

Pender County Planning and Community Development



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

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

AGENDA

**Pender County Planning Board
Tuesday, November 1, 2016 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: ___ Fullerton ___ Baker: ___ Carter: ___ Edens: ___ McClammy: ___ Nalee: ___

1. Adoption of the Agenda:

2. Adoption of the Minutes: (October 4, 2016 Meeting and October 18, 2016 Special Meeting)

3. Public Comment:

(Public Hearings Open)

4. Zoning Text Amendment:

D. Logan, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance, Section 4.7.3 RM: Residential Mixed zoning district requirements and Section 4.8.1 PD: Planned Development District zoning requirements. Specifically, the amendment proposed is to increase the allowable density on multi-family projects, and to provide clear standards for multi-family developments.

5. Zoning Text Amendment:

Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance Section 7: Design Standards and Appendix A: Definitions. Specifically, the amendment proposed is to amend the access standards related to subdivisions on collector streets, add alternative design street standards and associated definitions.

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.

6. Plan Amendment:

Pender County, applicant, is requesting an amendment to the Pender County Collector Street Plan which was adopted on March 21, 2016. Specifically, the amendment proposed is to add an additional map, demonstrating a hierarchy of proposed and existing collector streets within the Wilmington Metropolitan Planning Organization (WMPO) planning boundary in Pender County.

(Public Hearings Closed)

7. Discussion Items:

a. Planning Staff Items:

- i. Bike/Ped Prioritization:
- ii. Comprehensive Plan:
- iii. TRC Update:

b. Planning Board Members Items:

8. Next Meeting: December 6, 2016, Work Session at 6:00 pm

9. Adjournment:

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT**

SUMMARY:

Hearing Date: November 1, 2016 Planning Board (Initial Discussion)
December 6, 2016 Planning Board (Potential Ordinance Recommendation)

Applicant: D. Logan

Case Number: ZTA 385-2016

Text Amendment Proposal:

D. Logan, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Sections 4.7.3 RM: Residential Mixed and Section 4.8.1 PD: Planned Development District and add the definitions of Regional Employer and Retail Commercial Center to Appendix A, Definitions. The proposed amendment intends to adjust density calculations, add flexibility, and provide clear standards on how to obtain density bonuses for multi-family development.

RECOMMENDATION

Staff has worked with the Applicant to conceptualize an amendment to the Unified Development Ordinance that creates an objective method of awarding bonus density for multi-family development in Pender County. The Administrator supports the concept of the Applicant's request, however believes as proposed it may allow too much flexibility to be supported by the current climate in Pender County. Some of these factors include the uncertainty on the completion of the Hampstead Bypass and various other areas of County service delivery such as utilities and school planning. For these reasons, Staff has proposed a similar amendment that may be more supportable under the current conditions and by various adopted plans.

Staff feels the concept of this amendment will provide clarity to the Unified Development Ordinance and may assist in providing enhanced customer service by facilitating a more efficient review process. The amendment appears to be consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. The amendment appears to be supported by one (1) goal and three (3) policies in the 2010 Pender County Comprehensive Land Use Plan. There does not appear to be conflicts with any other approved plans. Staff is recommending a thorough review and discussion on this issue by the Planning Board in order to generate direction for staff to present a recommendation in December.

AMENDMENT DESCRIPTION

Currently Pender County allows multi-family development in two zoning districts and limits density to five (5) units per acre. Changes in the development climate, especially regarding the availability of water and wastewater, have facilitated a stronger interest in this type of development in Pender County. Under the current language staff and developers are left interpreting a number of vague standards. One example of this would be the provision for a density bonus for exceptional design in the RM, Residential Mixed zoning district. It is suggested in Section 4.7.3 that a density bonus is allowed, but there is no guidance on how to determine how much of an increase may be appropriate and for what exchange. It is also unclear if this potential density bonus applies to the PD, Planned Development zoning district as well. The proposed amendment aims to provide this clarification.

The Applicant asserts that the current requirements for density calculations are complicated and that the methods for obtaining bonus density is poorly defined. The Applicant researched language and policies from various counties regarding density requirements and provided that information in their narrative. The Applicant’s method for density calculation simplifies the process into subtracting wetlands from the calculations and adding back in acreage for collector roads. The Staff version of the amendment is also recommending accommodating collector road acreage, but no additional changes. This is due to the consideration that the comprehensive planning process is currently underway and research associated with this process will likely lead to a comprehensive change in density policies in conjunction with the plan update.

Staff and the Applicant agree that the goal of the amendment is to provide a clear path for an applicant to have the ability to develop up to eight (8) units per acre. Eight (8) units per acre is the maximum density allowable under the 2010 Pender County Comprehensive Land Use Plan in Appendix D. Any request to exceed eight (8) units per acre would require an amendment to the 2010 Pender County Comprehensive Land Use Plan and recertification of the plan by the Coastal Resources Commission in order to fulfill Coastal Area Management Act (CAMA) requirements, and this is not being pursued at this time.

The amendment as proposed by the Applicant offers a vast cafeteria-style plan of options (there are 18) in Section 4.8.1 to earn density by accumulating up to five (5) of the options. The amendment proposed by staff offers the same clarity on how to obtain bonus density, however allows the density to be compounded by earning .0375 acres for each component included in the plan. Each bonus is added to the base five (5) units per acre as displayed on the following chart. Corresponding supporting policies are also displayed below.

	Criteria	Density Credit - To be added to the base 5.0	Corresponding Plan Support for Superior Design & Staff Notes
1.	Workforce Housing	0.375	The Pender County Housing Study supports the need for military housing, rental units, housing for the elderly and low income housing. The 2010 Comprehensive Land Use Plan also supports this in the Housing & Community Development Section.
2.	LID Certification	0.375	Innovative design could be defined and measured through Low Impact Development certification. This is supported in the 2010 Comprehensive Plan.
3.	Pedestrian access within ¼ mile of grocery or pharmacy	0.375	Encourages walkable communities as supported in the 2010 Comprehensive Plan. Easier access to a wider variety of food choices and access to medical care is included in the Community Health Plan.
4.	More than double the parcel is open space	0/375	Encourages the use of cluster development as supported by the 2010 Comprehensive Plan Growth Management & Preferred Growth

			Patterns and Community Design and Appearance
5.	Dedication of land/public facility	0.375	For credit, Public Facilities would need to be included in an adopted plan – such as schools, parks and recreation, fire stations, etc.
6.	Project features a minor or major collector street	0.375	Public street dedication as supported in the 2016 Pender County Collector Street Plan
7.	Historic Restoration	0.375	Supported by 2010 Comprehensive Plan Growth Management and Natural Resources Protection Sections
8.	Proximity to regional employer	0.375	Supported by 2010 Comprehensive Plan Growth Management
9.	Innovative Stormwater Design	0.375	Potentially retaining additional water on site could generate credit for additional density.

EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 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 Planning Board and 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 and the specific intent of this Ordinance.

2010 Comprehensive Land Use Plan Compliance

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and conflicts with none.

The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

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.

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.

Policy 1A.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 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns.

There are no conflicting policies in the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

Staff feels the concept of this amendment will provide clarity to the Unified Development Ordinance and may assist in providing enhanced customer service by facilitating a more efficient review process. The amendment appears to be consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. The amendment appears to be supported by one (1) goal and three (3) policies in the 2010 Pender County Comprehensive Land Use Plan. There does not appear to be conflicts with any other approved plans. Staff is recommending a thorough review of this issue by the Planning Board in order to generate direction for staff to present a recommendation in December.

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ Seconded: _____

Approved: _____ Denied: _____ Unanimous: _____

Williams: ___ Fullerton: ___ Baker: ___ Edens: ___ McClammy: ___ Nalee: ___

RECEIVED

SEP 16 2016

PENDER PLANNING DEPT.

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE

Application No.	ZTA 385	Date	9/16/16
Application Fee	\$ 250.00	Receipt No.	242
Pre-Application Conference	NA	Hearing Date	11/1/16 & 12/5/16

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	DRC HAMPSTEAD, LLC (D. LOGAN AS REPRESENTATIVE)
Applicant's Address:	600 GREGORY RD, SUITE 1
City, State, & Zip	BELVILLE, NC 28451
Phone Number:	800.761.4707

SECTION 2: UDO TEXT TO BE AMENDED

Current Text to be Amended (Please site accurate Article number referenced):	SEE ATTACHED
Proposed Text to be added:	SEE ATTACHED

SECTION 3: SIGNATURE

Applicant's Signature	<i>D Logan</i>	Date:	9/16/16
-----------------------	----------------	-------	---------

NOTICE TO APPLICANT

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.

TEXT AMENDMENT CHECKLIST

<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)

Office Use Only

<input checked="" type="checkbox"/> ZTA Fees: \$250		Total Fee Calculation:	
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input checked="" type="checkbox"/> Check # _____
Application Received By:	<i>[Signature]</i>	Date:	9/16/2016
Application completeness approved by:	<i>[Signature]</i>	Date:	9/19/2016
Dates Scheduled for Public Hearings:	Planning Board: 11/1/16	BOC:	12/5/2016



RECEIVED
OCT 19 2016
PENDER PLANNING DEPT.

Date: 20 October 2016

Pender County UDO Text Amendment Request - Narrative

The proposed text amendment is brought forth by DRC Hampstead, LLC as a request for an increase in the UDO's allowable density (units per acre) within the RM and PD zoning districts and to simplify the County's density calculations. The following further describes the intension and basis for the proposed text amendment.

RM and PD are the two districts in which the UDO currently allows the highest density of any zoning district in the County, but the maximum density allowed is only 5 dwelling units per acres. The UDO does describe a provision for bonus density, but no clearly defined, objective parameters to determine what qualifies as bonus density. DRC Hampstead, LLC presents this text amendment with clear parameters for bonus density and an identified density increase that is supported by the current, approved Pender County Comprehensive Land Use Plan. This plan identifies 8 units per acre as a recommended density in mixed use areas and higher density to be supported in areas with available water and sewer utilities. These 8 units/ acres is the maximum density we request through the density bonus as outlined in the attached text amendment.

