



Pender County

Agenda

Planning Board Meeting

Tuesday, May 7, 2024 @ 7:00 PM

Pender County Hampstead Annex - 15060 US HWY 17,
Hampstead

	Presenter	Page
1.	CALL TO ORDER	
2.	ROLL CALL	
3.	INVOCATION	
4.	PLEDGE OF ALLEGIANCE	
5.	ADOPTION OF AGENDA	
6.	ADOPTION OF MINUTES	
6.1.	April 3, 2024 Meeting Minutes April 3, 2024 Meeting Minutes - Pdf	3 - 13
7.	PUBLIC COMMENT	
8.	PUBLIC HEARINGS	
8.1.	MDP 2024-65: Request to approve a Master Development Plan for a residential development in the PD, Planned Development zoning district with 39 single family homes, a private boat storage facility, and an amenity center MDP 2024-65 - Pdf	15 - 104
8.2.	REZONE 2024-62: Request to rezone approximately 4.91 acres from the GB, General Business zoning district to a conditional zoning district in the Rocky Point Township REZONE 2024-62 - Pdf	105 - 155
8.3.	ZTA 2024-24: Request to amend the Unified Development Ordinance to permit personal structures (non-commercial) on property in the RA, Rural Agricultural and RP, Residential Performance zoning districts ZTA 2024-24 - Pdf	157 - 190
8.4.	ZTA 2024-25: Request to amend the Unified Development Ordinance to require stormwater calculations and specifications to be submitted with development proposals ZTA 2024-25 - Pdf	191 - 207
9.	DISCUSSION	
10.	NEXT MEETING DATE	
11.	ADJOURNMENT	



Pender County April 3, 2024 Meeting Minutes

TO: Planning Board
FROM: Daniel Adams
DATE: May 7, 2024
SUBJECT: April 3, 2024 Meeting Minutes

SUMMARY:

Minutes from the April 3, 2024 Planning Board meeting.

ACTION REQUESTED:

Approval of the minutes from the April 3, 2024 Planning Board meeting.

ATTACHMENTS:

1. April 3, 2024 Planning Board meeting minutes



MINUTES
Planning Board Meeting
Wednesday, April 3, 2024
Pender County Public Assembly Room
7:00 PM

MEMBERS PRESENT:

Delva Jordan, Chairman
Damien Buchanan, Vice-Chairman
Jeffrey Pitts
John Gruntfest
Jeff Beaudoin
Margaret Mosca

MEMBERS ABSENT:

Norman "Ken" Teachey

OTHERS PRESENT:

Daniel Adams, Planning Director
Justin Brantley, Deputy Planning Director
Taylor Davis, Current Planner
Tucker Cherry, Current Planner
Adam Moran, Long Range Planner
Donna Sayre, Planning Technician
Trey Thurman, County Attorney
Members of the Public

1 CALL TO ORDER

Chairman Delva Jordan called the meeting to order at 7:01 pm.

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

Motion to approve agenda made by Damien Buchanan, seconded by

Jeffrey Pitts. Vote is unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
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CARRIED.

6 ADOPTION OF MINUTES

February 6, 2024, Meeting Minutes

Mr. Buchanan stated that he feels there are discrepancies in this set of minutes and asked staff why these minutes were not prepared for the last meeting. Mr. Adams stated that it was due to a staff error and the minutes were not complete in time to be brought in front of the Board at last month's meeting. Mr. Buchanan stated he has some concerns due to the meeting having a unique rezoning request to where the Planning staff was recommending approval but the Planning Board recommended denial. He stated that when the case went to the Board of Commissioners, those members did not have the benefit of hearing the other side of the story. Mr. Buchanan stated that if a situation comes up again where the staff is recommending one thing and the Board decides another, the minutes need to be approved before the case goes to the Commissioners. He stated that the minutes should be available so the Commissioners can read the discussions, read the questions that were asked, and see how the Planning Board made their decision and why.

Mr. Buchanan stated he would like additional time to read over the minutes to check for accuracy and would like to table the adoption of the February 6, 2024, minutes.

Mr. Buchanan made a motion to table the adoption of the February 6, 2024, minutes with Ms. Mosca seconding the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
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CARRIED.

March 5, 2024, Meeting Minutes

Mr. Buchanan stated that he would motion to approve the minutes, but some changes need to be made. Mr. Pitts, Mr. Gruntfest and Mr. Beaudoin agreed. Changes included verifying and correcting attendance, correcting the voting blocks, and adding additional language that was stated by members during the making of a motions for cases Rezone 2023-59, Rezone 2024-63, and ZTA 2023-21.

Mr. Buchanan made a motion to approve the March 5, 2024, minutes with the changes provided by the Board members. Mr. Pitts seconded the motion.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	6	0	0	1

CARRIED.

7 PUBLIC COMMENT

Laura Puryear, 209 Abbey Lane, stated that one of the new Mongo projects is being developed near where she resides and is concerned as to what is happening particularly with the road that is not accounted for in the original traffic analysis. She stated that she did stop and ask what was being proposed and was told a possible cut-

through road that would be used as a work road. Ms. Puryear would like a new traffic study to be completed. She stated that she would like updates since she knows of no new proposals coming before the Board for approval.

8 PUBLIC HEARINGS

a) REZONE 2024-64

Adam Moran, Long Range Planner, presented the staff report.

HRP RRJ Hampstead, LLC., applicant, on behalf of Cedar on the Green Rentals, LLC., owner, and the North Carolina Department of Transportation, owner, is requesting the approval of a General Use Zoning Map Amendment to rezone six tracts of land totaling approximately 2.18 acres from the RP, Residential Performance zoning district to the GB, General Business zoning district.

The subject properties are located at the corner of Jenkins Road and North St. John's Church Road, approximately 500 feet northwest of the intersection of US Highway 17 and Country Club Drive in the Topsail Township and may be further identified by Pender County PIN(s) 3293-76-1416-0000, 3293-76-0432-0000, 3293-76-1324-0000, 3293-76-1248-0000, 3293-76-1281-0000, and 3293-76-2444-0000.

Mr. Moran stated that the Department of Transportation has the Super Street Project which is proposed to modify US Highway 17 and part of the project includes adjusting or re-aligning Jenkins Road and North St. John's Church Road to create a curve when heading towards the school properties.

Mr. Buchanan asked if the property has been acquired by DOT. Mr. Moran stated that one parcel has been. Mr. Buchanan asked if the turn had been acquired by DOT to which Mr. Moran responded negatively.

Mr. Buchanan asked that due to DOT not owning all the land, if the developer would want to develop, would it force DOT to act immediately to acquire the property. Mr. Adams stated that he does not feel that is a question that staff would be responding to or answering. Mr. Adams stated that Mr. Thurman may have a response.

Mr. Buchanan asked if making a curve in this area has been a project identified in DOT's future 2040 or 2045 Transportation plan. Mr. Moran stated that the map that being shown presently is a map that was taken off DOT's website with a Project Number of U5732 and he believes that the project will not start until the first half of the By-pass project has been completed.

Mr. Jordan asked Mr. Thurman if he is correct in thinking that the Board cannot take into consideration the plans of DOT. Mr. Thurman stated that Zoning approval cannot be withheld based on what DOT may or may not do.

Mr. Beaudoin asked if there is a one-hundred-foot setback to build on US Highway 17. Mr. Moran stated that the right-of-way varies along US Highway 17 and does not recall what the setback is in this area.

Mr. Buchanan asked if the applicant is requesting the property owned by DOT be rezoned. Mr. Moran responded affirmatively and stated that DOT had to provide approval for the submission of the application.

Mr. Adams stated that the building setback for zoning purposes would be from the property line and not right-of-way.

Mr. Jordan asked for clarification as to which parcel is currently owned by DOT. Mr. Moran responded by stating that the property closest to the school property is already owned by DOT.

Mr. Buchanan asked for clarification to Mr. Moran's statement that DOT had to sign off on the application. Mr. Moran stated that whenever a rezoning is applied for, owner(s) must sign the document to avoid rezonings by an individual who does not own the property. He stated that the applicant had to submit documentation that indicated DOT was approving the rezoning request. Mr. Buchanan asked if DOT was neutral, and Mr. Moran stated that he cannot speak on behalf of DOT, but that DOT did provide approval for the submittal of the application. Mr. Brantley stated that DOT consented to the rezoning request and that the applicant may be able to provide more information on that than the Planning staff can.

Mr. Beaudoin asked if it is known how DOT intends on using the property. Mr. Moran stated that he imagines that they will incorporate the parcel in their future plan to curve the road. Mr. Beaudoin asked if the Planning staff thinks that if this rezoning is approved, DOT will then acquire all the property in the area. Mr. Adams and Mr. Thurman stated that the Planning staff cannot speculate on that theory.

Mr. Thurman stated that it is unknown if the future DOT project will or will not happen and we have no control over it. Mr. Thurman stated that with a General Use Rezoning request, all uses must be considered, and the Board can only consider the roadway as it exists currently and not what may be in the future.

Mr. Jordan asked what the distance is between the corner parcel and the school. Mr. Adams stated that it is over five-hundred feet and closer to six hundred. Mr. Jordan stated that the area of the high school is busy and is concerned over the safety of the children.

Mr. Jordan asked if the members have any additional questions for the staff at this time and no questions were presented.

Attorney Maggie Bennington, representing the applicant stated that this rezoning request is not detrimental to adjacent properties as it already is bordered on two sides by roadway and the other two sides are currently zoned GB, General Business. She stated it will not affect the character of the area, in fact, it will provide additional commercial services to the surrounding residents.

Ms. Bennington stated that the Ordinance supports development and growth in areas where there are adequate facilities, and this area is served by public water and private sewer service. She stated that this request will not affect the health and safety of the residents because under the current zoning of RP, each lot would have their own driveway onto Jenkins Road and if zoned GB, it will allow for a safer internal shared driveway for the parcels.

Ms. Bennington stated that commercial traffic peaks at different time than residential traffic which will reduce the traffic during the school's transit hours, which would be beneficial to this area given the amount of school traffic.

Ms. Bennington stated that this rezoning request is consistent with four policies and two goals of the Comprehensive Land Use Plan.

Mr. Jordan asked if there were any questions for Ms. Bennington and no questions were presented.

Sadie Black, 609 St. John's Church Road, stated that her main concern is what is the intended use of the property. Mr. Thurman stated that a General Use Rezoning request does not have to specify what the intended use will be rather the Board has to consider all options available listed within the Table of Permitted Uses in the Ordinance.

Mr. Jordan asked Ms. Black to identify her parcel of land and she stated she owns 609 and 633 St. John's Church Road but resides at 609.

Mr. Thurman informed Ms. Black that the Planning staff can provide her with the Table of Permitted Uses and with a General Use Rezoning, the applicant could potentially pursue any activity that is permitted in that district. Mr. Thurman stated that North Carolina law states that if a General Use Rezoning is applied for, the Board must base it on all possibilities and not on the applicant's intent. He stated that ownership or plans could change. Mr. Thurman stated that if this proceeds, the case would go before the Board of Commissioners in May where she could address her concerns.

Ms. Black asked if the applicant would sell the property, could a strip club or anything be opened in this location. Mr. Thurman and Mr. Buchanan both responded that there are restrictions as to what would be allowed in the requested zoning district and a strip club would not be permitted.

Mr. Jordan asked if smoke shops are a permitted use, and his concern stems from the fact that a high school is in close proximity with high schoolers going back and forth. Mr. Thurman stated that if it is a permitted use, the Board needs to consider if that use would be appropriate here. Mr. Adams stated that a smoke shop is a permitted use.

Mr. Gruntfest asked what the smallest permissible lot size in the GB zoning district is with Mr. Adams responding with fifteen thousand square feet. Mr. Gruntfest stated that the Board can't consider it remaining one business or parcel of property then because it could be potentially divided numerous times. Mr. Adams stated that the property could be divided.

Mr. Buchanan stated he is uncomfortable with all the different potential uses and that the request is inconsistent with the Comprehensive Land Use Map. He stated that this area is not out in the middle of nowhere or in the outskirts but rather the property is right in the center of a very highly trafficked area that benefits the entire community. Mr. Buchanan stated he is not against this being redeveloped if it was something that the Board understood, the public had an opportunity for input, and it was known exactly what use was going to be at this location.

Mr. Buchanan stated that he is against the General Use Rezoning request but would probably be in favor of a Conditional Rezoning if an appropriate use was being proposed. He stated that he is not in favor of a bar or a tobacco vape shop located in this area.

Mr. Buchanan made a motion to deny the request and although Planning staff found policies and goals consistent with the Pender 2.0 Comprehensive Land Use Plan, the proposal is inconsistent with the Future Land Use Map. This request is an infill project with multiple potential uses that could have negative impacts on the community. Mr. Beaudoin seconded the motion.

Motion to deny

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
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CARRIED.

Mr. Adams stated that the Planning Board is a recommending board, and the final decision will be made by the Board of Commissioners. This case will be heard on May 20, 2024, and adjacent property owners will once again receive mailers notifying them of the meeting. The meeting will be held at 7:00 p.m. in this same room.

9 DISCUSSIONS

Mr. Jordan asked if a review of the minutes needs to be discussed. Mr. Buchanan stated that he feels there are important points missing and would like to review the February minutes more closely before discussing further.

Ms. Mosca recommended that the minutes be completed within seventy-two hours of the meeting and distributed for review. She stated this should allow for the meeting to still be fresh in the minds of all parties involved. Mr. Adams stated that the Planning staff will do their best to get them done as quickly as possible.

Mr. Adams stated that the County has hired a Stormwater Engineer to help enforce the stormwater regulations in the code. He stated at the next meeting a text amendment will be presented to improve the language as it relates to stormwater. Mr. Adams stated that the text amendment is not changing any of the regulations but rather how the documents will be submitted.

Mr. Adams stated that there has been discussion from several members of the public at past Commissioners meetings concerning how accessory structures are permitted on residential lots. Mr. Adams stated that a text amendment for this should also be presented to the Planning Board at the May meeting.

Mr. Buchanan asked for clarification as to how the Ordinance currently reads. He stated that if he has a parcel of land with a home on it and owns the parcel beside it and he wants to put an accessory building on the empty lot, he would not be able to as the Ordinance reads now. Mr. Adams stated that accessory structures must be on a parcel that already has a primary structure on it. Mr. Buchanan stated that the property owners could combine the parcels together and be compliant. Mr. Adams stated that combining the properties would be one option.

Ms. Mosca asked for clarification as to what defines an accessory structure. Mr. Adams read from the Ordinance the definition of an accessory structure.

Mr. Buchanan asked if this pertains to the RA zoning district only. Mr. Adams stated that the accessory building section of the Ordinance pertains to all residential districts.

Mr. Jordan asked if in the RA zoning district, would a primary structure need to be placed on a lot before an accessory building. Mr. Adams stated that in all residential zoning districts, an accessory structure can only be placed on a property if there is

already a primary structure established, unless the property has been deemed to be a Bona-Fide Farm.

Mr. Jordan stated it's the people who abuse the system that make it harder for those people who want to do right.

Mr. Pitts asked if docks are exempt from being an accessory structure. Mr. Adams stated that docks are not considered an accessory structure.

Mr. Adams informed the Board of the cases that will be heard at the May meeting. He stated that the cases will be on the east side of the County. Mr. Jordan asked Mr. Adams if he anticipates many of the public to showing up. Mr. Adams stated that the one case will probably have several of the public attend the meeting.

Mr. Adams informed the Board of the joint meeting being held with the Board of Commissioners on April 23, 2024, with a starting time of 4:00 p.m. Mr. Buchanan asked how long the meeting would last with Mr. Adams responding an hour and a half. Mr. Adams stated a presentation will be made from the WMPO and DOT. Mr. Buchanan asked if the presentation will mainly be about traffic and roads to which Mr. Adams responded affirmatively. Mr. Buchanan asked that all Board members be provided with a copy of the Collector Street policy.

Mr. Buchanan requested that when the text amendment is presented to them, that the Planning staff provide multiple examples of what has been stated by the public and what the staff has heard, to which Mr. Adams stated that providing examples would not be a problem.

Mr. Buchanan made a motion to hold the May 7, 2024, meeting in Hampstead with a starting time of 7:00 p.m. with Mr. Pitts seconding the motion

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
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CARRIED.

10 NEXT MEETING DATE

May 7, 2024, at 7:00 p.m.
Pender County Hampstead Annex
15060 US Hwy. 17
Hampstead, NC 28443

11 ADJOURNMENT

Mr. Pitts made a motion to adjourn with Mr. Buchanan seconding the motion. The vote was unanimous.

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan	X			
Damien Buchanan	X			
Jeffrey Pitts	X			
Margaret Mosca	X			
John Gruntfest	X			
Jeff Beaudoin	X			
Norman (Ken) Teachey				X
	6	0	0	1

CARRIED.



