

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
PO Box 1519  
Burgaw, NC 28425



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[www.pendercountync.gov](http://www.pendercountync.gov)

## AGENDA

**Pender County Planning Board  
Tuesday, October 7, 2014 7:00 p.m.  
Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Williams

**Roll Call:** Chairman Williams

Pender County Planning Board Members:

Williams: \_\_\_ McClammy: \_\_\_ Baker: \_\_\_ Boney: \_\_\_ Edens: \_\_\_ Marshburn \_\_\_ Nalee: \_\_\_

**1. Adoption of the Agenda:**

**2. Adoption of the Minutes: (September 9, 2014)**

**3. Public Comment:**

**4. Pender County Comprehensive Transportation Plan (CTP) Update:**

Nora McCann, NCDOT, will provide the Board an update as to the progress and next steps in regards to adoption of the Pender County Comprehensive Transportation Plan.

*\*(Public Hearings Open)\**

**5. Public Hearing:**

The Pender County Planning Board will hold a public hearing to receive input in regards to permitting Portable Storage Containers in residential and non-residential zoning districts.

**6. Zoning Map Amendment:**

Mark Armstrong, applicant, on behalf of Jack and Ruth Gaye Ingram, owners, is requesting approval of a Zoning Map Amendment for a general use rezoning of one tract totaling 2.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district. The subject property is located at 188 Hoover Road (SR 1569) in Hampstead, and may be identified by Pender County PIN 3292-09-0359-000.

**7. Zoning Text Amendment:**

Pender County is requesting an amendment to the Pender County Unified Development Ordinance; Section 7.10, Off-Street Parking and Loading/Parking Requirements, 7.10.5 Surfacing, and Daycare Parking minimum(s)

*\*(Public Hearings Closed)\**

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Anyone wishing to address the **Pender County Planning Board** shall make a request on the "Public Comment" sign-up sheet. Please provide the information requested.

If you wish to speak on **a specific public hearing item**, please sign-in on the appropriate "Public Hearing" sign-up sheet. Speakers will be allowed to speak *prior* to any action/vote taken by the Board.

\*A time limit of **two** minutes per speaker or up to **ten** minutes for groups of five or more, with a designated speaker will be imposed.

**8. Discussion Items:**

**a. Planning Staff Items:**

- i. Portable Storage Containers (PSC)

**b. Planning Board Members Items:**

**9. Next Meeting:** November 5, 2014

**10. Adjournment:**

# Adoption



## Pender County

North Carolina

### Comprehensive Transportation Plan

Plan date: October 21, 2013

Sheet 1 Adoption Sheet

Sheet 2 Highway Map

Sheet 3 Public Transportation and Rail Map

Sheet 4 Bicycle Map

Sheet 5 Pedestrian Map

### Legend

Schools

Airports

Roads

Rivers and Streams

Municipal Boundary

Managed Areas

Moore's Creek

National Battlefield

Wilmington Metropolitan Planning Organization Boundary

County Boundary

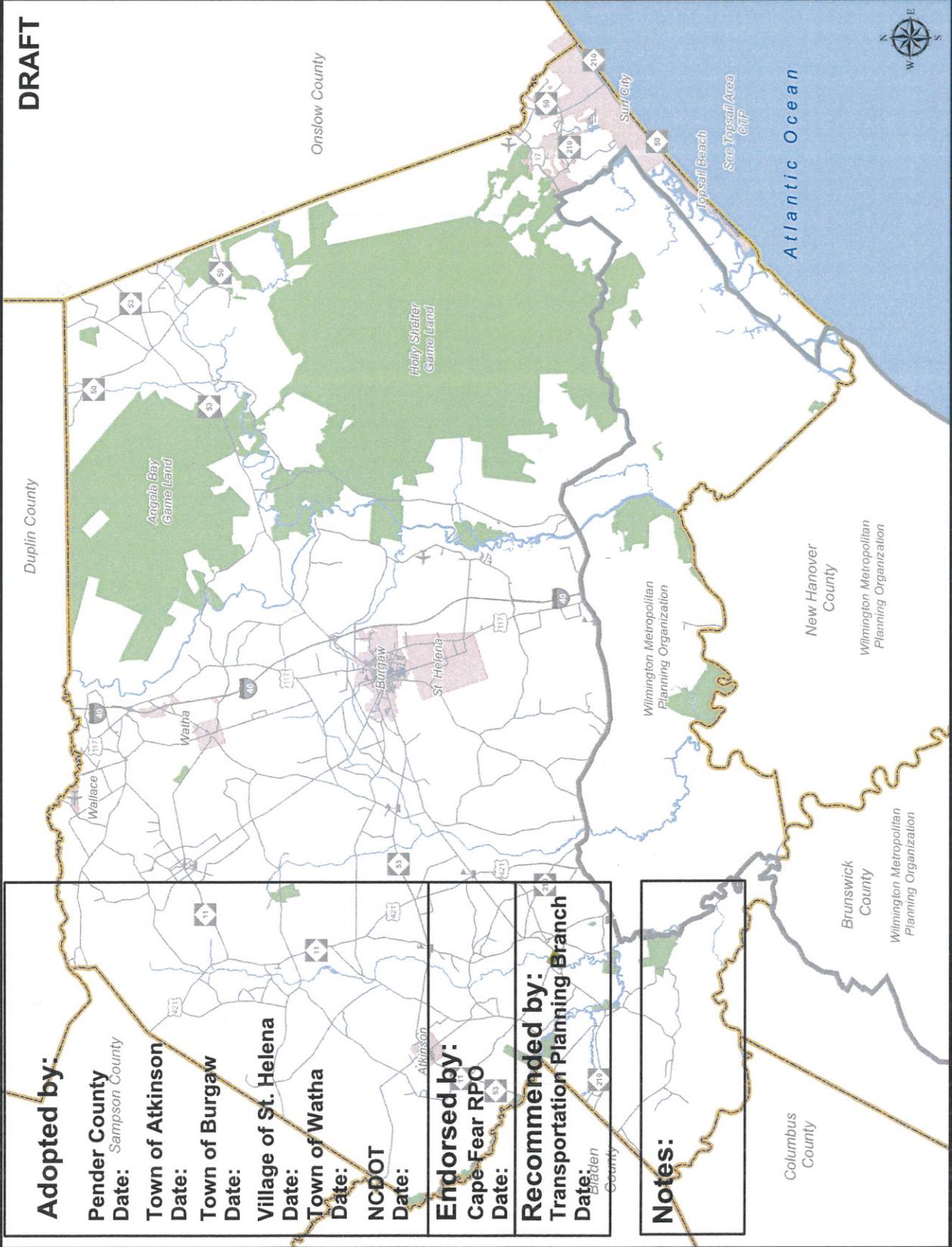


Sheet 1 of 5

Base map date: March 19, 2012

Refer to CTP document for more details

# DRAFT



### Adopted by:

**Pender County**

Date: *Sampson County*

**Town of Atkinson**

Date:

**Town of Burgaw**

Date:

**Village of St. Helena**

Date:

**Town of Watha**

Date:

**NCPOT**

Date:

### Endorsed by:

**Cape Fear RPO**

Date:

### Recommended by:

**Transportation Planning Branch**

Date:

### Notes:

# Highway Map



## Pender County Comprehensive Transportation Plan

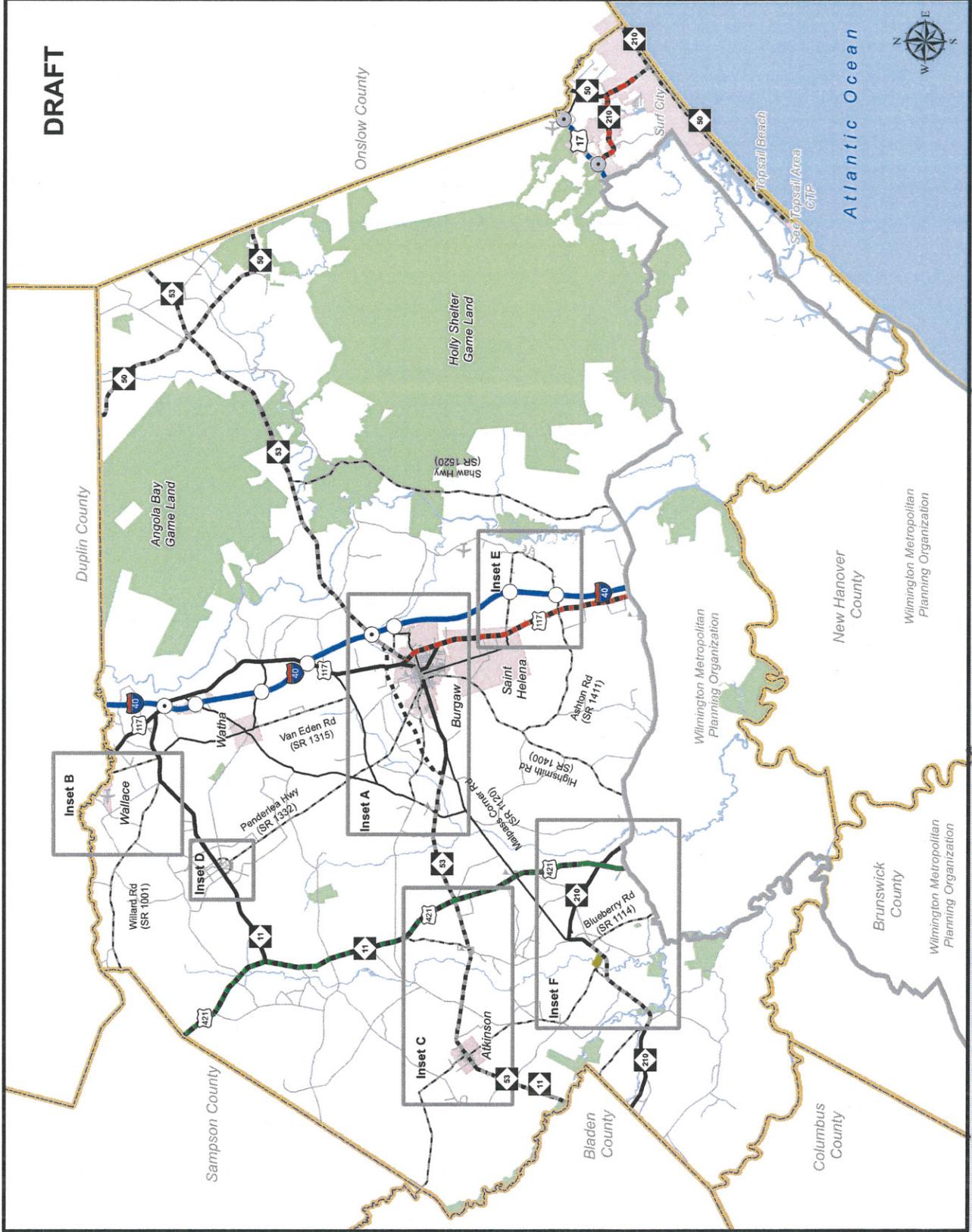
Plan date: October 21, 2013

- |                                  |                           |                           |                               |
|----------------------------------|---------------------------|---------------------------|-------------------------------|
| <b>Freeways</b>                  | Existing                  | Needs Improvement         | Recommended                   |
| <b>Expressways</b>               | Existing                  | Needs Improvement         | Recommended                   |
| <b>Boulevards</b>                | Existing                  | Needs Improvement         | Recommended                   |
| <b>Other Major Thoroughfares</b> | Existing                  | Needs Improvement         | Recommended                   |
| <b>Minor Thoroughfares</b>       | Existing                  | Needs Improvement         | Recommended                   |
| <b>Interchanges</b>              | Existing Interchange      | Proposed Interchange      | Interchange Needs Improvement |
| <b>Grade Separations</b>         | Existing Grade Separation | Proposed Grade Separation |                               |



Sheet 2 of 5  
Base map date: March 18, 2012  
Refer to CTP document for more details

