

PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



AGENDA

Pender County Planning Board Meeting

May 5, 2010 Special time @ 6:00 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 _____

1. **Adoption of the Agenda**
2. **Approval of Minutes: April 6, 2010 meeting**
3. **Public Comments**

6:00PM

4. **PD Master Plan Review:** Stephen Carpenter, applicant, on behalf of Bonnie Smith, owner, is requesting approval of a master plan for 4 lots on 22 acres. The property is located north of Marcil Village subdivision, accessed off of Marcil Lane, Hampstead, NC. The property is zoned PD, Planned Development District and may be identified by PIN # 4236-00-9314-0000.
5. **Discussion Items**
 - a. **Planning Staff**
 1. May 17, 2010 Public Hearing for UDO
 2. UDO document and zoning maps have been delivered
 - ii. June 1, 2010: Cursory review of 2010 Parks and Recreation Master Plan
 - iii. June 21, 2010 Public Hearing for Comprehensive Land use Plan
 - b. **Planning Board Members**
6. **Adjournment**

PLANNING STAFF REPORT
Carpenter 3-lot Master Plan
Planning Board Hearing

SUMMARY:

Hearing Date: May 5, 2010
Applicant: Stephen Carpenter
Property Owner: Bonnie Smith
Case Number: MP 10-05-05-01

Development Proposal: The applicant is proposing a 4 lot subdivision of an approximately 22-acre tract for individual, single-family development.

Location and Land Use: The proposed subdivision is located off Marciel Lane, near Surf City, NC. The property is bordered to the south by Marciel Village, a single-family residential development, and by vacant property on the remaining borders.

Zoning District of Property: The property is currently zoned PD, Planned Development District.

Staff Recommendation: Planning Staff recommends conditional approval based on all ordinance requirements being met as well as the consideration of the Technical Review Committee's comments (TRC).

Detailed Proposal Discussion:

The applicant is requesting approval for a subdivision yielding 4 lots, each approximately 5 acres in size. The lots are intended for individual, single family development. All future development of lots will be required to meet current land use requirements. Approval of any further subdivision of the property or for any use other than single-family residential will require Planning Board approval while the property is zoned PD, Planned Development.

As each lot is intended to be development as a single home site, there is no proposed homeowners association. Access is proposed to be provided via a 60' wide access easement which will be maintained by the property owners. The lots are intended to be serviced by individual well and septic, with each individual property owner obtaining these entitlements at the time of development. In addition, all other local, state, and federal entitlements will be obtained by the individual property owner at the time of development.

Several additional requirements for a Planned Development master plan, detailed in the applicant's narrative, are not applicable to this subdivision, which is subject to the master plan review process as it was previously zoned PD in the 2003 comprehensive rezoning.

Technical Review Committee (TRC) comments/concerns:

Pender County Emergency Management:

PCEM recommends a turn-around point at the terminus of Sandy Pines Lane in order to accommodate access by emergency vehicles in the case of a fire.

NC Division of Land Quality:

An erosion and sedimentation control plan will be required for any land disturbing activity that will disturb greater than one acre in area.

NC Department of Transportation:

A driveway permit for the connection of Sandy Pines Lane to Marcel Lane will be required.

US Army Corps of Engineers:

Based on review of available resources, there may be jurisdictional waters located within the property which are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, the USACE recommends that the applicant contact the local office or hire an environmental consultant to identify and delineate any jurisdictional waters in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill jurisdictional waters.

All other TRC agencies had no comment on the project.

Staff Recommendation:

Planning Staff recommends conditional approval of the subdivision. Further, staff recommends that all subsequent subdivision documents required to carry out the review process be handled administratively.

The approval is also subject to the all conditions prescribed in the Pender County Zoning and Subdivision Ordinances.

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APPLICATIONS COVER SHEET

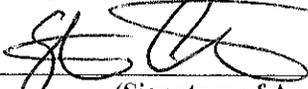
Date Application Filed: 3/19/2010

I. REQUIRED NAMES:

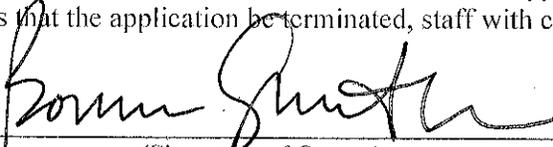
Applicant <u>Stephen Carpenter</u>	Owner <u>Bonnie Smith</u>
Address <u>2312 Belvedere Drive</u> <u>Wilmington, NC 28405</u>	Address <u>1130 Mallard Bay Drive</u> <u>Hampstead, NC 28443</u>
Phone <u>910.274.5388</u> Fax <u>910.341.3027</u>	Phone <u>910.274.5388</u> Fax <u>910.341.3027</u>
Email <u>ccsilm@hotmail.com</u>	Email <u>naterskine@aol.com</u>
Legal Relationship of Applicant to Property Owner: <u>Consultant / Land Planner</u>	
Consultant Name/Company <u>Carpenter Consulting Services</u>	
Address <u>same as applicant</u>	
Phone <u>same as applicant</u>	Fax <u>same as applicant</u>
Email <u>same as applicant</u>	

II. AFFIDAVIT REGARDING OWNER – APPLICANT RELATIONSHIP:

I Bonnie Smith (owner) and Stephen Carpenter (applicant) hereby affirm that an appropriate contractual relationship permitted by the appropriate NC State Codes exists between said Owner and Applicant. Owner and Applicant also affirm that if the owner requests that the application be terminated, staff will comply with Owner's request.



(Signature of Applicant)



(Signature of Owner)

III. TYPE OF APPLICATION: (Please check one)

Board of Adjustment:
 Variance
 Appeal

Zoning:
 Text Amendment
 Map Amendment
 Home Occupation
 Special Use Permit
 Vested Rights Determination

Plans:
 Planned Development Master Plan
 Subdivision Preliminary Plat
 Final Plat

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FEE SCHEDULE

Board of Adjustment:	Applicable Fees:	Fee Calculation:
Variance	\$250.00	
Appeal	\$250.00	
Zoning:		
Zoning Determination Letter	\$15.00	
Text Amendment	\$250.00	
Map Amendment	\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter	
Vested Rights Determination	\$250.00	
Home Occupation	\$25.00	
Special Use Permit	\$300.00 & \$10.00 per acre over 5 acres; max of \$5,000.00	
SUP, Part of AEC	\$300.00 & \$10.00 per acre over 5 acres	
SUP, Tower over 75 ft.	\$500.00	
SUP, Mining Borrow Pit	\$750.00 & \$10.00 per acre over 5 acres	
SUP, Mining other	\$1,000.00 plus \$5.00 per acre	
Plans:		
Planned Development Master Plan	\$500.00 plus \$10/acre for the first 100 acres; \$5/acre thereafter	\$510.00
Preliminary Plat	\$500.00 & \$10/lot/residential unit for the first 100 lots/units; \$5 per lot/unit thereafter	
Final Plat	\$250.00 & \$10/lot/residential unit for the first 100 lots/units; \$5/lot/unit thereafter	
	Total Fees Due:	\$510.00

Attachments Included with Application:
(Please include # of copies)

1 CD 18 Plan Sets 18 Other Documents/Reports

Method of Payment: Cash
 Credit Card, We accept VISA and MasterCard only.
 Check, Ck. # ()

For Office Use Only:	
Receipt # _____	
Received By: _____	Date: _____

PLANNING AND COMMUNITY DEVELOPMENT

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PLANNED DEVELOPMENT APPLICATION

Date: 3/19/2010

Application Fee: \$510.00

I. PROPERTY INFORMATION:

Parcel ID #(S): 4236-00-9314-0000

Property Location: North of Marcil Village subdivision. Accessed by Marcil Lane. Hampstead, NC.