**Pender County
MDP 2024-65: Request to approve a
Master Development Plan for a
residential development in the PD,
Planned Development zoning district,
with 39 single family homes, a private
boat storage facility, and an amenity
center**

TO: Planning Board
FROM: Justin Brantley
DATE: May 7, 2024
SUBJECT: MDP 2024-65: Request to approve a Master Development Plan for a residential development in the PD, Planned Development zoning district, with 39 single family homes, a private boat storage facility, and an amenity center

SUMMARY:

Capital Asset Development, LLC, applicant, on behalf of Signature Top Sail NC, LTD, and Lewis, Richard Alan Successor Trustee, owners, is requesting the approval of a Master Development Plan within the Planned Development (PD) zoning district for the construction of a 39-lot single family residential community with a private boat storage facility and amenity center.

The subject properties consist of approximately 27.8 acres, and are located east of Sloop Point Loop Road and between Roberts Road and Cole Drive in the Topsail Township and may be further identified by Pender County PINs: 4213-49-8163-0000, 4213-59-0181-0000, & 4214-40-5134-0000.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

1. Staff Report
2. Application
3. List of Subject Parcels
4. Narrative
5. TRC Comments
6. Attachment 1: Master Development Plan
7. Attachment 2: Technical Stormwater Information
8. Attachment 3: Public Input Meeting Information

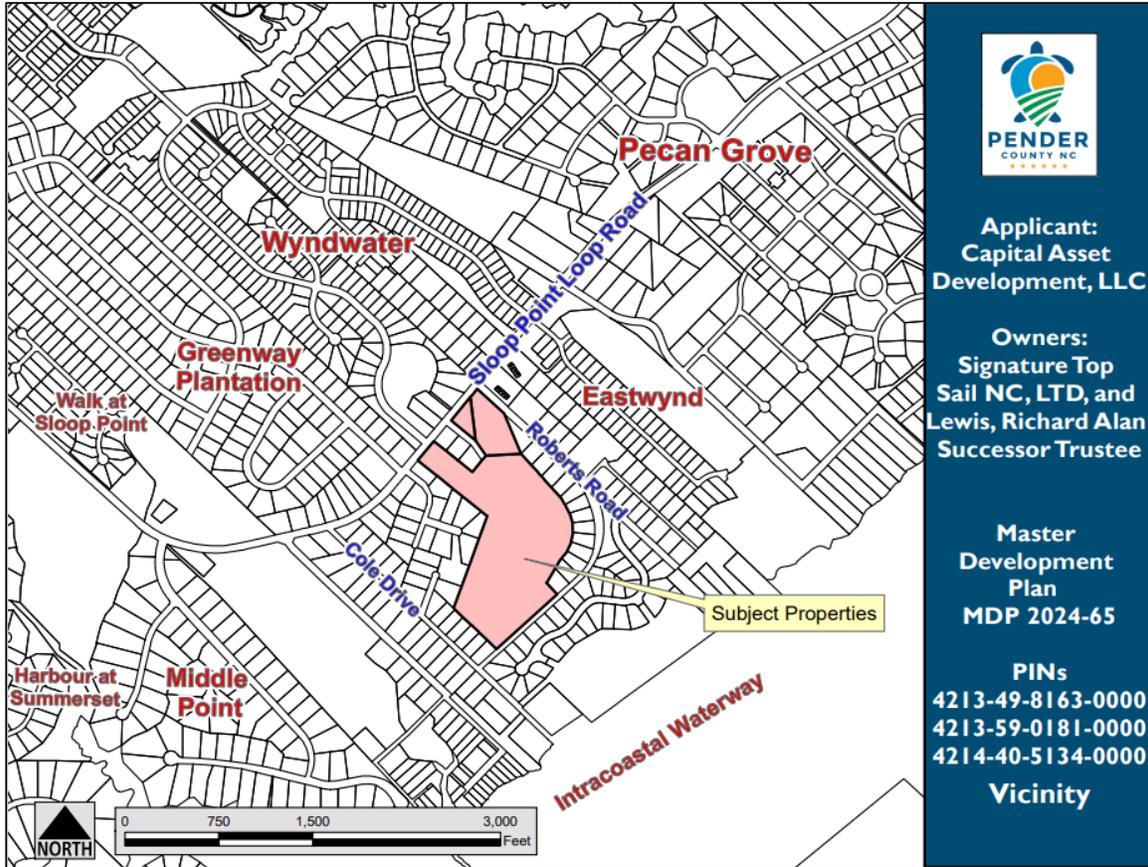
- 9. Attachment 4: Legal Description Exhibit
- 10. Attachment 5: Historical Plats

**STAFF REPORT FOR MDP 2024-65
MASTER DEVELOPMENT PLAN APPLICATION**

APPLICATION SUMMARY	
Case Number	MDP 2024-65
Hearing Date	May 7 th , 2024
Applicant	Capital Asset Development, LLC
Property Owner(s)	Signature Top Sail NC, LTD & Richard Alan Successor Trustee
Parcel Identification Number	4213-49-8163-0000, 4213-59-0181-0000, & 4214-40-5134-0000
Acreage	27.8
Township	Topsail
Zoning District	PD, Planned Development
Pender 2.0 Future Land Use Category	Coastal Residential

MASTER DEVELOPMENT PLAN PROPOSAL
Capital Asset Development, LLC, applicant, on behalf of Signature Top Sail NC, LTD, and Lewis, Richard Alan Successor Trustee, owners, is requesting the approval of a Master Development Plan within the Planned Development (PD) zoning district for the construction of a 39-lot single family residential community with private boat storage facility and amenity center.
LOCATION
The subject properties consist of approximately 27.8 acres, and are located east of Sloop Point Loop Road and between Roberts Road and Cole Drive in the Topsail township and may be further identified by Pender County PIN(s): 4213-49-8163-0000, 4213-59-0181-0000, & 4214-40-5134-0000.

Below: Vicinity Map of the Project Area



BACKGROUND

On August 1, 2023, the Pender County Planning Board approved a revision to the Wyndwater Master Development Plan (MDP-R 2023-53). This revision effectively removed the subject parcels (PINs: 4213-59-0181-0000, 4214-40-5134-0000 & 4213-49-8163-0000) from the Wyndwater project. Currently, the subject parcels are under contract to purchase by the applicant.

At the time of application, the applicant submitted a concurrent application for another Master Development Plan (MDP 2024-64) for an adjacent site that is in the RP, Residential Performance, zoning district. This report will address both projects as they are considered a single development.

For additional historical context, see **Attachments 4 and 5**.

MASTER DEVELOPMENT PLAN PROPOSAL

The applicant is proposing to construct a residential development to be completed in a single phase consisting of 87 single family detached units with a private boat trailer storage facility, amenity center (pool and clubhouse), and a community boating facility consisting of 112 boat slips. The project area is approximately 61.65 acres and consists of two separate zoning classifications, the PD, Planned Development, zoning district, and the RP, Residential Performance, zoning district. The Planned Development portion of the project is subject to Planning Board review and approval while the Residential Performance portion is subject to review and approval by Planning Staff.

The Planned Development portion consists of 39 single family lots with a private boat storage facility and amenity center across 27.8 acres. The Residential Performance portion consists of 48 single family lots and a community boating facility across 33.85 acres.

Based on the proposed uses associated with this request as well as the design of the site, the application meets the requirements of Section 4.8.1, Planned Development District, of the Unified Development Ordinance (UDO).

See the Application, Narrative and Technical Review Committee Comments in the Board's Packet. Also, See **Attachment 1** for the Master Development Plan. This plan includes both the PD portion, RP portion, and the overall project.

Intent of the Planned Development Zoning District

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to conventional development. The PD District 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. Maximum density is determined by the Future Land Use Classification within the adopted land use plan.

The purpose of the PD District, as stated in section 4.8.1.A of the UDO, is described as a plan that can meet the qualifications below:

1. To allow for greater freedom in providing a mix of uses within one development, including a mix of housing types, lot sizes, densities, 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.

Below: Aerial Map of the Project Area



If this proposed request is approved, the applicant will be required to submit a preliminary plat for the residential component and major site development plans for the non-residential components to be reviewed by the Technical Review Committee (TRC) to ensure compliance with all applicable local, State, and Federal regulations. Approval of the Master Development Plan shall not be construed to

grant approval to begin construction. Subsequent proposals inconsistent with the approved Master Development Plan shall require review and approval of the Planning Board via a public hearing.

Residential Density

The proposed net density of 1.70 dwelling units per acre is shown in the table below and calculated in accordance with Section 4.6.7.A.2 of the UDO. The proposed net density of 1.70 dwelling units/acre (du/ac) for single family development does not exceed the identified density in the Coastal Residential Future Land Use Category which is three dwelling units an acre or less.

The following table shows the proposed density in the PD portion of the project:

Table 1: Density Calculation Proposed (PD Portion)	
Total Site Acreage	27.8 ac
Potential Wetland Acreage	0.00 ac
Total Non-Residential Acreage	4.91 ac
Open Space	1.66 ac
ROW Acreage	3.25 ac
Total Number of Units / Single-Family	39 du
Developable Land (Residential)	22.89 ac
Net Density / Single-Family	1.70 du/ac

The following table shows the proposed density in the RP Portion of the project:

Table 2: Density Calculation Proposed (RP Portion)	
Total Site Acreage	33.85 ac
Total Non-Residential Acreage	15.02 ac
Potential Wetland Acreage	6.5 ac
Open Space	4.67 ac
ROW Acreage	3.85 ac
Total Number of Units / Single-Family	48 du
Developable Land (Residential)	18.83 ac
Net Density / Single-Family	2.55 du/ac

The following table shows the proposed density for the entire project:

Table 3: Density Calculation Proposed (Total Project)	
Total Site Acreage	61.65 ac
Total Non-Residential Acreage	19.95 ac
Potential Wetland Acreage	6.5 ac
Open Space	6.35 ac
ROW Acreage	7.1 ac
Total Number of Units / Single-Family	87 du
Developable Land (Residential)	41.7 ac
Net Density / Single-Family	2.09 du/ac

Dimensional Requirements

Dimensional standards within the PD zoning district are set at the master plan level and are specific to individual parcels or parcels included in the master development plan. If a property is not included in a master development plan, dimensional standards must be reviewed and approved by the Planning Board.

The applicant proposes the dimensional standards shown in the tables below in the PD portion:

Table 4: Proposed Dimensional Standards (PD Portion)	
	Minimum Setback
Front	20'
Side	5'
Corner	15'
Rear	25'
Max. Building Height	35'
Structure Separation	10'
Minimum Lot Size	10,000 SF

Landscaping & Buffers

The table below outlines the required buffers in the PD zoning district based on the adjacent land uses to the subject property. As shown, the proposed master plan is in compliance with landscaping and buffer requirements outlined in Article 8 of the UDO. In addition, the PD Portion of this development shall comply with requirements of Section 8.1.3 of the UDO related to mitigation of significant trees.

Buffers Required for Multifamily and Planned Developments - Multifamily and Planned Developments shall be required to have the following buffers:	
Location of Buffer for Multi-family & Planned Developments	Type Buffer
Along all boundaries adjacent to a street	Buffer A
Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than 1 acre and when a single family structure is within 50' of the boundary of the development	Buffer C
Along all other boundaries	Buffer B

Table 5: Required and Proposed Buffers	
Buffer Type	Location of Buffer
Buffer A-1	Along Oak Circle Boundary
Buffer A-3	Along Sloop Point Loop Road Boundary and Roberts Road Boundary
Buffer C-1 & C-3	Along non-street boundaries adjacent to existing single-family development

Buffer Descriptions

A-1	15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements)
A-3	25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet
C-1	10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet
C-3	20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet

Open Space

The proposed development (PD Portion) is required to provide a minimum of 1.17 acres of open space, with 50% being designated as passive at a maximum and 50% being designated as active at a minimum. The tables below outline the required open space as well as the proposed open space associated with each portion of the development as well as the total development.

Table 6: Required and Proposed Open Space (PD Portion)

Open Space Dedication	Open Space Required	Open Space Provided
Active	0.589 ac	0.84 ac
Passive	0.589 ac	0.82 ac
Total	1.17 ac	1.66 ac

Table 7: Required and Proposed Open Space (RP Portion)

Open Space Dedication	Open Space Required	Open Space Provided
Active	0.72 ac	2.64 ac
Passive	0.72 ac	1.89 ac
Total	1.44 ac	4.67 ac

Table 8: Required and Proposed Open Space (Total Project)

Open Space Dedication	Open Space Required	Open Space Provided
Active	1.3 ac	3.62 ac
Passive	1.3 ac	2.71 ac
Total	2.61 ac	6.35 ac

Recreational Units

Per Section 7.6.2 of the Pender County Unified Development Ordinance, developments are required to provide recreational units equivalent to financial credits based on the total proposed dwelling units. The bolded information in the table below includes the Recreational Unit requirement for the proposed project. The applicant has illustrated a location for an amenity area on the master plan within the PD portion that is expected to exceed the required financial unit value.

Table 9: Required Recreation Units (PD Portion)		
Dwelling Units	Recreational Unit(s)	Financial Unit
34-99	1.0	\$10,000
100-150	1.5	\$15,000
151-200	2.0	\$20,000
201-250	2.5	\$25,000
251-300	3.0	\$30,000

Table 10: Required Recreation Units (RP Portion)		
Dwelling Units	Recreational Unit(s)	Financial Unit
34-99	1.0	\$10,000
100-150	1.5	\$15,000
151-200	2.0	\$20,000
201-250	2.5	\$25,000
251-300	3.0	\$30,000

TRANSPORTATION INFRASTRUCTURE

Roadways, Street Connectivity, and Access

The applicant is proposing four points of access into the development. The primary entrance for the development will be from Sloop Point Loop Road as demonstrated on the site plan. Secondary accesses will connect to Oak Circle and Cole Drive. Internal roadways are proposed within a 50’ right-of-way. Subdivision roads are required to meet NCDOT subdivision streets standards.

For pedestrian access, sidewalks are proposed to be installed on at least one side of the streets throughout most of the development as illustrated on the site plan. Crosswalk striping is also proposed for the pedestrian crossing across Oak Circle to connect pedestrian infrastructure on both sides of the development.

Traffic

A Traffic Impact Analysis (TIA) is not required for the proposed master development plan, nor is it required for the total project, because the development is not estimated to generate more than 100 trips in the morning and evening peak hours and at least 1,000 trips per day. Any traffic requirements will be addressed by NCDOT and will be required to be compliant with their standards. The table below includes estimates provided by the applicant’s traffic engineer that reflect the estimated trips anticipated to be generated by the proposed development.

Table 11: Estimated Vehicular Trips			
Single Family Land Use	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
PD Portion (39 SFR)	368	27	37
RP Portion (48 SFR)	453	34	45
Total Project (87 SFR)	820	61	82

The volume to capacity ratio for Sloop Point Loop Road near the subject site has been provided below. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, Sloop Point Loop Road in this area has capacity to handle the anticipated traffic volume increases associated with the proposed master development plan(s).

NCDOT Annual Average Daily Traffic (AADT) – 2023; WMPO Roadway Capacities – 2022

Road	Location	Volume	Capacity	V/C
Sloop Point Loop Road	West of Country Club Drive (west of Cole Drive and Roberts Road)	6,500	10,973	0.59

OTHER INFRASTRUCTURE

Utilities

According to the applicant, the proposed development intends to utilize Pender County Utilities (PCU) for water service and Pluris for wastewater service. Relevant documentation from state, local, or private entities involved in the construction and operation of these utilities will be required prior to administrative approval allowing construction the development.

Stormwater

The applicant has indicated the stormwater management plans for the development will be in accordance with the standards prescribed in Section 7.9 of the UDO by the construction of a single stormwater pond within the development. The applicant has also proposed to incorporate Low Impact Development (LID) design principles into the stormwater design on the RP Portion of the project. The goal of LID design is to balance development needs with natural resource protection and enhancement. See **Attachment 2** for additional stormwater information.

Compliance with these standards will be verified during TRC review if this request is approved. Certification from a licensed engineer that the project meets these requirements shall be required at administrative approval of the development, and all necessary state permits will be required prior to administrative approval for land disturbing activities.

ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain Special Flood Hazard Areas ¹ .
Wetlands	Portions of the subject property may contain wetlands ^{2, 3} . No Jurisdictional Determination from the U.S. Army Corps of Engineers has been submitted by the applicant, which will be required prior to any administrative development approvals. Any disturbance within these wetlands is subject to review and approval by the U.S. Army Corps of Engineers.
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC) ⁴ .

¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

⁴ According to the North Carolina Department of Environmental Quality (NCDEQ)

SCHOOLS

Comments were provided from Pender County Schools during the TRC process. Based on the most recent comprehensive land use study there will be an impact of approximately 0.3 students per new home constructed. Therefore, the impact to the school district will be approximately 39 students. The schools primarily impacted will be:

North Topsail Elementary with a current enrollment of 560 with a capacity of 511 students.

