

# Pender County UDO update

---

PUBLIC MEETING #2

09/26/2019



# Project Goals

---

- Implement the vision of **Pender 2.0 Comp Plan**
- Increase clarity, predictability, transparency, and procedural efficiency
- Respect the differences between rural and urban areas in the County
- Ensure consistency with NC General Statutes



## PENDER COUNTY UDO UPDATE - PROJECT TIMELINE (revised 06/10/2019)

Task	2018			2019												2020		
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
PHASE 1 - KICKOFF AND COMMUNITY INPUT																		
Existing Document and Plan Review																		
Kickoff w/ Staff & County Tour																		
Stakeholder Interviews																		
Staff Oversight Committee Meeting #1																		
Steering Committee Meeting #1																		
PHASE 2 - PREPARE CODE ASSESSMENT REPORT																		
Draft Code Assessment Report																		
Prepare UDO Framework																		
Staff Oversight Committee Meeting																		
Steering Committee Meeting 2																		
Public Workshop #1																		
PHASE 3 - UDO PREPARATION & COMPOSITION																		
Draft UDO																		
General Provisions & Applicability																		
Administration & Development Procedures																		
Non-Conformities, Vested Rights & Enforcement																		
Zoning Districts & Use Standards																		
Subdivision & Infrastructure Standards																		
Environmental Regulations																		
Development Standards																		
Definitions & Interpretations																		
Appendices																		
Legal Review																		
Staff Oversight Committee Meetings #3 - #7																		
Public Workshop #2																		
Steering Committee Meetings #3 and #4																		
PHASE 4 - ADOPTION																		
Planning Board Meeting																		
Board of Commissioners Meetings																		
PHASE 5 - IMPLEMENTATION																		
Implementation (6 mos. continued service after adoption)																		
PHASE 6 - REMAPPING																		
Remapping																		

○ Indicates meeting - Staff, Steering, Board/Elected Officials, Public Workshop, Public Hearing, etc.

\*\* Remapping approval target is end of February 2020 for an effective date of 03/01/2020.

## UDO update (written code)

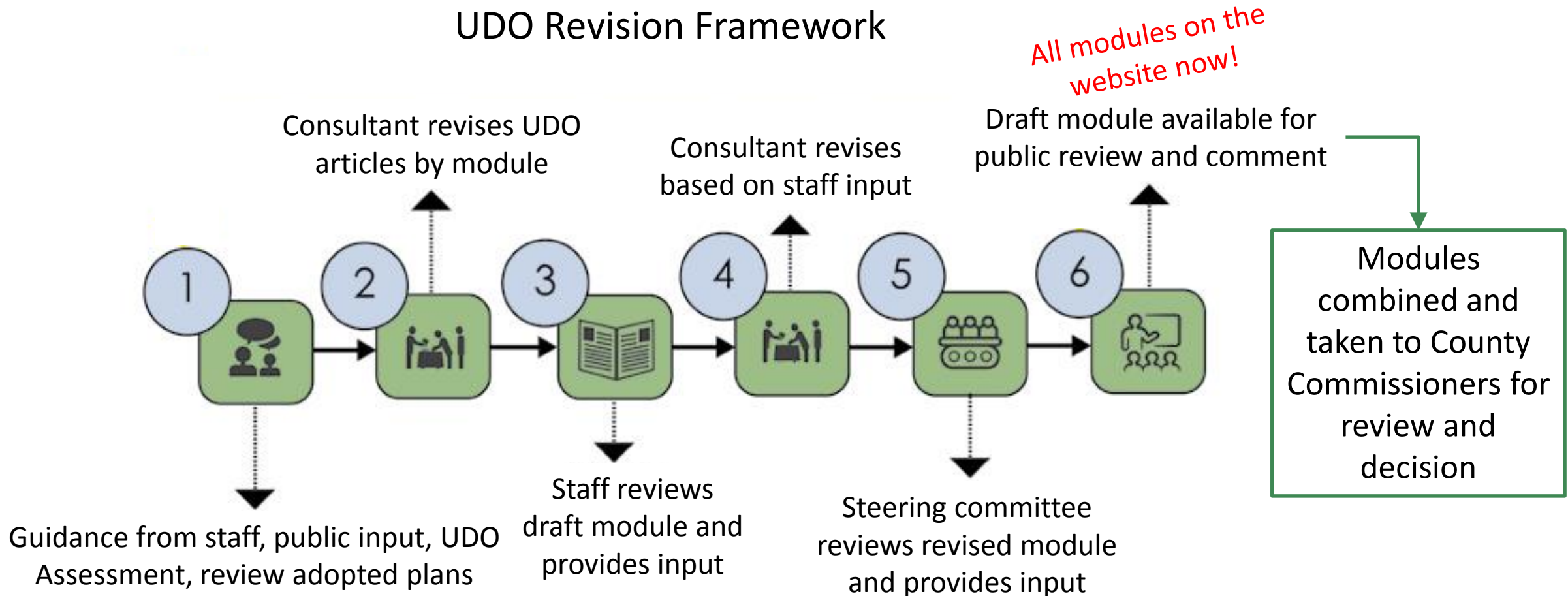
- Public meeting #2: 09/26
- Planning Board: 10/01
- Planning Board: 11/05
- BOCC: 12/02