Subdivision Name: Family Subdivision

Phase: One

Review Type: Master Preliminary Final

II. A presubmittal meeting is required 60 days prior to submission. A complete submission must be in the Planning and Community Development Department office 45 days prior to the scheduled Planning Board public hearing date. All of the information listed below must be included for the submission to be considered complete:

- Application Fee
- One addressed legal size (4½ x 9) envelope must be received for the for each of the adjacent property owners with first class postage or check payable to Pender County Planning for current postage fees
- 18 (11x17) map copies for the Planning Board
- 2 full size map copies
- CD containing maps and/or document files in .pdf format

**Please see Planned Development Requirements Checklist for further requirements.*

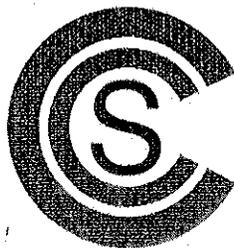
III. SIGNATURE OF OWNER/APPLICANT:

Additional Information:

According to Section 17.1 of the Pender County Zoning Ordinance, the Planning Board may approve Planned Developments in accordance with the procedures and developments standards specified in this Section and the Pender County Subdivision Ordinance. Any applicant may appeal a denial from the Planning Board to the Board of County Commissioners. Such appeal must be filed in the Planning Office within thirty (30) days of the Planning Board's written decision. The Planning Board may waive any requirements of this section that it deems necessary.

Recording of the Final Plat:

The subdivider shall file the approved final plat with the Register of Deeds of Pender County for recording within sixty (60) days after the date of approval. Otherwise, such approval shall be null and void.



March 19th, 2010

Pender County Planning Board
805 South Walker Street
Burgaw, NC 28405

Attention: Patrick Davenport

Reference: **Smith PD Review** - Master Plan / Final Plat
Hampstead, NC

Mr. Davenport:

Carpenter Consulting Services is pleased to submit this application on behalf of Bonnie Smith for PD Master Plan and 3 Lot Family Subdivision approvals. The project is located north of the Marcil Village subdivision in Hampstead, NC. The proposed 22 acre subdivision will result in three new lots. The new lots, and the resulting parent tract, are all roughly 5 acres in size. All lots as proposed meet or exceed current and future Zoning requirements. Currently, no uses other than single family residential are proposed. The applicant has met all PD Master Plan requirements as they pertain to the development as proposed. Several PD submission requirements do not apply to this development:

1. Sketch plans for access of fire fighting equipment and refuse disposal such as compactors and waste disposal dumpsters. *(None required or anticipated.)*
2. Quantitative data for parcel size, number and types of dwelling units, and gross and net residential densities anticipated. *(Each lot will be developed as an individual project. Residential density will be determined by the owner at the time of development. Densities higher than .5 units per acre are not anticipated.)*
3. Planned organizational arrangements (i.e. Homeowners Associations) providing for ownership, maintenance, and preservation of common open space, and other property. *(Each lot will be developed as an individual project. No HOA is proposed as there will be no common property. It will be the responsibility of the developer/home owners to construct and maintain the access easement to standards that meet or exceed current and future Pender County requirements.)*
4. Anticipated architectural housing style and mixing of types. *(Each lot will be developed as an individual project. Architectural style will be determined by the individual land/home owner.)*
5. The plans for proposed storm water drainage systems, sedimentation controls as required by the Sedimentation Control Ordinance, and utility layouts (sewer, water, gas, and electricity) showing connections to existing systems or plans for individual water supply and septic tank with appropriate percolation test results, or other methods of sewage treatment. *(Each lot will be developed as an individual project. All applicable State, Federal and County development permits will be required for each individual project. All erosion control measurements will be handled on a project by project basis. All storm water drainage will be handled on-site. Utilities will be obtained by each individual land owner and coordinated with the proper utility organizations. Traditional on-site septic is anticipated for all future structures.*



Upon final plat approval the project is anticipated to break ground within 6 to 8 months. Final development could extend as long as 5 years depending on the residential market and demand for the property. A total of 4 lots are proposed.

Do not hesitate to contact us if you have any questions regarding this application. Please give us the opportunity to clarify any details of this application or to revise this project if it appears that we have not fully met the intent of the Pender County Zoning Ordinance.

Respectfully submitted:
Carpenter Consulting Services

Stephen Carpenter
Principal Planner



Bonnie Smith – PD Master Plan / 3 Lot Family Subdivision

Adjacent Property Owners

4236-10-6687-0000
LOYAL ORDER OF MOOSE et al
PO BOX 445
SURF CITY, NC 28445

4236-01-8302-0000, 4236-00-3309-000L, 4235-09-2683-000L
ATKINSON LACY N JR
247 ATKINSON LOOP RD
HAMPSTEAD, NC 28443

4235-09-6514-0000, 4235-19-6035-0000
MARCIL VILLAGE HOMEOWNERS ASSN INC
C/O HAMPSTEAD MGMNT SERVICES
PO BOX 964
SURF CITY, NC 28445

NOT TO SCALE

PD-PLANNED DEVELOPMENT

PD-PLANNED DEVELOPMENT

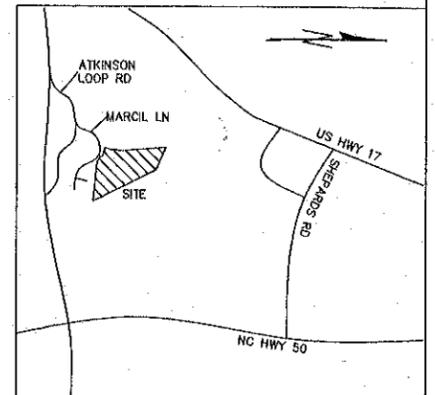
PD-PLANNED DEVELOPMENT

PD-PLANNED DEVELOPMENT

NOT TO SCALE

PD MASTER PLAN
 BONNIE SMITH (OWNER)
 1130 MALLARD BAY
 HAMPSTEAD, NORTH CAROLINA 28443
 910.352.5755 (P)