Surf City Middle School with a current enrollment of 747 with a capacity of 750 students.

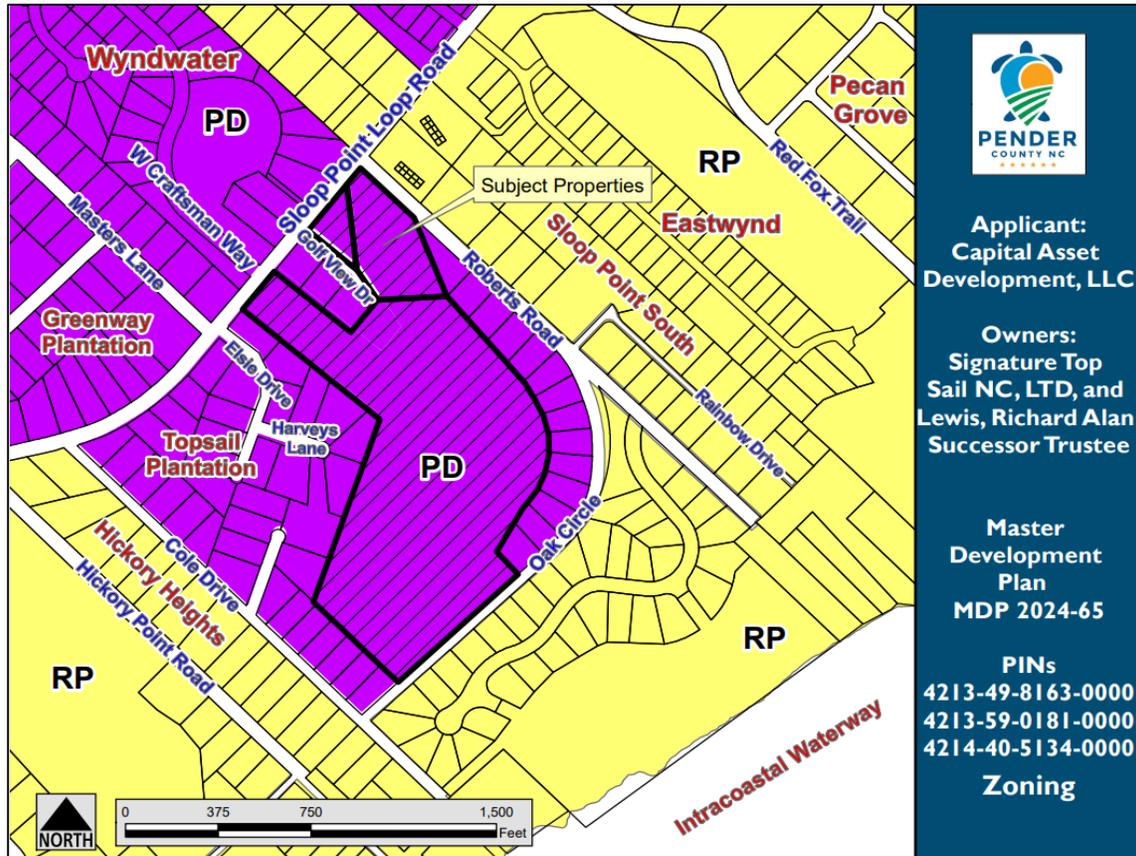
Topsail High School with a current enrollment of 1839 with a capacity of 1400 students.

PUBLIC INPUT MEETING

In accordance with the Pender County Unified Development Ordinance, the applicant held a public input meeting on April 2nd, 2024, at Kiwanis Park. The applicant mailed notice of the meeting to property owners within 500 feet of the subject property per the UDO requirements. Over a dozen members of the public attended and were given the opportunity to raise concerns and ask questions. A summary of the report provided by the applicant can be found in **Attachment 3**.

EVALUATION

Below: Zoning Map of the Area



CHARACTERISTICS OF THE SURROUNDING AREA

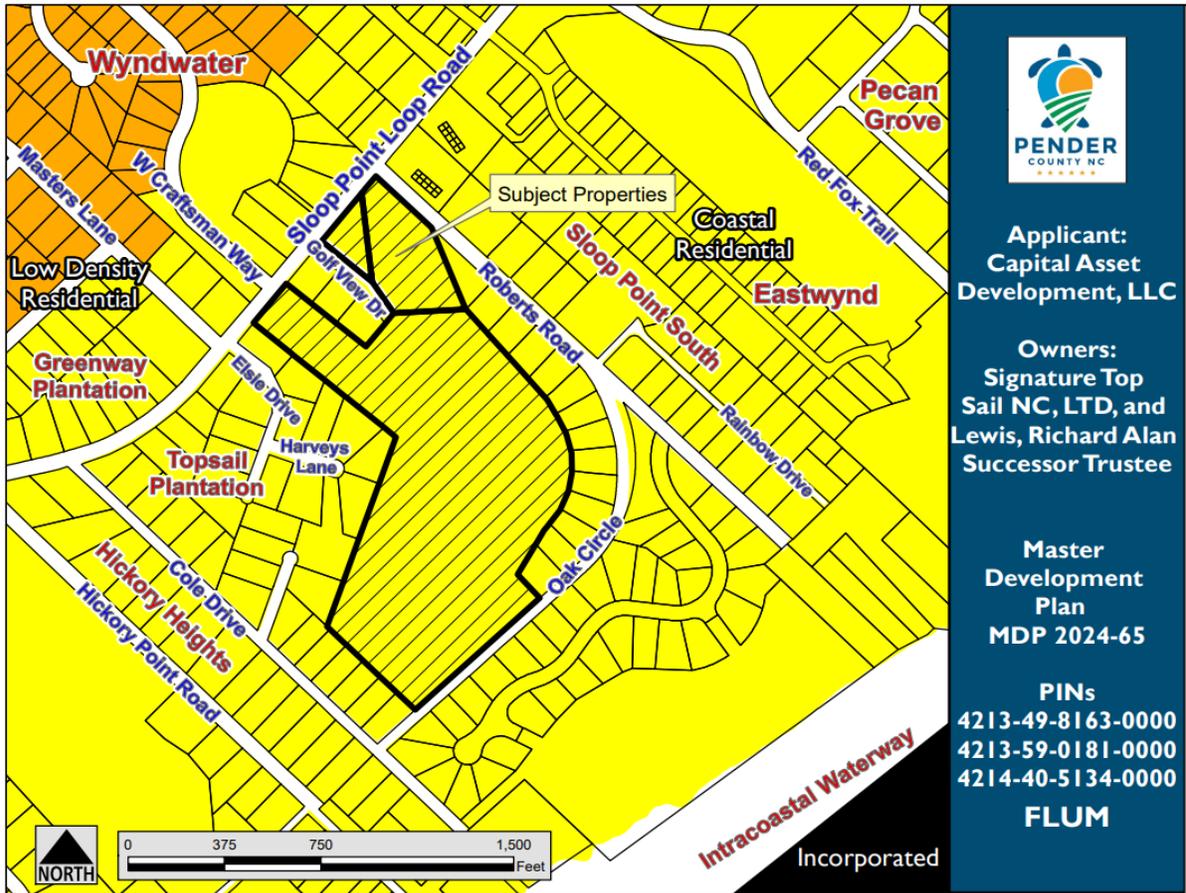
	LAND USE	ZONING
North	Residential	PD, Planned Development RP, Residential Performance
East	Residential, Vacant	PD, Planned Development RP, Residential Performance
South	Residential, Vacant	PD, Planned Development RP, Residential Performance
West	Vacant, Residential	PD, Planned Development RP, Residential Performance

PENDER 2.0 COMPREHENSIVE LAND USE PLAN COMPLIANCE

The subject properties are classified as Coastal Residential in the Pender 2.0 Comprehensive Land Use Plan. Supporting the County's coastal character and natural habitat is a top priority for Pender County residents. To more appropriately preserve the County's coastal character, the Coastal Residential future land use category is established. Coastal residential land uses are located east of the US 17 corridor and generally within a half-mile of estuarine waters such as coastal creeks and the Intracoastal Waterway. Appropriate uses include single-family residences, community recreation and open space uses, and water-based recreation uses (public and private). Unencumbered access to public trust coastal waters and maximum development setback from the shoreline is highly encouraged. Clustering of new communities is encouraged.

To support adjacent coastal surface water quality, low impact development (LID) is encouraged. In general, lots should maximize pervious surfaces. Tree preservation and mitigation is required for stormwater purposes and as a means of preserving the coastal habitat. Development density within this category is three dwelling units an acre or less. Water and sewer service are typically available in these areas.

Desired uses in these areas include detached single-family dwellings and recreation, parks, and open space. Inappropriate uses include attached single-family dwellings, multi-family residential, as well as commercial and industrial development.



Above: Future Land Use Map of the Area

As well as conforming to the Future Land Use Map, the Master Development Plan is supported by four policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 4.2.I: Connectivity: The County shall continue to enforce connectivity requirements that require new developments and individual sites to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

Policy 5.1.D: Focused Growth and Development: The County supports a growth pattern that includes low density single-family residential communities, but also allows for the strategic placement of higher density residential, mixed uses, and commercial development to

accommodate and support future population growth, where necessary infrastructure exists or is planned.

Policy 5.1.V: Residential Development: The County supports a range of housing types and development at appropriate densities and locations that are compatible with their surroundings and are in accordance with the future land use map.

RECOMMENDATION

Planning Staff is submitting the proposal for Planning Board disposition. The request is consistent with the Future Land Use Map as well as four policies within the Pender 2.0 Comprehensive Land Use Plan. The proposed development is also consistent with and meets the requirements of the Pender County Unified Development Ordinance. Therefore, Planning Staff recommend approval of the Master Development Plan as detailed in this report.

3.5.4 Master Development Plan Review

- A. Applicants shall submit the MDP to the Administrator, together with completed application materials.
- B. Application form must be completed, and fee paid at the time of submission.
- C. The Master Development Plan must meet all the requirements prescribed in Section 6.1, Master Development Plan Contents.
- D. The Administrator will forward the MDP to the Technical Review Committee for review. The TRC shall make recommendations concerning whether the plan meets the requirements and or plans of their particular state agency, county department or utility authority.
- E. When the submission is complete, the Administrator shall submit the plans, application materials and comments to the Planning Board for its consideration, if required in accordance with Section 3.5.2.
- F. The Planning Board shall act on the MDP within 90 days of the date of the presentation of the plan to the Board. The Planning Board shall approve the plan, approve it with required changes or deny the plan. If the Planning Board fails to act within 90 days, the plan shall be deemed approved. The applicant may request additional time if he/she deems it necessary.
- G. If the MDP is denied by the Planning Board, the applicant may choose to withdraw the application and resubmit it with changes as a new plan or appeal the Planning Board's decision to Zoning Board of Adjustment.
- H. Any decision rendered by the Planning Board is appealable to the Zoning Board of Adjustment within thirty (30) days of the decision.
- I. Planning Board Master Development Plan approval shall be valid for two (2) years.

PLANNING BOARD ACTION FOR MASTER DEVELOPMENT PLAN

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

MDP 2024-65

Application

APPLICATION FOR MASTER DEVELOPMENT PLAN

THIS SECTION FOR OFFICE USE			
Application No.	MDP 2024-65	Date	3.1.24
Application Fee	\$ 778.00	Invoice Number:	38862
Pre-Application Conference	1.18.24	Hearing Date	TRC 4.4.24

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	CHRIS PLAFORD - CAPITAL ASSET DEVELOPMENT, LLC	Owner's Name:	SEE EXHIBIT A
Applicant's Address:	13500 NC-50	Owner's Address:	
City, State, & Zip	N. SURF CITY NC, 28445	City, State, & Zip	
Phone Number:	910-803-2222	Phone Number:	
Email Address:	CPLAFORD@CAPITALASSET-US.COM	Email Address:	

Legal relationship of applicant to land owner: UNDER CONTRACT TO PURCHASE, DEVELOPER

SECTION 2: PROJECT INFORMATION

Type of Master Development Plan	<input checked="" type="checkbox"/> Residential <i>RP, PD, RM MH District</i>	<input type="checkbox"/> Commercial <i>GB, OI, IT, GI District</i>	<input type="checkbox"/> Mixed Use <i>PD</i>	
Property Identification Number (PIN):	SEE EXHIBIT A1	Total property acreage:	PD: 27.8 Total: 61.65	
Zoning Classification:	PD	Acreage to be disturbed:	61.65	
Water Provider	PENDER COUNTY UTILITIES	Wastewater Provider:	PLURIS	
Project Address :	201 GOLF VIEW DR.			
Description of Project Location:	41 PARCELS THAT FALL OFF OF SLOOP POINT RD BETWEEN COLE DR AND ROBERTS RD.			
Describe activities to be undertaken on project site:	DEVELOPMENT OF 89 SINGLE FAMILY RESIDENTIAL HOMES WITH A			
	MARINA, 112 BOAT SLIPS, AMENITY SITE, KAYAK LAUNCH, AND 25 BOAT TRAILER STORAGE SPACES - See Exhibit B for Narrative			

SECTION 3: SIGNATURES

Applicant's Signature		Date:	2-29-24
Applicant's Printed Name	CHRIS PLAFORD, CAPITAL ASSET DEVELOPMENT, LLC	Date:	
Owner's Signature		Date:	
Owner's Printed Name		Date:	
Developers Signature		Date:	
Developers Printed Name	CHRIS PLAFORD, CAPITAL ASSET DEVELOPMENT, LLC	Date:	



Feb 29, 2024

NOTICE TO APPLICANT

1. Applicant or agent authorized in writing must attend the public hearing.
2. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.
3. All fees are non-refundable
4. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda

Office Use Only

<input type="checkbox"/>	MDP Fees: (<i>\$500.00 plus \$10/acre for the first 100 acres \$5/acre thereafter</i>)	Total Fee Calculation: \$				
Attachments Included with Application: (Please include # of copies)						
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N
Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input type="checkbox"/> Check # _____		
Application received by:		Taylor Davis				Date:
Application completeness approved by:		Taylor Davis				Date: 3.1.24
Date scheduled for public hearing:						

MDP 2024-65
Subject Parcels List



EXHIBIT A

PIN	Zoned	Owner	Street Address	City, State, Zip
4213-59-0181-0000	PD	SIGNATURE TOP SAIL NC LTD	93378 KATY FREEWAY #337	HOUSTON, TX 77024
4214-40-5134-0000	PD	SIGNATURE TOP SAIL NC LTD	93378 KATY FREEWAY #338	HOUSTON, TX 77025
4213-49-8163-0000	PD	LEWIS, RICHARD ALAN SUCCESSOR TRUSTEE	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-59-6178-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-4566-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-59-8136-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-59-9034-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-68-0916-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-68-0897-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-68-0794-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-68-0631-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-8590-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-7488-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-6570-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-5581-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-5404-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-4325-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-3228-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-2232-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-1037-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-57-0977-0000	RP	LEWIS, RICHARD ALAN SUCCESSOR TRUSTEE	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-47-8986-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-47-9970-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-48-8005-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-48-8144-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-48-9230-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-0207-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-0386-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-1484-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-2469-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-3526-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-4604-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-4783-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-5880-0000	RP	LEWIS, RICHARD ALAN SUCCESSOR TRUSTEE	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-6777-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-7763-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-8764-0000	RP	LEWIS, RICHARD ALAN SUCCESSOR TRUSTEE	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-8844-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-7971-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-6986-0000	RP	LEWIS, RICHARD ALAN SUCCESSOR TRUSTEE	2237 QUEENS RD EAST	CHARLOTTE, NC 28207
4213-58-8127-0000	RP	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE, NC 28207

MDP 2024-65

Narrative



EXHIBIT B – PROJECT NARRATIVE

Capital Asset Development, LLC is proposing a single-family residential development of a roughly sixty-one (61) acre site located off of Sloop Point Rd between Roberts Rd and Cole Dr. The project area is comprised of forty-one (41) individual parcels. The parcels are split zoned. PINs 4213-59-0181-0000, 4214-40-5134-0000, 4213-49-8163-0000 are zoned Planned Development (“PD”). The remainder of the parcels are zoned Residential Performance (“RP”). (See Exhibit A for full parcel list.) Of the lots within the RP zoning district, thirty-six (36) were previously platted and will be recombined and subdivided consistent with the proposed Master Development Plan (“MDP”).

Although there are two current zoning districts, the project is being proposed as a single phase MDP and common scheme of development. The PD portion of the proposed plan has been submitted for administrative approval by the Planning Board. The RP portion of the proposed plan has been submitted for administrative approval by Pender County Planning staff.

The Pender County 2.0 Comprehensive Land Use Plan designates the project area as “Coastal Residential” which contemplates single-family residences, community recreation and open space uses, and water-based recreation uses. Development density within this category is limited to three dwelling units an acre or less.

The Coastal Residential place type also recommends access to public trust coastal waters, maximum development setback from the shoreline, and tree preservation.