## Remapping (zoning map): *winter 2019 and spring 2020*

- Public workshop: TBD
- Planning Board: TBD
- BOCC: TBD

# Process: Revising the UDO

## UDO Revision Framework



# Public input opportunities

[www.PenderCountyUDUpdate.com](http://www.PenderCountyUDUpdate.com)

Stakeholder Meetings

Staff Oversight

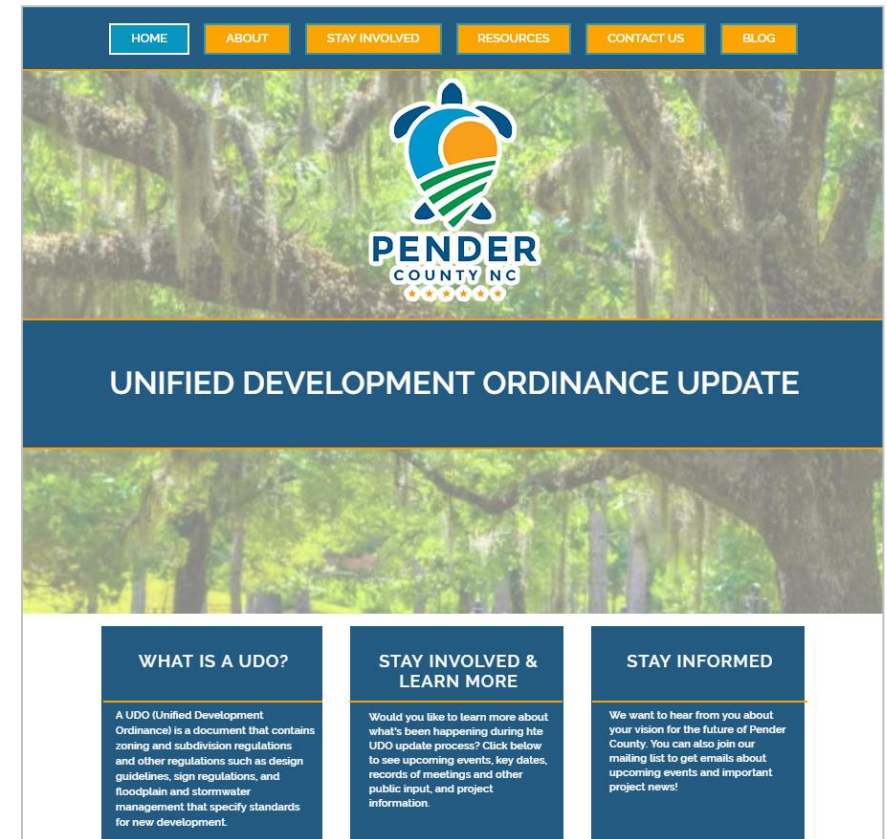
Steering Committee

Public Meeting #1 (March 21)