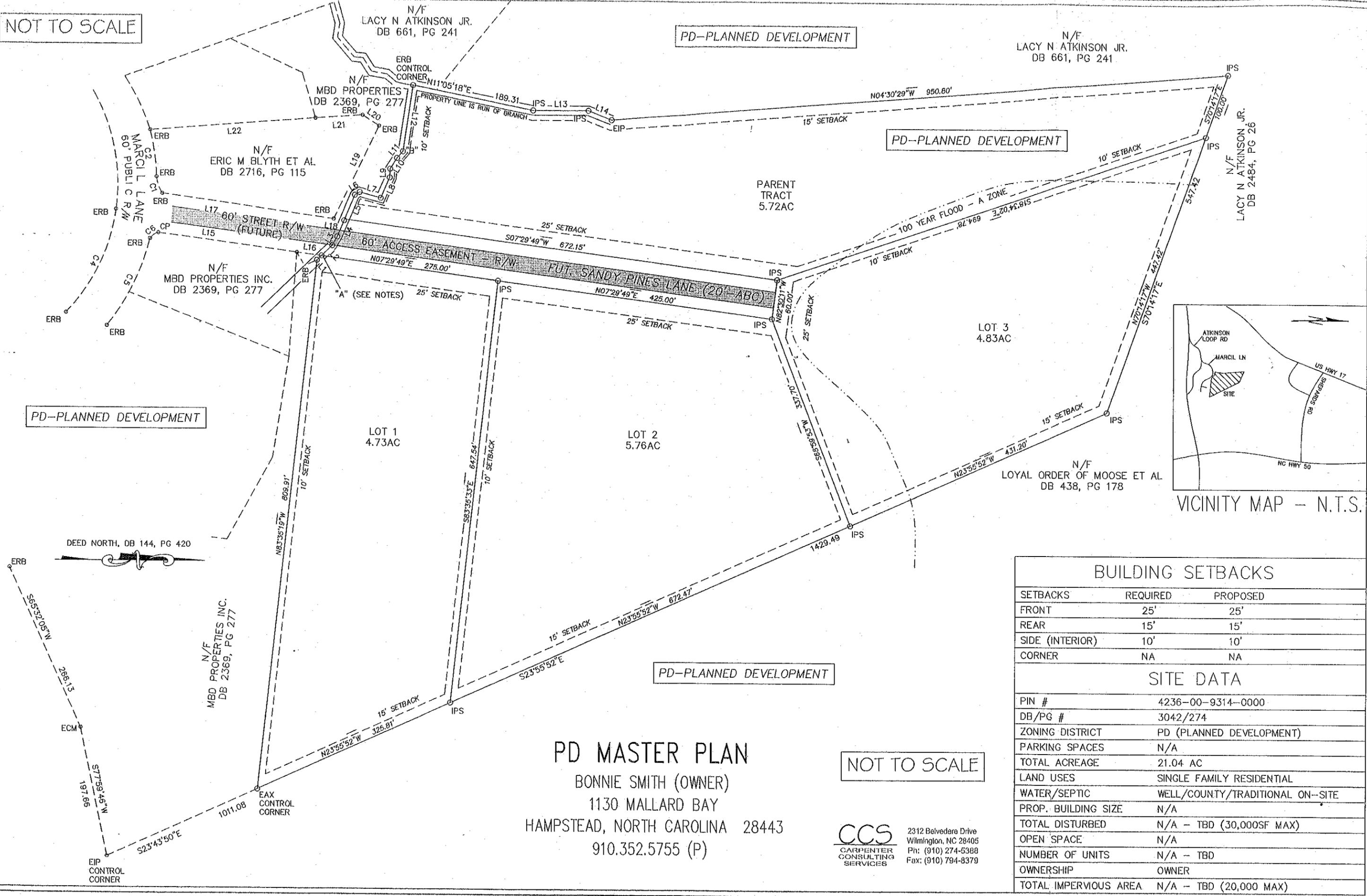
CCS
 CARPENTER
 CONSULTING
 SERVICES
 2312 Belvedere Drive
 Wilmington, NC 28405
 Ph: (910) 274-5388
 Fax: (910) 794-8379



VICINITY MAP - N.T.S.

BUILDING SETBACKS		
SETBACKS	REQUIRED	PROPOSED
FRONT	25'	25'
REAR	15'	15'
SIDE (INTERIOR)	10'	10'
CORNER	NA	NA

SITE DATA	
PIN #	4236-00-9314-0000
DB/PG #	3042/274
ZONING DISTRICT	PD (PLANNED DEVELOPMENT)
PARKING SPACES	N/A
TOTAL ACREAGE	21.04 AC
LAND USES	SINGLE FAMILY RESIDENTIAL
WATER/SEPTIC	WELL/COUNTY/TRADITIONAL ON-SITE
PROP. BUILDING SIZE	N/A
TOTAL DISTURBED	N/A - TBD (30,000SF MAX)
OPEN SPACE	N/A
NUMBER OF UNITS	N/A - TBD
OWNERSHIP	OWNER
TOTAL IMPERVIOUS AREA	N/A - TBD (20,000 MAX)



I, JAMES F. BONEY, JR., PLS 1-2796, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM INFORMATION SHOWN IN DEED BOOKS REFERENCED ON MAP AND MAP BOOKS REFERENCED ON MAP; THAT ANY LINES NOT ACTUALLY SURVEYED APPEAR AS DASHED LINES AND WERE PLOTTED FROM INFORMATION AS NOTED ON THE PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS BETTER THAN 1:10,000; THAT THE AREA IS COMPUTED BY COORDINATE METHOD. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10th DAY OF MARCH, A.D., 2010.

JAMES F. BONEY, JR.
PROFESSIONAL LAND SURVEYOR
NC L-2796

DEED NORTH, DB 144, PG 420

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY OWN FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER AREAS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHER, I CERTIFY THAT THE LAND AS SHOWN HEREON IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF PENDER COUNTY.

OWNER _____ DATE _____

THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE SUBDIVISION AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND

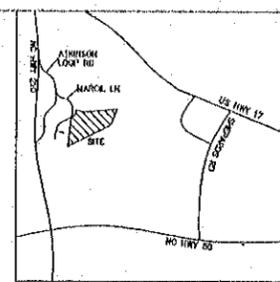
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10th DAY OF MARCH A.D., 2010

SIGNATURE _____

NC L-2796
REGISTRATION NUMBER



N/F
LACY N ATKINSON JR.
DB 661, PG 241



PENDER COUNTY, NORTH CAROLINA.
FILED FOR REGISTRATION ON THE _____ DAY OF _____ 2010 AT _____ AM/PM AND
DULY RECORDED IN BOOK _____ AT PAGE _____
REGISTER OF DEEDS

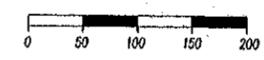


ALL NEW ACCESS EASEMENTS SHOWN OR DESIGNATED ON THIS PLAT, INCLUDE THE TRANSFER OF AN EASEMENT TO PUBLIC ENTITIES AND PUBLIC UTILITIES FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF WATER, SEWER, ELECTRIC AND COMMUNICATION LINES.