The proposed MDP depicts eighty-nine (87) single-family detached homes, or 2.08 DU/AC, with a community boating facility, one-hundred twelve (112) boat slips, amenity site, kayak launch, and twenty-five (25) boat trailer storage spaces. The community is accessed primarily by a proposed driveway to Sloop Point Rd and secondary access via Oak Circle connecting to Cole Drive and Roberts Rd. It will be served by public water via Pender County Utilities and sanitary sewer via Pluris, LLC. The site plan proposes 5.52-acres of total open space with 3.59-acres of active open space and 1.93-acres of passive open space. This exceeds the 2.67-acre minimum required by the Unified Development Ordinance (“UDO”). There are 6.5 acres of wetland onsite, comprised of both 404 and Coastal wetlands. Capital Asset Development, LLC has not proposed to fill any of the wetlands present onsite. All building pads remain out of the flood hazard areas on the Effective FEMA Flood Hazard Area mapping.

The PD portion of the site proposes 39 single-family detached homes, or 1.70 DU/AC, on 27.8 acres. An amenity site, stormwater SCM, and boat trailer storage area with twenty-five (25) spaces heavily screened from all sides are proposed in addition to a sanitary sewer pumping station. No wetlands are present on this portion of the tract. There are 1.23-acres of total open space proposed with 0.84-acres of active open space and 0.39-acres of passive open space.



The RP portion of the site proposes forty-eight (48) single-family detached homes, or 2.5 DU/AC, on 33.85-acres. An upland community boating facility, one-hundred twelve (112) boat slips, a kayak launch, and wooden boardwalk are shown on the site plan. 6.5 acres of wetlands are present on this portion of the tract. There are 4.29-acres of proposed total open space with 2.75-acres of active open space and 1.54-acres of passive open space.

The design contemplated by Capital Asset Development, LLC took into account existing natural features on site including the wetlands, flood zones, and coastal features creating a neighborhood that supports the county's coastal character and habitat in the following ways:

- By preserving as many "Significant" trees as possible on site by means of exceptional design features such as bifurcated roads, buffers that exceed the code requirements, and intentional site design which preserves large Live Oaks on several lots and around key community features.
- By surpassing the required buffers from adjacent residences to protect the existing character of the adjacent properties.
- By proposing lots that are larger than the dimensional standards in the UDO and relocating lot lines to preserve the significant trees located on site.
- By preserving more open space than is required by the UDO to support the aesthetic of the county and provide ample space for community gathering and recreation.
- By treating all stormwater runoff on site to meet Pender County and NCDEQ regulations.
- By providing public water and sanitary sewer utilities to the residential community.
- By implementing continuous pedestrian access to community features by way of 5' wide sidewalks and 6' wooden boardwalks.
- By constructing roads that meet the NCDOT standards for subdivision roads and providing community access to public trust waters.
- By conforming to Pender County's UDO, Flood Damage Prevention Ordinance, CAMA, FEMA, and other federal, state, and municipal regulations.

A Homeowners Association shall be established for the management and maintenance of the subdivision including the community boating facility, streets, open spaces and amenities.

MDP 2024-65

Technical Review Committee (TRC) Comments



Technical Review Committee Review and Response

Project Title: Capital Asset Development – Sloop Point Loop Road Single Family

Case Number: MDP-2024-64 & MDP-2024-65

TRC Meeting Date: 4/04/2024

Board Hearing (if applicable): PB Hearing for PD Portion TBA

Date of Review: 4/03/2024

Reviewer: Justin Brantley, jbrantley@pendercountync.gov, 910-259-1529

Outstanding Requirements per Section 6.1 of the Pender County Unified Development Ordinance:

The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Administrator no less than 1:100 scale on a paper size no less than 24"X36". The Master Development Plan site plan shall contain a conceptual plan, showing the location and functional relationship between streets and land uses. **Items to be addressed and/or staff comments are outlined below in RED.** The information required for each section is listed below:

6.1.1 All Master Development Plans shall be prepared in accordance with the following specifications:

A. Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

- 1) ~~The scale shall be one inch equals 100 feet or larger (the ratio of feet to inches shall be no more than one hundred feet to one inch) or at a scale acceptable to the Administrator. The scale shall be sufficient so that all features are clear.~~
- 2) ~~No sheet shall be smaller than 24"x36" in size unless approved by the Administrator. If the MDP is prepared on more than one sheet, match lines shall clearly indicate where the sheets join.~~
- 3) ~~North arrow, a scale of 1:100 or larger and a legend describing all symbols.~~
- 4) A boundary survey of the entire property related to true meridian and certified by a registered surveyor with all dimensions in feet and decimals of feet. A vicinity map at a suitable scale shall be provided showing the location of the project along with the location of all existing or approved public roads, streets or rights-of-way within 2,000 feet of the boundaries of the project.
Provide.
- 5) The total area of the property shall be specified.
Break down the total property area by zoning district (show total as well as portions in RP and PD).
- 6) The topography shall be shown at 2 foot contour intervals.
Show detail for PD Portion.
- 7) The title of the proposed project; the date, month, year the plan was prepared or revised; the name of the applicant(s), owner(s) and contract owner(s); and the names of the individuals or firms preparing the plan shall be clearly specified.
Clarify all current owners and applicants in the Site Data table. Feel free to add note clarifying that it is under contract and update accordingly if anything changes.
- 8) A schedule of phases, with the approximate location of phase boundaries and the order in which the phases are to be developed, shall be provided.
Provide phasing plan.
- 9) The use of all adjoining properties by zoning, parcel identification number (PIN) and current property owner(s).
Provide PINs and current property owners info for all adjoining properties.

10) All proposed uses shall be specified in the Master Development Plan narrative by NAICS code in accordance with Section 5.2.3.

Add community boating facility and storage facility to the proposed uses section of the Site Data table. Also, please clarify potential uses for the Amenity (Future Site).

6.1.2 Master Development Plan Contents - Residential Districts (RP Portion)

A. Site plans shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

~~1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.~~

~~2) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.~~

3) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.

Provide independent density calculations for each part of the development (RP and PD portions).

4) The location and approximate boundaries of existing environmental features as defined.

Provide on previously requested survey.

5) The location of environmental protection land to be included in common open space.

Clarify.

6) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.

Clearly delineate and label all open space areas.

7) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.

Clarify boundaries of open space areas for active and passive.

~~8) The location and general configuration of recreational facilities, with a general statement of the types of recreational facilities to be provided if applicable.~~

9) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.

~~10) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.~~

11) The location and arrangement of street entrances, driveways and parking areas.

Clarify parking areas for community boating facilities. With 75 plus spaces, how will residents access the slips other than walking. I do see the golf cart parking area. How many carts can this area accommodate.

~~12) The use of adjoining parcels and the location of adjoining streets and utilities.~~

Clarify adjoining utilities and points of connection.

13) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.

Clarify that trip data was used with the most recent Trip Generation Manual. A TIA will not be required. However, please clarify the requested.

~~14) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.~~

~~15) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or peak hours or 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.~~

16) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.

Provide locations and include statements concerning the connection with an availability of existing facilities.

17) A conceptual plan for stormwater management with the location of stormwater facilities designed to serve more than one lot.

Provide conceptual stormwater management facilities. Would the stormwater pond shown on the plan serve the entirety of the project?

~~18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.~~

~~19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.~~

20) Location and timing of construction for all amenities.

Provide timing of amenities.

21) Landscaping and Buffer requirements per Article 8.

Buffers are not required for residential developments of one residential unit type in the RP zoning district. However, the buffers you have provided are encouraged.

22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.

The Site Data table provides that this section will have 12,000 square foot lots and 9,000 square foot lots. The RP zoning district has a minimum of 15,000 square feet. However, with water and sewer connection, this can be reduced to 12,000 square feet. On the other hand, the 9,000 square foot lots can only be allowed if the project is designed and constructed to LID (Low Impact Development) design consistent with Section 7.14 of the UDO. If that is the intent please clarify with a note on the site plan.

Along the same lines, please provide clarity on the lot widths and chord lengths for lots 79 and 80. You can find the standard dimensional requirements in Article 4. (specifically have a look at Section 4.6.5 for how lot width is determined, Table 4.14 as a baseline of dimensional standards, and also refer to Section 7.14 for the allowable reduction related to LID, as LID design allows a 50% reduction in lot width, chord lengths for cul-de-sac lots, as well as setbacks and structure separation (Section 7.14.B)).

~~23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.~~

HOA and restrictive covenant documentation will be required prior to final plat approval (recording of lots).

24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design.

Provide dimensions of proposed turnarounds. See Section 7.5.1.G of the UDO for cul-de-sac size requirement.

~~25) Calculated open space requirements shall adhere to Section 7.6, Open Space.~~

6.1.4 Master Development Plan Contents – Mixed Use Districts (PD Portion)

A. Site plan shall contain a conceptual plan, showing the location and functional relationship between all proposed housing types and land uses, including the following information:

~~1) A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses.~~

~~2) The location and approximate boundaries of existing environmental features as defined.~~

~~3) The proposed location of entrances to the development from existing public streets and proposed parking areas.~~

~~4) The approximate acreage in common open space, each use, housing type and in roads, streets or right-of-ways for each phase and the total development.~~

5) The approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space.

Clarify locations of open space and types. The legend used is not clear with everything else on the plan.

~~6) The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels.~~

7) The use of adjoining parcels and the location of adjoining streets and utilities.

Clarify the location of existing and proposed utilities.

8) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.

Provide. See previous comments.

9) A conceptual plan for stormwater management and description and the location of all stormwater facilities designed to serve more than one parcel.

Provide more conceptual detail, specifically, how will water flow to the stormwater pond.

10) The proposed location and arrangement of all streets and utility systems.

Provide this detail for the PD section similar to how it is provided for the RP section.

11) The location and extent of proposed buffers, with statements, profiles, cross sections or examples clearly specifying the screening to be provided if applicable.

Provide required detail. See comment below for additional information related to buffers.

~~12) The location and approximate boundaries of proposed housing types conceptually shown in accord and with other non-residential uses dimensional requirements.~~

13) The proposed number of dwelling units of each type in each phase and in the total development accompanied by density calculation of the development.

Again, provide clear breakdown of total density of project with density calculations for each portion of the project (PD and RP).

14) Estimated AM and PM Peak Hour Trips per the Institute of Transportation Engineers Trip Generation Manual.

Clarify on the plans the Edition of the Trip Generation Manual used. A TIA will not be required.

However, please provide the breakdown of the trip generation for the PD Section. It appears that the total project trip generation is provided, and the RP portion, but not the PD portion.

~~15) Estimated Average Daily Trips created by the development at build-out per the Institute of Transportation Engineers Trip Generation Manual.~~

~~16) A Traffic Impact Analysis is required when the development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. The Traffic Impact Analysis must state the dates and times the counts were conducted.~~

17) The approximate location of sewer and water mains, sewage disposal and water source with statements concerning the connection with and availability of existing facilities.

Provide for PD Portion.

~~18) Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed.~~

~~19) The location and treatment proposed for all historical structures and sites recognized as significant by the County Commissioners or as identified on any historical landmarks survey for Pender County.~~

20) Location and timing of construction for all amenities.

Please clarify timing of amenities in PD portion as well as clarify the intended or proposed uses for the Future Amenity Site.

21) Landscaping and Buffer requirements per Article 8.

Clarify the type of C buffers that are proposed. It looks like there is some variation. Provide the description and width of the proposed types clearly on the plan.

Also the Type A buffer is required along all established ROWs. This includes the area between lots 17 and 18 as well as along the PD side of Plantation Road (Oak Circle on GIS).

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:
A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or
A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or
A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or
A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

22) All subdivided land and parcels shall comply with Section 7.2, Lot Design.

Provide all applicable proposed dimensional standards as the PD process allows flexibility with these. Include all setbacks (front, rear, side, corner), height allowance, minimum lot widths, minimum lot size, etc.

23) Homeowners Association shall be required for all major residential subdivisions with privately maintained streets, open space, and other dedicated land as stated in Section 7.3, Homeowners Association Requirements.

This will be required prior to Final Plat approval.

24) Street layout and access shall conform to Section 7.4, Access and Section 7.5, Street Design. Clarify dimensions of cul-de-sac.

25) Calculated open space requirements shall adhere to Section 7.6, Open Space.

Additional Planning Comments:

Please clarify the location of sidewalks. The cross section shows them for the RP portion, but it is unclear on the plan itself.

With secondary accesses to Plantation Road (Oak Circle on GIS) and Cole Drive, will those roads be improved and does this project have the right to utilize them.

Please update Plantation Road to Oak Circle as this road is already named.

Staff also recommends a striped cross walk across Plantation Road (Oak Circle on GIS).

Provide all parcel ID numbers within the project boundary within the site data table.

Vencent Dodge, Pender County Environmental Health, 910-259-1233

- Map does not show a public pool. If pool is wanted, plan review will be required.

Katie Leubner, Pender County Utilities, 910-663-3776

- See attached.

Mike Taylor, Pender County Schools

- See attached.

Pluris

- Email permitting@plurisusa.com and wandrews@plurisusa.com for wastewater project requirement.
- Enter into a Developer agreement to reserve capacity.
- Send detailed utility plans.

Scott James, WMPO

- See Attached.

Jason Dail, DEQ

- Reach out if development in CAMA Areas of Environmental Concern (AECs)



305 Chestnut Street
PO Box 1810
Wilmington, NC 28402
Ph: (910) 341-3258
Fax: (910) 341-7801
www.wmpo.org

MEMORANDUM

To: Pender County Technical Review Committee
Date: 4/4/24
Subject: Sloop Point Loop Rd Residential (MDP 2024-64)

Comments:

- Please confirm the boat slips are not a separate land use and are for residents only.
- Please clarify if there is an approved TIA for the development.
- Please clarify if any upgrades to Cole Drive, Plantation Road, and Robert Road will be made due to the driveway connections. Robert Road, Cole Road, and Plantation Road are all dirt/gravel roads.
- Include a note that states the private roads will be built to NCDOT Subdivision Road Manual standards per Pender County UDO.
- Label roadway and cul-de-sac dimensions.
- Show sidewalk and pedestrian crossings. Label the dimensions.

NCDOT Projects: n/a

WMPO 2045 Projects: n/a

Pender County CTP: n/a

TIA: Based on the ITE Trip Generation 11th Edition, a TIA is not required.

Land Use (ITE Code)	Intensity	Unit	24 Hour Volumes	AM Peak Hour Trips	PM Peak Hour Trips
ITE 210 Single-Family Detached Housing	89	DU	906	62	84

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick
County of Currituck • The Fear Public Transportation Authority • North Carolina Department of Transportation



Technical Review Committee Review and Response

Date: 3/26/2024 Case Name: Sloop Point Road Project

Name: Michael R. Taylor Agency: Pender County Schools

Phone: 910-604-0855 Email: michael_taylor@pender.k12.nc.us

Requirements:

Recommendation:

Comments: Based on the most recent comprehensive land use study there will be an impact of approximately 0.3 students per new home constructed. Therefore the impact to the school district will be approximately 39 students. The schools primarily impacted will be:

North Topsail Elementary with a current enrollment of 560 with a capacity of 511 students.

Surf City Middle School with a current enrollment of 747 with a capacity of 750 students.

Topsail High School with a current enrollment of 1839 with a capacity of 1400 students.