Public Meeting #2 (Sept. 26)

Project website:

- You can read the articles and submit detailed comments





### Existing Ordinance Outline

1. General Provisions
  2. Decision Making and Administrative Bodies
  3. Review Procedures
  4. Zoning Districts
  5. Permitted Uses
  6. Development Requirements and Content
  7. Design Standards
  8. Landscape and Buffering
  9. Signs
  10. Nonconformities
  11. Road Naming and Addressing
  12. Reserved
  13. Enforcement and Penalties
- Appendix A - Definitions
- Appendix B - Landscaping and Buffer Plant Type List
- Appendix C - Wallace Municipal Airport - Airport Restriction Map
- Appendix D - Conditional Zoning Districts



### Proposed Ordinance Outline

1. General Provisions
2. Administration
3. Submittal Requirements and Review Procedures
4. Zoning Districts
5. Permitted Uses
6. Design Standards
7. Signs
8. Road Naming and Addressing
9. Enforcement and Penalties
10. Nonconformities
11. Definitions
12. Appendices

# The highlights

---



# Articles 1 & 2- General Provisions, Decision Making and Administrative Bodies

---

- Updated Review Authority Table to be consistent with changes in other articles and to streamline application review procedures



# Articles 9 & 10 – Enforcement & Penalties, Nonconformities

---

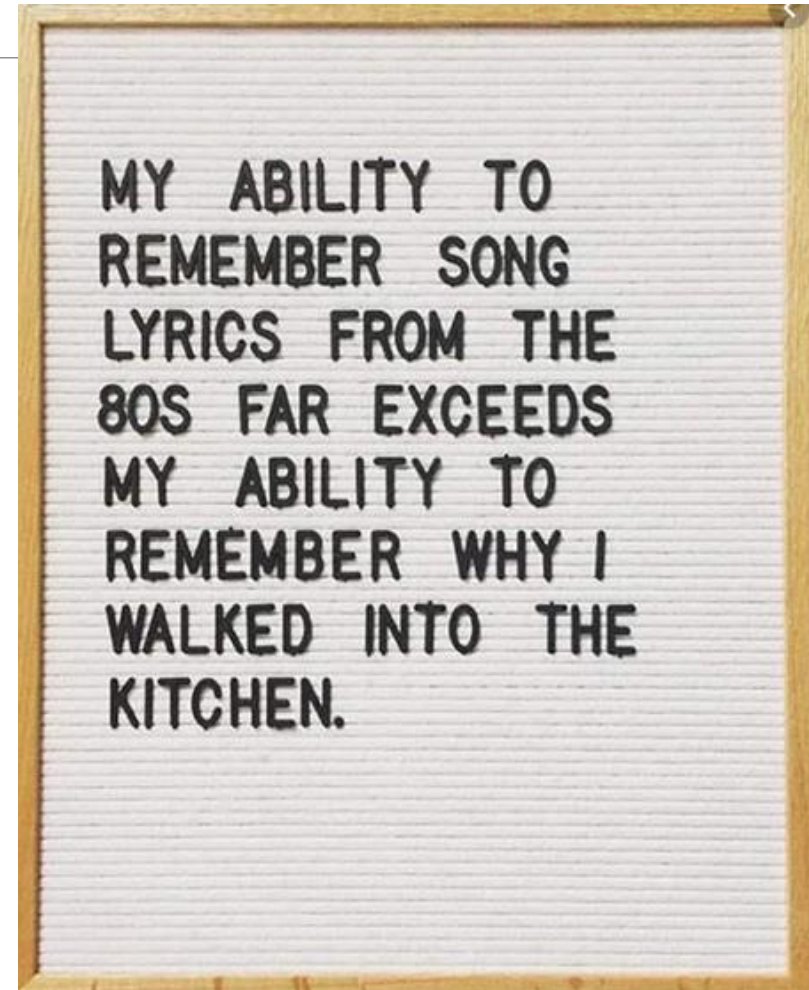
- Clarified enforcement language
- Clarified nonconforming language
  - *“to move in the direction of conformity”*
  - Single family residential protected
  - Additions onto nonconforming homes allowed