ALL NEW ACCESS EASEMENTS SHOWN OR DESIGNATED ON THIS PLAT, INCLUDE THE TRANSFER OF AN EASEMENT TO PENDER COUNTY, ITS EMPLOYEES AND AGENTS FOR ACCESS FOR EMERGENCY PERSONNEL (POLICE, FIRE & RESCUE) AND PENDER COUNTY AND ITS EMPLOYEES FOR ADMINISTRATION OF ALL PENDER COUNTY ORDINANCES.

BUILDING SETBACKS REQUIRED TO BE IN ACCORD WITH THE PENDER COUNTY ZONING ORDINANCE.

NOT TO SCALE

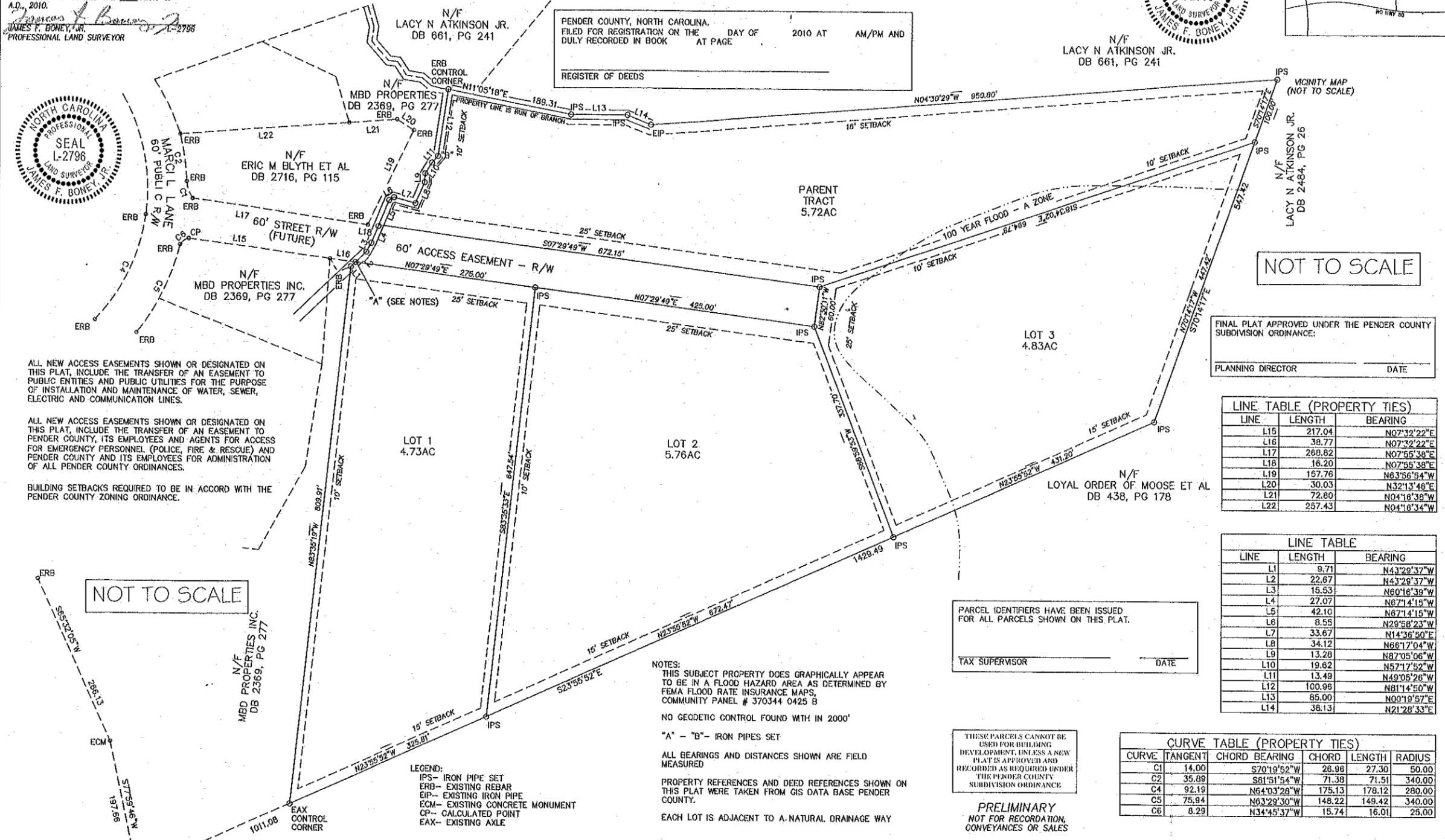


DATE	REVISION	INITIAL

D & S surveying, pllc
5008 EAST OAK ISLAND DRIVE, SUITE 1
OAK ISLAND, NORTH CAROLINA 28465
TEL. - 910-278-9415 • FAX - 888-438-9316
E-MAIL - DAN@DSLANDSURVEY.COM

THREE LOT FAMILY SUBDIVISION
OF
4236-00-9314-0000
FOR
BONNIE L. SMITH
SCALE: 1" = 100'
TOPSAIL TOWNSHIP PENDER COUNTY NORTH CAROLINA
DATE: 03-10-2010

PROJECT #: 2010020
SURVEYED BY: DMW
DRAWN BY: SEC
CHECKED BY: JFB
FILE: 2010020-LOTS
SHEET: 1 of 1
FIRM #: P-0597



NOT TO SCALE

FINAL PLAT APPROVED UNDER THE PENDER COUNTY SUBDIVISION ORDINANCE:
PLANNING DIRECTOR _____ DATE _____

LINE	LENGTH	BEARING
L15	217.04	N07°32'22"E
L16	38.77	N07°32'22"E
L17	289.82	N07°55'38"E
L18	16.20	N07°55'38"E
L19	157.76	N63°56'54"W
L20	30.03	N32°13'46"E
L21	72.80	N04°16'38"W
L22	257.43	N04°16'34"W

LINE	LENGTH	BEARING
L1	9.71	N43°29'37"W
L2	22.67	N43°29'37"W
L3	15.53	N80°16'39"W
L4	27.07	N87°14'15"W
L5	42.10	N67°14'15"W
L6	8.55	N29°58'23"W
L7	33.67	N14°36'50"E
L8	34.12	N66°17'04"W
L9	13.28	N87°05'06"W
L10	19.62	N57°17'52"W
L11	13.49	N49°05'26"W
L12	100.96	N81°14'50"W
L13	85.00	N00°19'57"E
L14	38.13	N21°28'33"E

CURVE	TANGENT	CHORD	BEARING	CHORD	LENGTH	RADIUS
C1	14.00	570°19'52"W	26.98	27.30	50.00	
C2	35.89	S61°51'54"W	71.38	71.51	340.00	
C4	92.19	N64°03'28"W	175.13	178.12	280.00	
C5	75.94	N63°29'30"W	148.22	149.42	340.00	
C6	8.29	N34°45'37"W	15.74	16.01	25.00	

PARCEL IDENTIFIERS HAVE BEEN ISSUED FOR ALL PARCELS SHOWN ON THIS PLAT.

