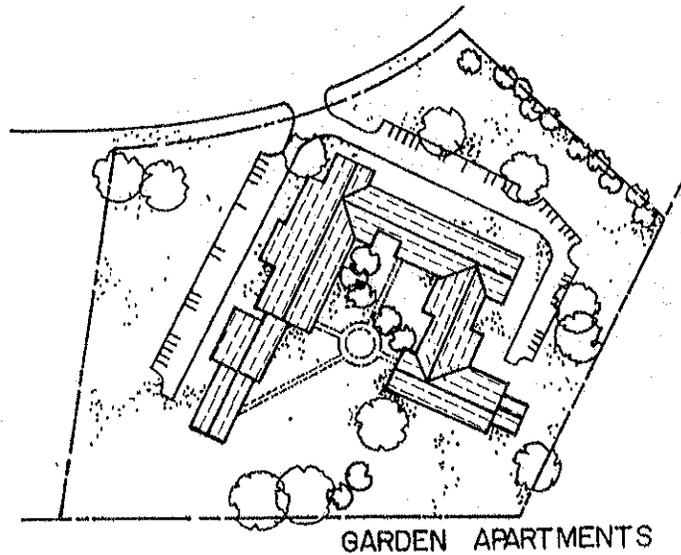


- iii. Minimum yards shall be as follows:
 - (a) Front setbacks: ___ feet
 - (b) Side: ___ feet
 - (c) Rear: ___ feet
- iv. Setbacks shall be as follows:
 - (a) Thirty-five feet from road right-of-way.
 - (b) Twenty feet from parking areas or driveways.
 - (c) Side shall be 15 feet from perimeter boundaries.
 - (d) Rear shall be 25 feet from perimeter boundaries.
- v. Minimum building spacing shall be 30 feet.
- vi. Maximum building height shall be as follows:
 - (a) Principal building: 35 feet.
 - (b) Accessory buildings: 20 feet.

7. **Townhouse** - The "townhouse" is a single-family attached dwelling with one dwelling unit from ground to roof, having individual outside access. Rows of attached dwellings shall not exceed 10 units and shall average no more than eight dwellings per structure.

- i. Maximum gross density: 8 units per acre.
- ii. Dimensional requirements shall be as follows:

Number of Bedrooms	Minimum Lot Area (square feet)	Average Lot Area (square feet)	Off-Street Parking Spaces	Minimum Lot Width (feet)
1	1,500	1,600	2.00	18
2	1,700	1,800	2.25	18
3 plus	2,000	2,200	2.50	



- iii. Minimum yards shall be as follows:
 - (a) Front setback: 25 feet
 - (b) Side: 50 feet
 - (c) Rear: 50 feet
- iv. Minimum on-site building spacing: 50 feet.
- v. Maximum number of dwelling units per building: 16
- vi. Maximum building height shall be as follows:
 - (a) Principal building: 40 feet.
 - (b) Accessory buildings: 15 feet
- vii. Setbacks for accessory structures. Accessory structures shall be set back from all property lines a minimum of five feet, except for uses with a required enclosed yard.
- viii. Setbacks for other uses. The following setbacks shall apply to uses not otherwise specified:
 - (a) Front setback shall be 35 feet.
 - (b) Side setbacks shall be 15 feet.
 - (c) Rear setback shall be 50 feet.
- ix. Setbacks from business and industrial uses. All proposed structures shall be set back 50 feet from the boundary of land zoned for business or industrial uses or land currently containing business or industrial uses.