# (the) Article (formerly known as) 6 - Signs

---

- Brought consistency with state statutes
- Added consistency among sign types
- Added standards for clearing vegetation and discontinuance



# Articles 3 and 6- Review Procedures & Application Requirements

---

- Updated/consolidated/reorganized:
  - Common review procedures: pre-submittal, application, fees, noticing, posting, recordation, appeals, etc.
- Application types/processes:
  - Permits (ZAP, Certifications, Special Use), Rezoning (incl. CZ), MDP (optional), Site Plans (combined), Subdivisions (Exempt, Family, Three-lot, Major/Minor, Final Plat), Variance, Administrative Adjustment, Appeal, Written Interpretation, Ordinance Text Amendment, etc.

# Articles 3 and 6- Review Procedures & Application Requirements

---

- Relocated application details and processes → **UDO Admin. Manual**
  - Application submission deadlines
    - Process for inadequate applications
    - Application materials/plans requirements, sufficiency for review
  - Timeline for application review, incl. TRC
  - Submittal deadlines for agenda packets
  - Procedure for notification of decision
  - Typical forms, certifications, plat declarations, guarantees,

# Article 6 → Administrative Manual

## Application Requirements Table

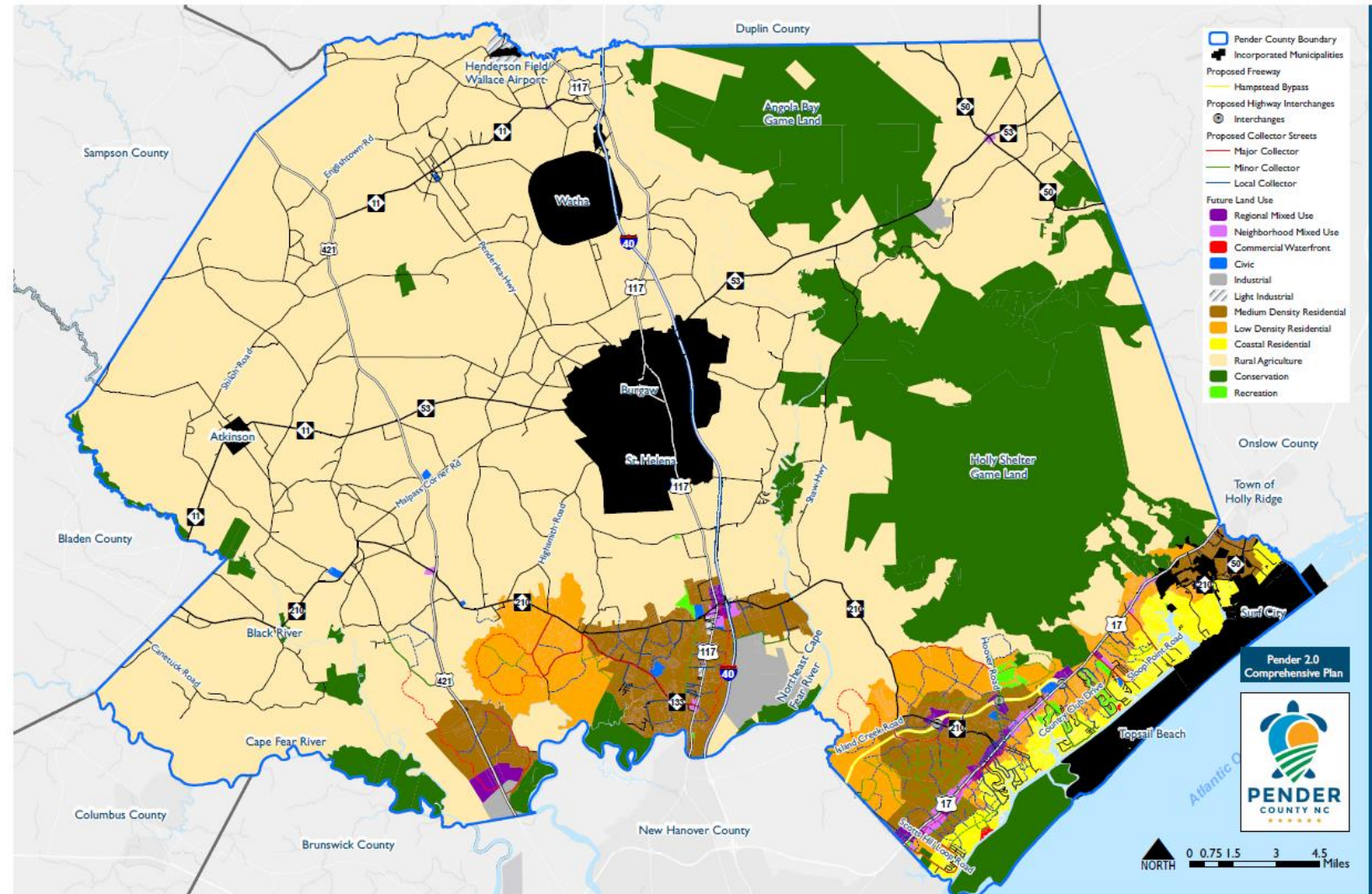
	Master Development Plan (MPD)	Site Plan		Subdivision			Miscellaneous							Permit		
		Minor Development	Major Development	Minor Preliminary Plat	Major Preliminary Plat	Final Plat (incl. Exempt)	Rezoning	Conditional Rezoning	Ordinance Text Amendment	Appeal of Zoning Vested Right	Variance	Administrative Adjustment	Written Interpretation (incl. Zoning Vested Right)	Special Use (incl. telecom towers)	Zoning Approval	Change of Use