**DRAFT**





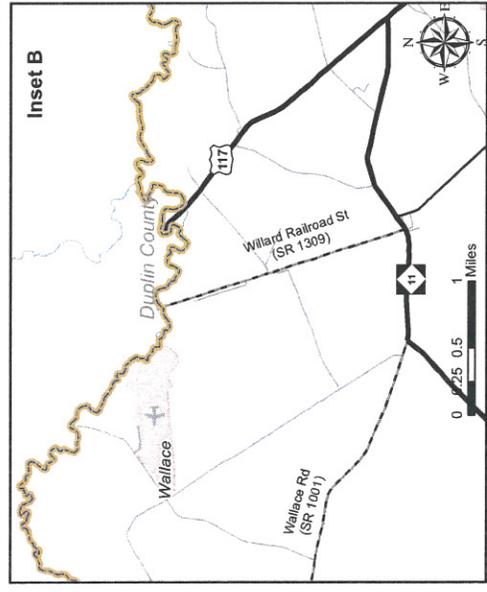
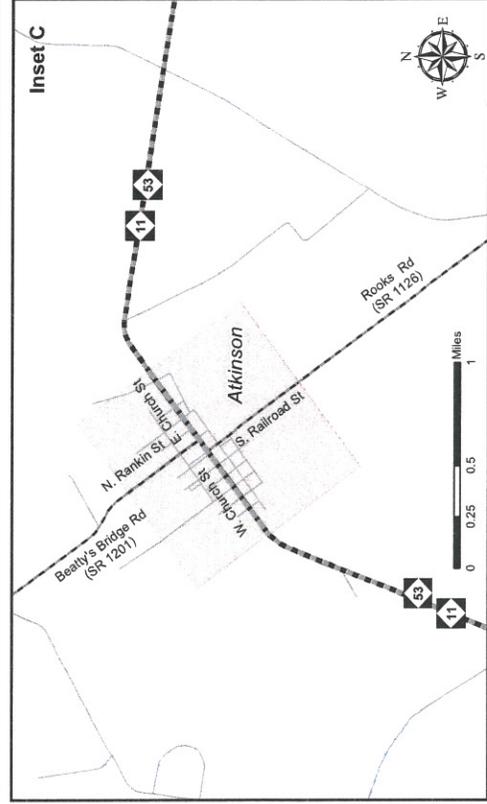
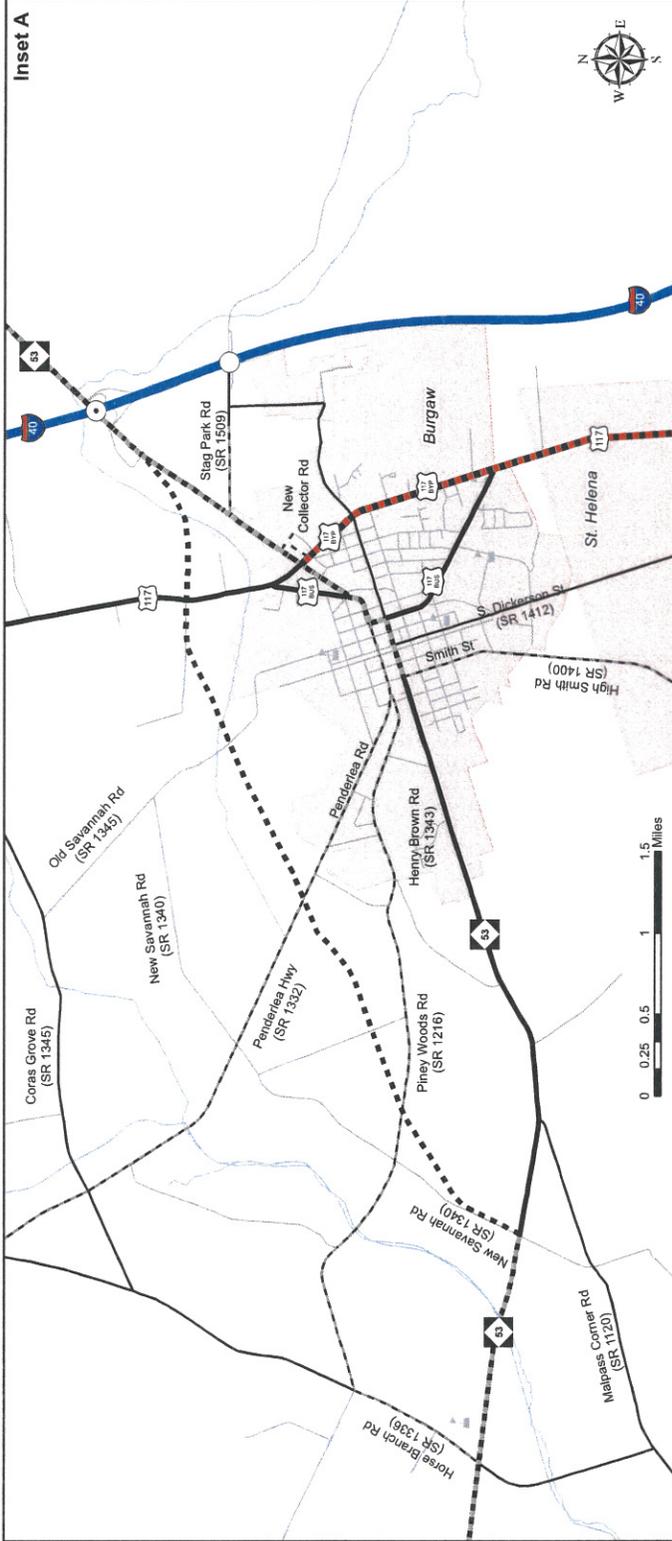
# Pender County Comprehensive Transportation Plan

Plan date: 10/21/13

- |                                  |                           |                           |                               |
|----------------------------------|---------------------------|---------------------------|-------------------------------|
| <b>Freeways</b>                  | Existing                  | Needs Improvement         | Recommended                   |
| <b>Expressways</b>               | Existing                  | Needs Improvement         | Recommended                   |
| <b>Boulevards</b>                | Existing                  | Needs Improvement         | Recommended                   |
| <b>Other Major Thoroughfares</b> | Existing                  | Needs Improvement         | Recommended                   |
| <b>Minor Thoroughfares</b>       | Existing                  | Needs Improvement         | Recommended                   |
| <b>Interchanges</b>              | Existing Interchange      | Proposed Interchange      | Interchange Needs Improvement |
| <b>Grade Separations</b>         | Existing Grade Separation | Proposed Grade Separation |                               |

Sheet 2A of 5  
Base map date: 5/18/12  
Refer to CTP document for more details

**DRAFT**



# Highway Map

Inset D, E



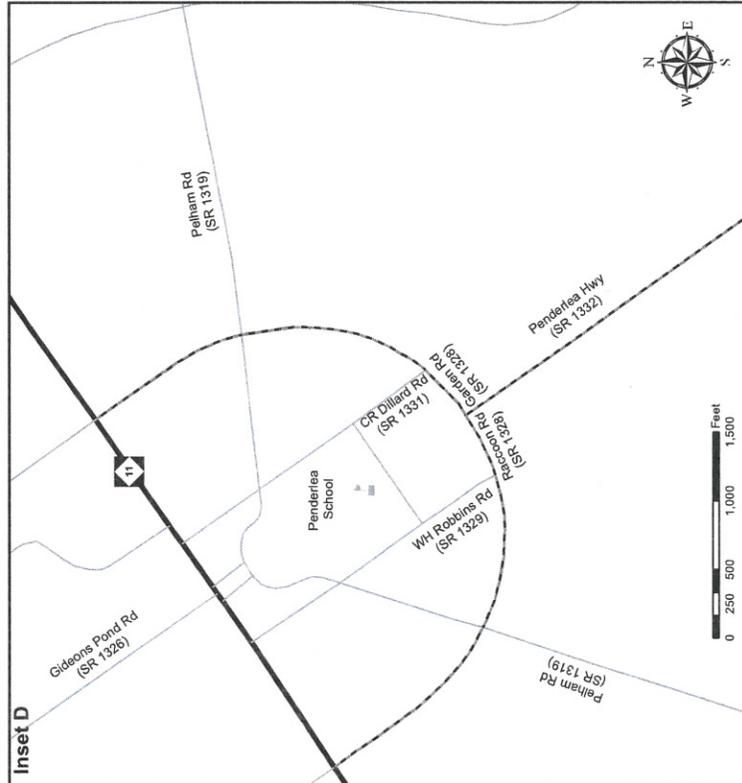
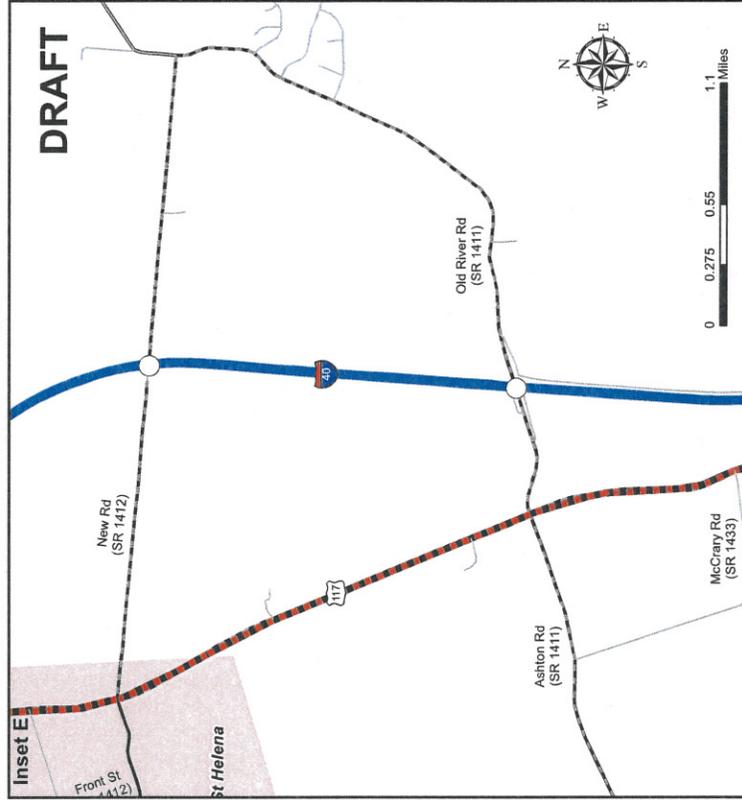
## Pender County Comprehensive Transportation Plan

Plan date: 10/21/13

- Freeways**
- Existing: Solid blue line
  - Needs Improvement: Dashed blue line
  - Recommended: Dotted blue line
- Expressways**
- Existing: Solid green line
  - Needs Improvement: Dashed green line
  - Recommended: Dotted green line
- Boulevards**
- Existing: Solid orange line
  - Needs Improvement: Dashed orange line
  - Recommended: Dotted orange line
- Other Major Thoroughfares**
- Existing: Solid black line
  - Needs Improvement: Dashed black line
  - Recommended: Dotted black line
- Minor Thoroughfares**
- Existing: Solid grey line
  - Needs Improvement: Dashed grey line
  - Recommended: Dotted grey line

- Existing Interchange: Circle with a dot
- Proposed Interchange: Circle with a horizontal line
- Interchange Needs Improvement: Circle with a vertical line
- Existing Grade Separation: Circle with a diagonal line
- Proposed Grade Separation: Circle with a diagonal line

Figure 1, Sheet 2 of 5  
Base map date: 5/18/12  
Refer to CTP document for more details