In addition to looking at Pender County's own approved planning documents, the applicant also researched density ordinances in the surrounding municipalities. The research helped formulate the proposed text amendment. Reference *Attachment A* for a compiled summary of all the researched ordinances. While these ordinances are not directly comparable to Pender County's, there are parallels that can be drawn to understand basic planning strategies and density allocations. The most direct comparison by population and general characteristics is Brunswick County. This ordinance research demonstrates that Pender County represents the lowest maximum allowable density of any nearby community, even the rural communities. The research also represents various strategies of planning for growth in ways that blend successfully with development and market strategies. The applicant understands that Pender County has its own identity and may chose not to be compared to the surrounding communities. However, the applicant respectfully requests that you consider the proposed UDO text amendment as presented and look to the County's own planning documents for guidance in determining the appropriate planning and growth strategies for the County.

Part of the conflict between the existing UDO density and the County's Comprehensive Land Use Plans is that both outline apartments and other multi-family dwellings as an acceptable and desired use, but the County's allowable density is severely limited in any real-world application of multi-family projects. The current 5 units/ acre density will not allow for an apartment style or other cluster of higher density housing types unless the developer has large tracts of land over which he/she can spread the overall density. This amendment objectively identifies density bonuses that allow higher densities as recommended by the County's planning documents and that promote a mixture of housing types, including multi-family developments, on medium to small sites without wasting the County's valuable land resources.

The current density calculations as outlined in the UDO result in large tracts of land being purchased to spread the density out across and the density calculations are complicated and damaging to what may be intended. It appears the intention of the calculations is to assure preservation of open space, yet the current calculation encourages developers to provide the least amount of open space possible. (Reference the text amendment for the UDO's current density calculations). The applicant proposes a way to simplify the density calculations. The proposed calculations allow the open space and preservation components of the ordinance to be preserved and serve to promote passive and active open space in developments, yet act separately in the ordinance so as not to confuse the intent of these two objectives of the ordinance. We respectfully request review of the attached text amendment and supporting documents.

Attachment A Text Amendment Density Summary
REFERENCE Pender County Zoning – Density

Pender County UDO directs RM zoning districts to use PD density calculations
 PD and RM zoning max. density allowed: 5 du/ac

Ordinance References:

4.7.3 RM: Residential Mixed

The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall be calculated similar to the Planned Development (PD) District (4.8.1.D.1).

Density Calculation per ordinance:

Number of Dwelling Units (Density)

1) Determination - The number of dwelling units in a project utilizing the PD development standards shall be a maximum of five (5) units per net density. The density is calculated as total tract acreage subtracting the following:

- a) Areas reserved as non-residential development
- b) Total wetland calculations
- c) Rights of way and parking areas
- d) Active and passive open space
 - i) Passive open space may be subtracted from the total wetland delineation in the Master Development Plan if it is calculated to be less than the total wetland area.

2) In effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or the provision of additional amenities such as public and/or private open space.

Surrounding Municipalities Density Analysis

Brunswick County (most comparable to Pender County in land, use, and population characteristics)

Performance Residential Density Allowed (du/ac)

<u>Typology</u>	RR	R7500	R6000	SBR6000	MR3200
SF Lot (no water/sewer)	2.2	2.9	4.4	4.4	6.2
SF Lot (with water/sewer)	2.9	5.8	7.3	7.3	13.6
Duplex (no water/sewer)	1.24	n/a	2.56	n/a	6.2
Duplex (with water/sewer)	2.9	n/a	7.3	n/a	13.6

Multifamily requires a PD designation

PD uses the same density as the underlying zoning district UNLESS applying density bonus for the following:

Workforce Housing up to 20-25% depending on type of unit and type of housing designation (affordable, % of overall units designated for workforce, etc.)

Land Dedication of Public Facilities 1 to 1 density bonus

RECEIVED
 OCT 19 2016
 PENDER PLANNING DEPT.

RECEIVED
OCT 19 2016
PENDER PLANNING DEPT.

Exceptional Design Bonus

development could obtain up to 25% density bonus for exceptional design per UDO section 6.1

Density Calculation: (per UDO section 4.14.3)

Divide the total site acreage by the allowable zoning density.

(Nothing is backed out of the site acreage, but still have to accommodate open space, etc. for each district)

Town of Surf City

Lot coverage applies to the following zoning districts as represented in the chart Section 4.2 Setbacks

R5	5000sf lot (8.7 du/ac) (alternate unit densities for various lot sizes)
R10	10,000sf lot (4.36 du/ac)
MHS	5,000 sf lot (8.7 du/ac)
RA	20,000 sf lot (2.18 du/ac)
O&I	7,500 sf lot (5.8 du/ac)
NB	5,000 sf lot (8.7 du/ac)
C1 residential	5,000 sf lot (8.7 du/ac)
C1 commercial	2,500 sf lot (17.42 du/ac)
MU residential	5,000 sf lot (8.7 du/ac)
MU commercial	5,000 sf lot (8.7 du/ac)
C3	10,000 sf lot (4.36 du/ac)
R15	15,000 sf lot (2.9 du/ac)
SF	5,000 sf lot (8.7 du/ac)
MFC Multi-family Cluster District	10 du/ac max.
PUD	16 du/ac overall - mixture of low (5du/ac), medium (16du/ac), high (24 du/ac) density required with 10% of gross residential area as open space; Commercial density limited to 10% overall project acreage

Density Calculation:

All districts except PUD: Net site acreage defined as only contiguous areas held in fee simple title and including only:

- Land above mean high sea level
- Legally fillable wetland/marsh
(subtract proposed and existing roads, easement, right of way, parks, or other areas not included in the calculation)

New Hanover County

Performance Residential Density Allowed

R20	1.9 du/ac
R15	2.5 du/ac
R10	3.3 du/ac
R7	6 du/ac
O&I	2.5 du/ac

High Density Development allowed with Exceptional Design Density Bonus System

R10	17 du/ac
R15	10.2 du/ac
R20	4.25 du/ac
O&I	10.2 du/ac

PD 4.25 du/ac in Urban or Transition Land Use Designations (CAMA LUP)
PD 2.5 du/ac outside of Urban or Transition

RECEIVED
OCT 19 2016
HENDERSON PLANNING DEPT

Density Calculation:

Total Site Acreage

Subtract: Class IV (wetland) soils & rural, conservation or resource protection areas as shown in the Land Use Plan

(open space can be counted in developable area per section 51.1-2 (12) performance residential)

Onslow County

<u>Zoning District</u>	<u>Max. Density (du/ac)</u>
RA	n/a
R-90	n/a
R-30M	1
R-20	2
R-15	2
R-10	4
R-8M	8
R-5	10

Cottage Development higher density allowed than base zoning provide 3000sf per cottage (approx. 14.52 du/ac) up to 25 units max.

Density Calculation:

Remove street right of way and access easements from overall acreage. (Section 1003.2 Lot sizes)

PUD shall have 25% open space (subdivision ordinance Section 703.2 Design Standards)

4.7.3 RM: Residential Mixed

OCT 19 2016

The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing dwelling types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of dwelling housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall follow be calculated similar to the Planned Development (PD) District the guidelines set forth in Sections 4.8.1.C and Section 4.8.1.D and Section 4.8.1.E.

4.8.1 PD: Planned Development District

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general development standards. The PD District shall not be used as a means of circumventing the County's adopted land development regulations.

A. Purpose of the PD District

- 1) To allow for greater freedom in providing a mix of uses within one development, including a mix of housing types, housing prices, lot sizes, densities, incomes, and non-residential uses
- 2) To promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses;
- 3) To promote quality urban design and environmentally sensitive development by preserving critical environmental resources, providing above-average open space amenities, incorporating creativity in the layout of buildings, open space and circulation systems, assuring compatibility with surrounding land uses and neighborhood character, and providing efficiency in the layout and provision of roads, utilities, and other infrastructure;
- 4) To create contiguous green space within and across the boundaries of development site(s) and promote interconnected greenways and corridors throughout the County;
- 5) To reduce the amount of infrastructure necessary for development, including paved surfaces and utility easements, by permitting clustering of houses and structures;
- 6) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation;
- 7) To preserve unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
- 8) To protect prime agricultural land and preserve farming as an economic activity;
- 9) To preserve important historic and archaeological sites;
- 10) To protect scenic views;
- 11) To achieve any other goals as stated within adopted County land use and transportation plans, and/or any other adopted County plans.

B. Use Types

- 1) Uses allowed in the PD District shall be consistent with the Table of Permitted Uses in Section 5.2.3, the Comprehensive Land Use Plan, and shall also be in accordance with a Master Development Plan as prescribed in Section 3.5 and Section 4.8.1.B.2 below.

- 2) Properties that are currently zoned PD shall submit for review based upon the following:
- a) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or an approved Master Development Plan as of April 20, 2015 shall follow the prescribed standards of the time of approval.
 - b) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or master planned development but lack specific standards, shall be subject to the following dimensional requirements: minimum lot width of fifty (50) feet, minimum front yard setback of twenty-five (25) feet, side yard setback of ten (10) feet, rear yard setback of fifteen (15) feet, maximum structure height of thirty-five (35) feet, and minimum required principle structure separation of twenty (20) feet. Requested changes to the dimensional standards outlined above will require submission of a Master Development Plan in accordance with Section 4.8.1.B.2.e.
 - c) Vacant PD tracts that are less than one hundred (100) acres in area and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall be required. However, a mix of residential and non-residential uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - d) Vacant PD tracts that are one hundred (100) acres in area or larger and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of residential and non-residential uses shall be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - e) PD tracts that are requesting a change of use from one NAICS sector classification to another, expansion of existing use(s), or revision of existing standards shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - i) Exception – PD tracts that are requesting an expansion of existing use(s) where a building addition of less than ten percent (10%) increase to the floor area of the existing structure or where a new structure will be 2,500 square feet in area or less shall not be required to submit a Master Development Plan.

