

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT**

SUMMARY:

Hearing Date: August 7, 2018 Planning Board
August 20, 2018 Board of Commissioners
Applicant: Pender County
Case Number: ZTA 2018-03

Text Amendment Proposal: Pender County, applicant, is requesting approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Chapter 11 'Road Naming and Addressing,' Section 11.8 'Size, Color, Maintenance, and Location' and Section 11.9 'Subdivisions,' to revise addressing standards to provide additional clarity and to bring those standards into compliance with the North Carolina State Building Code. 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 amendment is consistent with the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan.

AMENDMENT DESCRIPTION

Pender County, applicant, has requested this text amendment to the Unified Development Ordinance to provide additional clarification in its addressing standards and to bring its standards into consistency with state codes. The proposed changes to the ordinance include eliminating set standards for address number size and stroke width and instead simply referencing the NC State Building Code. In practice, this text amendment would change the minimum height of address numbers from three to four inches, and set stroke width at $\frac{1}{2}$ inch in order to increase their visibility. Similarly, instead of requiring that addressing numbers be located within a three-foot perimeter of the entrance of a given structure, the proposed language simply requires that the address is legible and visible from the road fronting the property.

Addressing standards within subdivisions are similarly modified to remove all standards for addressing dependent upon the distance a structure sits from a roadway. Instead, address numbers shall follow standards set in the NC State Building Code.

Existing language from Sections 11.8 and 11.9 of the Pender County Unified Development Ordinance is found in Attachment 1, along with the proposed Ordinance language developed by County staff.

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

The addressing of structures in Pender County is of vital importance to emergency response, the delivery of mail, and to allow residents and visitors to easily find their destinations. The proposed zoning text amendment revises the Unified Development Ordinance to bring it into compliance with the North Carolina State Building Code and ensures that Pender County's Unified Development Ordinance will remain in compliance in the future and not require further ordinance text amendments should the requirements at the state level change. These changes also clarify addressing standards to make them easier to understand for homeowners, business-owners, and developers, and ensure that the Unified Development Ordinance will no longer conflict with state codes in this area. The proposed amendment is consistent with the following goal in the 2010 Comprehensive Land Use Plan:

Goal 2.E1: Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

The proposed amendment seeks to clarify addressing standards in a way that make structure addresses more visible from the road, aiding in emergency response efforts. The proposed amendment does not conflict with any goal or policy within the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

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 efforts to aid in emergency response and efforts towards increasing the clarity of the Unified Development Ordinance. The proposed amendment is consistent with the following goal in the 2010 Comprehensive Land Use Plan:

- **Goal 2.E1**

There are no specific goals or 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 although the proposal is 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].

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

BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: _____ **Seconded:** _____

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

Fullerton: _____ Nalee: _____ Baker: _____ Carter: _____ Jordan: _____ McClammy: _____ Rhodes: _____