Inset F

Highway Map  
Inset F



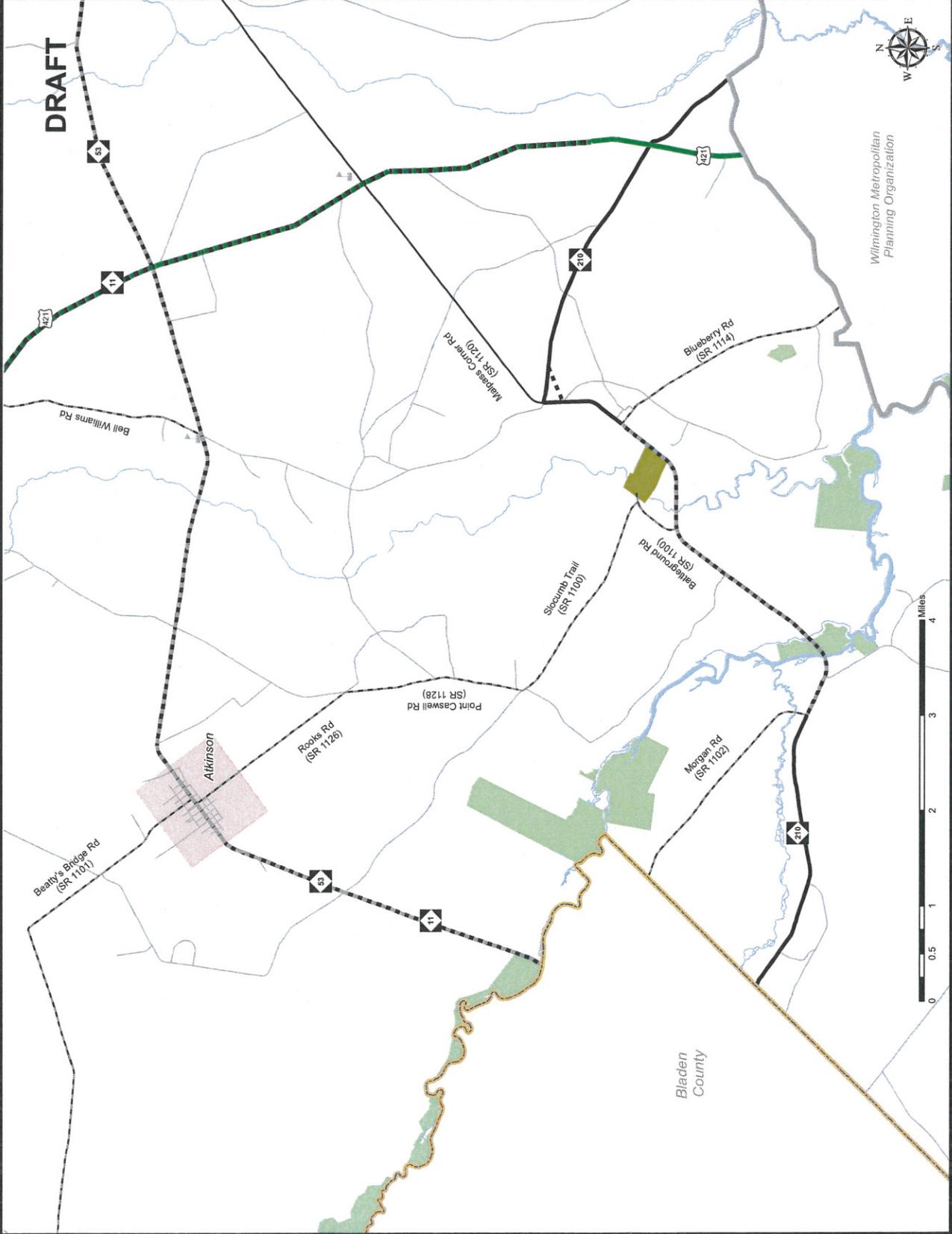
# Pender County Comprehensive Transportation Plan

Plan date: 10/21/13

- |                                  |  |                               |
|----------------------------------|--|-------------------------------|
| <b>Freeways</b>                  |  | Existing                      |
|                                  |  | Needs Improvement             |
|                                  |  | Recommended                   |
| <b>Expressways</b>               |  | Existing                      |
|                                  |  | Needs Improvement             |
|                                  |  | Recommended                   |
| <b>Boulevards</b>                |  | Existing                      |
|                                  |  | Needs Improvement             |
|                                  |  | Recommended                   |
| <b>Other Major Thoroughfares</b> |  | Existing                      |
|                                  |  | Needs Improvement             |
|                                  |  | Recommended                   |
| <b>Minor Thoroughfares</b>       |  | Existing                      |
|                                  |  | Needs Improvement             |
|                                  |  | Recommended                   |
| <b>Interchanges</b>              |  | Existing Interchange          |
|                                  |  | Proposed Interchange          |
| <b>Grade Separations</b>         |  | Interchange Needs Improvement |
|                                  |  | Existing Grade Separation     |
|                                  |  | Proposed Grade Separation     |

Sheet 2C of 5

Base map date: 5/18/12  
Refer to CTP document for more details





DRAFT

# Public Transportation and Rail Map



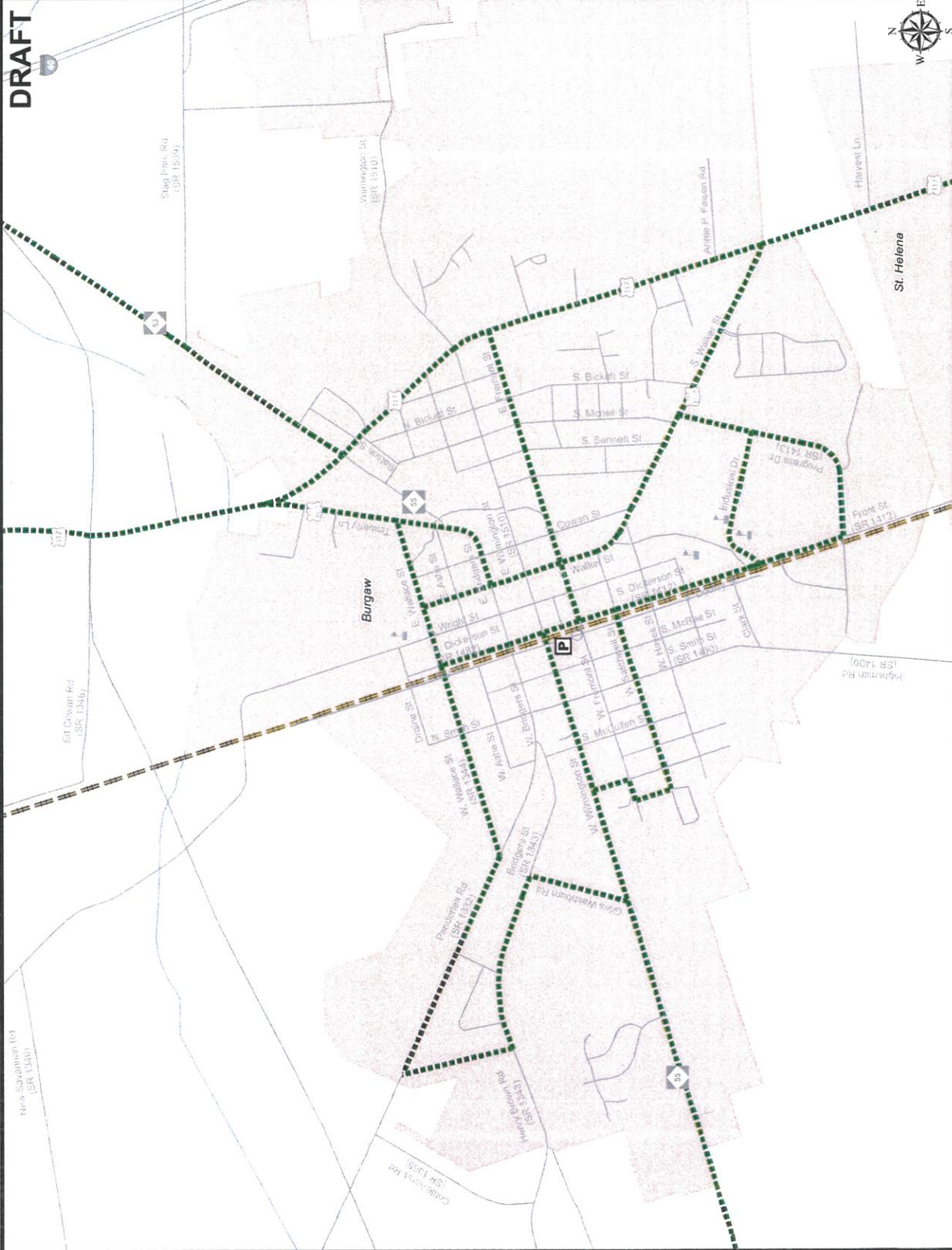
## Pender County Town of Burgaw

### Comprehensive Transportation Plan

Plan date: 10/21/13

- Bus Routes**
  - Existing
  - Needs Improvement
  - Recommended
- Fixed Guideway**
  - Existing
  - Needs Improvement
  - Recommended
- Operational Strategies**
  - Existing
  - Needs Improvement
  - Recommended
- Rail Corridor**
  - Active
  - Inactive
  - Recommended
- High Speed Rail Corridor**
  - Existing
  - Recommended
- Rail Stops**
  - Existing
  - Recommended
- Intermodal Connector**
  - Existing
  - Recommended
- Park and Ride Lot**
  - Existing
  - Recommended

0 0.1 0.2 0.4 Miles  
 Figure 1, Sheet 3b of 5  
 Base map date: 5/18/12  
 Refer to CTP document for more details



DRAFT

Bicycle Map



# Pender County Comprehensive Transportation Plan

Plan date: 10/21/13

- On-road**
  - Existing: Solid black line
  - Needs Improvement: Dashed black line
  - Recommended: Dotted black line
- Off-road**
  - Existing: Solid green line
  - Needs Improvement: Dashed green line
  - Recommended: Dotted green line
- Multi-Use Paths**
  - Existing: Solid yellow line
  - Needs Improvement: Dashed yellow line
  - Recommended: Dotted yellow line
- Grade Separation**
  - Existing: Open circle
  - Proposed: Filled circle



Figure 1, Sheet 4a of 5  
 Base map date: 5/18/12  
 Refer to CTP document for more details



# Pedestrian Map



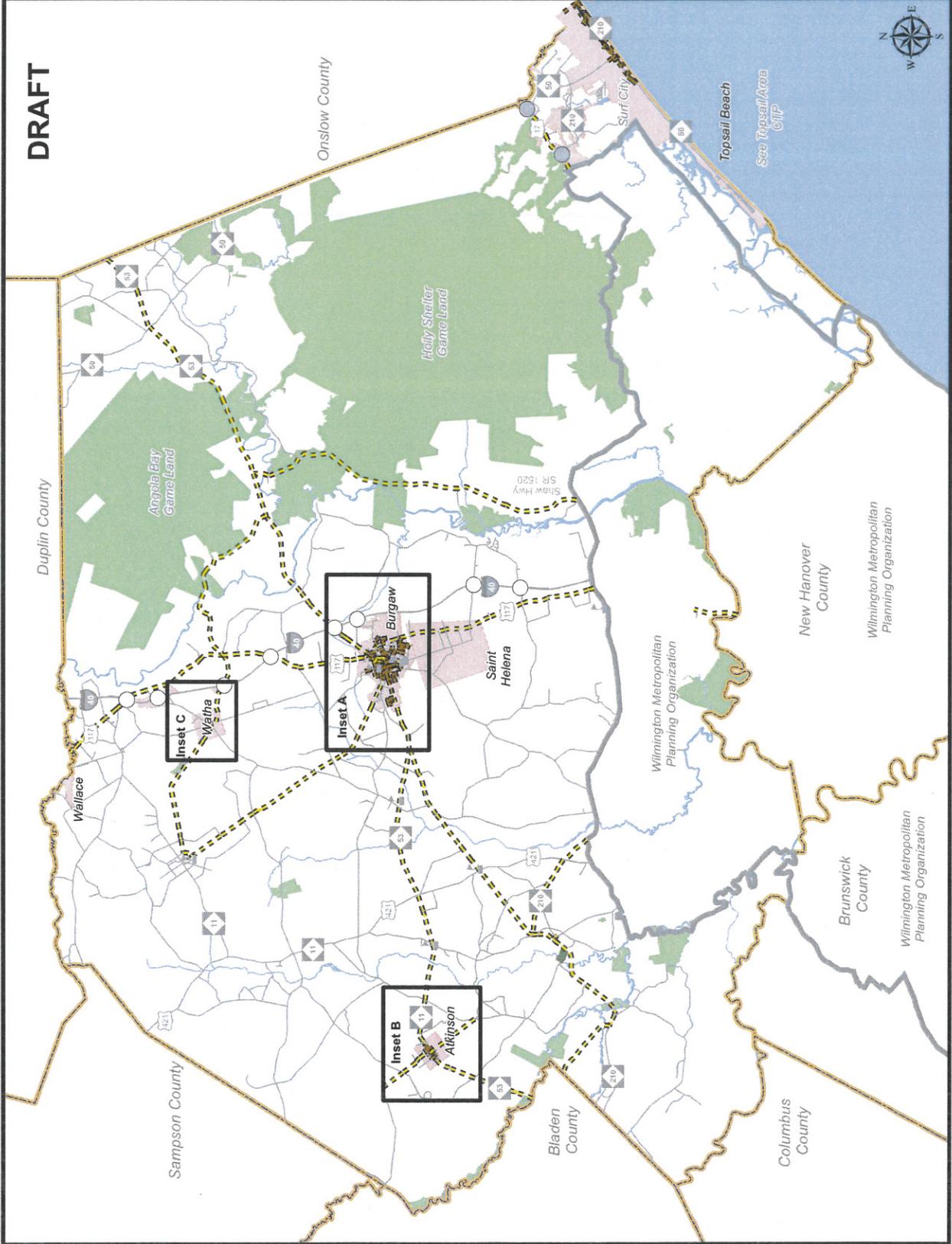
## Pender County Comprehensive Transportation Plan