Application	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Fee	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Plans	Sketch	Preliminary Plan		Preliminary Plan		Plat										
Survey	NR	NR	NR	R	R	R	A									
Transportation Impact Assessment	R	NR	R	A	A	NR										
R: Required NR: Not required A: If applicable																



# Future Land Use (from Pender 2.0)

## Future Land Use Classifications

- Civic
- Coastal Residential
- Commercial Waterfront
- Conservation
- Incorporated
- Industrial
- Light Industrial
- Low Density Residential
- Medium Density Residential
- Neighborhood Mixed Use
- Recreation
- Regional Mixed Use
- Rural Agriculture



# Article 4 – Zoning Districts

---

- Expanded and revised Residential districts
  - (RA), R40, R25, R15, and R8
- Planned Development District- remap and codify as CZ
- New Overlay Districts
  - Outstanding Water Resource Overlay
  - Commercial Area Overlay
  - Commercial Waterfront Overlay



# Planned Development Districts

---

- Approved Master Development Plans will transition to a Conditional Zoning District w/ conditions and plan approval being the district standards.
- Vacant lands zoned PD will transition to a zoning district with recommendations coming from the Future Land Use classification as adopted in the Comprehensive Plan.
- Existing developed PD tracts without a Master Development Plan will transition to appropriate zoning district and Future Land Use classification.

# Commercial Area Overlay

---

- Bring structures closer to the street frontage to promote pedestrian element.
- Provide for percentage of front window façade.