C. Number of Dwelling Units (Density)

- 1) Determination - The number of dwelling units in a project in the PD or RM zoning districts utilizing the PD development standards shall be a maximum of 5 (five) units per net density. The density is calculated as total tract acreage subtracting the following:
 - ~~a) Areas reserved as non-residential development~~
 - ~~b) Total wetland calculations~~
 - ~~c) Rights of way and parking areas~~
 - ~~d) Active and passive open space~~
 - ~~i) Passive open space may be subtracted from the total wetland delineation in the Master Development Plan if it is calculated to be less than the total wetland area.~~
 - a) Total wetland area
 - i) Collector Road Density Bonus: If major and/or minor collector roads compliant with all Pender County planning documents and ordinances are proposed in the PD and RM district, the total area of those collector roads within the project's boundary shall be added to the total site acreage before wetlands area are subtracted.

RECEIVED

OCT 19 2016

PENDER PLANNING DEPT.

~~a. the provision of additional amenities such as public and/or private open space. An increase in density may be allowed up to 8 units per acre when 5 of the following criteria are fulfilled as determined by the Planning Board: In effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or~~

1. The project is located within one (1) mile of existing retail or office uses
2. The project is located within five (5) miles of a retail commercial center
3. The project creates its own retail commercial center and this center is accessible to the dwelling units within the development.
4. The project has direct access to a major or minor collector street
5. The project has no wetlands on site
6. The project is within one (1) mile of an employer with over 100 onsite employees
7. The project is within five (5) miles of a regional employer
8. The project provides housing for military personnel or their families.
9. At least 5% of the total number of dwelling units are reserved for households with income less than the gross median income for Pender County
10. The project provides designated age-dependent dwelling units or facilities
11. The project promotes aging-in-place by creating a safe living environment and support services necessary for a senior citizen to remain in the home of their choice while they age.
12. Alternative energy systems supply at least 20 percent of the total energy consumption for the dwelling unit including but not limited to power and hot water heating.
13. The project provides public recreation facility for dedication to Pender County. Pender County Parks and Recreation acceptance or intended acceptance of the facility must be obtained and presented to the Zoning Administrator at time of density bonus request.
14. The project provides a privately maintained community recreation facility for use by the residents of the proposed project. This facility must be equal to at least 1 recreation unit as determined in Section 7.6.2.
15. Project features three Low Impact Design (LID) methods as approved by the Zoning Administrator. Acceptable LID methods shall comply with either Section 7.14 of this ordinance, the publication *Low Impact Development: A Guidebook for North Carolina*, or other LID document as recognized by applicable state regulatory agencies.
16. The project features double or more than required open space
17. The project provides historic preservation or revitalization of existing structures on the project site.
18. The project provides a specific identified facility need as identified in approved Pender County planning documents. These facilities may include, but are not limited to, civic uses such as a library, community center, fire station.

2. ~~Development Standards - Development in a PD District~~ **Development in the PD and RM zoning districts shall be subject to all applicable regulations unless otherwise waived or modified by the County in the terms of the approved master land use plan. In no case shall the decision-making body waive or modify the following standards for a proposed PD development:**
 - a. Stream buffers required by the State of NC
 - b. Ownership requirements for any open space, buffers, or streetscapes unless otherwise permitted within this Ordinance;

RECEIVED

OCT 19 2016

PENDER PLANNING DEPT.

- c. Preservation of existing vegetation in streetscapes, floodplains, and/or buffers;
- d. Minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan and may be modified by the Planning Board
- e. Street connectivity requirements;
- f. Sidewalk and greenway requirements;
- g. Stormwater control or LID requirements;

E. Transportation and Circulation System

The Master Development Plan shall demonstrate a safe and adequate on-site transportation system that addresses vehicular, bicycle, transit and pedestrian circulation. The on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments and multi-family developments in the RM zoning district shall be designed to ensure that adjacent residential areas, internal and external to the project, have direct access to any non-residential portions of the planned development in lieu of entering and exiting through thoroughfares and/or collector streets. Planned developments shall provide or contribute to a pedestrian and road network that connects non-residential and existing residential developments.

- 1) Creative design of circulation routes and traffic ways is encouraged. A base characteristic of a PD is that the internal circulation routes or streets do not follow fixed linear geometric lines. Instead, circulation routes are curvilinear and of meandering character, to preserve tree and landscape features. Slower-paced traffic movements are encouraged with the use of private restrictions for extremely low speed limits. Creative design of circulation is not required for multi-family projects in the RM zoning district.
- 2) Pedestrian-oriented communities are encouraged to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. Planned subdivisions and multi-family projects must adhere to the design standards for drainage and paving in this Ordinance.
- 3) Where the development is bound by two (2) or more NCDOT on-system roads, access to each road shall be provided at minimum.
- 4) Adequately constructed and maintained bike and/or hiking trails shall be counted toward the open space requirement. Bicycle lanes and multi-use pathways that extend the minimum right-of-way width shall be designed in accordance with the North Carolina Bicycle Facilities Planning and Design Guidelines Manual.

Definitions:

Regional Employer: An employer drawing a workforce from Pender County's residents as well as from part of one or more of the adjacent counties

Retail Commercial Center: A retail or commercial business or group of businesses within the same development that serve as the focal point of regional commerce. These retail commercial centers cater to many neighborhoods and communities in Pender County. They may, but do not always, draw customers from surrounding counties.

ATTACHMENT TWO

4.7.3 RM: Residential Mixed

The Residential Mixed (RM) District is designed to allow for a variety of ~~conventional built and multifamily housing~~ dwelling types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of ~~housing~~ dwelling housing types as referenced within the Table of Permitted Uses shall be allowable, however only one ~~housing~~ type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The ~~density~~ development standards shall ~~follow~~ be calculated similar to the Planned Development (PD) District ~~the guidelines set forth in Sections 4.8.1.C and Section 4.8.1.D and Section 4.8.1.E.~~

4.8.1 PD: Planned Development District

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general development standards. The PD District shall not be used as a means of circumventing the County's adopted land development regulations.

A. Purpose of the PD District

- 1) To allow for greater freedom in providing a mix of uses within one development, including a mix of housing types, housing prices, lot sizes, densities, incomes, and non-residential uses;
- 2) To promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses;
- 3) To promote quality urban design and environmentally sensitive development by preserving critical environmental resources, providing above-average open space amenities, incorporating creativity in the layout of buildings, open space and circulation systems, assuring compatibility with surrounding land uses and neighborhood character, and providing efficiency in the layout and provision of roads, utilities, and other infrastructure;
- 4) To create contiguous green space within and across the boundaries of development site(s) and promote interconnected greenways and corridors throughout the County;
- 5) To reduce the amount of infrastructure necessary for development, including paved surfaces and utility easements, by permitting clustering of houses and structures;
- 6) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation;
- 7) To preserve unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
- 8) To protect prime agricultural land and preserve farming as an economic activity;
- 9) To preserve important historic and archaeological sites;
- 10) To protect scenic views;
- 11) To achieve any other goals as stated within adopted County land use and transportation plans, and/or any other adopted County plans.

B. Use Types

- 1) Uses allowed in the PD District shall be consistent with the Table of Permitted Uses in Section 5.2.3, the Comprehensive Land Use Plan, and shall also be in accordance with a Master Development Plan as prescribed in Section 3.5 and Section 4.8.1.B.2 below.
- 2) Properties that are currently zoned PD shall submit for review based upon the following:

- a) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or an approved Master Development Plan as of April 20, 2015 shall follow the prescribed standards of the time of approval.
- b) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or master planned development but lack specific standards, shall be subject to the following dimensional requirements: minimum lot width of fifty (50) feet, minimum front yard setback of twenty-five (25) feet, side yard setback of ten (10) feet, rear yard setback of fifteen (15) feet, maximum structure height of thirty-five (35) feet, and minimum required principle structure separation of twenty (20) feet. Requested changes to the dimensional standards outlined above will require submission of a Master Development Plan in accordance with Section 4.8.1.B.2.e.
- c) Vacant PD tracts that are less than one hundred (100) acres in area and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall be required. However, a mix of residential and non-residential uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
- d) Vacant PD tracts that are one hundred (100) acres in area or larger and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of residential and non-residential uses shall be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
- e) PD tracts that are requesting a change of use from one NAICS sector classification to another, expansion of existing use(s), or revision of existing standards shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - i) Exception –PD tracts that are requesting an expansion of existing use(s) where a building addition of less than ten percent (10%) increase to the floor area of the existing structure or where a new structure will be 2,500 square feet in area or less shall not be required to submit a Master Development Plan.

C. Number of Dwelling Units (Density)

- 1) Determination - The number of dwelling units in a project **in the PD or RM zoning districts utilizing the PD development standards** shall be a maximum of 5 (five) units per net density. The density is calculated as total tract acreage subtracting the following:
 - a) Areas reserved as non-residential development
 - b) Total wetland calculations
 - c) Rights of way and parking areas
 - d) Active and passive open space
 - i) Passive open space may be subtracted from the total wetland delineation in the Master Development Plan if it is calculated to be less than the total wetland area.

D. **Collector Road Density Bonus:**

- 1) **If major and/or minor collector roads compliant with all Pender County planning documents and ordinances are proposed in the PD and RM district, the total area of those collector roads within the project's boundary shall be added to the total site acreage before A-D are subtracted.**

E. **An increase in density may be allowed 0.375 units per acre for each attribute included in the project. Under no circumstance shall the density of a project exceed eight (8) units per acre.**

	Criteria	Density Credit
1.	Percentage of Workforce Housing	.0375
2.	LID Certification	.0375
3.	Pedestrian access within ¼ mile of grocery or pharmacy	.0375
4.	More than double the parcel is open space	.0375
5.	Dedication of public facility	.0375
6.	Project features a collector street	.0375
7.	Historic Restoration	.0375
8.	Proximity to employer	.0375
9.	Innovative Stormwater Design (additional retention)	.0375

~~In effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or~~

1. Development Standards - Development in a PD District ~~the PD and RM zoning districts shall~~ be subject to all applicable regulations unless otherwise waived or modified by the County in the terms of the approved master land use plan. In no case shall the decision-making body waive or modify the following standards for a proposed PD development:
 - a. Stream buffers required by the State of NC
 - b. Ownership requirements for any open space, buffers, or streetscapes unless otherwise permitted within this Ordinance;
 - c. Preservation of existing vegetation in streetscapes, floodplains, and/or buffers;
 - d. Minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan and may be modified by the Planning Board
 - e. Street connectivity requirements;
 - f. Sidewalk and greenway requirements;
 - g. Stormwater control or LID requirements;

E. Transportation and Circulation System

The Master Development Plan shall demonstrate a safe and adequate on-site transportation system that

addresses vehicular, bicycle, transit and pedestrian circulation. The on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments and multi-family developments in the RM zoning district shall be designed to ensure that adjacent residential areas, internal and external to the project, have direct access to any non-residential portions of the planned development in lieu of entering and exiting through thoroughfares and/or collector streets. Planned developments shall provide or contribute to a pedestrian and road network that connects non-residential and existing residential developments.