Plan date: 4/03/13

- Sidewalks**
  - Existing: Solid black line
  - Needs Improvement: Dashed black line
  - Recommended: Dotted black line
- Off-road**
  - Existing: Solid green line
  - Needs Improvement: Dashed green line
  - Recommended: Dotted green line
- Multi-Use Paths**
  - Existing: Solid yellow line
  - Needs Improvement: Dashed yellow line
  - Recommended: Dotted yellow line
- Separation**
  - Existing Grade Separation: Open circle
  - Proposed Grade Separation: Filled circle

Figure 1, Sheet 5 of 5  
0 1 2 4 6 Miles  
Base map date: 5/18/12  
Refer to CTP document for more details

### DRAFT



**Pedestrian Map**  
Inset A



**Town of Burgaw  
Pender County  
Comprehensive  
Transportation Plan**

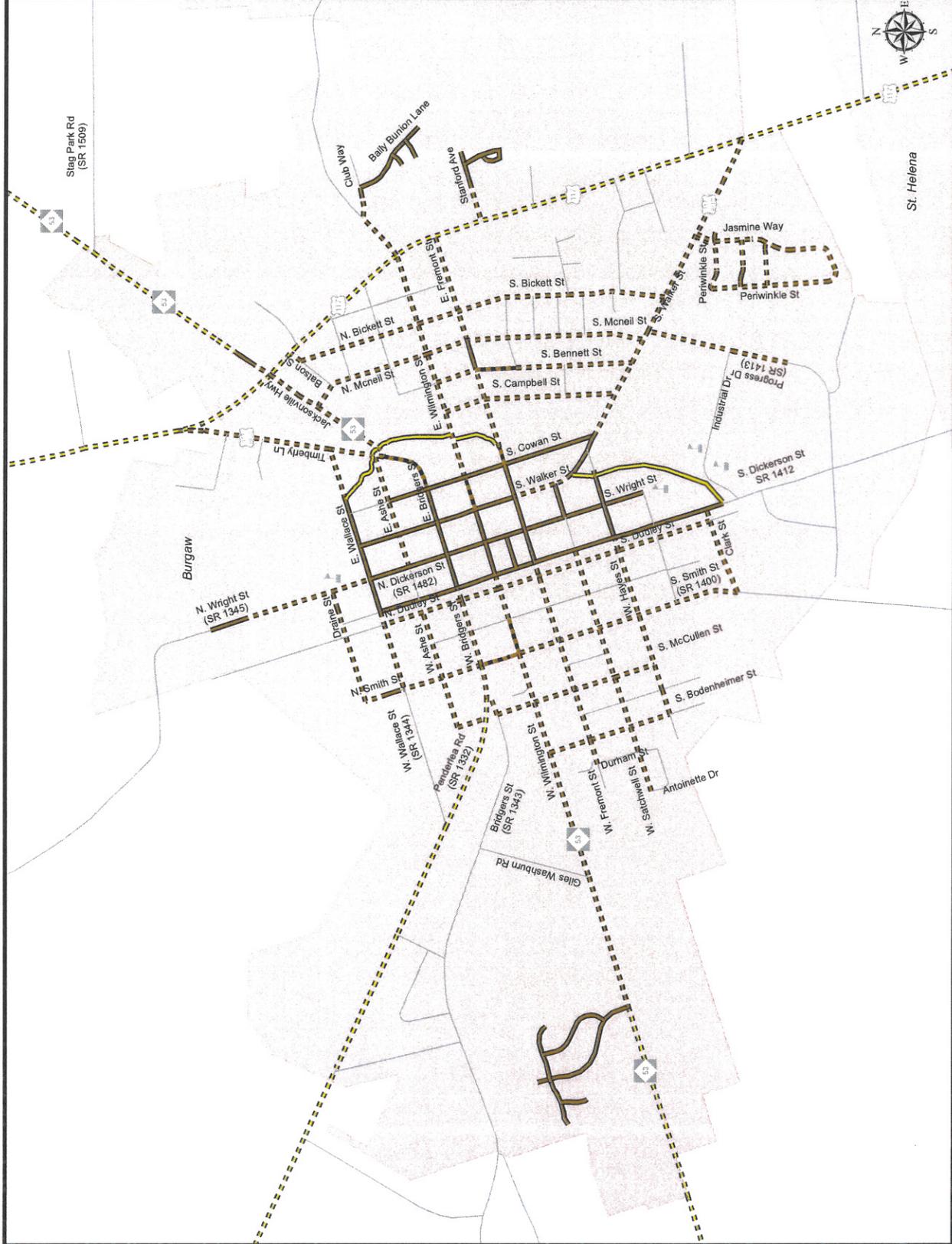
Plan date: 4/03/13

- |                        |                                |                                |                          |
|------------------------|--------------------------------|--------------------------------|--------------------------|
| <b>Sidewalks</b>       | Existing<br>—————              | Needs Improvement<br>- - - - - | Recommended<br>= = = = = |
| <b>Off-road</b>        | Existing<br>—————              | Needs Improvement<br>- - - - - | Recommended<br>= = = = = |
| <b>Multi-Use Paths</b> | Existing<br>—————              | Needs Improvement<br>- - - - - | Recommended<br>= = = = = |
|                        | Existing Grade Separation<br>○ | Proposed Grade Separation<br>● |                          |



Figure 1, Sheet 5b of 5

Base map date: 5/18/12  
Refer to CTP document for more details



**Pedestrian Map**  
Inset B, C



**Pender County  
Comprehensive  
Transportation Plan**

Plan date: 4/03/13

- |                                  |                   |                            |                      |
|----------------------------------|-------------------|----------------------------|----------------------|
| <b>Sidewalks</b>                 | Existing<br>————— | Needs Improvement<br>————— | Recommended<br>————— |
| <b>Off-road</b>                  | Existing<br>————— | Needs Improvement<br>————— | Recommended<br>————— |
| <b>Multi-Use Paths</b>           | Existing<br>————— | Needs Improvement<br>————— | Recommended<br>————— |
| <b>Existing Grade Separation</b> | ○                 |                            |                      |
| <b>Proposed Grade Separation</b> | ●                 |                            |                      |

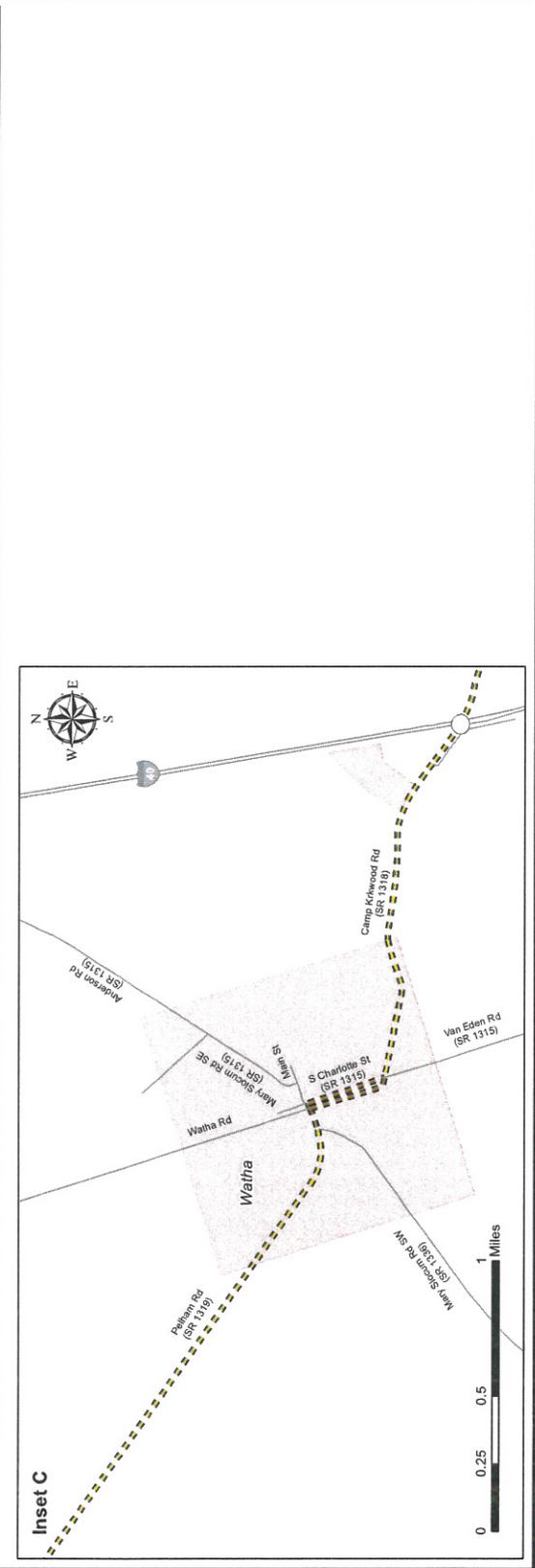
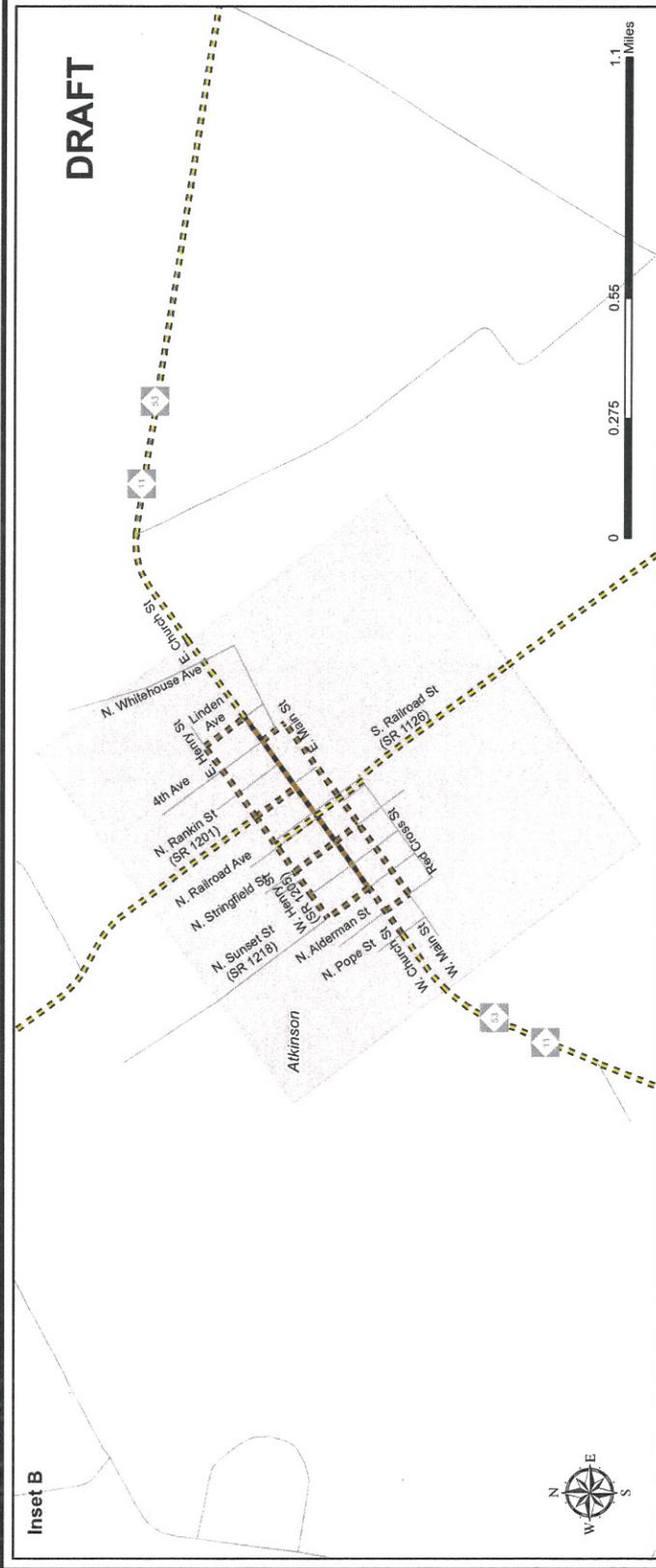


Figure 1, Sheet 5c of 5  
Base map date: 5/18/12  
Refer to CTP document for more details

**PLANNING STAFF REPORT**  
**Zoning Map Amendment**

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**SUMMARY:**

**Hearing Date:** October 7, 2014 – Planning Board  
November 17, 2014 – Board of Commissioners  
**Case Number:** 11244  
**Applicant:** Mark Armstrong  
**Property Owner:** Jack and Ruth Gaye Ingram

**Rezoning Proposal:** Mark Armstrong, applicant, on behalf of Jack and Ruth Gaye Ingram, owner, is requesting approval of a zoning map amendment for a general use rezoning for one tract totaling 2.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district.