# Article 4 – Zoning Districts (Residential)

- Flexibility and incentives for *by-right development* that...
- Clusters development
- preserves open space or environmentally sensitive areas
- provides water access
- LID design

## CLUSTER DEVELOPMENT

*Clustering development gives design flexibility, but maintains the same number of lots.*



*Traditional development*

VS.



*Cluster development*

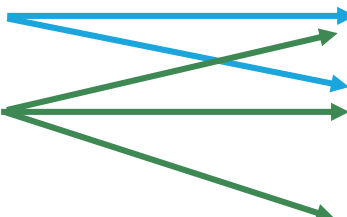
# Commercial Districts

Currently have 2 districts

- GB- General Business
- OI- Office Institutional

Transition to revised districts

- Commercial Highway
- Commercial Neighborhood
- Other districts (as appropriate)



Symbol	Name	FLU Category + Comments
<b>Commercial</b>		
CH	Commercial Highway	Highway, RMU, may allow multi-family.
CN	Commercial Neighborhood	Small footprint commercial, NMU, may allow townhouses.

# GB becomes Commercial Highway

---

## From the Regional Mixed Use FLU category

- Most commercial, retail, service, office, & institutional uses
- Employment centers
- Artisan manufacturing
- \*Multi-family residential...only in CAO
- \*High density single-family residential uses
- \*Upper story residential

**\*SEE EXERCISE:** at select locations and conditions only.

# Office-Institutional transitions (mostly) into Commercial Neighborhood

---

## From the Neighborhood Mixed Use FLU Category

- Commercial/retail/service and office uses that serve existing communities-restaurants, drug stores, healthcare facilities, professional offices
- \*Single-family dwellings – detached, duplex, and townhouses

\*Select locations and conditions only.



# Article 5 – Permitted Uses

---

- Revised Table of Permitted Uses (TOPU) using new zoning districts
- Greater mix of uses, where appropriate
- Added standards for some uses, incl.:
  - RV Trailer storage
  - Microbrewery
  - Parking lots/garages
  - Food trucks





# Articles 7 & 8:

## Design Standards / Landscaping

---

- Improved site design: parking lot design, sidewalks, cross-access, etc.
- Parking standards relaxed, added
- Open space clarified
- Buffering - simplified
- Cross-access and multimodal connections
- Block length standards
- Driveway separation – access management on thoroughfares
- Incentives for quality development

# Articles 7 & 8: Access management?

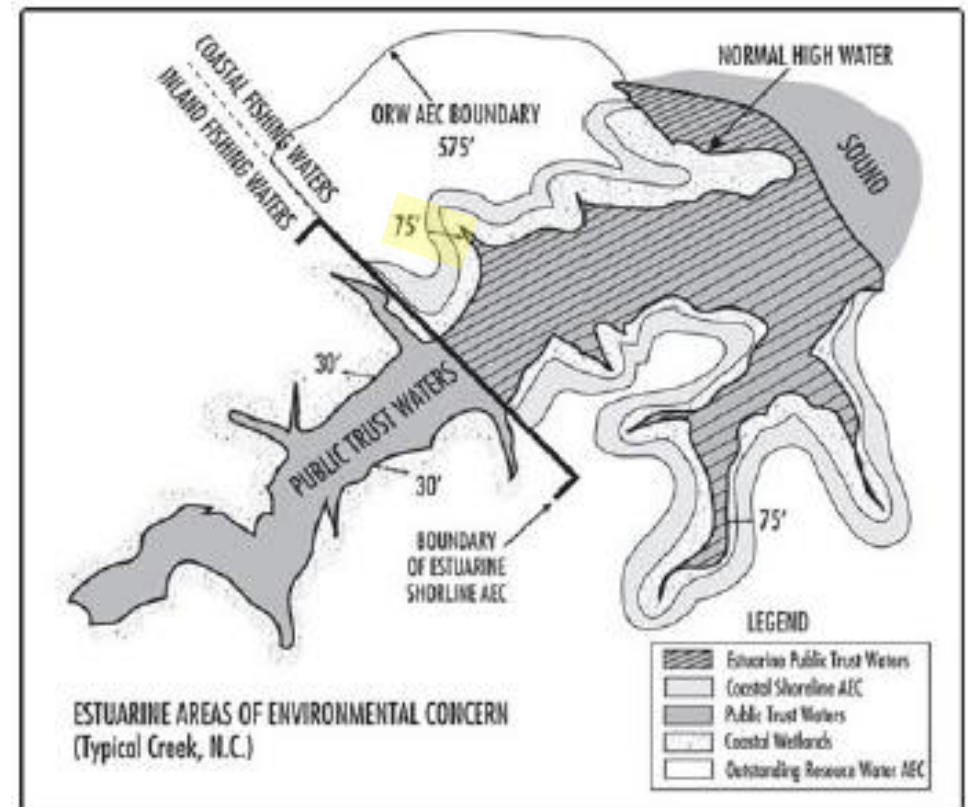
- Reduces congestion
- Lot width and driveway placement
- NCDOT cannot prevent subdivisions
- Based on road size
- Alternative design available for relief