TAX SUPERVISOR _____ DATE _____

THESE PARCELS CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THE PENDER COUNTY SUBDIVISION ORDINANCE

PRELIMINARY
NOT FOR RECORDATION,
CONVEYANCES OR SALES

NOTES:
THIS SUBJECT PROPERTY DOES GRAPHICALLY APPEAR TO BE IN A FLOOD HAZARD AREA AS DETERMINED BY FEMA FLOOD RATE INSURANCE MAPS, COMMUNITY PANEL # 370344 0425 B
NO GEODETIC CONTROL FOUND WITH IN 2000'

"A" - "B" - IRON PIPES SET
ALL BEARINGS AND DISTANCES SHOWN ARE FIELD MEASURED

PROPERTY REFERENCES AND DEED REFERENCES SHOWN ON THIS PLAT WERE TAKEN FROM GIS DATA BASE PENDER COUNTY.

EACH LOT IS ADJACENT TO A NATURAL DRAINAGE WAY

LEGEND:
IPS - IRON PIPE SET
ERB - EXISTING REBAR
EIP - EXISTING IRON PIPE
ECM - EXISTING CONCRETE MONUMENT
CP - CALCULATED POINT
EAX - EXISTING AXLE

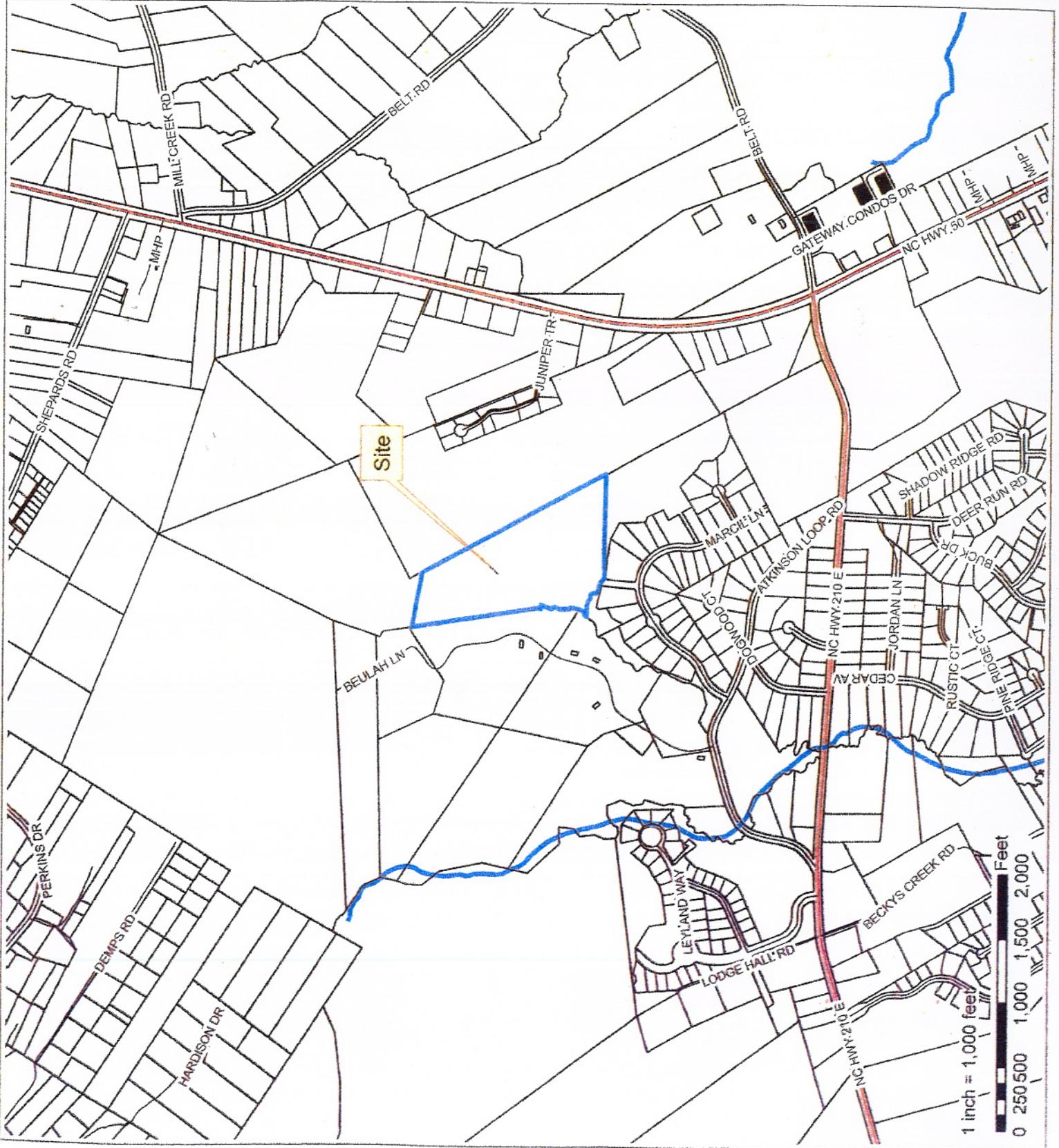


Applicant:
Stephen Carpenter

Master Land Use Plan
10-05-05-01 Carpenter



VICINITY MAP





Applicant:
Stephen Carpenter

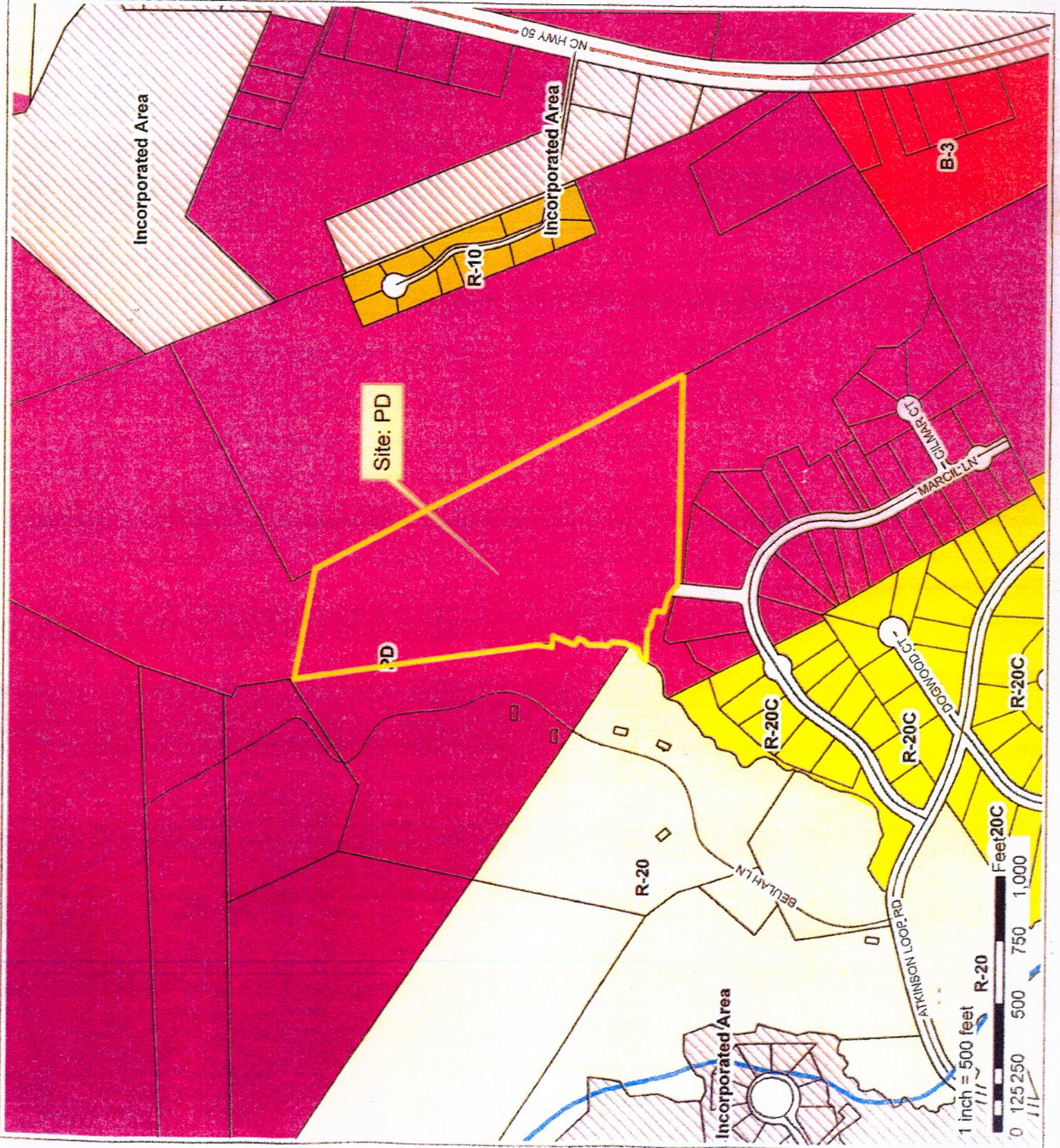
Master Land Use Plan
10-05-05-01 Carpenter

Zoning Classification

ZONE1



ZONING MAP





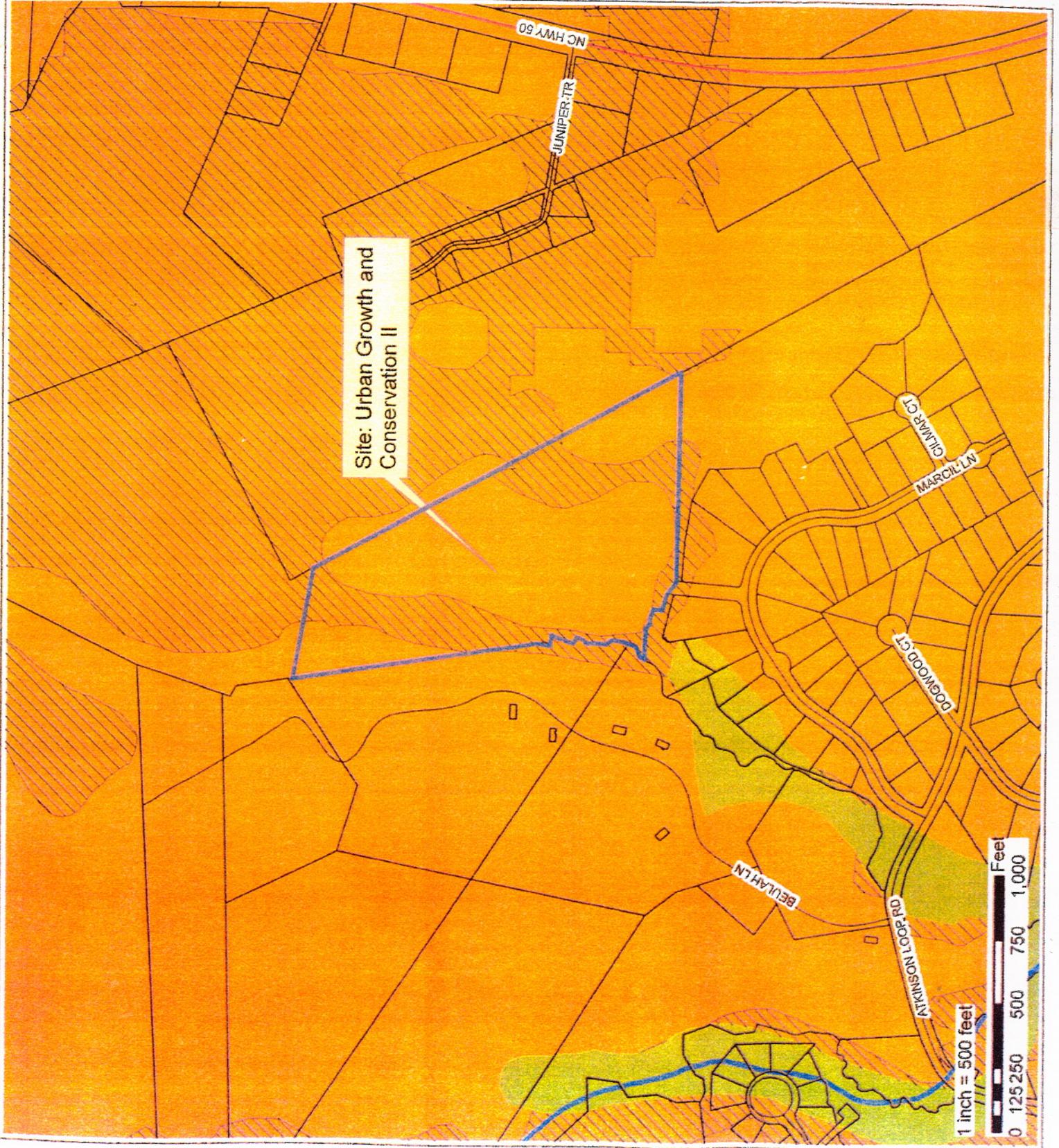
Applicant:
Stephen Carpenter

Master Land Use Plan
10-05-05-01 Carpenter

- Conservation Area I
- Conservation Area II
- Transition Areas
- Urban Growth Areas
- Rural Clusters
- Rural Areas