Information Requested:

Please Follow Up Prior to Meeting: Yes No X

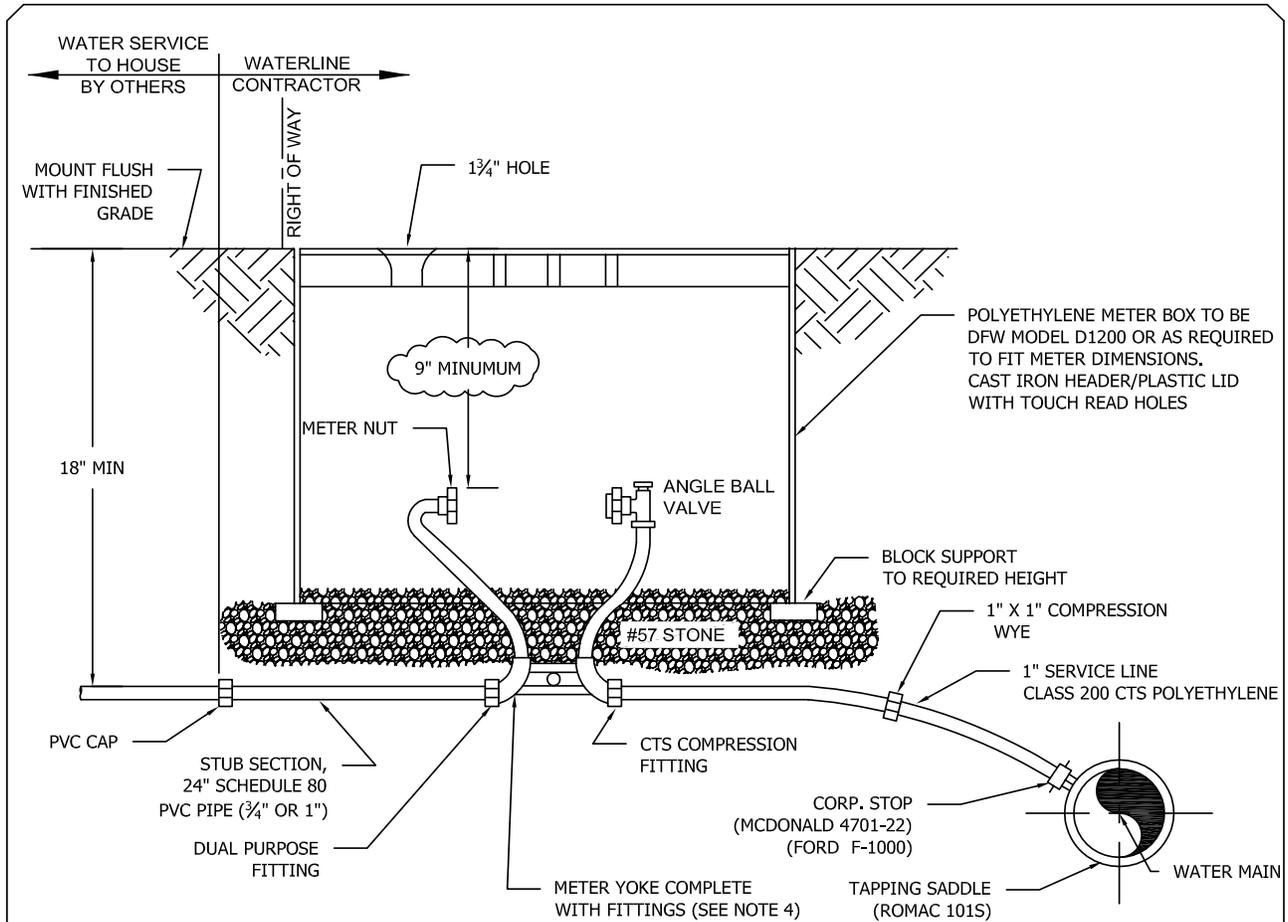
PCU STANDARD NOTES

1. A PRE-CONSTRUCTION MEETING IS REQUIRED BEFORE BEGINNING WORK. THE MEETING MUST BE SCHEDULED WITH PENDER COUNTY UTILITIES (PCU) AT LEAST ONE WEEK IN ADVANCE. ATTENDEES MUST INCLUDE PCU, THE UTILITY CONTRACTOR'S SUPERINTENDENT, THE SUPPLIER, AND THE CONSULTING ENGINEER.
2. ALL MATERIALS USED SHALL CONFORM TO PENDER COUNTY UTILITIES REQUIREMENTS. NON-CONFORMING MATERIAL WILL NOT BE ACCEPTED FOR FINAL CERTIFICATION.
3. ALL PIPE SHALL BE C900 CR18 PVC, UNLESS OTHERWISE NOTED (SEE PCU STANDARD DETAIL). PCU MUST APPROVE THE USE OF DIP IN THE FIELD BEFORE INSTALLATION. PIPE SHOULD NEVER BE UNDER THE ROADWAY, PARKING LOT, OR SIDEWALKS. PENDER COUNTY UTILITIES DOES NOT ALLOW SIZE-ON-SIZE TAPS.
4. PCU STANDARD WATERLINE PIPE RESTRAINING METHOD IS MEGA LUGS. AT A MINIMUM ALL FITTINGS, VALVES, ETC. MUST BE RESTRAINED (SEE PCU STANDARD DETAIL).
5. PCU MUST INSPECT CASING INSTALLATIONS PRIOR TO BACKFILL. PCU MUST WITNESS PRESSURE TESTS, AND WITHDRAWAL OF BACTERIOLOGICAL SMAPLES. CONTACT PENDER COUNTY UTILITIES INSPECTOR TO SCHEDULE.
6. CLOSE-OUT DOCUMENTS WHICH MUST BE RECEIVED PRIOR TO PCU SIGNING THE NCDEQ PWSS APPLICANT CERTIFICATION INCLUDE: BACTERIOLOGICAL TESTS, PRESSURE TESTS, DEED OF DEDICATION, AFFIDAVIT/RELEASE OF LIENS, WARRANTY, AND RECORDS DRAWINGS (PDF & GIO REFERENCED CAD).
7. AN 18-MONTH WARRANTY PERIOD APPLIES TO ALL WATERLINE CONSTRUCTION. THIS WARRANTY PERIOD DOES NOT BEGIN UNTIL FINAL APPROVAL OF THE SYSTEM HAS BEEN RECEIVED FROM NCDEQ PWSS.

PENDER COUNTY UTILITIES
605 E FREMONT STREET
PO BOX 995 BUREAU NC 28425

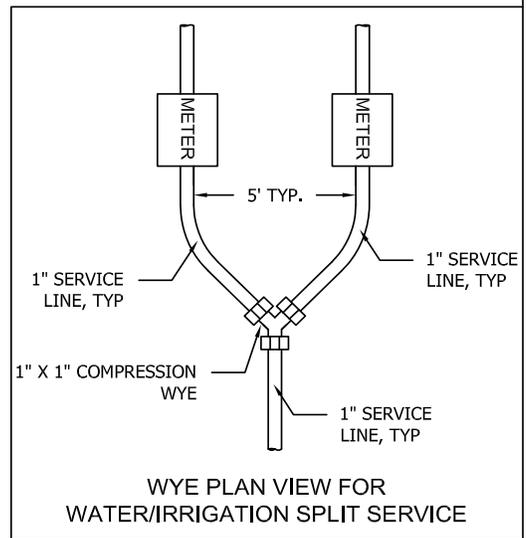


STANDARD NOTES
PCU WATER SYSTEMS
VERSION #4 – OCTOBER 2023



NOTE:

1. CONTRACTOR SHALL PLACE METER BOX IN NON-TRAFFIC AREA ONLY.
2. ALL TAPS TO BE MADE ON THE TOP QUARTER OF THE WATER MAIN.
3. CONTRACTOR SHALL CENTER METER YOKE IN METER BOX.
4. (3/4") MCDONALD 26-702WX2D 33, FORD VB72-7W-41-33-NL (1") MCDONALD 26-410WX2D 44, FORD VB-72-10W-41-44-NL BOX TO BE ADJUSTED VERTICALLY TO ACCEPT COUNTY'S STANDARD SERVICE METER. (NEPTUNE T-10, PRO READ REGISTER, R900 MIU)
6. METER TO BE SET BY COUNTY UPON RECEIPT OF WATER SERVICE FEES, AND SATISFACTORY INSPECTION OF WATER SERVICE TO HOUSE.
7. TAPS ON WATER MAINS LARGER THAN 16" SHALL BE MADE WITH DUAL WIDE BAND, STAINLESS STEEL TAPPING SADDLES (ROMAC 202S).
8. 1 1/2" METERS REQUIRE 2" TAP AND 2" SQUARE NUT GATE VALVE PER 2" METER DETAIL. REDUCE TO 1 1/2" SERVICE PIPE.
9. INSTALL WYE TO PROVIDE A DOMESTIC METER SETTER AND IRRIGATION METER SETTER PER SPLIT SERVICE INSET.



STANDARD WATER SERVICE DETAIL

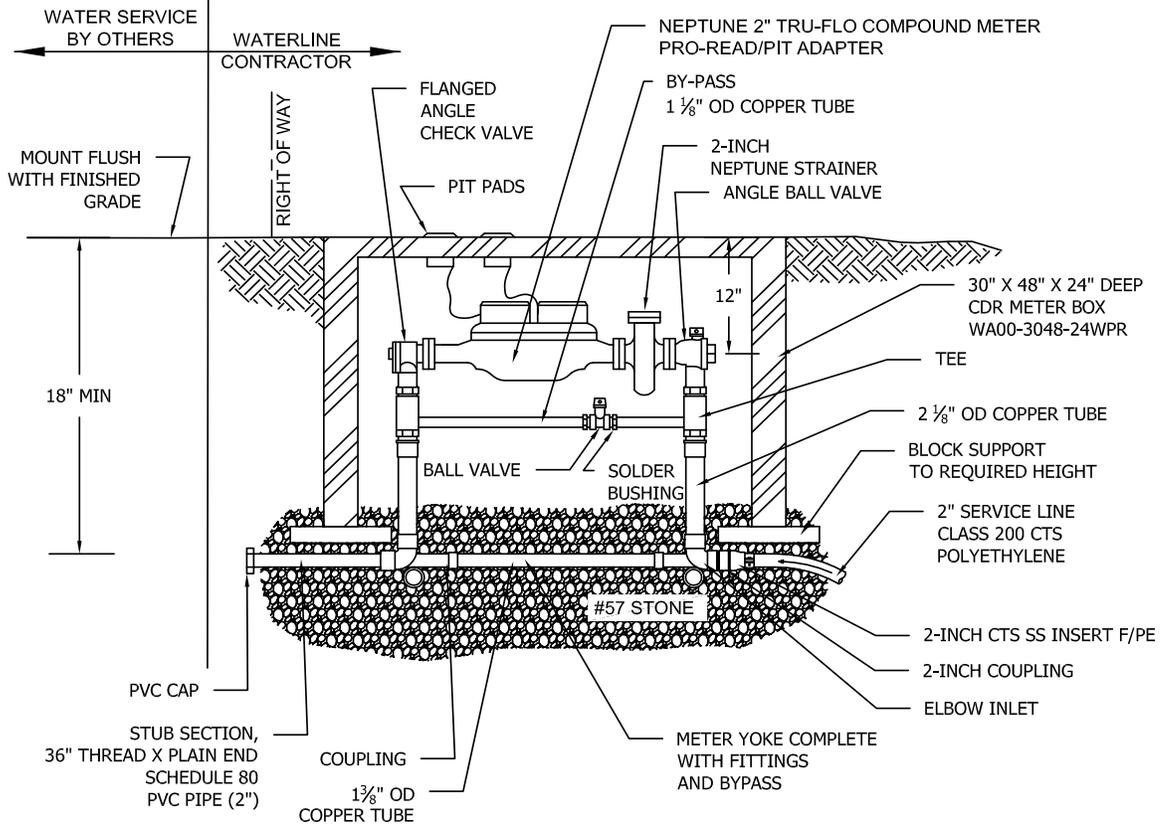
NOT TO SCALE

PENDER COUNTY UTILITIES
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WATER SERVICE (3/4" - 1")
 STANDARD DETAIL
 VERSION #4 - FEB 2016

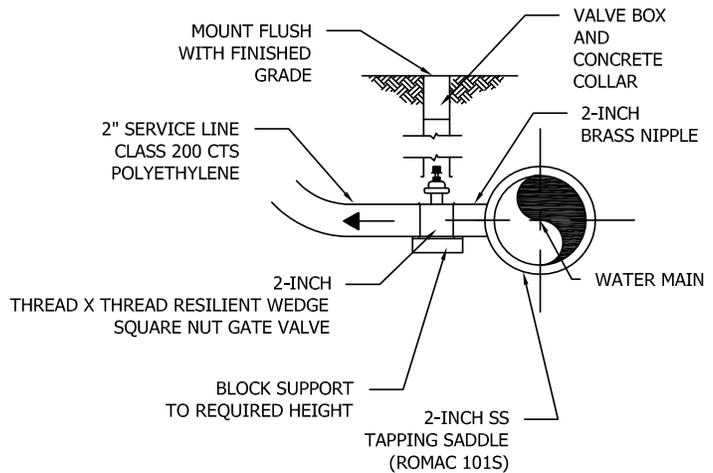
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2-INCH METER DETAIL

NOTE:

1. CONTRACTOR SHALL PLACE METER BOX IN NON-TRAFFIC AREA ONLY.
2. CONTRACTOR SHALL CENTER METER YOKE IN METER BOX AS REQUIRED TO PROPERLY FIT METER.
3. BOX TO BE ADJUSTED VERTICALLY TO ACCEPT COUNTY'S STANDARD SERVICE METER AND STRAINER. (NEPTUNE 2" TRU-FLO COMPOUND METER PRO-READ/PIT ADAPTER)
4. TAPS ON WATER MAINS LARGER THAN 16" SHALL BE MADE WITH DUAL WIDE BAND, STAINLESS STEEL TAPPING SADDLES (ROMAC 202S).
5. ANY TAP LARGER THAN 2-INCHES SHALL BE MADE WITH A TAPPING SLEEVE AND VALVE. A STRAINER AND BY-PASS SHALL ALSO BE PROVIDED.



2-INCH TAP DETAIL

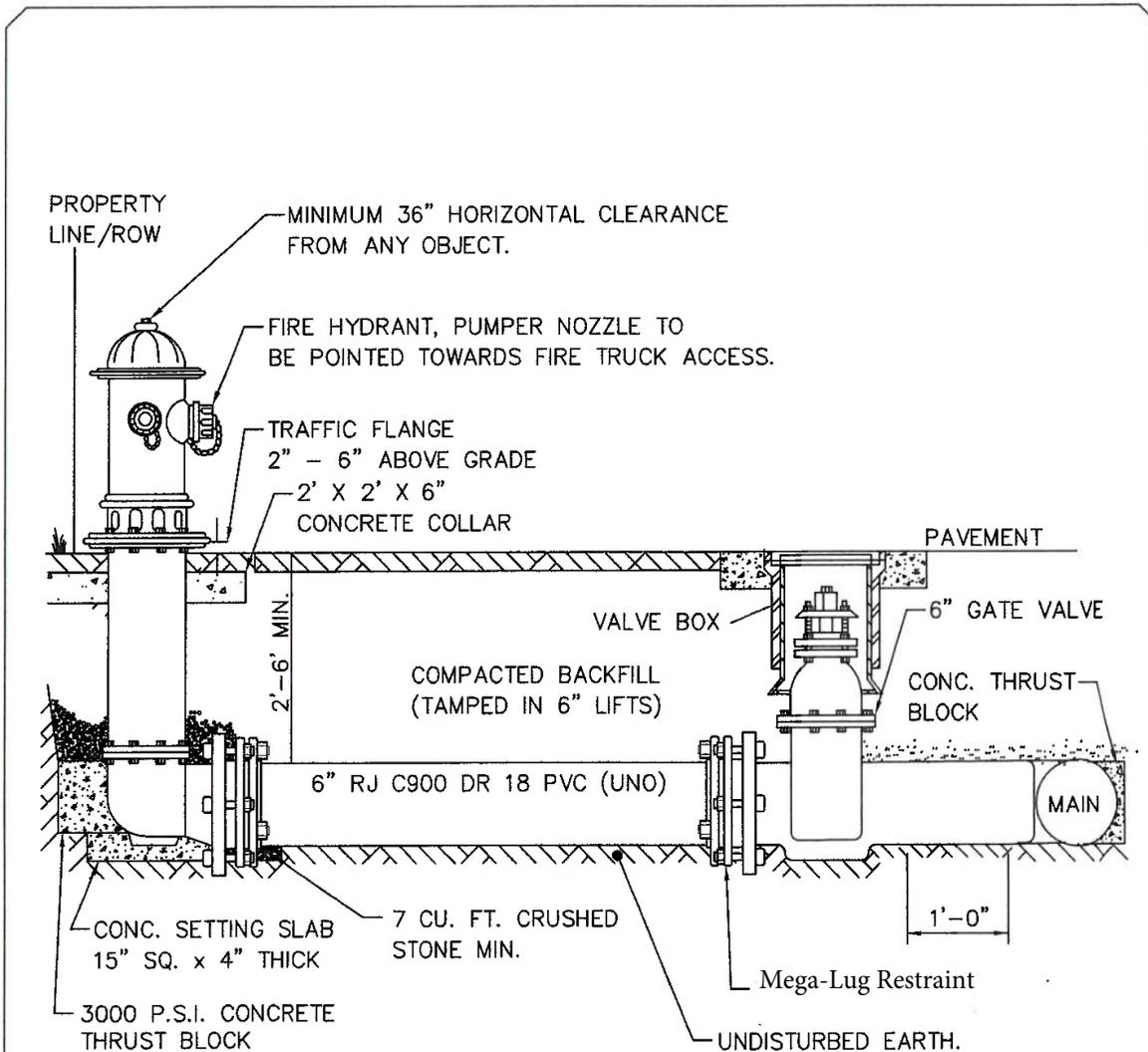
STANDARD 2-INCH WATER SERVICE DETAIL

NOT TO SCALE

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 605 EAST FREMONT STREET
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2-INCH WATER SERVICE
 STANDARD DETAIL
 VERSION #1 - AUGUST 2010



NOTES:

1. FIRE HYDRANTS WILL BE INSTALLED IN TRUE VERTICAL POSITION.
2. FIRE HYDRANTS TO BE LOCATED IN RIGHT-OF-WAY.
3. INSTALL WITH BURY LINE FLUSH TO FINAL GRADE.
4. HYDRANTS TO BE AVK SERIES 2780, MUELLER SUPER CENTURION A473 W/PENDER CO. OPTIONS 981, OR CLOW MEDALLION WITH STAINLESS STEEL STEMS. HYDRANTS SHALL BE NOSTALGIC STYLE DRY BARREL.
5. HYDRANTS TO BE RED WITH SILVER CAPS AND BONNET.