# Article 12: Resource Conservation Areas

## Includes:

- Open water: lakes, ponds, streams, creeks and rivers
- The 1% and 0.2% annual chance floodplain (aka – the 100- and 500-year floodplain)
- Stream and riparian buffer areas (within 30' of the top of bank)
- Jurisdictional wetlands under federal law that meet the definition applied by the Army Corps of Engineers.
- The 75' Outstanding Water Resource Area buffer zone.



From: <https://deq.nc.gov/about/divisions/coastal-management/coastal-management-permit-guidance/areas-of-concern>

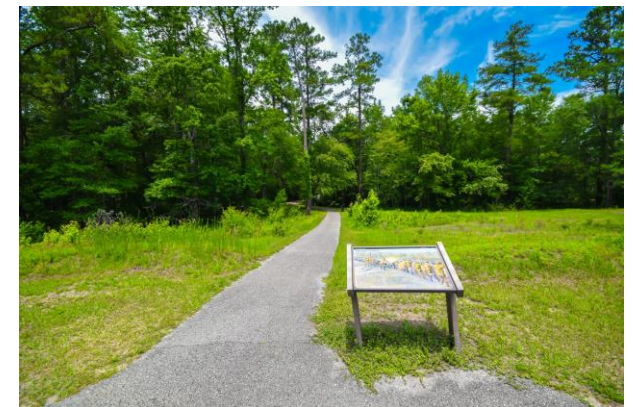


# Purpose:

---

**Natural resources** provide for the **livelihood** (through agriculture, silviculture, **commercial and recreational hunting and fishing**, ecotourism, etc.) and well-being (through drinking water, safe environmental conditions, **quality of life**, and outdoor recreation and enjoyment) of residents and visitors to Pender County.

The protection of these resources is necessary for the **well-being and safety of the residents**.



# Article 12: Resource Conservation Areas

---

## Allowed:

- Conservation areas
- open space
- Agriculture
- Trails
- docks/water access
- Easements
- drainage
- water-reliant structures
- limited building

## Prohibited:

- Stormwater facilities
- Roads (except crossings)

## Discouraged:

- Parking lots
- Impervious surfaces
- Clearing land\*
- Golf courses
- Etc.

# Next Steps

---



# Next Steps

---

## Tonight:

- Breakout and discuss, share perspective, take comment

## After tonight:

- Take public comment through website
- Planning Board (next week and again in one month)
- Revise UDO
- BOCC

[www.PenderCountyUDOupdate.com](http://www.PenderCountyUDOupdate.com)



ON BEHALF OF PENDER COUNTY

# Thank you

---



STEWART