**Property Record Number, Acreage, and Location:** The subject property is located at 188 Hoover Road (SR 1569) in Hampstead, and may be further identified by Pender County PIN 3292-09-0359-0000. There is one tract associated with this request totaling 2.64 acres.

**Staff Recommendation:** The request complies with all criteria set forth in Article 3.3.8 of the *Pender County Unified Development Ordinance*. The request is not in conflict with the *2010 Comprehensive Land Use Plan*. Staff respectfully recommends that the request be approved.

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**HISTORY:**

The subject property was zoned R-20 prior to the adoption of the 2010 Unified Development Ordinance, at which point it was rezoned to RP, Residential Performance district.

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**DESCRIPTION:**

Mark Armstrong, applicant, on behalf of Jack and Ruth Gaye Ingram, owner, is requesting approval of a zoning map amendment for a general use rezoning for one tract totaling 2.64 acres from RP, Residential Performance zoning district, to GB, General Business zoning district.

The subject property is located at 188 Hoover Road (SR 1569) in Hampstead, and may be further identified by Pender County PIN 3292-09-0359-0000. The tract is currently vacant.

The subject property meets the minimum lot size of 15,000 square feet and the minimum rezoning acreage requirement of one acre for the GB, General Business district. The tract is not located within the Special Flood Hazard Area (SFHA). The tract has direct access to Hoover Road (SR 1569) to the west and is approximately 640 feet from the intersection of Hoover Road (SR 1569) and US HWY 17 to the south. The subject property has access to Pender County Utilities water and has been issued a letter advising that wastewater generated by potential future development on this site will be accepted by Pluris Hampstead, LLC.

This is a general use rezoning which will encompass all uses permitted-by-right in the GB, General Business district as shown on the Permitted Use Table 5.2.3 of the *Pender County Unified Development Ordinance*. The GB, General Business district, is primarily intended to accommodate uses which require close access to major highways. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses.

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## **PROJECT EVALUATION:**

This zoning map amendment request has been evaluated for compliance with the *Pender County Unified Development Ordinance* and the *Pender County Comprehensive Land Use Plan*, as well as the existing land uses and zoning classifications in the surrounding area.

- A. *Public Notifications:*** Public Notice of the proposal for map change has been advertised in the *Pender-Topsail Post and Voice*. Adjacent property owners have been given written notice of the request, and a sign has been placed on the subject property.
- B. *Existing Zoning:*** The adjacent property to the southeast is zoned GB, General Business district. All other adjacent properties are zoned RP, Residential Performance district.
- C. *Existing Land Use:*** The 1.72-acre parcel to the southeast is vacant. The seven other adjacent parcels contain single-family homes.
- D. *2010 Comprehensive Land Use Compliance:*** The *2010 Comprehensive Land Use Plan* designates the subject property “Mixed Use.” The Mixed Use land classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian, and transit friendly manner. The following goals and policies within this plan may be relevant to the proposed Zoning Map Amendment:
  - a. *Growth Management Goal 1A.1:*** *Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.*
    - i. *Policy 1A.1.2*** *Encourage development in areas where the necessary infrastructure – roads, water, sewer, and schools - are available, planned or can be most cost effectively provided and extended to serve existing and future development.*
    - ii. *Policy 1A.1.5:*** *The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.*
- E. *Unified Development Ordinance Compliance:*** This is a general use rezoning, which will allow all uses permitted-by-right in the GB, General Business Zoning district. The GB, General Business district is primarily intended to accommodate uses which require close access to major highways.

The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including office, retail, and personal service uses. (§ 4.9.1)

**3.3.8 Review Criteria for Rezoning**

*The Planning Board and Board of Commissioners shall consider the following matters in considering a rezoning request:*

- A. *Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);*
- B. *Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;*
- C. *Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.*
- D. *Whether the proposed amendment is reasonable as it relates to the public interest.*

**F. Summary and Administrator Recommendation:** The application consists of a general use rezoning of one tract (2.64 acres total) from RP, Residential Performance district to GB, General Business district. As submitted, the application is in compliance with the standards of the Pender County Unified Developed Ordinance and is not in direct conflict of the Comprehensive Land Use Plan. Staff respectfully recommends approval for this general use rezoning.

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**Planning Board**

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

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

Williams: \_\_\_ McClammy: \_\_\_ Baker: \_\_\_ Boney: \_\_\_ Edens: \_\_\_ Marshburn: \_\_\_ Nalee: \_\_\_

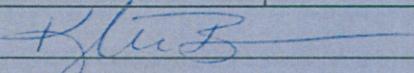
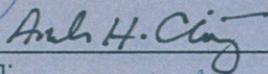
## APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 11244	Date	8/22/14
Application Fee	\$ 500 <sup>-</sup>	Receipt No.	142136
Pre-Application Conference	7/18/14	Hearing Date	PB 10/7 BoCC 11/17
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Mark Armstrong	Owner's Name:	Jack/Ruth Gaye Ingram
Applicant's Address:	120 Summerset Landing	Owner's Address:	218 Hoover Road
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-465-1564	Phone Number:	910-270-2600
Legal relationship of applicant to land owner: Contract Purchaser			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3242-09-0354-0000 <del>9202-09-1145-0000/9202-09-0354</del>	Total property acreage:	2.64 <sup>AC</sup> <del>1.72 Total 4.00</del>
Current Zoning District:	Residential (RP)	Proposed Zoning District:	General Business
Project Address :	<del>1188 Hoover road</del> 188 Hoover road		
Description of Project Location:	Vacant Land with abandoned mobile home and barn <del>located on the north side of Hoover road NW corner lot of Hoover road</del> North Side of Hoover road		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	8/22/2014
Owner's Signature		Date:	
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol>			

## APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 11244	Date	8/22/14
Application Fee	\$ 500	Receipt No.	142136
Pre-Application Conference	7/18/14	Hearing Date	PB 10/7 BOCC 11/17
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	Mark Armstrong	Owner's Name:	Jack/Ruth Gaye Ingram
Applicant's Address:	120 Summerset Landing	Owner's Address:	218 Hoover Road
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	910-465-1664	Phone Number:	910-270-2600
Legal relationship of applicant to land owner: Applicant is under contract to purchase the property.			
<b>SECTION 2: PROJECT INFORMATION</b>			
Property Identification Number (PIN):	3292-09-0359-0000 <del>XXXXXXXXXXXX</del>	Total property acreage:	2.64 <del>AC</del>
Current Zoning District:	Residential (RP)	Proposed Zoning District:	General Business
Project Address :	<del>XXXXXXXXXXXX</del> 188 Hoover road		
Description of Project Location:	Vacant Land with abandoned mobile home and barn <del>Plot two lots adjacent to the NW corner lot of the</del> North Side of Hoover road		
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature		Date:	
Owner's Signature	<i>Jack &amp; Ruth Ingram</i>	Date:	8-27-14
<b>NOTICE TO APPLICANT</b>			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.</li> <li>4. All fees are non-refundable.</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda.</li> </ol>			

## Rezoning/Zoning Map Amendment Checklist

<input checked="" type="checkbox"/>	Signed application form		
<input checked="" type="checkbox"/>	Application fee		
<input type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.		
<input checked="" type="checkbox"/>	Two (2) business size envelopes legibly addressed with <b>first class</b> postage for each of the adjacent and abutting property owners on the above list.		
<input checked="" type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.		
<input checked="" type="checkbox"/>	18 (11"x17") map copies to be distributed to the Planning Board		
<input checked="" type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners		
<input checked="" type="checkbox"/>	Digital (.pdf) submission of all application materials		
<input checked="" type="checkbox"/> <small>SEE ATTACHED</small>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.		
<b>Office Use Only</b>			
<input checked="" type="checkbox"/>	ZMA Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)		Total Fee Calculation: \$ <u>500</u>
<b>Attachments Included with Application: (Please include # of copies)</b>			
CD /other digital version	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large <u>    </u> # of 11X17 <u>38</u>
			Other documents/Reports <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
<b>Payment Method:</b>	<b>Cash :</b> <input type="checkbox"/> \$ _____	<b>Credit Card:</b> <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	<b>Check:</b> <input checked="" type="checkbox"/> Check # <u>1059</u>
<b>Application received by:</b>			<b>Date:</b> <u>8/22/2014</u>
<b>Application completeness approved by:</b>			<b>Date:</b> <u>8/27/14</u>
Dates scheduled for public hearing:			
<input type="checkbox"/> <b>Planning Board:</b> <u>10/7/14</u>			
<input type="checkbox"/> <b>Board of Commissioners:</b> <u>11/17/14</u>			

**RETURN COMPLETED APPLICATION TO:**  
Pender County Planning & Community Development  
805 South Walker Street  
P.O. Box 1519  
Burgaw, NC 28425

Print Form

Rezoning Request for 188 Hoover Road, Hampstead, NC

To whom it may concern.

I Mark Armstrong of 120 Summerset landing, Hampstead, NC, 28443 hereby submit the request for rezoning permission of the following parcel of land.

The lot in question is;

188 Hoover Road, Hampstead  
PID 3292-09-0359-0000  
2.64 Acres

The property is located adjacent to the NW corner lot, of the intersection of Highway 17 and 68 Hoover Road which is zoned GB these lots are located on the north side of Hoover Road and at present 188 Hoover lot is zoned Residential.

I would like to have it rezoned to General Business. This is in keeping with the Pender County Future Land Use map showing this lot falling in the Mixed Use area, of the Future Land Use.

At present there is county water available and we have an "Intent to Serve" letter from Pluris (attached), who are running sewer service lines from Sidbury Road to Country Club Road in Q2, 2015. These two services along with the electrical service that already exist will be all that are needed on the site.

Allowing for a mixed use GB zoning change will further support the future land use vision. Where adjoining businesses can interconnect allowing pedestrians, bikes and cars to safely traverse between businesses without the use of the main highway. With the changes in commercial activity, in the Hampstead area, we believe this is the best zoning application for these lots.