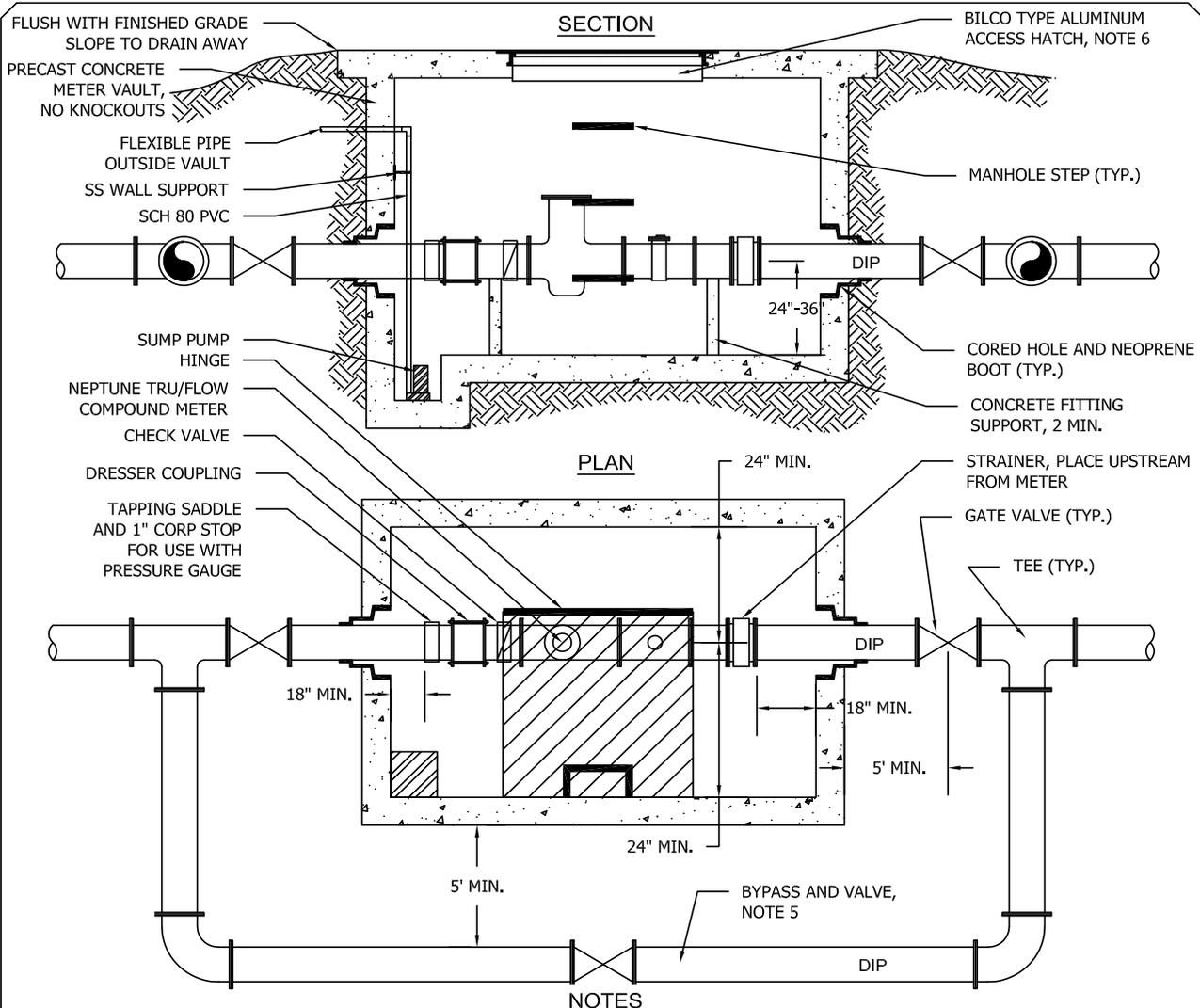
FIRE HYDRANT ASSEMBLY DETAIL

NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425



FIRE HYDRANT ASSEMBLY
STANDARD DETAIL
VERSION #2 - APRIL 2016



- NOTES**
1. VAULTS SHALL BE PROPERLY DESIGNED AND SIZED FOR EACH SPECIFIC APPLICATION AND SITE CONDITION.
 2. VAULTS SHALL BE LOCATED SUCH THAT THE RIM ELEVATION IS A MINIMUM OF 2 FEET ABOVE THE BASE FLOOD ELEVATION.
 3. PROVIDE ADEQUATE DESIGN FOR ALL SITE CONDITIONS INCLUDING BUT NOT LIMITED TO FLOTATION, TRAFFIC LOADING, ACCESSIBILITY, PROJECTED DEMAND, AND OTHER DESIGN CRITERIA AS REQUIRED.
 4. MINIMUM CLEARANCES SHOWN ARE REQUIRED FOR PROPER ACCESSIBILITY TO ALLOW OPERATION AND MAINTENANCE. CLEARANCES SHALL BE VERIFIED DURING THE SUBMITTAL PROCESS.
 5. METERS SHALL BE PROVIDED A BYPASS WITH AT LEAST ONE VALVE OF THE SAME SIZE AS THE METER.
 6. THE ACCESS HATCH SHALL BE LOCATED OVER THE METER, AND SHALL BE LOCATED TO ALLOW ENTRY WITHOUT CLIMBING OVER VAULT COMPONENTS. HATCH SHALL ALSO BE LOCATED AND OF APPROPRIATE SIZE TO ALLOW REMOVAL OF EQUIPMENT. PROVIDE 1 3/4" HOLE IN ACCESS HATCH FOR TOUCH-READ SYSTEM.
 7. THRUST RESTRAINT AND SUPPORTS SHALL BE PROPERLY DESIGNED, SIZED, AND INSTALLED TO PREVENT MOVEMENT OF ALL VAULT COMPONENTS, INCLUDING THE BY PASS.
 8. THERE SHALL BE NO VALVES, DIRECTIONAL CHANGES, OR OTHER DISTURBANCES WITHIN 5 PIPE DIAMETERS UPSTREAM OF THE METER THAT MAY INTERFERE WITH LAMINAR FLOW.
 9. VAULTS SHALL BE PROPERLY WATERPROOFED AND HYDROSTATICALLY TESTED. AN AUTOMATIC SUMP PUMP SHALL BE PROVIDED. THE FLOOR OF THE VAULT SHALL BE SLOPED TOWARD THE SUMP.
 10. AT LEAST ONE, 20 AMP, GFI OUTLET WITH STANDARD THREE PRONG RECEPTACLE SHALL BE PROVIDED ON THE ELECTRICAL PANEL. THE OUTLET SHALL BE WEATHER PROOF AND HAVE A LOCKABLE COVER.
 11. AT LEAST ONE SPARE BREAKER SHALL BE PROVIDED IN THE ELECTRICAL PANEL.

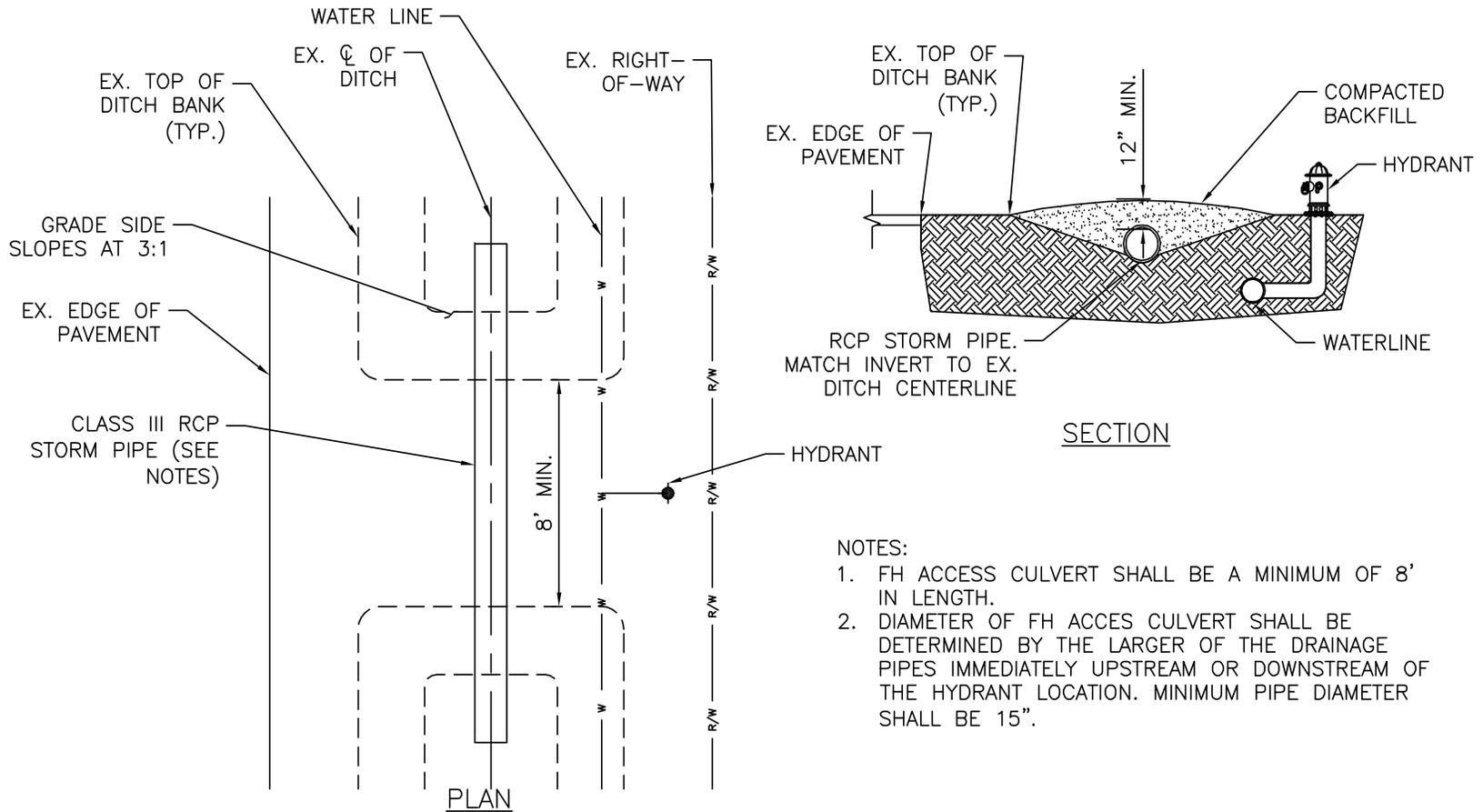
BULK METER DETAIL
NOT TO SCALE

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BULK METER
STANDARD DETAIL
VERSION #3 - FEB 2016

P:\PCU\Pender Water Specs & Details\PCU Standard Details\Current CADD Files\PCU Bulk Meter Detail.dwg



- NOTES:
1. FH ACCESS CULVERT SHALL BE A MINIMUM OF 8' IN LENGTH.
 2. DIAMETER OF FH ACCES CULVERT SHALL BE DETERMINED BY THE LARGER OF THE DRAINAGE PIPES IMMEDIATELY UPSTREAM OR DOWNSTREAM OF THE HYDRANT LOCATION. MINIMUM PIPE DIAMETER SHALL BE 15".

FIRE HYDRANT ACCESS DETAIL
NOT TO SCALE

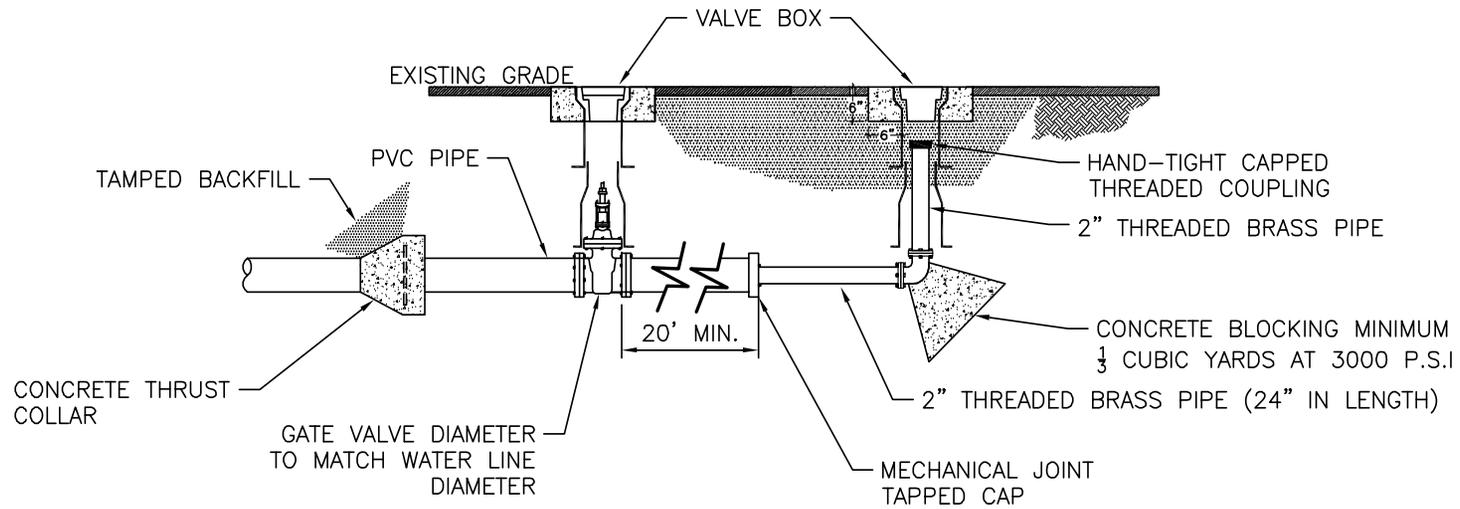
PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAU, NC 28425



FIRE HYDRANT ACCESS
STANDARD DETAIL
VERSION #1 - SEPTEMBER 2015

NOTE:

1. ALL PVC SHALL BE RESTRAINED PER THE RESTRAINED LENGTH SCHEDULE PROVIDED ELSEWHERE.
2. A BLOW OFF MARKER SHALL BE PLACED ON THE RIGHT OF WAY AT EACH BLOW.
3. BLOW OFF MARKER TO BE SAME DESIGN AS VALVE MARKER EXCEPT DENOTE "BO" ON MARKER RATHER THAN "MV"



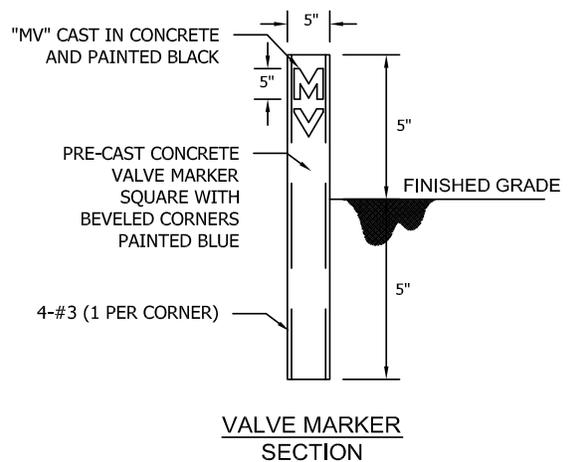
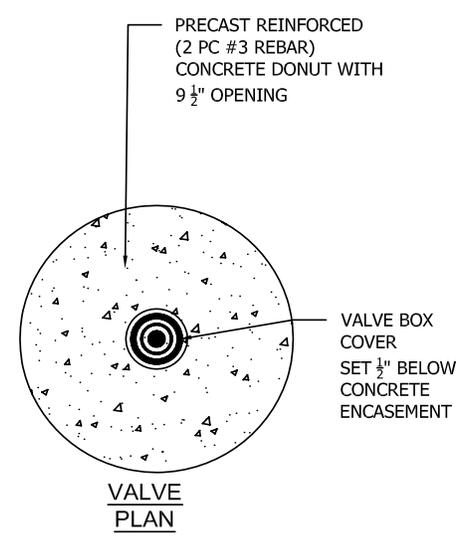
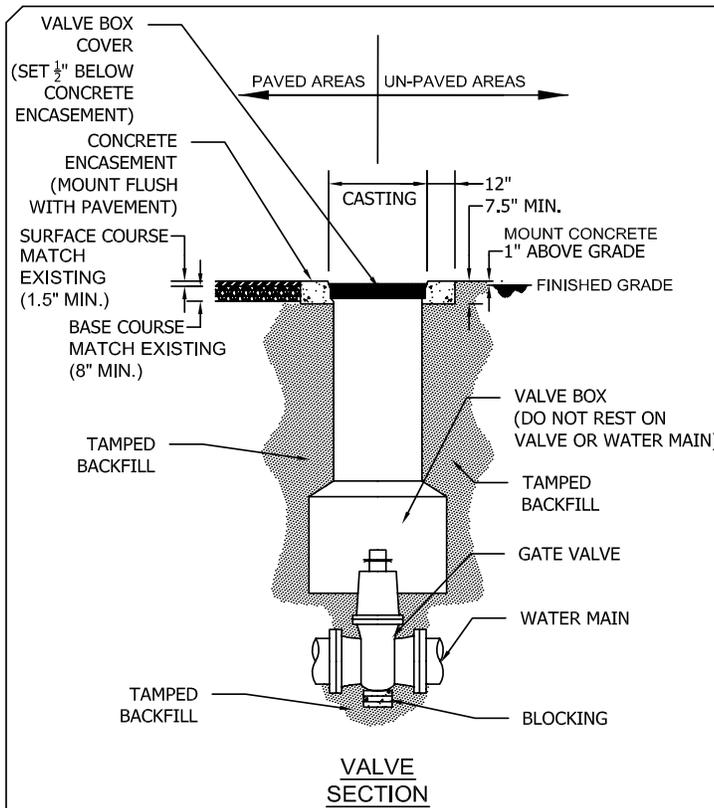
TEMPORARY BLOW-OFF ASSEMBLY DETAIL

NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425



TEMPORARY BLOW-OFF ASSEMBLY
STANDARD DETAIL
VERSION #1 - SEPTEMBER 2015



- NOTE:
1. DO NOT ALLOW VALVE BOX TO REST ON THE VALVE OR WATER MAIN.
 2. A VALVE MARKER SHALL BE PLACED ON THE RIGHT OF WAY AT EACH ISOLATION VALVE.
 3. VALVES MAY NOT BE LOCATED IN DITCHES, DITCH OR SWELL, ASPHALT OR SIDEWALKS.