LAND USE MAP



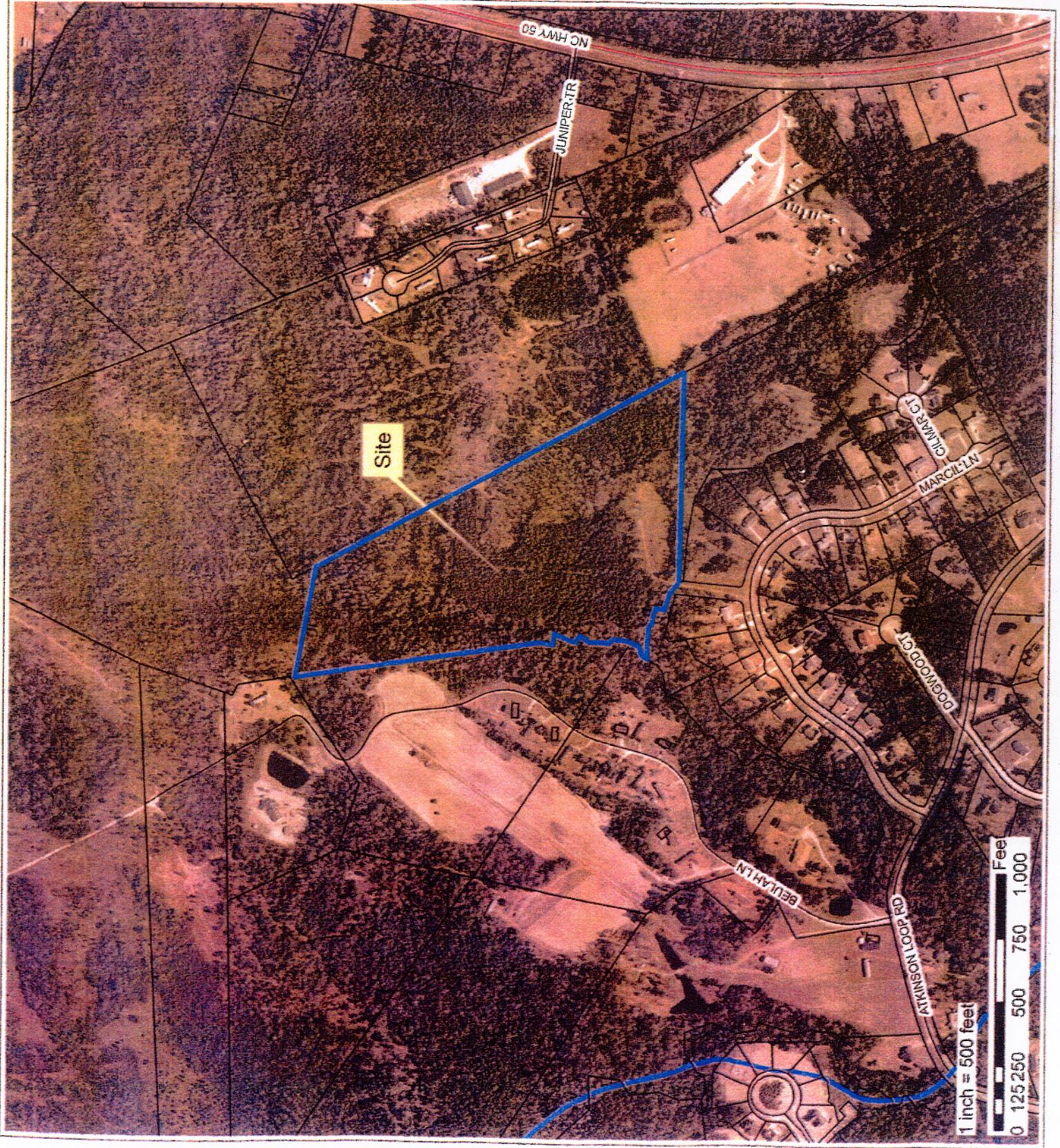


Applicant:
Stephen Carpenter

Master Land Use Plan
10-05-05-01 Carpenter



2008 AERIAL





Pender County

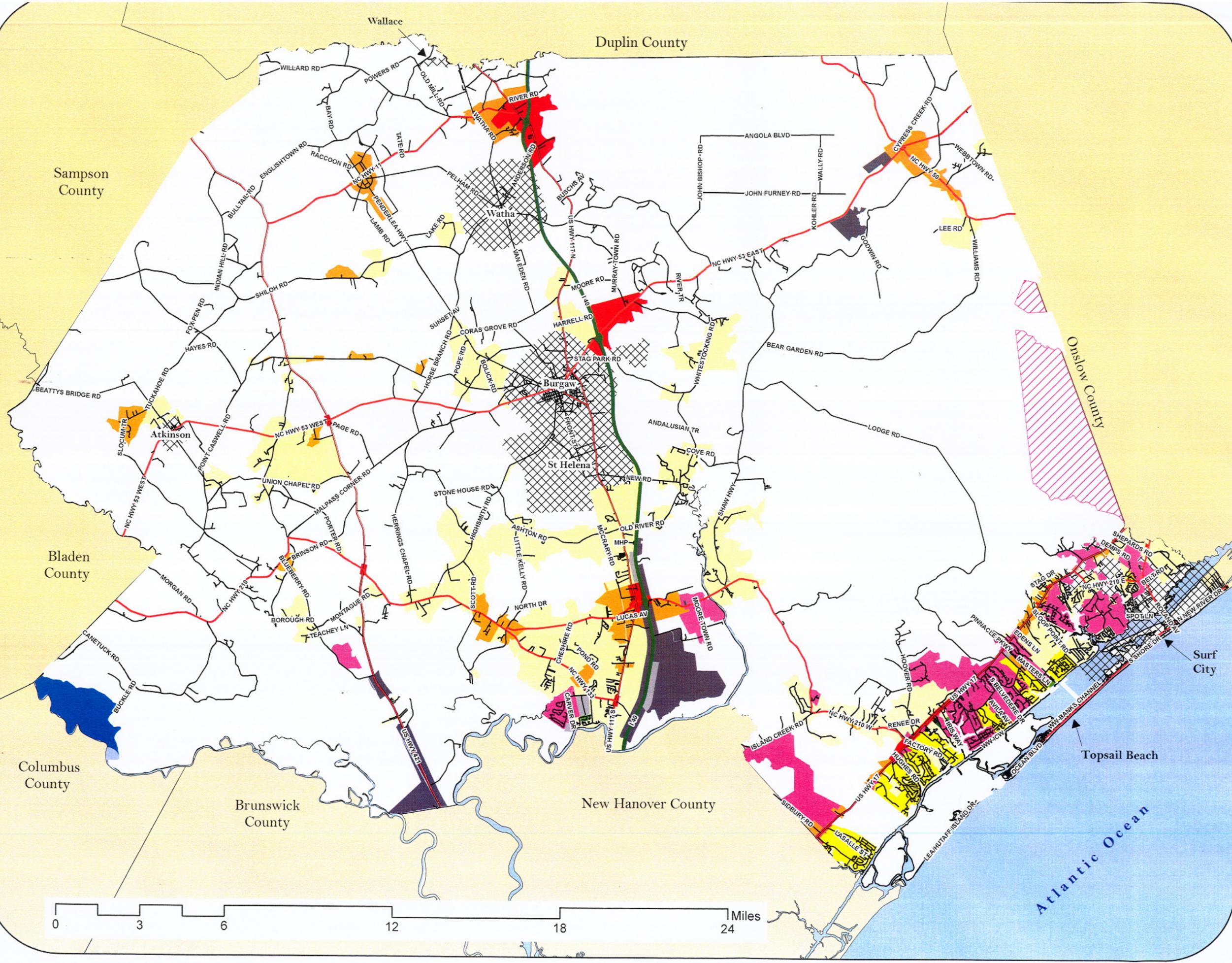
Current Zoning Classification

Legend

- Private Road
- U.S. Highway
- Interstate
- Secondary Road
- NC Highway
- Pender/Onslow Disputed Areas