Best regards,



Mark Armstrong  
120 Summerset Landing  
Hampstead, NC  
28443



Scale: 1:200



PIN: 3292-09-0359-0000  
NAME: INGRAM JACK R SR et al  
ADDR: 218 HOOVER RD  
CITY: HAMPSTEAD  
STATE: NC  
ZIP: 28443  
PROPERTY ADDRESS: 188 HOOVER RD  
PROPERTY DESCRIPTION: ON E/S 1569 H7  
DATE: 5/23/1990  
SALE PRICE: \$25,000.00

PLAT: NOPLAT  
ACCOUNT: 587442.000000  
TOWNSHIP: 102  
TNSH DESC: TOPSAIL  
ACRES: 2.64  
LAND VALUE: \$26,453.00  
BUILDING VALUE: \$7,031.00  
TOTAL VALUE: \$33,484.00  
DEFERRED VALUE: \$0.00  
SUBDIVISION: Null  
ZONE: SEEMAP  
TAX CODES: G01 F29 R40



Wilmington Regional Association of REALTORS® - IMAPP

Pender County Tax Report - 188 HOOVER RD, HAMPSTEAD, NC 28443

**PROPERTY INFORMATION**  
**PID #** 3292-09-0359-0000  
**Property Type:** Residential  
**Property Address:**  
 188 HOOVER RD  
 HAMPSTEAD, NC 28443-  
**Current Owner:**  
 INGRAM JACK R ET AL  
**Tax Mailing Address:**  
 218 HOOVER RD  
 HAMPSTEAD, NC 28443-3328  
**Phone:** (910) 270-2600  
 (see phone use disclaimer below)  
**Property Use:**  
 RESIDENTIAL (R)  
**Land Areas:**  
 1. RESIDENTIAL / R  
**Lot Size:** 2.64 acres / 114,998 sf  
**Zoning:** SEEMAP  
**Subdivision:**  
**Legal Description:**  
 ON E/S 1569 H7  
**Latitude:** 34.373271  
**Longitude:** -77.707399



**TAX VALUATION INFORMATION**

	<u>2009 Final</u>	<u>2010 Final</u>	<u>2011 Final</u>	<u>2012 Final</u>	<u>2013 Final</u>
<b>Building Value:</b>	\$300	\$300	\$7,031	\$7,031	\$7,031
<b>Extra Feature Value:</b>					
<b>Ag Value:</b>					
<b>Land Value:</b>	\$27,461	\$27,461	\$26,453	\$26,453	\$26,453
<b>Just Market Value:</b>	\$27,761	\$27,761	\$33,484	\$33,484	\$33,484
<b>Percent Change:</b>	- n/a -	0%	20.62%	0%	0%
<b>Total Assessed Value:</b>	\$27,761	\$27,761	\$33,484	\$33,484	\$33,484
<b>Total Exemptions:</b>					
<b>Taxable Value:</b>					

[Link To County Tax Collector](#)

**SALES INFORMATION**

Deed Type	Sale Date	Price	Qualifiers	Document #	Grantor
n/a	05/23/1990	\$25,000		Bk 753/Pg 765	

**BUILDING INFORMATION**  
 No buildings on this property.

**OTHER IMPROVEMENT INFORMATION**

Feature #	Code	Description	Units
1	150	STORAGE	100
2	143	SHED	1,400

**FLOOD ZONE DETAILS**

**Zone X:** Area that is determined to be outside the 1% and 0.2% chance floodplains.

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 350.00

Parcel Identifier No. 3292-09-1145-0000 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Ray Blackburn, Attorney at Law-712 Country Club Drive, Hampstead, NC 28443

This instrument was prepared by: Eugene B. Davis, Jr., P.C. Attorney at Law.-No TITLE EXAMINATION

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 5th day of September, 2014, by and between

**GRANTOR**

**GRANTEE**

Jack Ingram  
(a/k/a Jack R. Ingram, Sr)  
and wife, Ruth Gaye Ingram  
218 Hoover Road  
Hampstead, NC 28443

Mark Armstrong  
120 Summerset Landing  
Hampstead, NC 28443

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Hampstead, \_\_\_\_\_ Township, Pender County, North Carolina and more particularly described as follows:

BEING ALL of that property described in the Exhibit "A" attached hereto

The property hereinabove described was acquired by Grantor by instrument recorded in Book 753 page 765 +  
All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_ page \_\_\_\_\_.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

ad valorem taxes for current and subsequent years; applicable zoning and land use ordinances, statutes and regulations; and applicable restrictive covenants and easements of record.

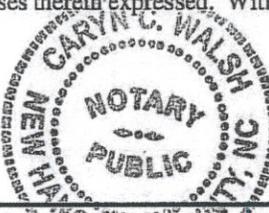
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: \_\_\_\_\_ (Entity Name) Jack Ingram (SEAL)  
Print/Type Name: Jack Ingram  
By: \_\_\_\_\_ Ruth Gaye Ingram (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: Ruth Gaye Ingram  
By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_  
By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_

State of North Carolina - County or City of Pender New Hanover

I, the undersigned Notary Public of the County or City of Pender New Hanover and State aforesaid, certify that Jack Ingram and wife, Ruth Gaye Ingram personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 5<sup>th</sup> day of September, 2014.

My Commission Expires: 6/9/2015  
(Affix Seal)



Caryn C. Walsh  
Caryn C. Walsh Notary Public  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_

I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
(Affix Seal)

\_\_\_\_\_  
Notary Public  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_

I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, \_\_\_\_\_ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
(Affix Seal)

\_\_\_\_\_  
Notary Public  
Notary's Printed or Typed Name

EXHIBIT "A"

TRACT 1 Parcel #3292-09-1145-0000

Being that tract or parcel that is a portion of that tract shown as the L.D. Ingram tract on that Map recorded in Map Book 13 at Page 45 of the Pender County Registry. Said tract or parcel is bounded on the north by that parcel conveyed to Jack R. Ingram, Sr. et. al. in Book 753 at Page 765 of the Pender County Registry; on the west by the eastern right of way line of Hoover Road as shown on Map book 13 at Page 45; on the South by the Northern right of way line of the former ACLRR right of way as shown on the above referenced map and on the east by the western line of the John William Coston lands as shown on the above referenced map.

TRACT 2 Parcel #3292-09-0359-0000

BEGINNING at a new iron pipe in the eastern right of way line of S.R. 1569 Hoover Road, 30 feet from the centerline thereof, said new iron pipe being located along said right of way line, North 10 degrees 20 minutes 30 seconds West 167.37 feet from a new iron pipe at its intersection with the Northwestern right of way line of the Seaboard Coast Line Railroad, Wilmington to New Bern Branch, 50 feet from the centerline thereof, as shown on a map entitled "Map of Survey for John William Coston as recorded in Map Book 13 at Page 45 of the Pender County Registry; running thence from said beginning point with the abovementioned eastern right of way line of S.R. 1569, North 10 degrees 20 minutes 30 seconds West 394.07 feet to a new iron pipe; running thence North 79 degrees 39 minutes 30 seconds East 260.69 feet to a new iron pipe in a dividing line between the L.D. Ingram, Est. and John William Coston as shown on the abovementioned map; running thence with said line, South 32 degrees 44 minutes 30 seconds East 324.98 feet to a new iron pipe; running thence South 65 degrees 58 minutes West 395.79 feet to the beginning and containing 2.64 acres as surveyed by Johnie C. Garrason, Registered Land Surveyor in April, 1973 and June, 1982 and being a portion of the L.D. Ingram, Est. as shown on the abovementioned map.



Date: August 19, 2014

Re: Certificate of Public Convenience and Necessity

To Whom It May Concern:

Please be advised that Pluris Hampstead, LLC will accept the wastewater generated by the development or address listed below, as it is connected to our collection system.

Commercial property flow rates will be determined by using sections .0100 through sections .1600 of the subchapter 2T rules from the North Carolina Administrative Code set forth by the Department of Environment and Natural Resources, Division of Water Quality

Location: 126 & 188 Hoover Road, Hampstead, North Carolina 28443

Connected:  Not Connected:

All fees will need to be paid for additions of bedrooms or habitable rooms.

If you have any questions concerning this matter, please feel free to call upon me at anytime at (910) 327-2880.

A handwritten signature in blue ink, appearing to read "Randy Hoffer".