VALVE INSTALLATION DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425
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VALVE INSTALLATION
STANDARD DETAIL
VERSION #3 - JUNE 2016

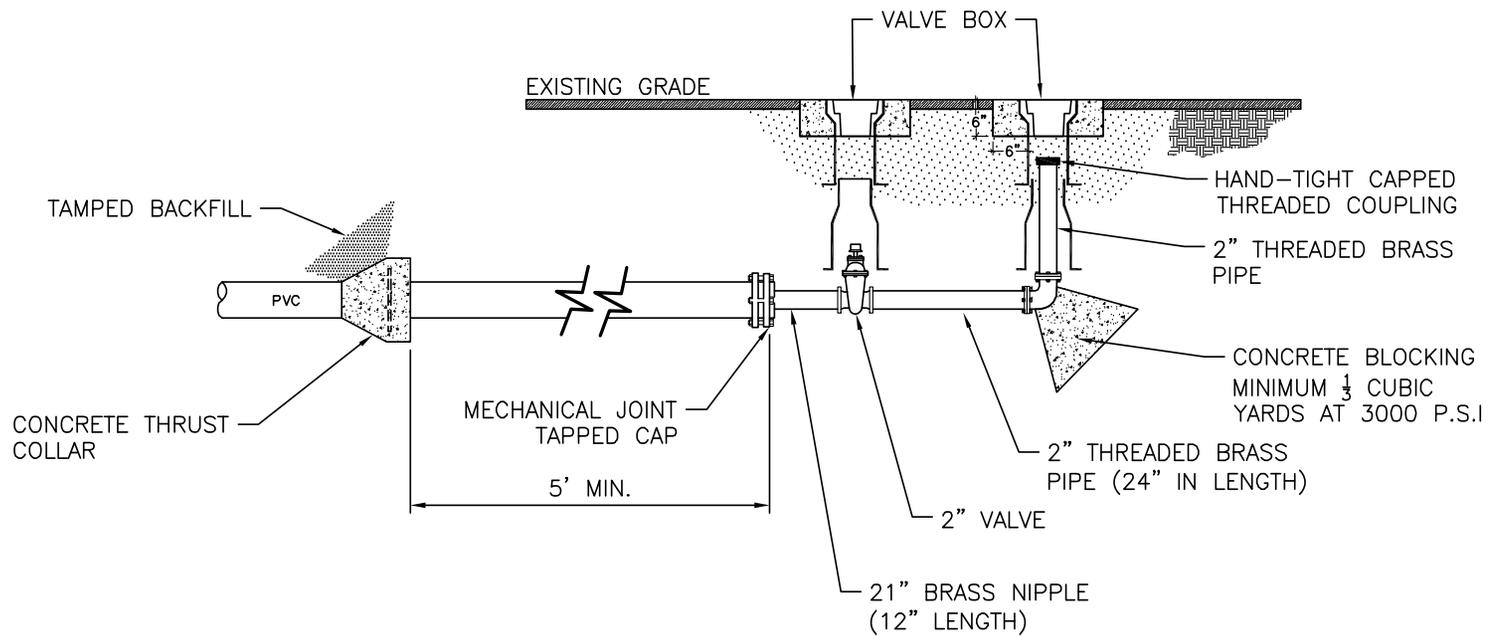
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NOTE:

1. A BLOW OFF MARKER SHALL BE PLACED ON THE RIGHT OF WAY AT EACH BLOW.
2. BLOW OFF MARKER TO BE SAME DESIGN AS VALVE MARKER EXCEPT DENOTE "BO" ON MARKER RATHER THAN "MV"

NOTES:

1. ALL PVC SHALL BE RESTRAINED PER THE RESTRAINED LENGTH SCHEDULE PROVIDED ELSEWHERE.



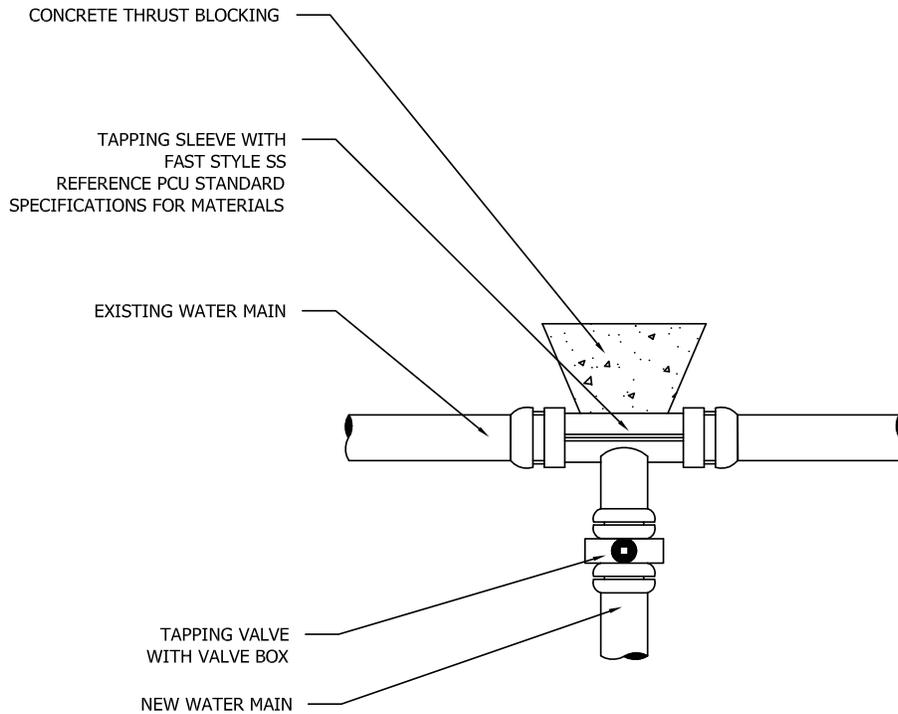
PERMANENT BLOW-OFF ASSEMBLY DETAIL

NOT TO SCALE

PENDER COUNTY UTILITIES
 605 EAST FREMONT STREET
 BURGAW, NC 28425



PERMANENT BLOW-OFF ASSEMBLY
 STANDARD DETAIL
 VERSION #1 - SEPTEMBER 2015



TAPPING SLEEVE AND VALVE ASSEMBLY DETAIL

NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425
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TAPPING SLEEVE AND VALVE ASSEMBLY
STANDARD DETAIL
VERSION #3 - FEB 2016

P:\PCU\Water Main\Specs & Details\PCU Standard Details\Current CAD Files\PCUStandard Tapping Sleeve and Valve Detail 2016.dwg

Restrained Length In Feet Each Side of Fitting Joint								
PIPE DIAMETER (INCHES)	D. I. P.				P. V. C.			
	90°	45°	22 1/2°	11 1/4°	90°	45°	22 1/2°	11 1/4°
3"	30'	15'	10'	5'	40'	20'	10'	5'
4"	35'	15'	10'	5'	55'	25'	15'	10'
6"	55'	25'	10'	5'	80'	35'	20'	10'
8"	65'	30'	15'	10'	90'	40'	20'	10'
10"	80'	35'	20'	10'	110'	50'	25'	15'
12"	95'	40'	20'	10'	130'	55'	30'	15'
16"	120'	50'	25'	15'	165'	70'	35'	20'
20"	150'	65'	30'	15'	200'	85'	40'	20'
24"	180'	70'	35'	20'	210'	90'	45'	25'
30"	190'	80'	40'	20'	250'	105'	50'	25'
36"	220'	95'	45'	25'	0	0	0	0
42"	245'	105'	50'	25'	0	0	0	0
48"	280'	120'	60'	30'	0	0	0	0

Restrained lengths for valves, dead ends and branches from tees shall be the same as for 90° (degree) bends

Restrained Length In Feet For Reducer										
PIPE DIAMETER (INCHES)	3"	4"	6"	8"	10"	12"	16"	20"	24"	30"
	3"	0	0	0	0	0	0	0	0	0
4"	40'	0	0	0	0	0	0	0	0	0
6"	50'	45'	0	0	0	0	0	0	0	0
8"	75'	70'	40'	0	0	0	0	0	0	0
10"	95'	90'	70'	40'	0	0	0	0	0	0
12"	120'	115'	100'	75'	40'	0	0	0	0	0
16"	160'	155'	140'	125'	100'	70'	0	0	0	0
20"	200'	195'	185'	170'	150'	130'	75'	0	0	0
24"	160'	155'	150'	140'	135'	120'	90'	50'	0	0
30"	195'	190'	185'	180'	170'	160'	120'	105'	70'	0
36"	225'	220'	215'	210'	205'	195'	180'	160'	125'	70'
42"	245'	240'	235'	230'	225'	220'	205'	180'	155'	105'
48"	255'	250'	245'	240'	235'	230'	215'	195'	175'	125'

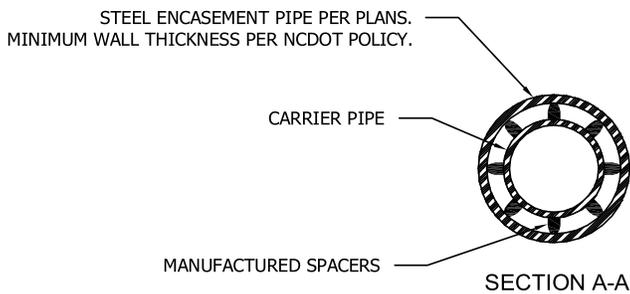
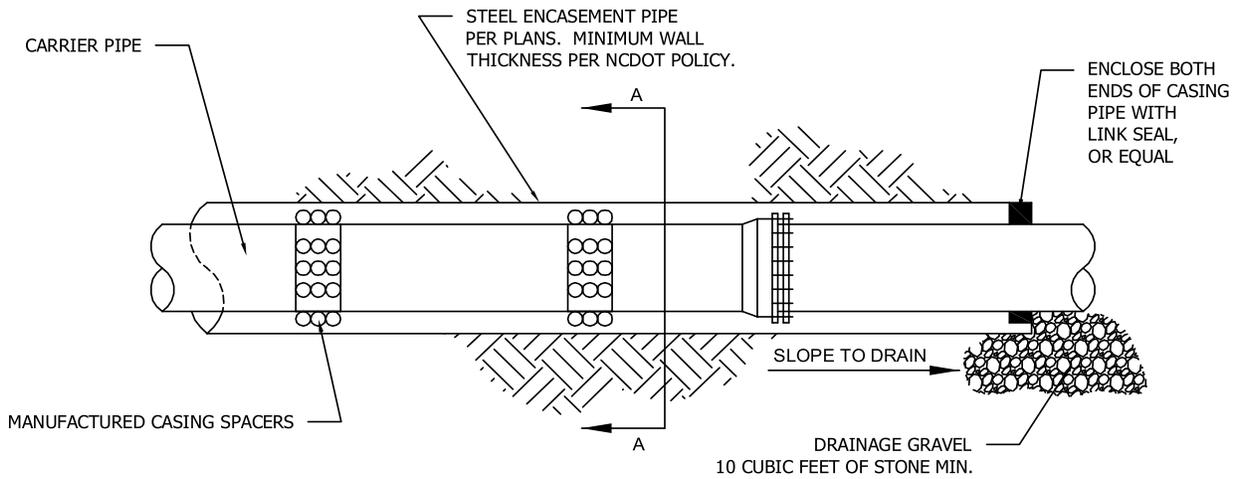
Length of restrained joint for larger diameter pipe

- NOTES:
1. PENDER COUNTY STANDARD RESTRAINT METHOD IS MEGA LUGS, UNLESS SPECIFICALLY APPROVED BY PCU IN WRITING.
 2. ALL FITTINGS AND JOINTS SHALL BE RESTRAINED JOINT.
 3. "L" ABOVE IS GIVEN IN FEET FROM FITTING JOINT.

PENDER COUNTY UTILITIES
 605 E FREMONT STREET
 PO BOX 995, BURGAW, NC 28425
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RESTRAINED JOINT TABLE
 STANDARD DETAIL
 VERSION #2 – OCTOBER 2023



NOTE:

1. EITHER STAINLESS STEEL OR HDPE CASING SPACERS ARE ACCEPTABLE, BUT IN EITHER CASE, THE SPACERS MUST BE MANUFACTURED.
2. CARRIER PIPE SHALL BE C900 DR 18 PVC WITH RESTRAINED JOINTS.
3. ENCASUREMENT PIPE TO BE STEEL WITH MINIMUM WALL THICKNESS IN ACCORDANCE WITH NCDOT MINIMUM REQUIREMENTS OR BETTER.
4. TOP OF ENCASUREMENT PIPE SHALL BE INSTALLED A MINIMUM OF THREE FEET BELOW EXISTING AND/OR PROPOSED PAVEMENT SUB-GRADE.

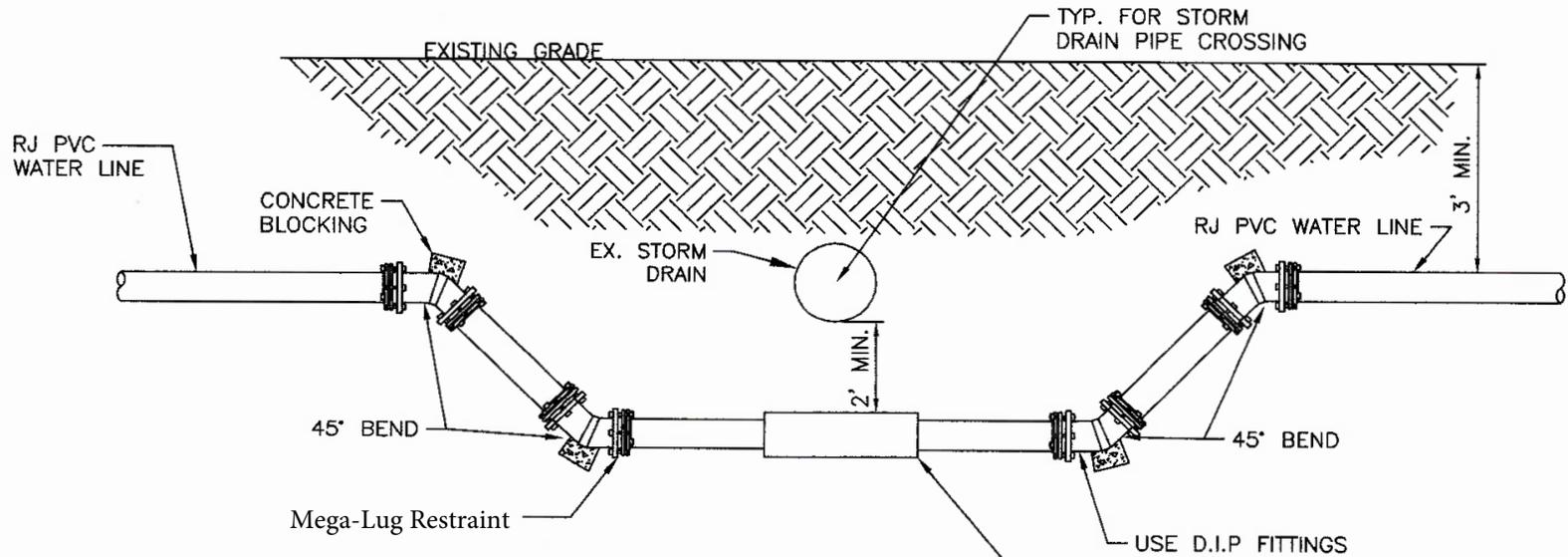
STANDARD BORE ENCASUREMENT DETAIL

NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425
Page 46 of 90



BORE ENCASUREMENT
STANDARD DETAIL
VERSION #3 - APRIL 2017



- NOTES:**
1. SPACERS SHALL BE PROVIDED WITHIN THE CASING PIPE AND CASING ENDS SHALL BE SEALED PER "PCU STANDARD BORE ENCASEMENT".
 2. DIP SHALL NOT BE USED WITHOUT PRIOR APPROVAL OF PCU IN THE FIELD.
 3. CARRIER PIPE TO BE C900 DR 18 PVC.