- 1) Creative design of circulation routes and traffic ways is encouraged. A base characteristic of a PD is that the internal circulation routes or streets do not follow fixed linear geometric lines. Instead, circulation routes are curvilinear and of meandering character, to preserve tree and landscape features. Slower-paced traffic movements are encouraged with the use of private restrictions for extremely low speed limits.
 - 2) Pedestrian-oriented communities are encouraged to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. Planned subdivisions and multi-family projects must adhere to the design standards for drainage and paving in this Ordinance.
 - 3) Where the development is bound by two (2) or more NCDOT on-system roads, access to each road shall be provided at minimum.
 - 4) Adequately constructed and maintained bike and/or hiking trails shall be counted toward the open space requirement. Bicycle lanes and multi-use pathways that extend the minimum right-of-way width shall be designed in accordance with the North Carolina Bicycle Facilities Planning and Design Guidelines Manual.
-

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT
COLLECTOR STREET PLAN AMENDMENT**

SUMMARY:

Hearing Date: November 1, 2016 Planning Board
November 21, 2016 Board of Commissioners
Applicant: Pender County
Case Number: ZTA 397-2016
Collector Street Plan Amendment

Text Amendment Proposal: Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance Section 7: Design Standards and Appendix A: Definitions. Specifically, the amendment proposed is to amend the access standards related to subdivisions on collector streets, add alternative design street standards and associated definitions.

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendments to the Unified Development Ordinance as described in this report, as they have been vetted by the Text Amendment Subcommittee of the Planning Board and stakeholder groups. The amendments as proposed are consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans. The amendments are supported by two (2) goals and eight (8) policies in the 2010 Pender County Comprehensive Land Use Plan.

HISTORY

The Pender County Collector Street Plan was adopted March 21, 2016. In order to enforce the recommendations of the Collector Street Plan, the language in the Unified Development Ordinance must be updated. There have been two (2) previous zoning text amendments (ZTAs) to update the UDO from recommendations of the Collector Street Plan;

1. The TIA requirement was modified to 100 trips in the AM or PM Peak hours or 1,000 daily trips, and the update of the plan name to Pender County Collector Street Plan in various locations of the UDO.
2. The addition of the spacing standards and exceptions into Section 7.5.1 to ensure that the recommended collector streets from the plan are included into site designs to conform to the layout of streets as to arrangement, width, grade, character, and location.

The Pender County Collector Street Plan was designed to reduce dependence on thoroughfares within Pender County where congestion is regularly experienced. Additionally, by creating a network of collector streets, the County is seeking to improve pedestrian and bicycle connections through responsible street design principles. The County is also working to improve overall mobility, increase trip route choices and preserve the region's quality of life. The principle of the Pender County Collector Street Plan is to make a connection; these documents do not seek to predetermine a specific route. The emphasis is, therefore, on connectivity and not alignment. The specific location of future collectors and the timeframe in which they will be constructed will be determined by future development.

Meetings

The zoning text amendments as described in this report have been vetted with the citizens of Pender County, the Planning Board and stakeholder groups at the following meetings:

1. August 26, 2016 Zoning Text Amendment Subcommittee of Planning Board
2. September 28, 2016 Zoning Text Amendment Subcommittee of the Planning Board
3. October 4, 2016 Planning Board Work Session
4. October 11, 2016 Stakeholder Meeting
5. October 18, 2016 Special Planning Board Meeting

AMENDMENT DESCRIPTION

The proposed amendment includes categorizing the roadways included in the Collector Street Plan into a hierarchy system (Major Collector, Minor Collector and Local Collector) and then adding specific language in the Unified Development Ordinance as to the standards for subdivision on the collector streets. This language is included as an update to Section 7 in numerous places and can be seen in Attachment 1.

Standards for Development of Hierarchy

1. Distance

Type of Collector Street	Distance Measured of Segment (in Miles)
Major	4 or greater
Minor	2-4
Local	2 or less

2. In measuring distance of collector streets, the roadways do not cross arterial roadways (US HWY 17 or NC 210)
3. Segment directly connects from a major collector street to an arterial roadway and the roadway meets at the arterial to form an intersection, then the collector roadway shall be categorized to the next level to increase mobility. The next level will be maintained until the next intersection.
4. Continue to plan for inclusion of the Hampstead Bypass (R-3300) interstate facility.

The map, including all the existing and proposed collector streets with the hierarchy standards, can be seen as Attachment 2. This hierarchy map will be inserted to the Pender County Collector Street Plan as an amendment for the Planning Board's consideration.

Standards on Collector Streets

In conjunction with the hierarchy map in the Pender County Collector Street Plan, the Unified Development Ordinance must be updated to specifically address standards on collector streets as the current Unified Ordinance language in Section 7 prohibits individual driveway access from arterial, major or minor collector streets;

7.2.6 Lots on Thoroughfares

Major or minor subdivisions shall not be approved that provide for individual residential lots to access Principal Arterial, Minor Arterial or Major Collector roads or streets as shown on the Pender County Collector Street Plan, Pender County Transportation Plan or other approved State Transportation Improvement Plan.

7.2.7 Lots on Collector Streets

Major subdivisions shall not be approved that provide for individual residential lots to access Minor Collector roads or streets as shown on the Pender Collector Street Plan, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan.

As the goal is to balance access and mobility on both existing and proposed collector streets; not all collector streets will function in the same manner. A major collector street shall favor mobility over access, while a local collector street will favor access over mobility. Specific standards proposed are;

7.2.6 Lots on Arterial Streets

Subdivisions shall not be approved that provide for individual lots to access Principal or Minor Arterial roads or streets as shown on the Pender County Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State Transportation Improvement Plan as amended.

7.2.7 Lots on Collector Streets

Subdivisions shall not be approved that provide for individual lots to access Major or Minor Collector roads or streets as shown on the Pender Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State of Federal Transportation Improvement Plan as amended.

- A) *Collector Streets - Major: Major Collector Streets shall preserve mobility of the transportation network and individual driveway access shall be prohibited, all individual lots shall have access to a public or private street.*
- B) *Collector Streets - Minor: Minor Collector Streets shall balance mobility and access and individual driveway access shall be prohibited. Access to individual lots shall be demonstrated through other public or private streets or Alternative Design Streets as demonstrated in Section 7.5.3.F.*
- C) *Collector Streets - Local: Local Collector Streets shall be designed as to provide increased access to individual lots. Local Collector Streets are intended to feed into the larger transportation network and should be designed as to limit speeds and be circuitous in nature. Individual lot access shall be permitted.*

Alternative Design Streets

The Unified Development Ordinance language, as proposed, for the minor collector streets requires that alternative design streets, public, or private streets connect to the minor collector street, not individual lots. Alternative design street standards have been added to Section 7.5.3 Private Streets;

Alternative Design Streets: Alternative Design Streets are intended to provide individual lot access to structures in order preserve the mobility of the transportation system. The alternative designs presented are not intended to limit the design of shared access and consultation with the Administrator should be had prior to development submittal.

Alternative design streets must have standards incorporated in order to ensure safety of the traveling public, the proposed subdivision and future residents of Pender County. Below are the proposed standards for alternative design streets as discussed with the Planning Board at their special meeting held October 18, 2016;

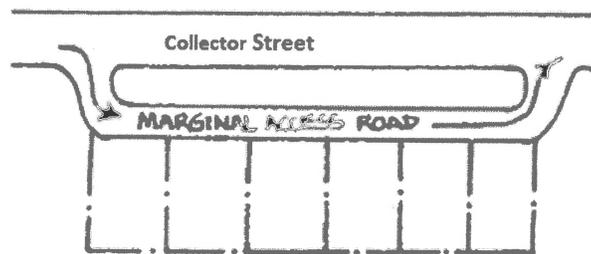
- a. *All alternative designed streets shall adhere to design requirements as outlined with the current NCDOT Subdivision Roads Minimum Construction Standards with the exception of the following;*

- i) Length of roadway shall not exceed five-hundred (500) feet or provide access to more than twelve (12) lots.
 - ii) Width of easement or right of way shall be at least twenty (20) feet with a twelve (12) foot minimum pavement width
- b) Alternative design streets must connect to two (2) public or private streets and shall not dead-end or stub
- c) Sharp changes in alignment and grade shall be avoided
- d) Distance separation of alternative design streets shall be no less than 500 feet from the point of access on the public or private right of way
- e) One way traffic shall be considered for all alternative design streets

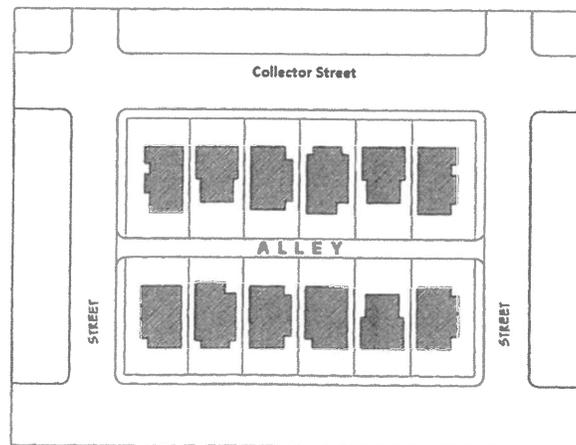
Two examples of alternative design streets shall be incorporated into the Unified Development Ordinance in an effort to provide clarity and standards not intended to limit design or potential alternative design street types not listed.

f.) Alternative Design Street Examples

i. Marginal Access Road: a street parallel and adjacent to public or private streets (while physically separated from it) which provides both access to abutting properties and controlled access to the public or private street.



ii) Alley: A strip of land owned publicly or privately, set aside primarily for vehicular service access to the rear or side of property otherwise fronting on a street of a higher classification. Alleys shall be used to serve lots as part of an interconnected street system, alleys provide access to property but are not intended to accommodate through traffic.



iii) Additional alternative design streets may be approved by the Administrator if the alternative design presented promotes shared access to collector streets rather than individual lot access. The Administrator may approve other designs based on: safety, topography, environmental conditions, or other appropriate criteria.

EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 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 Planning Board and 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 and the specific intent of this Ordinance.

2010 Comprehensive Land Use Plan Compliance

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with two (2) goals and eight (8) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

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.

Policy 1A.1.4 The County should develop and utilize innovative and flexible landplanning 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 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.

Emergency Services Goal 2E.1 Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

Policy 2E.1.1 Coordinate plans for Emergency Services, Fire and Emergency Medical Service facilities with the Comprehensive Land Use Plan, Transportation Plan and Metropolitan Planning Organization requests for Transportation Improvement Program funding.

Policy 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

Transportation Goal 2B.1 Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.

Policy 2B.1.3 The County should utilize and promote a hierarchical, functional transportation system that prioritizes needed improvements, and promotes the proper arrangement of land use patterns to ensure and determine the proper levels of service (LOS) to reduce any associated negative impacts to the overall transportation network.

Policy 2B.1.4 Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

Policy 2B.1.10 Allow and encourage flexible road design standards, incorporating low impact development and smart growth principles

There are no conflicting policies in the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendments to the Unified Development Ordinance as described in this report, as they have been vetted by the Text Amendment Subcommittee of the Planning Board and stakeholder groups. The amendments as proposed are consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans. The amendments are supported by two (2) goals and eight (8) policies in the 2010 Pender County Comprehensive Land Use Plan.

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ **Seconded:** _____

Approved: _____ **Denied:** _____ **Unanimous:** _____

Williams: ___ Fullerton: ___ Baker: ___ Carter: _____ Edens: ___ McClammy: ___ Nalee: ___

BOARD ACTION FOR COLLECTOR STREET PLAN AMENDMENT

Motion: _____ **Seconded:** _____

Approved: _____ **Denied:** _____ **Unanimous:** _____

Williams: ___ Fullerton: ___ Baker: ___ Carter: _____ Edens: ___ McClammy: ___ Nalee: ___

ARTICLE 7 DESIGN STANDARDS

7.1 GENERAL

The regulations set forth in this Article apply to the design standards and contents required for subdivisions, master development plans, ~~preliminary plats, final plats, and~~ major and minor site plans. ~~and minor site plans.~~

LOT DESIGN

7.2.1 Requirements

- A. All lots not designated as open space, recreation, street or other reserved area shall meet all area, usable area, size, dimensional, yard and density requirements contained in Article 4, Zoning Districts and Zoning Map.
- B. All new lots not designated as open space, recreation, street or other reserved area that front on a public or private street shall meet minimum lot width requirements.
- C. ~~No more than three lots may be created that are provided access by a single access easement.~~ All lots or parcels shall meet the minimum access requirements established in this Ordinance.
- D. Access easements may not be included to meet any minimum lot area or dimension requirements for a lot or right of way.

7.2.2 Access to Adjacent Properties

Lots shall be arranged to allow for the opening of future streets and logical further subdivision of adjacent properties.

7.2.3 Double Frontage Lots

Lots that have double frontage on streets shall be prohibited except where it is ~~it provides~~ demonstrated that the separation of lots is necessary from a right of way which is restricted for individual driveway access as outlined in Section 7.2.7.A ~~residential development from traffic arteries.~~ A buffer of at least 10 feet in width with no right of access abutting such ~~traffic arteries~~ identified roadways shall be provided on these double frontage lots.

7.2.4 Lot Line Configuration

Sidelines of lots shall be at or near right angles or radial to street lines, unless physical features of the property indicate otherwise.

7.2.5 Lot Lines & Drainage

Lot boundaries shall coincide with natural, existing and new drainage ways to the extent practical to avoid lots that require alteration of drainage ways in order to be built upon.

7.2.6 Lots on ~~Thoroughfares~~ Arterial Streets

~~Major or minor~~ Subdivisions shall not be approved that provide for individual ~~residential~~ lots to access Principal Arterial or Minor Arterial or Major Collector roads or streets as shown on the Pender County Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State Transportation Improvement Plan as amended.

7.2.7 Lots on Collector Streets

Major Subdivisions shall not be approved that provide for individual residential lots to access Major or Minor Collector roads or streets as shown on the Coastal Pender County Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State of Federal Transportation Improvement Plan as amended.

- A) Collector Streets - Major: Major Collector Streets shall preserve mobility of the transportation network and individual driveway access shall be prohibited, all individual lots shall have access to a public or private street.
- B) Collector Streets - Minor: Minor Collector Streets shall balance mobility and access and individual driveway access shall be prohibited. Access to individual lots shall be demonstrated through other public or private streets or Alternative Design Streets as described in Section 7.5.3.F.
- C) Collector Streets - Local: Local Collector Streets shall be designed as to provide increased access to individual lots. Local Collector Streets are intended to connect into the larger transportation network and should be designed as to limit speeds and be circuitous in nature. Individual lot access shall be permitted.

~~7.2.8 Access~~

~~All single family dwelling subdivision lots shall have frontage upon a public or private street or access easement. All multi-unit developments shall provide access to a public street directly from each unit or from each unit across a common area owned by the multi-unit development or owned by a Homeowners Association to which the dwelling unit owner is required to be a member.~~

7.2.9 Flag Lots

- A. Flag lots as defined in the Ordinance shall be subject to the following requirements:
 - 1) Flag lots will be approved by the Planning Board or Administrator only where the owner or applicant justifies in writing where the property has unusual topographical, soil or other natural features that would make street construction impractical or unusually expensive,
 - 2) The panhandle or access portion of the lot must be at least 45 ft. wide,
 - 3) The panhandle or access portion of the lot must be no longer than 250 ft.,
 - 4) The panhandle portion of the lot shall not count toward the minimum lot area, usable lot area, dimension or set back requirements for the lot,
 - 5) No more than three lot panhandles shall be located on any 750 ft. street segment, including both sides of the street,
 - 6) Only one single family dwelling unit may be located on a flag lot,
 - 7) All flag lot panhandles shall access a public or private street,

7.2.10 Special Purpose Lots

- A. Special purpose lots that do not meet the minimum lot area, minimum lot dimensions, minimum access requirements or other requirements of this Ordinance may be approved by the Planning Board or Administrator under the following circumstances:
 - 1) The lot has a 20 ft. access easement to a public or private road,
 - 2) The final plat contains the following note for the lot: "This lot must meet any buffer and landscape requirements contained in this Ordinance,"

- 3) The final plat contains the following note for the lot: Lot shall be used only for the purpose of ___ and any structures (other than fences) located on the lot shall be 10 ft. from any property line,”
- 4) The final plat contains the following note for the lot: “Buildings for permanent human [or animal (as appropriate)] occupancy not allowed on this lot,”
- 5) The use approved for the lot is a use allowed in the Zoning District in which the lot is located.

HOMEOWNERS ASSOCIATION REQUIREMENTS

Homeowners Associations shall be required for all developments with dedicated improvements such as privately maintained streets and/or open space dedications and must be recorded along with the first phase of a final plat to encompass the entire development with an outline of amenities/land transferred to the said HOA at or before 25% of all units are constructed.

ACCESS

7.4.1 Requirements

- A. All lots shall have direct or indirect access to a public street, private street, or private access easement.
- B. Every structure erected or moved in all residential districts shall be on a lot adjacent to or having access to a public right of way, street, or road not less than thirty (30) feet in width. When the lot is not adjacent to the public road, the easement must be a minimum of twenty (20) feet wide.
- C. Required access must provide a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.
- D. Proposed public and private access off of an existing state maintained road shall be required to apply for a NCDOT Driveway Permit.
- E. Nonresidential developments applying for access to a collector street shall review internal circulation and access points to determine possible impacts to the surrounding properties and street system.
- F. A cross access corridor may be required to provide common access and circulation among adjoining parcels in order to assist in local traffic movement in nonresidential developments.
- G. All single family dwelling subdivision lots shall have frontage upon a public or private street or access easement.
- H. All multi-unit developments shall provide access to a public street directly from each unit or from each unit across a common area owned by the multi-unit development or owned by a Homeowners Association to which the dwelling unit owner is required to be a member.

7.4.2 Driveway Permits

- A. An NCDOT driveway permit shall be required for driveways serving any new use or change of use that access a state maintained road.
- B. Driveways shall meet NCDOT driveway standards.
- C. Parking in driveways shall not be permitted unless it is determined by the Administrator and Emergency Management that access will not be impaired.

7.4.3 Sight Triangles

- A. On any corner lot, a sight triangle shall be established. The sight triangle shall be formed by extending lines from the intersections of two streets to points twenty five (25) feet from the intersecting streets and then connecting the two points.
- B. For any driveway, a sight triangle measuring ten (10) feet from the back of the curb and extending seventy (70) feet from the edge of each side of the driveway shall be required.
- C. Within the sight triangle, no objects which would impede traffic visibility shall be allowed. Structures, fences, and plant materials that extend into the sight triangle between two and a half feet and eight feet in height, as measured from the grade of the street or drive, shall not be allowed. In certain circumstances, increased site triangle distances may be required to conform to NCDOT requirements.