Existing Zoning

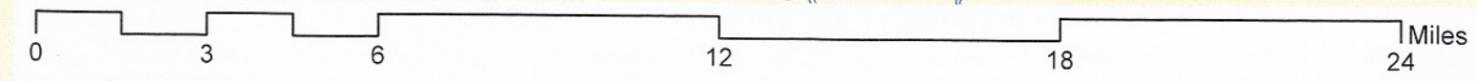
- B-1
- B-2
- B-3
- I-1
- I-2
- Incorporated Area
- PD
- R-10
- R-15
- R-20
- R-20C
- RA
- RT
- WSCA
- WSPA
- Flood Hazard Overlay (**)



** See Map 2 for the Flood Hazard Overlay



1 inch = 17,000 feet



Map created on April 28, 2010 by the Pender County Department of Planning & Community Development

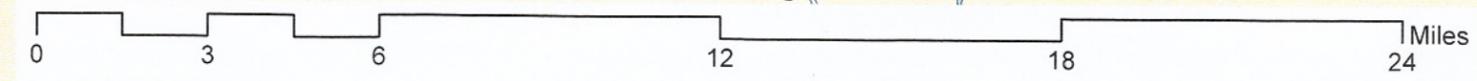
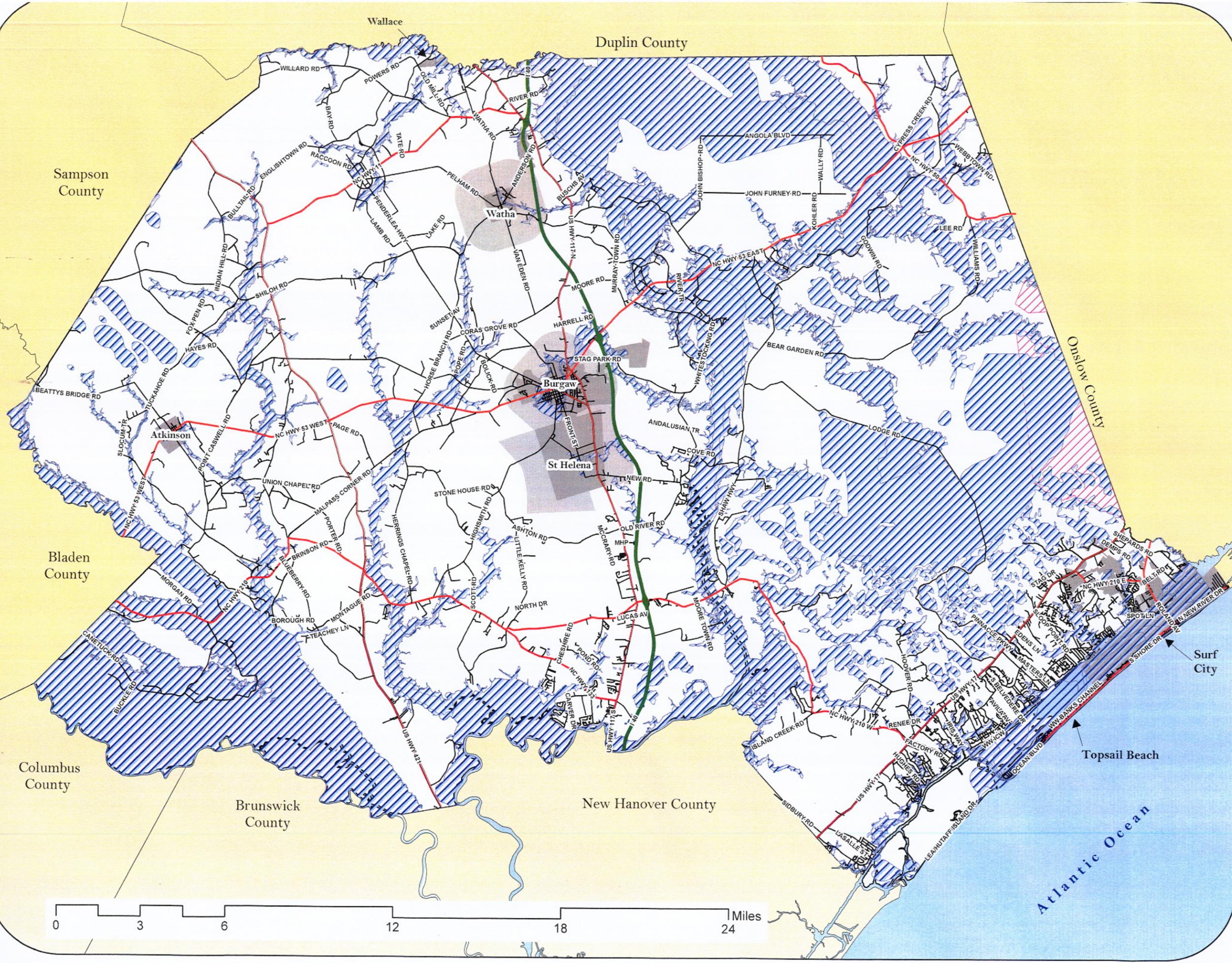


Pender County

Current Zoning Classification

Legend

- Private Road
- U.S. Highway
- Interstate
- Secondary Road
- NC Highway
- Flood_Hazard_Overlay
- Pender/Onslow Disputed Areas



1 inch = 17,000 feet

Map created on April 28, 2010 by the Pender County Department of Planning & Community Development



Pender County

Proposed "UDO" Zoning Classification

Legend

- Private Road
- U.S. Highway
- Interstate
- Secondary Road
- NC Highway
- Pender/Onslow Disputed Areas
- UDO (PROPOSED) Zoning**
- General Business (GB)
- General Industrial (GI)
- Industrial Transition (IT)
- Office & Institutional (OI)
- Rural Agricultural (RA)
- Planned Development (PD)
- Residential Performance (RP)
- Environmental Conservation (EC)
- Incorporated Areas (INCRP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)
- Watershed Protected Areas Overlay
- Watershed Critical Areas Overlay District
- Transportation Corridor Overlay



1 inch = 17,000 feet

Map created on April 28, 2010 by the Pender County Department of Planning & Community Development