With kind regards,

Randy Hoffer



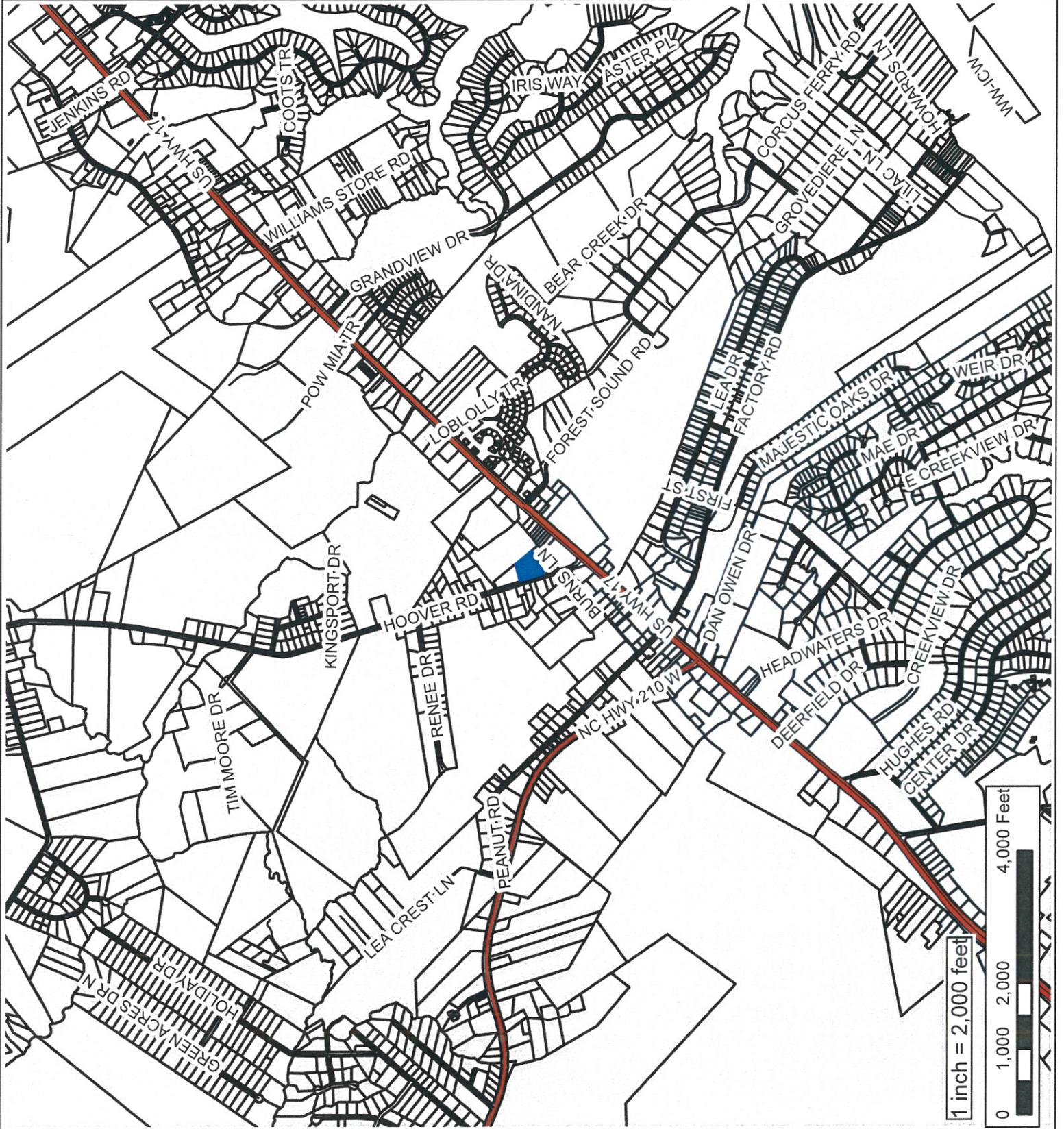
**Applicant:**  
Mark Armstrong

**Owner:**  
Jack and  
Ruth Gaye Ingram

**ZMA Case #**  
11244



**VICINITY**





**Applicant:**  
Mark Armstrong

**Owner:**  
Jack and  
Ruth Gaye Ingram

**ZMA Case #**  
11244

**Legend**

Subject Parcel

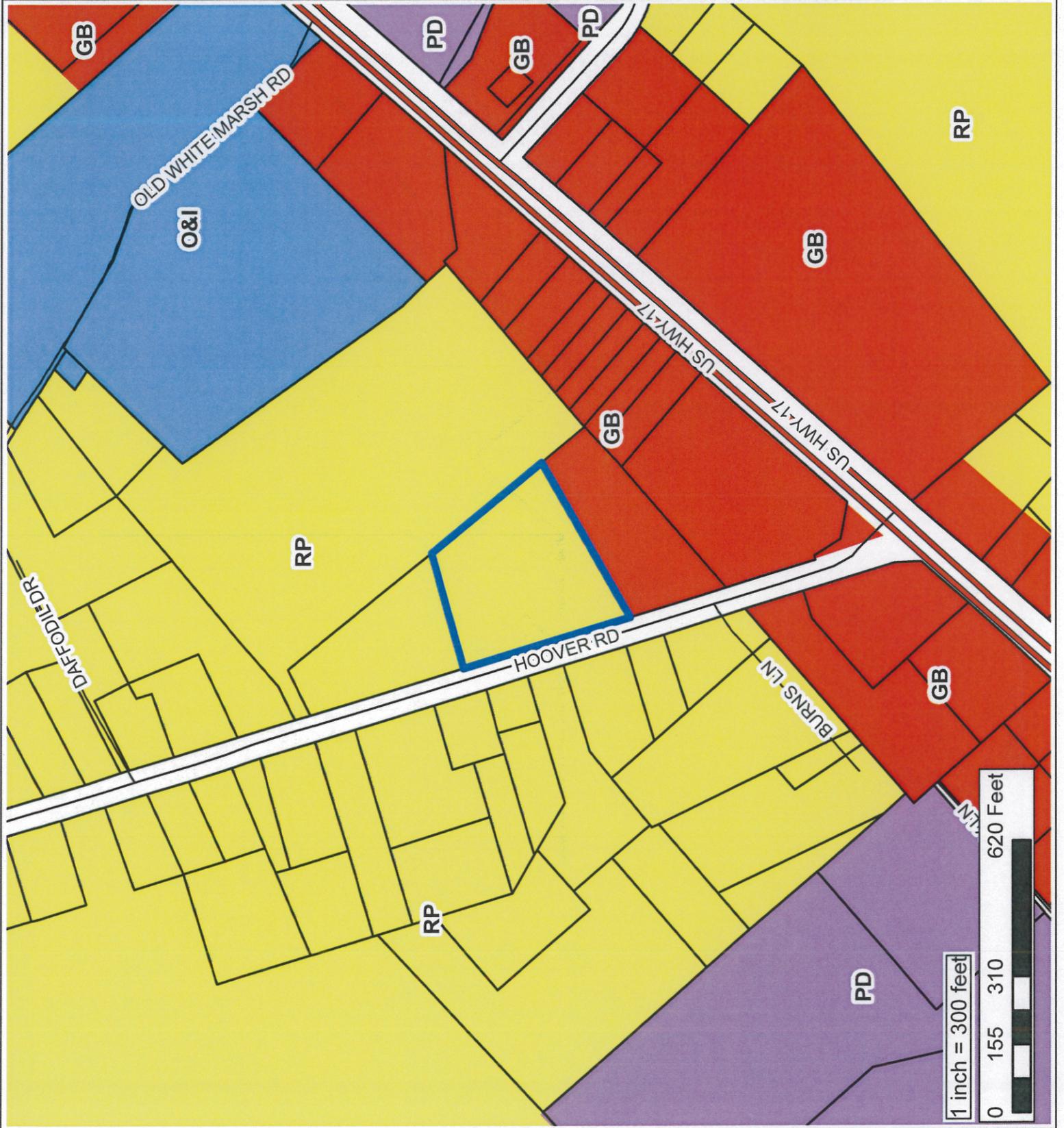
**Zoning Classification**

**UDO 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 (INCORP)
- Manufactured Home Park (MH)
- Residential Mixed (MF)



**ZONING**





**Applicant:**  
Mark Armstrong

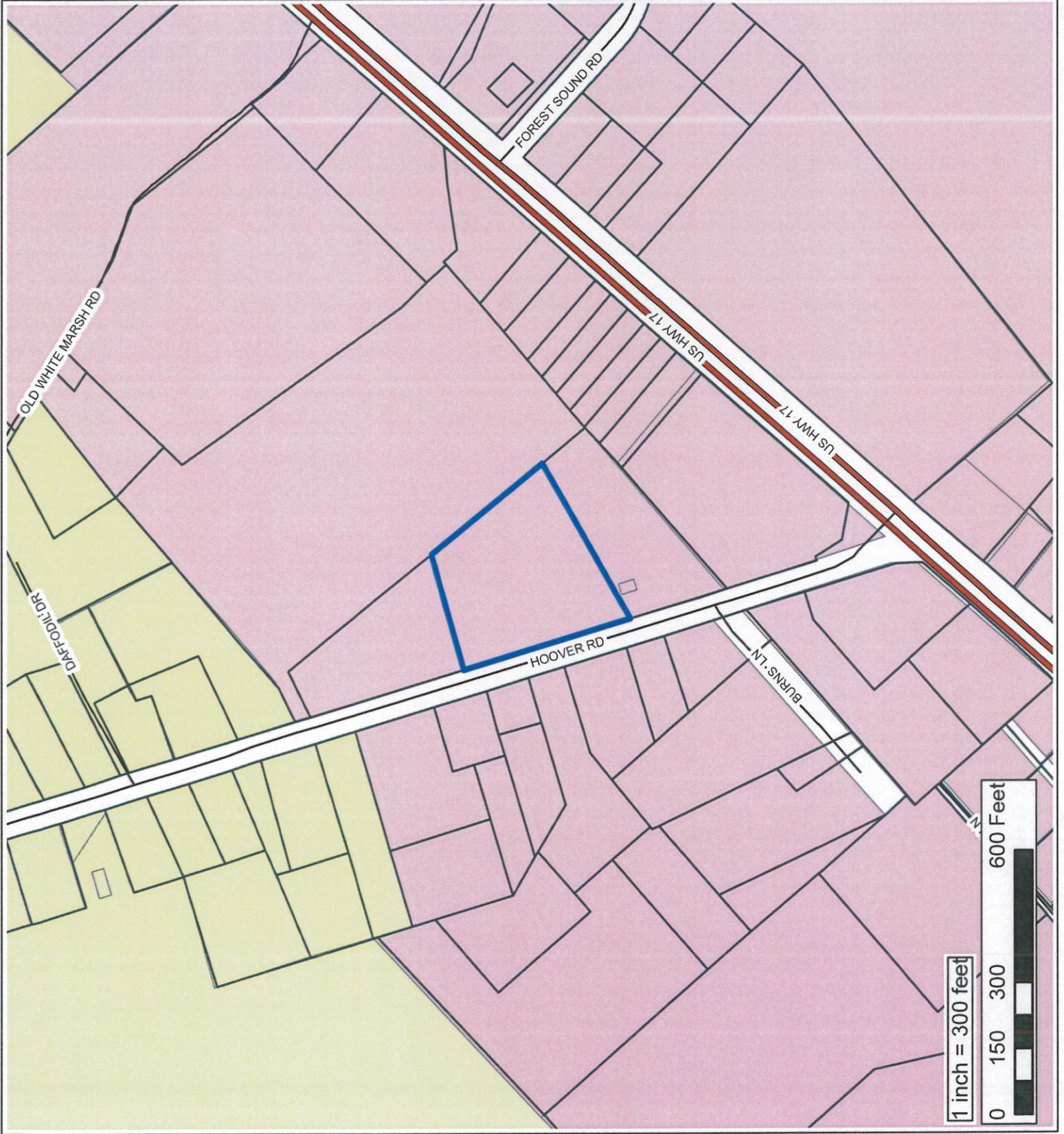
**Owner:**  
Jack and  
Ruth Gaye Ingram

**ZMA Case #**  
11244

- 2010 Land Use Classification**
- Conservation
  - Industrial
  - Mixed Use
  - Office, Institutional, Business
  - Rural Growth
  - Suburban Growth



# LAND USE CLASSIFICATION





**Applicant:**  
Mark Armstrong

**Owner:**  
Jack and  
Ruth Gaye Ingram

**ZMA Case #**  
11244

**Legend**



Subject Parcel



**Aerial**



**PLANNING STAFF REPORT**  
**Zoning Text Amendment**

---

**SUMMARY:**

**Hearing Date:** Planning Board – October 7, 2014  
Board of County Commissioners – November 17, 2014

**Applicant:** Administrator, Division of Planning

**Application Number:** ZTA 11245 Pender County

**Text Amendment Proposal:** Pender County is requesting an amendment to the Pender County Unified Development Ordinance; Section 7.10, Off-Street Parking and Loading/Parking Requirements, 7.10.5 Surfacing, and Daycare Parking minimum(s); a detailed description of the amendment is available in the Planning Department offices for review.

**Background:** The following text amendment is the result of various administrative discussions and situational circumstances that have been brought to Staff's attention since the effective date of the Pender County Unified Development Ordinance.

**Administrator/Planning Board Recommendation:** The Administrator respectfully recommends amending the Unified Development Ordinance as described in the staff report.

---

The proposed amendment serves to create a process that will bring greater flexibility in both the Administration of and compliance with the parking requirements of the Unified Development Ordinance. Currently, commercial site development applicants are required to comply with **7.10.1 Minimum** (minimum parking requirements), **7.10.5 Surfacing** for their commercial development(s) and the minimum parking requirement for Daycare facilities. It is staffs understanding that these requirements, when strictly enforced, do not apply to all developments, uniformly. Accordingly, staff has devised a "Shared Parking Option", a "5 or fewer parking spaces" relief option(s), and crafted a new Day Care facility minimum parking requirement, all of which may be utilized by commercial developers as alternatives to the current parking minimum.

Staff is proposing to allow flexibility within the prescribed parking standards by enabling developments requiring 5 or fewer parking spaces relief from the paving requirements of the current Unified Development Ordinance (UDO) and/or by allowing developments to share parking with other developments in an effort to reduce private costs and public externalities. Further, the minimum parking requirement, which has been deemed onerous (1 per employee + 1 per each attendee) and inconsistent with staff's research has been modified to more closely resemble a formula that approximates the true supply required for said facilities. The requirement is being modified to read as follows: "2 spaces for each employee on maximum shift or 1 space for each employee on maximum shift plus an area designated for children dropoff and pick-up that must be approved by the agency responsible for the approval of off-street parking facilities."

To date, the Unified Development Ordinance requires parking to be enforced as stated below:

### **7.10 Off-Street Parking and Loading/Parking Requirements**

“Off-street parking spaces shall be provided for all uses listed below in the amounts specified below. Uses not listed shall be reviewed by the Administrator for a determination of the required spaces. Buildings with multiple uses shall calculate parking based on the square footage of each use in the building.” Generally, minimum parking requirements are based on the square footage, number of employees or service areas. However, these requirements may not always correspond directly with actual realized parking utilization rate(s):

#### **7.10.5 Surfacing**

##### **B. Non-Residential Uses in all other Zoning Districts**

- 1) Required Parking Spaces- All required off-street parking spaces shall be sealed by an appropriate licensed professional and paved in accordance with NCDOT base course and pavement surface standards as prescribed by the “Secondary Road Manual.”

It is understood that small scale developments requiring 5 spaces or fewer may be overburdened and in conflict with the Comprehensive Land Use Plan in the event that they are required to pave a small number of parking spaces.

#### **Evaluation:**

As prescribed in the Pender County Unified Development Ordinance (UDO) Article 3.18.5 in evaluating any proposed ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- 1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- 2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- 3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
- 4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the Board is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents and the specific intent of this Ordinance.

#### **Comprehensive Land Use Plan Compliance:**

The Zoning Text Amendment is in compliance with Goals and Policies in the Comprehensive Land Use Plan:

**Policy1A.1.4** The County should develop and utilize innovative and flexible land planning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

**Policy 1A1.5** The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.

**Policy 3A1.2** Use the creation of the Unified Development Ordinance (UDO) as an opportunity to allow more development flexibility while setting higher standards for sustainable development.

There are no conflicting policies within any adopted land use documents.

**Staff Recommendation:**

The proposed text amendment is consistent with the Unified Development Ordinance and Comprehensive Land Use Plan. Therefore, staff is recommending approval of the amendment as presented.

**Planning Board**

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

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

Williams: \_\_ McClammy: \_\_ Baker: \_\_ Boney: \_\_ Edens: \_\_ Marshburn: \_\_ Nalee: \_\_\_\_\_

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
PO Box 1519  
Burgaw, NC 28425



Phone: 910-259-1202  
Fax: 910-259-1295  
[www.pendercountync.gov](http://www.pendercountync.gov)

## **TEXT AMENDMENT**

A request to amend the text of this Ordinance may be initiated by the County Commissioners, Board of Adjustment, Planning Board, Administrator, or a citizen of Pender County.

### **Approval Criteria (Section 3.18.5)**

In evaluating any proposed ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- a. The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- b. The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- c. Whether or not the proposed text amendment corrects an error in the Ordinance; and
- d. Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.
- e. In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.

### **Action by the Planning Board**

1. Before making any recommendation on a text amendment, the Planning Board shall consider any recommendations from the Administrator and shall conduct a public hearing where interested parties may be heard.
2. The Planning Board shall make a recommendation based on the approval criteria.
3. The Planning Board shall make its recommendation following the initial public hearing.

### **Action by County Commissioners**

1. Before taking action on a text amendment, the County Commissioners shall consider the recommendations of the Planning Board and Administrator and shall conduct a public hearing.
2. The County Commissioners shall make a decision based on the approval criteria.
3. Following the public hearing, the County Commissioners may approve the text amendment, deny the amendment, or send the amendment back to the Planning Board or a committee of the County Commissioners for additional consideration.