7.4.4 Cross Access Corridors

- A. Definition
 - 1) Cross access corridors are driveways constructed between adjoining properties to provide an alternative passageway to access adjoining developments without entering and exiting the roadway. These cross access corridors are intended to link parking areas on adjoining developments
- B. Applicability
 - 1) Cross access corridors shall be required for all nonresidential adjacent properties.
 - 2) Cross access corridors are encouraged for all other developments.
 - 3) The administrator may modify or waive these requirements of this Section if it can be proven that strict compliance would be impractical due to unique site conditions such as environmental concerns, safety concerns, extreme slope, or similar characteristics.
- C. Requirements
 - 1) Cross access corridors shall be designed to provide unified circulation and access between sites
 - 2) The minimum width for a cross access corridor is 20 feet to accommodate two way travel.
 - 3) Cross access corridors must be set at least 20 feet from any paved public roadway.
 - 4) If a site is developed adjoining to an undeveloped parcel, it shall be designed so that its parking, access, and circulation are easily tied together to create a unified system at a later date. If the building site abuts an existing developed property, it shall tie into the abutting parking, access, and circulation to create a unified system when possible. This shall be accomplished by requiring the applicant to:
 - a) Construct a cross access future connection to the property line to allow for future connection or dedicate an easement of sufficient width to accommodate a future cross access corridor.
- D. Maintenance and Operation
 - 1) Where a cross access is developed, the owners/developers of the affected properties shall provide for mutually coordinated parking, access, and circulation systems, and shall provide design features as necessary to make it visually obvious that abutting properties shall be tied together for create a unified system.
 - 2) In order to maintain a clear passage for emergency and non-emergency travel, no parking shall be allowed in a cross access corridor.

7.5 STREET DESIGN

7.5.1 Public and Private Street Design

A. Layout of streets as to arrangement, width, grade, character, and location shall conform to the following:

- 1) Pender County Collector Street Plan, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan.
 - a.) In any instance that a site plan or development plan layout does not conform to the specific layout of roadways as proposed in an adopted County plan as referred above, then the applicant must demonstrate the conformance with the spacing standards and move the roadway as detailed below;

Zoning District	Intensity	Approximate Street Spacing
Environmental Conservation	Little to no development	N/A
Rural Agricultural	Less than 2 dwelling units per acre	3,000 to 6,000 feet apart
General Business, General Industrial, Industrial Transition, Manufactured Housing Community, Residential Performance	2-4 dwelling units per acre	1,500 to 3,000 feet apart
Residential Mixed, Office & Institutional, Planned Development	More than 4 dwelling units per acre/activity nodes	750 to 1,500 feet apart

b.) Any deviation from the required spacing standards, width, grade, or character of the streets may be granted based on the approval of the Administrator. Maximization of the number of lots or parcels in a land division is not a reason to allow a waiver or modification. Criteria for approval may include;

1. 401 or 404 Wetlands as depicted by USACE wetland verification or as presented in written or map form by a wetlands consultant or professional wetlands scientist that identifies wetlands present within the project area and alternative locations of collector streets cannot be achieved. Evidence shall be presented that the written or map form verification has been submitted to USACE for wetland concurrence at the time of permitting;
 - a. Wetlands impacted in excess of 0.5 acres on site that are directly caused by the required collector road shall warrant administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.
 - b. Off-site wetland impacts in excess of 1 acre based on a desktop review/assessment (by wetland consultant or professional wetlands scientist) that are directly caused by the County's required collector road corridor shall warrant

- administrative review for an exception when no other alignment can be made on site without equal or greater wetland impacts.
2. Identified Areas of Environmental Concern (AEC) that lie within the identified path of the collector street;
 3. An adjacent property connection cannot be made due to existing conditions that would create a street slope greater than a 4:1 ratio.
 4. Existing railroad crossings, structures, conservation easements or buildings that are not part of the development plan located on the subject property or adjacent property that create a barrier in the identified path of the Collector Street and no other arrangement can be made. Evidence shall be presented from the appropriate agency showing that the crossing(s) cannot be made;
 5. Significant Trees, as defined (Section 8.1.3.A.2), are located on the subject property and alternative location for collector street construction cannot be made. A significant tree survey shall be submitted demonstrating the general location, species and size.
 6. The identified Collector Street will lineally connect into an existing roadway network that is, an existing private street, was not constructed to NCDOT standards, or would create conditions inconsistent with the collector street classification. Alternative roadway design shall be submitted to make connections with the existing or planned roadway network to the Administrator for review and approval.
- 2) Adjoining street systems,
 - 3) Existing, planned and proposed streets, topographic, drainage and other natural features of the property,
 - 4) To provide for continuity in existing streets and proposed streets,
 - 5) Provide adequate right-of-way for collector streets,
 - 6) Reasonable access will be provided to adjacent properties for development.
- B. Spite strips along development boundaries preventing access to streets from adjacent properties are prohibited.
- C. Street Alignment – local residential street intersections should be directly aligned if possible.
- D. When such intersections cannot be aligned, they shall be offset centerline to centerline by not less than 125 ft. Intersections of Collector streets as defined herein or shown on the Pender County Collector Street Plan, Pender County Transportation Plan or other approved State Transportation Improvement Plan.
- E. Streets should intersect as nearly as possible at right angles.
- F. Permanent dead end streets (cul-de-sacs) or temporary dead end (stub) streets shall be no longer than 1,000 ft. unless it is demonstrated by the developer that the configuration of the property prevents its development without longer streets to provide access to the lots and common area to be subdivided.
- G. Temporary dead end or stub streets between 150 and 1,000 feet in length shall provide turn around capabilities to meet one of the following requirements:
- 1) A cul de sac with at least 90-feet of right of way including 80-feet of pavement
 - 2) A T/hammerhead intersection (Figure G1)
 - 3) A Y intersection (Figure G2)
 - 4) A T intersection (Figure G3)

Figure G1:

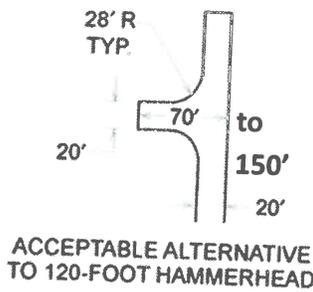


Figure G2:

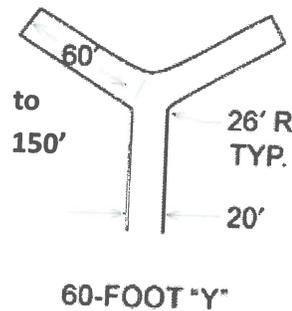
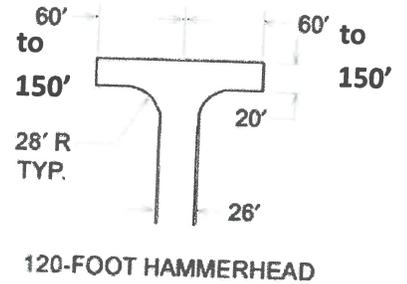


Figure G3:



- H. For new subdivisions exceeding 30 lots, more than one method of ingress and egress must be provided. The turning radius must be 28-feet. This requirement may be met by providing a connection to future development as outlined in Section 7.5.1.A.
- I. Applicants for subdivision approval shall obtain approval for street names from the Pender County Addressing Coordinator. A copy of the approved preliminary plat with approved street names must be submitted to the Administrator within 30 days of approval of the preliminary plat and prior to final plat submission.
- J. Sight triangles as required in the NCDOT Secondary Roads Standards shall be provided at all street intersections.

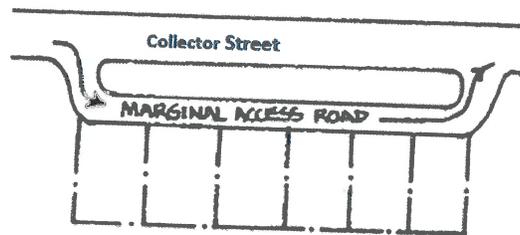
7.5.2 Public Streets

All designated public streets shall be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards.

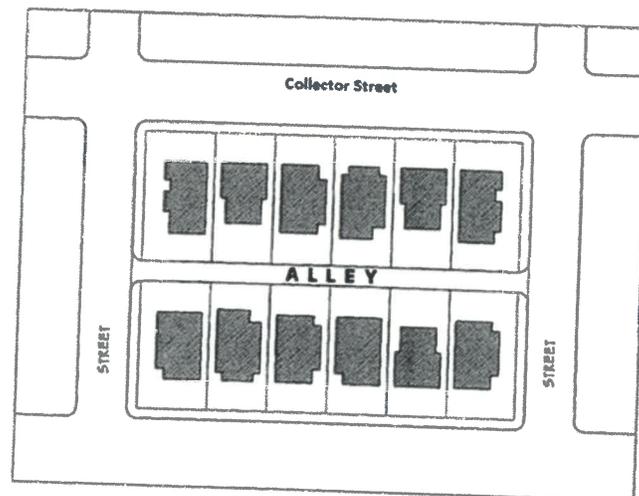
7.5.3 Private Streets

- A. All designated private streets shall be designed and constructed in compliance with the current NCDOT Subdivision Roads Minimum Construction Standards.
 - 1) However, variations to right-of-way widths and geometric design may be permitted upon Planning Board review and approval where certain features such as topography, environmental features, low impact development design or unique needs of a development exist at the Master Development Plan or conditional rezoning approval.
 - 2) **Alternative Design Streets:** Alternative Design Streets are intended to provide individual lot access to structures in order preserve the mobility of the transportation system. The alternative designs presented are not intended to limit the design of shared access and consultation with the Administrator should be had prior to development submittal.
 - a. All alternative designed streets shall adhere to design and construction requirements as outlined with the current NCDOT Subdivision Roads Minimum Construction Standards with the exception of the following;
 - i) Length of street shall not exceed five-hundred (500) feet or provide access to more than twelve (12) lots.
 - ii) Width of easement or right of way shall be at least twenty (20) feet with a twelve (12) foot minimum pavement width

- b) Alternative design streets must connect to two (2) public or private streets and shall not dead-end or stub
- c) Sharp changes in alignment and grade shall be avoided
- d) Distance separation of alternative design streets shall be no less than 500 feet from the point of access on the public or private right of way as measured from the centerline of the intersection
- e) One way traffic shall be considered for all alternative design streets
- f) Alternative Design Street Examples
 - i) Marginal Access Road: a street parallel and adjacent to public or private streets (while physically separated from it) which provides both access to abutting properties and controlled access to the public or private street



- ii) Alley: A strip of land owned publicly or privately, set aside primarily for vehicular service access to the rear or side of property otherwise fronting on a street of a higher classification. Alleys shall be used to serve lots as part of an interconnected street system, alleys provide access to property but are not intended to accommodate through traffic.



