

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT**

SUMMARY:

Hearing Date: November 7, 2017 Planning Board
December 4, 2017 Board of Commissioners

Applicant: Trask Land Co.

Case Number: ZTA 757-2017

Text Amendment Proposal: Trask Land Company, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 8.3.2 'Interior Parking Islands' to revise the current requirements for parking terminals and landscape strips. A detailed description of the proposed changes is available in the Pender County Planning and Community Development Department Offices.

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as the amendments are consistent with the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan.

AMENDMENT DESCRIPTION

The proposed Zoning Text Amendments to the Pender County Unified Development Ordinance submitted by the applicant provides flexibility and consistency for interior parking islands and landscaping strips for projects requiring off-street parking (non-residential).

The applicant requests to remove the requirement for single and double row landscape islands based on the number of contiguous parking spaces, and only require the landscape islands based on the length of each parking area, which will remain one-hundred and twenty (120) feet. Terminal landscape islands are raised curb areas that prevent excessively long, contiguous runs of parking spaces, shown below circled in red. Also shown below are examples of single row parking and double row head-to-head parking. An example of the proposed changes with the increased number of spaces is shown in *Figures 1 and 2*.

Figure 1: Single Row Parking, 13 spaces

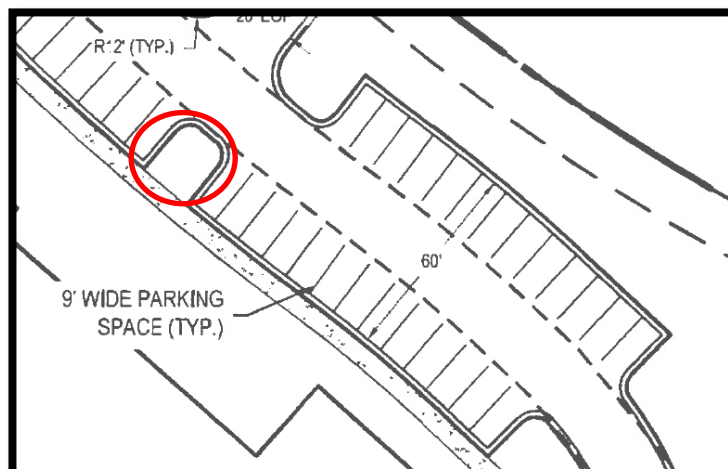
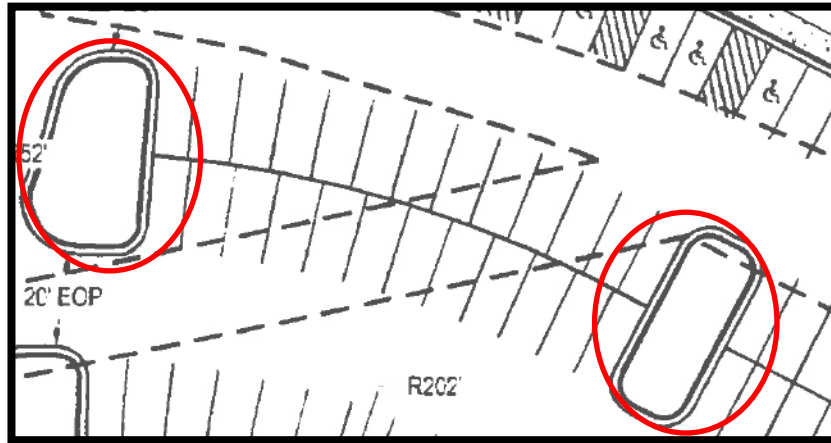


Figure 2: Double Row, Head-to-Head Parking, 26 spaces

For head-to-head parking, a seven (7) foot wide landscape strip can serve as the intermediate landscape island for every three hundred (300) square feet of pervious area provided. The applicant requests the addition of a ten (10) foot wide landscape strip for every three hundred (300) square feet of pervious area provided and the terminal island spacing can be increased to one hundred fifty (150) feet.

Additionally, the applicant proposes that canopy trees in parking terminal islands be counted towards the required perimeter canopy tree requirement. Currently, canopy trees within landscape buffers may be counted as perimeter trees so long as they are within thirty (30) feet of the from the edge of pavement or vehicular service area.

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 amendments, 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

The proposed changes allow for greater flexibility in parking design while still providing landscaped parking islands which prevent excessively long runs of contiguous parking spaces. A required off-street parking space shall be at least eight feet, six inches (8'6") in width and 18 feet in length according to the Pender County Unified Development Ordinance. By removing the maximum amount of spaces before a landscaping island is required,

more spaces can be provided within the required distances. For instance, with an allowance of one-hundred and twenty (120) feet, the maximum number of spaces for a single row parking area would be fourteen (14) spaces. The increased landscape strips and the allowance of canopy trees in terminal islands to be counted toward the perimeter canopy tree requirement also provide flexibility while maintaining consistency with the spirit and intent of the Unified Development Ordinance and Comprehensive Land Use Plan.

Additionally, the North Carolina Division of Water Resources (NCDWR) encourages proactive planning and the examination of zoning ordinances to limit large, unnecessary parking lots and allow for green spaces to limit and absorb stormwater runoff. This proposal seems to maintain these goals.

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. The proposed Zoning Text Amendment is providing clarification and flexibility to existing Ordinance language. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the 2010 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance. There are no policies that directly conflict or support the proposal found within the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

The Administrator respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report, as the amendments are consistent with the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan.

PLANNING BOARD CONSISTENCY STATEMENT:

TO APPROVE:

Motion to approve the Zoning Text Amendment and to make a finding that the approval is consistent with the 2010 Comprehensive Land Use Plan.

Generally, the 2010 Comprehensive Land Use Plan supports maintaining landscaping regulations. Community design standards should address all types of land uses allowed within the County – residential, office, commercial and industrial uses. Specific standards for each zoning district should be included in the UDO. Benefits include:

- Design standards can help soften the visual impacts of new development.
- Regulations can be tailored to the individual characteristics of the community.

There are no specific policies that conflict with the proposal. The proposed Zoning Text Amendment is consistent with the spirit, purpose, and intent of the 2010 Comprehensive Land Use Plan and with the Pender County Unified Development Ordinance.

TO DENY:

Motion to deny the Zoning Text Amendment and to make a finding that proposal is not consistent with the 2010 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the 2010 Comprehensive Land Use [INSERT REASONING].

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ **Seconded:** _____

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

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