**In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents, the CAMA Land Use Plan, and the specific intent of this Ordinance.**

## APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 11245	Date	9/30/14
Application Fee	\$ N/A	Receipt No.	N/A
Pre-Application Conference	N/A	Hearing Date	10-7 (PB) 10/20 (BOC)
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	Pender County		
Applicant's Address:	805 S. Walker Street		
City, State, & Zip	Burgaw, NC 28425		
Phone Number:	910-259-1202		
<b>SECTION 2: UDO TEXT TO BE AMENDED</b>			
Current Text to be Amended (Please site accurate Article number referenced):			
Section 7.10 Off Street Parking and Loading			
Proposed Text to be added:			
<small>Section 7.10.1 Modify parking requirements for "Day Care" use to read as: "2 spaces for each employee on maximum shift or 1 space for each employee on maximum shift plus an area designated for children drop off"</small>			
<small>Section 7.10.5 Modify Surface standards for parking lots of 5 or fewer spaces. Allow for shared parking between adjacent non-residential sites.</small>			
<b>SECTION 3: SIGNATURE</b>			
Applicant's Signature			Date:
<b>NOTICE TO APPLICANT</b>			
<small>If the applicant makes significant changes to the application for a text amendment after the Planning Board has made its recommendation, the Administrator may refer the modified request back to the Planning Board for an additional public hearing.</small>			
<b>TEXT AMENDMENT CHECKLIST</b>			
<input checked="" type="checkbox"/>	Signed application form		
<input checked="" type="checkbox"/>	Application fee		
<input checked="" type="checkbox"/>	A letter describing, in detail the intent and purpose of the amendment presented, meeting the approval criteria set forth in Section 3.18.5 of the Pender County UDO (shown on page 1 of this application)		
<b>Office Use Only</b>			
<input checked="" type="checkbox"/> ZTA Fees: \$250		<b>Total Fee Calculation:</b> _____	
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input type="checkbox"/> Check # _____
Application Received By:			Date:
Application completeness approved by:			Date:
Date Scheduled for Public Hearings:	<input checked="" type="checkbox"/> Planning Board	10/7	<input checked="" type="checkbox"/> BOC 10/20

## 7.10 Off-Street Parking and Loading/Parking Requirements

### 7.10.1 Minimum

- A. Off-street parking spaces shall be provided for all uses listed below in the amounts specified below. Uses not listed shall be reviewed by the Administrator for a determination of the required spaces. Buildings with multiple uses shall calculate parking based on the square footage of each use in the building.
- B. Parking lots consisting of five (5) spaces or fewer *shall* utilize the following requirements:
- 1) Such parking lots *may* comply with 7.10.5 Surfacing.
  - 2) In the event that an alternative surface is utilized, the parking lots *shall* comply with 7.10.5 Parking Space Design Standards D, as applicable.

Community Services	Museums	1 per 300 SF floor area, minimum 10 spaces
Day Care	All day care	2 spaces for each employee on maximum shift or 1 space for each employee on maximum shift plus an area designated for children dropoff and pick-up that must be approved by the agency responsible for the approval of off-street parking facilities
Educational Facilities	all education facilities except as list below	6 per classroom + 1 per 300 SF floor area of administrative office space

### C. Shared Parking

- 1) **Requirements for sharing spaces.** For any site(s) where the hours of operation allow the shared use of parking spaces to occur without conflict or in circumstances when a particular use has excess facility capacity, the number of parking spaces required may be shared in compliance with this Section and as determined by the Administrator.
  - a. A shared parking permit, in compliance with the UDO and Table 1, as applicable, shall be required for the sharing of parking spaces. The permit shall apply to each and every property subject to the shared parking arrangement.
  - b. A Pender County Planning and Community Development shared parking application shall be submitted by the facilities' proposed user(s) and signed by all parties to

include each applicant and applicable owners shall be submitted along with a site plan.

2) Shared Parking Options

- a. The applicant may utilize Table 1, below or provide an alternative generation schedule per the most recent edition of Institute for Transportation Engineers' (ITE) Parking Generation or Urban Land Institute publication. The steps for calculating the requirements are as follows:
  - i. Determine the minimum parking requirements in accordance with the Pender County UDO and Table 1 below for each land use as if it were a separate use;
  - ii. Multiply each amount by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F);
  - iii. Calculate the total for each time period; and
  - iv. Select the total with the highest value as the required minimum number of parking spaces.
- b. The applicant may simply aggregate the minimum total parking supply for all uses and dedicate any residual supply as a shared parking facility.

Table 1

(A) Land Use	Weekday			Weekend	
	(B) Daytime (9 AM-4 PM)	(C) Evening (6 PM-midnight)	(D) Daytime (9 AM-4 PM)	(E) Evenings 6 PM-midnight)	(F) Nighttime (Midnight-6 AM)
Office/Industrial	100%	10%	19%	5%	5%
Retail	60%	90%	100%	70%	5%
Hotel	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Entertainment/Commercial	40%	100%	80%	100%	10%

3) Contract

- a. A written agreement between the owners and lessees shall be executed for a minimum term of 5 years.
- b. The contract shall be subject to the approval of the Zoning Administrator.

- c. The contract shall also be subject to review by the County Attorney, as to form and content.
- d. The contract shall ensure that the facilities being shared by a particular use shall remain binding until a new contract is designated. In the event that one parking user vacates the facility, the contract shall default to enable the remaining user to continue utilizing said spaces and customers therein utilize all necessary pathways and drives.
- e. Any modification beyond the scope of d., above, shall be referred to the Zoning Administrator for review and approval with compliance as it pertains to the spirit, intent and letter of the UDO.
- f. In the event that a particular use is no longer able, willing or enabled to utilize shared facilities, said use's remaining facilities, or lack thereof, shall become an illegal nonconformity and will be subject to all applicable regulations. The user shall then secure a facility meeting the standards of the UDO in order to rectify said nonconformity.
- g. Urban Land Institute methodology. The Zoning Administrator may utilize the Urban Land Institute's (ULI) Shared Parking methodology as a guide in reviewing the shared parking proposal submitted by the applicant, and in approving the required Shared Parking Permit.
- h. The contract shall designate the effective contract start date, end date, affected parties, times of sharing, the amount of spaces shared and a description of the shared parking location(s) and be accompanied by a site plan delineating said agreement.
- i. The Zoning Administrator shall ensure that the shared parking arrangement provides that all of the required number of parking spaces are within the maximum walking distance of .25 miles (1,320') of the use served, measured from the nearest corner of the parking facility to the nearest corner of the structure for the use served via the shortest pedestrian route. The sharing of facilities shall not be permitted if a safe pedestrian route cannot be established between the parking facility and use served, as determined by the Administrator.
- j. Should the Administrator determine that a pathway is required, the path shall be no narrower than 5' in width, cleared of all debris to a clearance height of at least 8' and covered with an all-weather surface, not to include dirt or grass.
- k. It shall not be permissible to share ADA spaces.

- l. Said shared spaces shall be designated via signage, striping or other method approved by the Administrator deemed sufficient to clarify that said spaces are to be shared/restricted.
- m. Said shared parking spaces shall be provided in a contiguous and adjacent manner, where possible, on the same parcel or an adjacent parcel, to include parcels divided by ROWs. All shared spaces shall be within the walking distance requirement of .25 miles (1,320') of the use served.
- n. Said contract shall be approved by the Administrator and filed as an addendum to the recorded deeds of all affected properties and said contract shall run with the land.

4) **Findings** The following findings shall be made:

- a. The spaces to be provided would be available as long as the uses requiring the spaces lawfully exist (5 year minimum); and
- b. The quality and efficiency of the parking utilization would equal or exceed the level that is otherwise required.
- c. The parking demands of the individual uses, as determined by the Administrator based upon minimum off-street parking requirements, are such that the total parking demand of all the uses at any one time is less than the total parking stalls required;
- d. Sufficiency of the parking contract

#### 7.10.2 Parking Study Option

- C. Parking spaces provided in excess of the minimum required shall be constructed to use low impact design of excess parking facilities. Additional low impact design may be provided, if not otherwise prohibited by other provisions of the UDO, in the following areas:
  - 1) Adjacent to parking lot landscape islands to allow for the percolation of water and the exchange of oxygen for the tree roots.
  - 2) Grass paving or turf block areas may be utilized in low impact areas or infrequent use areas such as churches or the outlying parking areas of malls or other shopping areas.

- D. In parking lots with five (5) or fewer parking spaces, in which the applicant does not wish to pave their parking with asphalt or concrete, said development shall utilize one of the following materials:
- 1) Permeable pavement including but not limited to porous pavers, grid pavers, porous asphalt, pervious concrete, non-compacting gravel or other materials deemed acceptable by the Administrator.
  - 2) In the event that a gravel surface is utilized, the following standards shall apply:
    - a. "Gravel" means a clean or washed, loose, uniformly-graded aggregate of stones from a lower limit of 0.08 inches to an upper limit of 3.0 inches in size.
    - b. Each space and drive aisle shall comply with the dimensional standards set forth in 7.10.4 Parking Design Standards and to the greatest extent possible, parking facilities shall be located to the sides or rear of the primary structure.
    - c. Each designated parking area shall be contained by edging or curbing in order to contain the loose material within the designating parking area(s) as deemed sufficient by the Administrator.
    - d. Each parking space shall be designated by an encroachment barrier including but not limited to wheel stops, timbers, planters, bollards or other object deemed sufficient to delineate individual space(s)/parking areas and prevent as determined by the Administrator.

**Definition:**

**Permeable Pavement:** An alternative to conventional concrete and asphalt paving materials that allows rapid infiltration of stormwater. Stormwater infiltrates into a porous paving material that provides temporary storage until the water infiltrates into underlying permeable soils or through an underground drain system. This practice is intended to reduce stormwater runoff rate and volume, as well as associated pollutants transported from the site by stormwater runoff.

[http://www.ncagr.gov/SWC/costshareprograms/CCAP/documents/permeable\\_pavement.pdf](http://www.ncagr.gov/SWC/costshareprograms/CCAP/documents/permeable_pavement.pdf)



6. PSC(s) must be off-chassis
7. A maximum of one (1) PSC per site shall be permitted on lots of one (1) acre or less. One (1) additional PSC per acre may be permitted for lots greater than one (1) acre. No more than two (2) PSC(s) onsite.
8. PSC **#7** be stacked vertically.  
**#7**    **a) Allow PSC to be vertically stacked**  
         **b) Do not allow PSC to be vertical stacked**
9. PSC shall be maintained in good condition free from structural damage, rust, and deterioration.
- ~~10. **PSC(S) shall be painted tan, brown, dark forest green, or light gray.**~~  
**#8**    **No regulations are proposed to limit the PSC color**
- ~~11. **PSC shall be used for storage purposes only.**~~  
**#9**    **this will be addressed in #5 above**
- ~~12. **No signs or lettering shall be permitted on PSC(s).**~~  
**#10**    **This will be addressed by Article 9 of the UDO which does not allow wall signs to be places on structures not containing a tenant or business.**
13. All PSC(s) shall be screened from view from any public right-of-way, private street or access easements, and any residential use or residential zoning district. Screening shall be accomplished by **#11**  
**#11**    **a) A six foot high wooden fence**  
         **b) Evergreen hedge**  
         **c) Combination of fencing and Landscaping**  
         **d) No screening required**
14. PSC(s) shall meet all yard setback requirements and shall be located on the rear of the lot.
15. PSC(s) shall not be permitted in any parking areas, required buffers or setbacks.
16. No permanent off-chassis PSC(s) shall be permitted in loading areas.
17. PSC(s) shall not be permitted to be rented or leased to a use not located on the same lot.
18. PSC(s) shall not exceed the dimensions of forty (40) feet in length, eight (8) feet in width, and ten (10) feet in height.
19. Businesses shall submit a site plan showing any permanent container and its relationship to the overall site. The plan shall indicate how the container meets all permanent requirements,

including stormwater, traffic circulation, screening requirements, other development codes, and inspection requirements including engineered design plans to demonstrate the PSC(s) meets NC Building Code.

**PORTABLE STORAGE CONTAINERS (PSC):**

Temporary Placement: A container designed to store personal property which are typically rented and intended to be delivered, temporarily used, and removed by truck. This definition includes shipping containers and other portable self-storage units. Temporary PCU(s) may be placed on property for fifteen or less consecutive days in any twelve month period without issuance of a permit in all zoning districts, except Environmental Conservation.

**Permanent Placement: This definition will need to be derived from the selections above...**