- iii) Additional alternative design streets may be approved by the Administrator if the alternative design presented promotes shared access to collector streets rather than individual lot access. The Administrator may approve other designs based on: safety, topography, environmental conditions, or other appropriate criteria.

- B. Developments with private streets shall make provisions for immediate access for Pender County Emergency Service (Law Enforcement, Fire & Rescue) vehicles and employees to the development and shall provide for an easement for such services and an easement shall be provided to Pender County and its employees for administration of Pender County Ordinances.
- C. Subdivisions with private streets will be subject to requirements to construct public collector streets under any of the following conditions:
 - 1) When the subdivision contains streets that have any dimension of more than 5280 ft.,
 - 2) When any street in the subdivision has the potential to serve more than 200 residential or commercial units,
 - 3) When access to any lot or unit in the subdivision is more than 5280 ft. by a private street to a public street,
 - 4) When existing public streets have been dedicated or constructed to the property line of the subdivision,
 - 5) When access to adjacent properties will be hindered as a result of private streets being allowed in the subdivision.
- D. All subdivisions that have any private streets must meet the minimum qualifying requirements contained in the Required Improvements section of this Ordinance.
- E. All subdivisions proposing new construction of streets must provide a Certificate of Disclosure: Private Roads found in Appendix D

7.5.4 Access Easements

- A. Access easements must provide access to a public street
- B. Lots created have either direct access to a public street, private street or private access easement as defined by this Ordinance.
- C. A minimum passable travel way 20 feet wide shall be provided within a forty five (45') foot easement at time of zoning approval.
- D. The plat contains the following note: "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."
- E. The plat must contain the following note: "All new access easements shown or designated on this plat include the transfer of an easement to Pender County, its employees and administration of all Pender County Ordinances"
- F. No more than four parcels may be approved to utilize one access easement.

Appendix A: Definitions

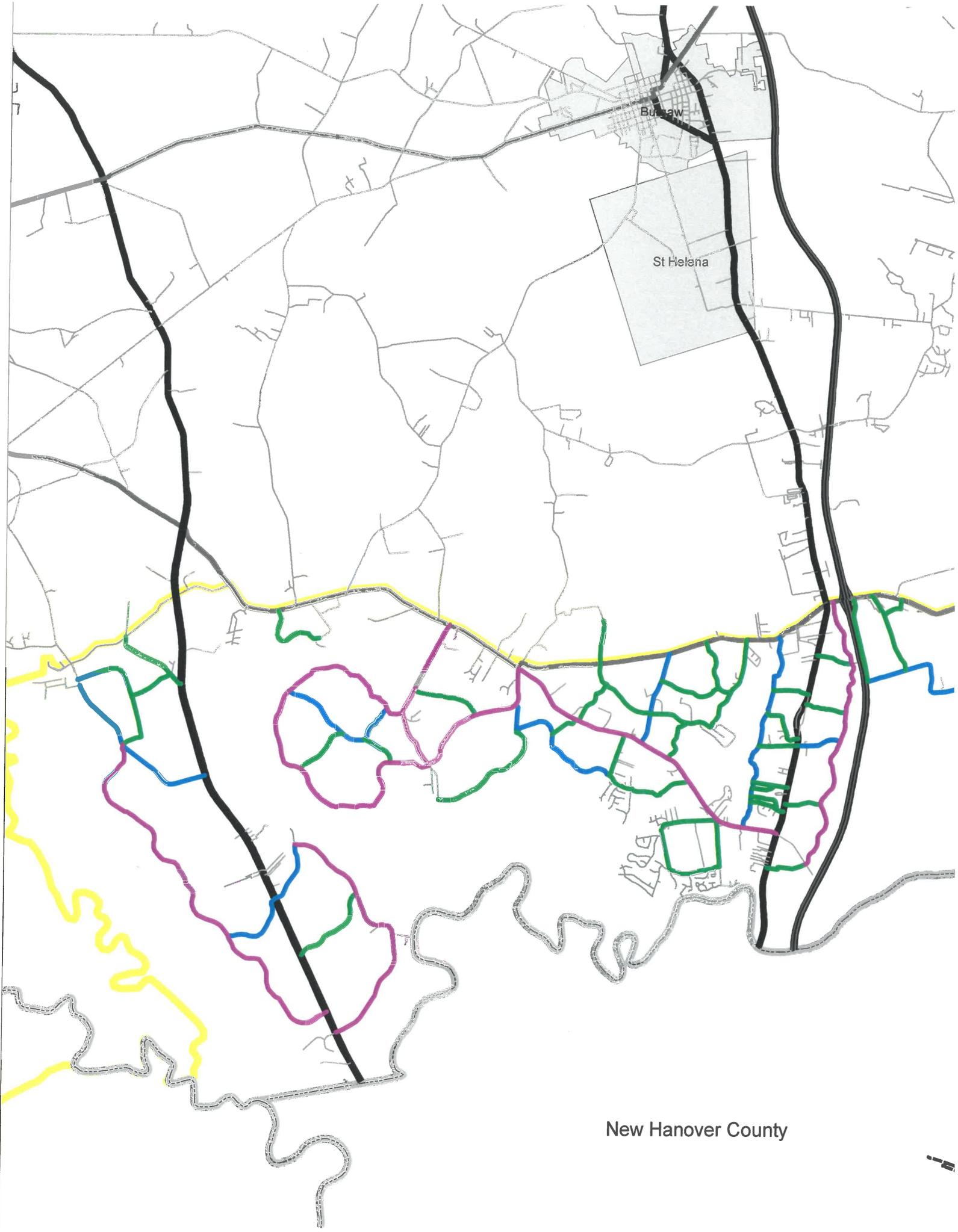
ALLEY: A strip of land owned publicly or privately, set aside primarily for vehicular service access to the rear or side of property for which otherwise has principal frontage on another street

ALTERNATIVE DESIGN STREET: Alternative Design Streets are intended to provide individual lot access to structures in order preserve the mobility of the transportation system. Alleys and marginal access roads are examples of alternative design streets.

DRIVEWAY: An access roadway or point of ingress and egress between a street and a parking space, structure(s) or lot(s).

MARGINAL ACCESS ROAD: a street parallel and adjacent to public or private streets (while physically separated from it) which provides both access to abutting properties and controlled access to the public or private street

SHARED DRIVEWAY: A driveway which provides access to more than one structure or lot primarily intended to ensure public safety access by providing mutual/common access a street, to minimize the number of access points on streets, thereby maintaining street mobility, and to facilitate traffic flow between adjacent lots.



Burlaw

St Helena

New Hanover County



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

MEMORANDUM

To: Pender County Planning Board

From: Planning Staff

Date: November 1, 2016

RE: Bicycle and Pedestrian Prioritization

Planning Staff has been working to catalog all projects related to planned bicycle and pedestrian infrastructure which Pender County has identified in an adopted plan or as part of a regional planning effort. After all projects are identified, then all projects should be prioritized. The prioritization then would direct staff in applying for grants or which projects specifically to invest time in. A comprehensive list of projects which have been identified as part of bicycle or pedestrian infrastructure investments are included as Attachment 1.

There is both a transportation element and a recreation element to bicycle and pedestrian facilities. In many of the projects included, the recommendation would be the only safe and viable option for the traveling public without a vehicle to access healthy food or services. Additionally, in the urbanizing areas of Pender County many of the facilities for bicycle and pedestrians would provide for safe access and recreational opportunities.

Plans Including Bicycle and Pedestrian Projects

There are many adopted plans, locally and in the region, which impact bicycle and pedestrian planning in Pender County. Specifically, this includes; Cape Fear Commutes 2040, Pender County Comprehensive Transportation Plan, the Cape Fear Bicycle Plan, the Pender County Collector Street Plan, the East Coast Greenway, the Mountains to Sea Trail route, the Currie Small Area Plan, the Maple Hill Small Area Plan and the Pender County Comprehensive Parks and Recreation Master Plan.

Criteria Proposed for Prioritization

This is included in the packet as Attachment 2. The direction for criteria has come from the adopted Parks and Recreation Board criteria for parks facilities. Staff has modified the criteria specifically to address lineal bicycle and pedestrian facilities. There may be additional criteria warranted which includes transit options rather than strictly aimed at recreation activities.

Direction From Planning Board

Direction is needed in order to rank the projects given the criteria proposed. Staff will continue to work with transportation planning agencies; the Greater Wilmington Metropolitan Planning Organization (WMPO) and the Rural Planning Organization (RPO) towards implementation of projects with any funds.

Next Steps

1. Finalize the criteria for ranking projects
2. Map all bicycle and pedestrian facilities (recommended and existing)
3. Rank all bicycle and pedestrian projects in Pender County
4. Implementation

Attachment 1

Pender Co. #	Project Name	Type of Facility	Start	Finish	Length	Cost Estimate	Plans Recommending
1	Jenkins	unknown	US HWY 17	St. John Church Rd		345, 352	Cape Fear Commutes 2040
2	N. St. John Church Road	unknown	Jenkins	End of N. St. John Church Rd		750, 600	Cape Fear Commutes 2040
3	Masters Lane Crossing US HWY 17	unknown	Doral Drive	Sloop Point Loop Road		715, 342	Cape Fear Commutes 2040
4		Crossing	Jenkins	Country Club			
5	SRTS	MUP	Kiwanis Park	N. Topsail Elementary School		FUNDED	
6	STP DA	Sidewalk	Sloop Point Loop Road	Wyndwater Emergency Access		ABANDONED	
7	Duke Site	Trailhead for future				COMPLETED	
8	Multi Use US 117	Multi-use path	MPO Boundary NC 210	US 117 Business in Burgaw			CTP
9	US 117 Bypass NC 53	dual sidewalks	S. Walker St	NC 53			CTP
10	Widening	single sidewalk	Stag Park Road (SR 1509)				CTP
11	PEND0001-B	unknown	NC 11/53 Church St	N. Pope Street to Linden Avenue			CTP
12	PEND0002-B	unknown	N. Rankin St from NC 11/53	Beatty's Bridge Road			CTP
13	PEND0003-B	unknown	East Henry Street	N. Rankin Street			CTP
14	PEND0004-B	unknown	US 117 Bypass at S. Walker St	US 117 Bypass at N. Timberly Lane			CTP

Attachment 1

15	PEND0005-B	unknown	NC 53 from Tiealbriar St Bridges St from Giles Marshburn Rd	east of US 117 Bypass			CTP
16	PEND0006-B	unknown		N. Walker Street			CTP
17	PEND0007-B	unknown	Henry Brown Rd from Burgaw Town Limit	Giles Marshburn Road			CTP
18	PEND0008-B	unknown	S. Smith St from Clark Street	to Wilmington Street			CTP
19	PEND0009-B	unknown	Wilmington Street from Walker Street	US 117 Bypass			CTP
20	PEND0010-B	unknown	Charlotte Street from Camp Kirkwood	Pelham Road			CTP
21	PEND0011-B	unknown	Pelham Road from Mary Clocum Rd	Charlotte Street			CTP
22	PEND0012-B	unknown	Beatty's Bridge Rd. from Bladen County Line	Atkinson Town Limit			CTP
23	PEND0013-B	unknown	S. Railroad St from NC 11/53 (Church St)	Rooks Road			CTP
24	PEND0014-B	unknown	Rooks Rd. from Atkinson Town Limits	John Hendry Store Road			CTP
25	PEND0015-B	unknown	John Henry Store Road from Rooks Road	Point Caswell Road			CTP
26	PEND0016-B	unknown	Point Caswell Road from John Henry Store Rd	Slocum Trail			CTP
27	PEND0017-B	unknown	Slocum Trail from Point Caswell Road	Battleground Road			CTP
28	PEND0018-B	unknown	Battleground Road from Slocum Trail	NC 210			CTP
29	PEND0019-B	unknown	NC 210 From Battleground	Blueberry Road			CTP, Currie Small Area Plan
30	PEND0020-B	unknown	Blueberry Road from NC 210	Wilmington MPO Boundary			CTP, Currie Small Area Plan
31	PEND0021-B	unknown	Morgan Road from Bladen	NC 210			CTP

Attachment 1

32	NC Route 3 Ports of Call Route	300 Miles Total	(South Carolina to Virginia)										Parks and Rec Plan
33	NC Route 5 Cape Fear River Route	160 Miles Total	Follows US 421 into Pender, merges w/ Blueberry Road, follows 210 West to Morgan Road										Parks and Rec Plan, East Coast Greenway, Cape Fear Bike Plan
34	Coastal Pender Rail Trail	87 Miles Wilmington to Jacksonville											Parks and Rec Plan
35	Central Pender Rail Trail	25 miles											Parks and Rec Plan
36	West Pender Rail Trail	12 miles New Hanover County Line to Moore's Creek											Parks and Rec Plan, Cape Fear Bike Plan
37	East Coast Greenway	(FOLLOWS NC BIKE ROUTE 5)											Parks and Rec Plan, Cape Fear Plan, NCDOT Bike Route 5

Need and Justification for Project (25 Total Possible Points) (S₁)	
Citizen Input –Is the project supported by an advocacy group, public surveys, or other types of public input?	5
<i>Scale Range = 0 to 5; 0 points if project is not supported by demonstrated citizen input to 5 points if project is substantially supported by demonstrated citizen input.</i>	
Potential Partners – Are there potential partnerships for the project? If so, how committed are the potential partners?	5
<i>Scale Range = 0 to 5; 0 points if there are no potential partners at this time to 5 points if potential partners for the project have been identified and have committed to the project.</i>	
Availability of Existing Opportunities and/or Facilities – Is the project located in an area that is currently unserved or underserved by recreational opportunities or has a high percentage of transit dependent population?	5
<i>Scale Range = 0 to 5; 0 points if the project is in an area currently served by an existing park's functional service area to 5 points if the project is in an area not currently served by an existing park's functional service area.</i>	
Population Within Functional Service Area – Does the project serve a populated area or include a significant population density within its functional service area?	5
<i>Scale Range = 0 to 5 points; 0 points if the population within the proposed project's functional service area is less than 50 persons per square mile to 5 points if the population within the proposed project's functional service area is greater than 300 persons per square mile.</i>	

= 20

Potential Benefits and Opportunities to be Realized by Project (25 Total Possible Points) (S₂)	
Conformance with Other Plans – Does the project respond to recommendations of numerous plans?	5
<i>Scale Range = 0 to 5; 0 points if the project is not supported by any plans to 5 points if the project is supported by multiple plans.</i>	
Health Benefits - Will the project increase access to physical activity?	5
<i>Scale Range = 0 to 5; 0 points if the project will offer any increase to physical activity to 5 points if the project will offer substantial increase to physical activity.</i>	
Implementation, Management, and Maintenance Issues (25 Total Possible Points) (S₃)	
Funding Availability –Is there any potential special funding (such as donations and /or grants) for the project?	5
<i>Scale Range = 0 to 5; 0 points if project is not supported by demonstrated citizen input to 5 points if project is substantially supported by demonstrated citizen input.</i>	

#REF!

Maintenance and Management Requirements - Would the project additional Staff and equipment resources for maintenance and management?	5
<i>Scale Range = 0 to 5; 0 points if property acquisition will be necessary to 5 points if the project utilizes existing county-owned property.</i>	
Permitting and Approval Requirements – Are there significant permitting and approval requirements necessary for the project? Are any of the necessary permits currently in-hand?	5
<i>Scale Range = 0 to 5; 0 points if the project will require more than six of the permits/approvals listed below to 5 points if the project will not require any of the permits/approvals listed below.</i>	
<u>Potential Necessary Permits and Approvals:</u>	
<ol style="list-style-type: none"> 1. Planning, zoning, and central permitting approvals from Pender County or an incorporated municipality 2. Approval of a Sedimentation and Erosion Control Plan from NC DENR DLR 3. Stormwater Permit from NC DENR DEQ 4. Wetland Delineation approval from ACE 5. Letter of Permission or Nationwide, General, Regional, or Individual Permit from ACE 6. Major, Minor, or General CAMA Permit from DCM 7. Driveway and/or encroachment permit from NC DOT 8. NEPA and/or SEPA review process 9. Other permits and/or approvals 	

=25

Location/Site-Specific Considerations (15 Total Possible Points) (S_d)	
Neighborhood Impacts – Would this project have positive benefits to the surrounding neighborhood, including planned or existing connections? Is the community involved and supportive of this project?	5
<i>Scale Range = 0 to 5; 0 points if the project will have no positive benefits to the surrounding neighborhood to 5 points if the project will have positive to the surrounding neighborhood and the community is involved and supportive of the project.</i>	
Urgency – If acquisition is necessary, is the acquisition a distinct opportunity that will be lost?	5
<i>Scale Range = 0 to 5; 0 points if no property acquisition is necessary for the project to 5 points if property acquisition is necessary and urgent to avoid losing a distinct opportunity.</i>	
Suitability of Site – Is the proposed development appropriate for the site’s natural systems, topography, and/or neighboring land uses?	5
<i>Scale Range = 0 to 5; 0 points if the project is not appropriate for the site's natural systems, topography, and/or neighboring land uses to 5 points if the project is completely appropriate for the site's natural systems, topography, and/or neighboring land uses.</i>	
Location of Utilities - Will relocation of utilities be required for facility?	5 = 20

<i>Scale Range = 0 to 5 points; 0 points if all utilities must be relocated or 5 points there are no known utilities to be relocated.</i>	
Potential Economic Impacts/Benefits to be Realized by Project (10 Total Possible Points) (S5)	
Economic Impact – Would this project have a favorable economic impact to Pender County? Would it help to recruit and retain businesses and residents? Would it increase the tax base and contribute to the vitality of the community? Does this reach a broad amount of citizens?	5
<i>Scale Range = 0 to 5; 0 points if the project will not have any economic impacts for the county to 5 points if the project will have substantial economic impacts for Pender County.</i>	
Tourism Impact – Would the project help to attract regional and state tourism?	5
Potential Transit Opportunities (10 Total Possible Points) (S6)	
Transit Dependent Community – Would this project provide access to goods and services for a transit dependent population?	5
<i>Scale Range = 0 to 5; 0 points if the project will not provide a benefit to allow citizens access to goods and services 5 points if the project demonstrates a viable link from a community to goods and services.</i>	
Goat Path – Does the project utilize an area for which there are already citizens utilizing this area for walking or biking?	5
<i>Scale Range = 0 to 5; 0 points if the project does not have citizens traveling in this location 5 points if the project demonstrates this route is currently used for transit opportunities.</i>	

5 = 10 ✓
 5 = 10 ✓

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

MEMORANDUM

To: Pender County Planning Board

From: Planning Staff

Date: November 1, 2016

RE: TRC and Comprehensive Land Use Plan

TRC Update

The Technical Review Committee Meeting for October 1, 2016 was cancelled due to lack of cases.

On November 14, 2016 it is anticipated that the TRC will review one (1) conditional zoning map amendment from PD, Planned Development zoning district and RP, Residential Performance zoning district to PD-CD1, Planned Development Conditional zoning district 1. Specifically, the approximately 41.38 project area requested to contain; a mix of commercial uses including; retail trade, finance and insurance, real estate rental and leasing, professional, scientific and technical services, management of companies and enterprises, health care and social assistance, arts, entertainment and recreations, accomodation and food services, other services, meat markets, full service restaurants, limited service restaurants and business associations. There are five (5) outparcels for future commercial development in Phase I and Phase I to include multi-family housing. Phase II will include eighty-five (85) units total. There are six (6) tracts associated with this request totaling ± 41.38 acres. The Planning Board will hear this case in December 2016.

Comprehensive Land Use Plan Update

Staff has met with the Council of Governments twice in the month of October regarding the Comprehensive Land Use Plan update. We are in the stages of collecting information necessary for the initial stages of the update. On November 7 the Board of County Commissioners will be establishing the Comprehensive Land Use Plan steering committee (Commissioners Advisory Committee - CAC) and from there a meeting schedule will be established. Staff has initiated the formulation of the Public Outreach Plan as an information sharing tool for the Plan's formulation and progress. We are also in the process of establishing a project website which will have the URL of: PlanPender.org. We've also split the county up into six separate geographical areas corresponding with established Township lines to be utilized as focus areas and to target key community leaders in each area for additional input and participation into the plan.