STEEL CASING TO EXTEND 10' FROM THE CL OF THE STORM DRAIN CROSSING IN BOTH DIRECTIONS. CASING TO MEET THE REQUIREMENTS OF CASING FOR BORE AND JACK INSTALLATIONS.

PIPE CROSSING "A" DETAIL
NOT TO SCALE

PENDER COUNTY UTILITIES
605 EAST FREMONT STREET
BURGAW, NC 28425



PIPE CROSSING "A"
STANDARD DETAIL
VERSION #1 - SEPTEMBER 2015

Residential Comments from the Fire Marshal's Office

These comments are specifics pulled from the latest edition of the NC Fire Code.

1. Hydrant Flow Test required prior to breaking ground, to verify adequate suppression water available.
2. Turn-around/Cul-de-sac must be provided if the dead-end is more than 150 feet in length.
3. Street width must be minimum 20 feet all weather surface.
4. Cul-de-sac must be 80 feet in diameter.
5. Street signs must be posted, once roadways are developed to a point that allows for travel/traffic, temporary street signs must be posted until permanent are in place.
6. Residence addresses must be posted and visible from the street.
7. If gates are utilized, they must be siren activated and approved by the Fire Marshals Office.
8. Pools, clubhouses, and community centers require a fire inspection.
9. Dumpster, dormant construction equipment and other encumbrances cannot be left in the roadway and cannot impede fire and/or emergency vehicles.
10. Hydrants should be no more than 400 feet apart.
11. Hydrants shall be installed per photos on this page.
12. Water must be turned on to fire hydrants prior to any construction of homes.



Proper hydrant installation – barrel flange is above grade.



Improper hydrant installation – Barrel flange and barrel are both buried and caps cannot be utilized.

13. Once underground utilities and hydrants are installed, the Fire Marshal's office and Public Utilities need to be notified so that installation and operation can be verified. ‘
- 14.
15. The Fire Marshal's office does not allow “Traffic Calming Devices”, Speed Bumps and/or Speed Humps in any neighborhoods.
16. Knox box required at the entrance to all common spaces such as pools, clubhouses, and community centers.



Technical Review Committee Review and Response

Date: _____

Case Name: _____

Name: _____

Agency: _____

Phone: _____

Email: _____

Requirements:

Recommendations:

Comments:

Information Requested:

Please Follow Up Prior to Meeting: Yes No



305 Chestnut Street
PO Box 1810
Wilmington, NC 28402
Ph: (910) 341-3258
Fax: (910) 341-7801
www.wmpo.org

MEMORANDUM

To: Pender County Technical Review Committee
Date: 4/4/24
Subject: Sloop Point Loop Rd Residential (MDP 2024-65)

Comments:

- Please confirm the boat slips are not a separate land use and are for residents only.
- Please clarify if there is an approved TIA for the development.
- Please clarify if any upgrades to Cole Drive, Plantation Road, and Robert Road will be made due to the driveway connections. Robert Road, Cole Road, and Plantation Road are all dirt/gravel roads.
- Include a note that states the private roads will be built to NCDOT Subdivision Road Manual standards per Pender County UDO.
- Label roadway and cul-de-sac dimensions.
- Show sidewalk and pedestrian crossings. Label the dimensions.

NCDOT Projects: n/a

WMPO 2045 Projects: n/a

Pender County CTP: n/a

TIA: Based on the ITE Trip Generation 11th Edition, a TIA is not required.

Land Use (ITE Code)	Intensity	Unit	24 Hour Volumes	AM Peak Hour Trips	PM Peak Hour Trips
ITE 210 Single-Family Detached Housing	89	DU	906	62	84

Wilmington Urban Area Metropolitan Planning Organization

City of Wilmington • Town of Carolina Beach • Town of Kure Beach • Town of Wrightsville Beach
County of New Hanover • Town of Belville • Town of Leland • Town of Navassa • County of Brunswick
County of Currituck • The Fear Public Transportation Authority • North Carolina Department of Transportation

ATTACHMENT 1

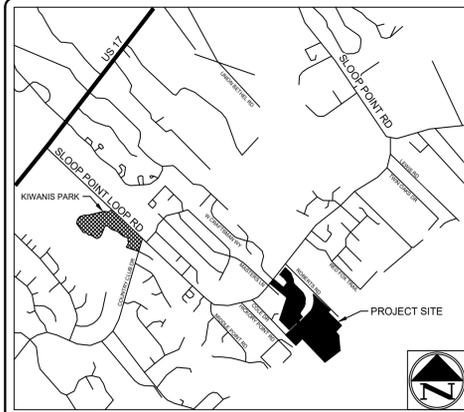
Master Development Plan

SLOOP POINT SINGLE FAMILY RESIDENTIAL

MASTER DEVELOPMENT PLAN

SLOOP POINT LOOP RD, PENDER COUNTY, NC

4/25/2024



4 VICINITY MAP SCALE: 1"=2000'

NAME:
SLOOP POINT SINGLE FAMILY RESIDENTIAL

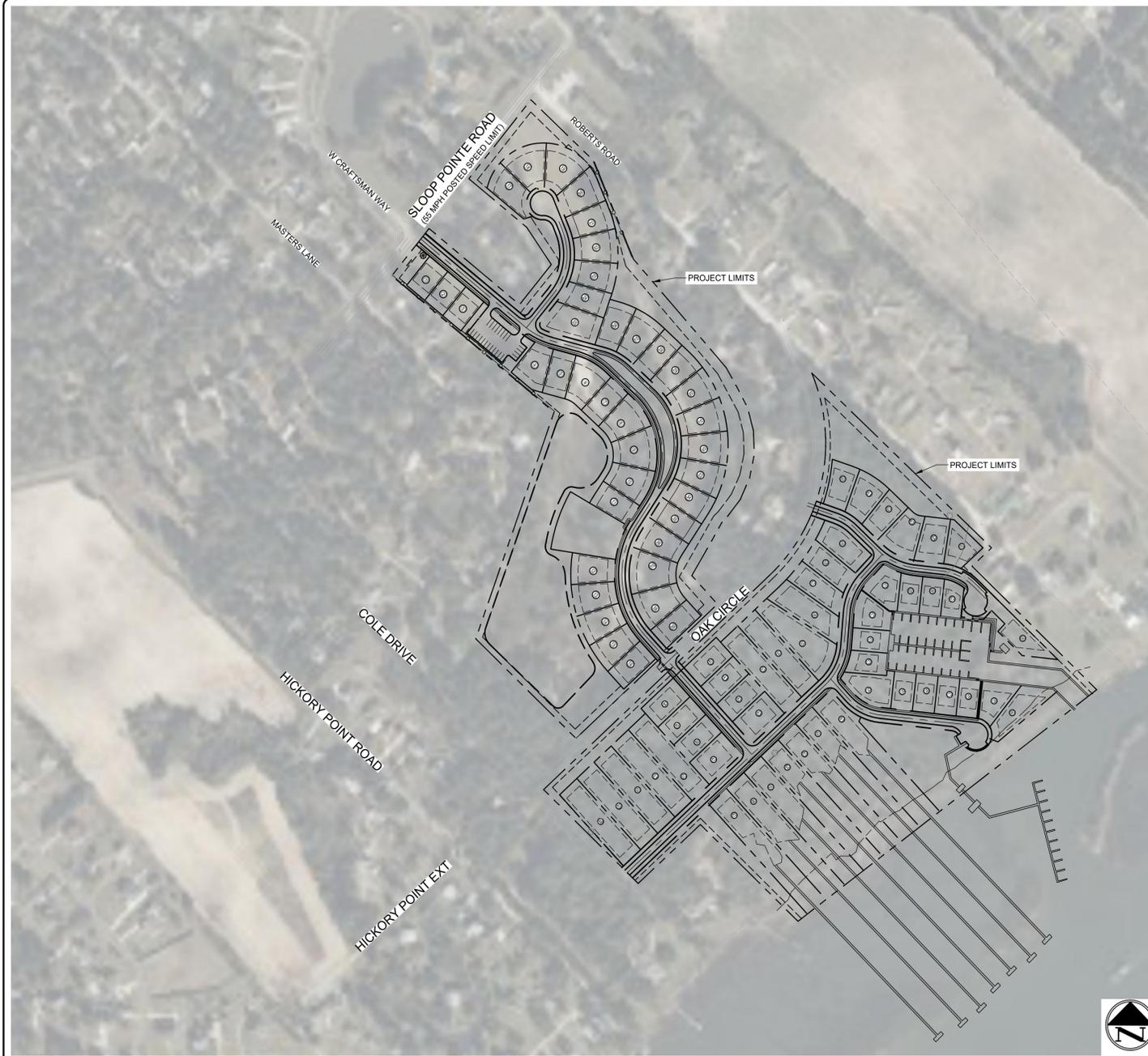
OWNER: CAPITAL ASSET DEVELOPMENT, LLC
13500 NC-50 N. SURF CITY, NC. 28445
PHONE: 910-803-2222
CHRIS PLAFORD
CPLAFORD@CAPITALASSET-US.COM

ENGINEER: MCKIM & CREED, INC
243 N. FRONT ST. WILMINGTON, NC 28401
PHONE: 910.343.1048
RICHARD COLLIER, PE
RCOLLIER@MCKIMCREED.COM

LANDSCAPE ARCHITECT: MCKIM & CREED, INC
243 N. FRONT ST. WILMINGTON, NC 28401
PHONE: 910.343.1048
ADAM WILLIAMS, LAND PLANNER
AJWILLIAMS@MCKIMCREED.COM

SURVEYOR: MCKIM & CREED, INC
243 N. FRONT ST. WILMINGTON, NC 28401
PHONE: 910.343.1048
MATT ROBERTS, PLS
MROBERTS@MCKIMCREED.COM

3 PROJECT INFORMATION



2 LOCATION MAP SCALE: 1"=200'

SHEET TABLE LIST	
COVER	
EXISTING CONDITIONS SURVEY	SURVEY
MASTER DEVELOPMENT PLAN - OVERALL	C1.0
MASTER DEVELOPMENT PLAN - PD ENLARGEMENT	C2.0
MASTER DEVELOPMENT PLAN - RP ENLARGEMENT	C3.0

1 SHEET INDEX

SCHEDULE B, PART II EXCEPTIONS FROM TITLE COMMITMENT NUMBER: 202311292CA OCTOBER 27, 2023

SOME HISTORICAL LAND RECORDS CONTAIN DISCRIMINATORY COVENANTS THAT ARE ILLEGAL AND UNENFORCEABLE BY LAW. THIS COMMITMENT AND THE POLICY TREAT ANY DISCRIMINATORY COVENANT IN A DOCUMENT REFERENCED IN SCHEDULE B AS IF EACH DISCRIMINATORY COVENANT IS REDACTED, REPEATED, REMOVED, AND NOT REPUBLISHED OR RECORRELATED. ONLY THE REMAINING PROVISIONS OF THE DOCUMENT WILL BE EXCEPTED FROM COVERAGE.

THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND CONDITIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

- 1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART II—REQUIREMENTS ARE MET. -NOT A SURVEY MATTER -
2. TAXES FOR THE YEAR 2024, AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE. -NOT A SURVEY MATTER -
3. THE EFFECT OF THE TITLE OF AN ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE, BOUNDARY LINE OVERLAP, OR ENCROACHMENT (INCLUDING AN ENCROACHMENT OF AN IMPROVEMENT ACROSS THE BOUNDARY LINES OF THE LAND), BUT ONLY IF THE ENCUMBRANCE, VIOLATION, VARIATION, ADVERSE CIRCUMSTANCE, BOUNDARY LINE OVERLAP, OR ENCROACHMENT WOULD HAVE BEEN DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. PARAGRAPH 2 (C) OF THE COVERED RISKS IS HEREBY DELETED. -AS SHOWN ON SURVEY -
4. RIPARIAN RIGHTS INCIDENT TO THE LAND. -NOT A SURVEY MATTER -
5. TITLE TO ANY PORTION OF THE LAND BELOW THE MEAN HIGH WATER MARK OF TOPSAIL SOUND. -NOT A SURVEY MATTER -
6. ROAD MAINTENANCE AGREEMENTS RECORDED IN BOOK 1027 AT PAGE 5, BOOK 1042 AT PAGE 266 AND BOOK 1240 AT PAGE 2. -NOT A SURVEY MATTER -
7. UTILITY EASEMENT RECORDED IN BOOK 1441 AT PAGE 342. -NOT THIS PROPERTY -
8. PENDING DISBURSEMENT OF THE FULL PROCEEDS OF THE LOAN SECURED BY THE DEED OF TRUST SET FORTH UNDER SCHEDULE A HEREOF, THIS POLICY INSURES ONLY TO THE EXTENT OF THE AMOUNT ACTUALLY DISBURSED, BUT INCREASES AS EACH DISBURSEMENT IS MADE IN GOOD FAITH AND WITHOUT ACTUAL NOTICE OF ANY DEFECTS IN, OR OBJECTIONS TO, THE TITLE, UP TO THE FACE AMOUNT OF THIS POLICY. (AS TO THE LOAN POLICY ONLY) -NOT A SURVEY MATTER -
9. PENDING SUCH TIME AS IMPROVEMENTS CONTEMPLATED UPON INSURED PREMISES SHALL BE COMMENCED, LIABILITY UNDER THIS POLICY IS LIMITED TO THE PURCHASE PRICE PAID FOR THE LAND; BUT AS AND WHEN THE ERECTION OF SUCH IMPROVEMENTS SHALL BE COMMENCED, LIABILITY HEREUNDER SHALL INCREASE, AS THE IMPROVEMENTS PROGRESS, IN THE AMOUNT OF THE COST THEREOF, UP TO THE FACE AMOUNT OF THIS POLICY. (AS TO THE OWNER POLICY ONLY) -NOT A SURVEY MATTER -
10. NO LIABILITY IS ASSUMED FOR POSSIBLE UNFILED MECHANICS' AND MATERIALMENS LIENS. (AS TO THE OWNER POLICY ONLY) -NOT A SURVEY MATTER -

THE FOLLOWING EXCEPTION(S) APPLY TO TRACT 1 ONLY:

- 11. MATTERS SHOWN ON A PLAT RECORDED IN MAP BOOK 12 AT PAGE 19; MAP BOOK 16 AT PAGE 73; MAP BOOK 21 AT PAGE 47 AND MAP BOOK 68 AT PAGE 137. -AS SHOWN ON SURVEY -
12. WITHDRAWAL FROM DEDICATION BETWEEN CHAMPION HOME COMMUNITIES, INC. AND ROBERT W. ROBERTS AND WIFE, THELMA W. ROBERTS RECORDED IN BOOK 729 AT PAGE 151. -JONES ROAD -
13. EASEMENT(S) TO DUKE ENERGY PROGRESS, INC. RECORDED IN BOOK 4417 AT PAGE 154 AND BOOK 4807 AT PAGE 177. -BLANKET IN NATURE AND 30' OVERHEAD AND 10' UNDERGROUND AND AROUND STRUCTURES AS SHOWN ON SURVEY -
14. AGREEMENT FOR ACCESS AND USE OF SEWER SYSTEM RECORDED IN BOOK 4770 AT PAGE 2363. -NOT THESE PARCELS -

THE FOLLOWING EXCEPTION(S) APPLY TO TRACT 2 ONLY:

- 15. MATTERS SHOWN ON A PLAT RECORDED IN MAP BOOK 26 AT PAGE 10. SETBACKS: FRONT 25' SIDE NORMAL 15' SIDE STREET 20' REAR 20'
16. RESTRICTIONS APPEARING OF RECORD IN BOOK 1421 AT PAGE 184, BUT THIS POLICY INSURES THAT A VIOLATION THEREOF WILL NOT CAUSE A FORFEITURE OR REVERSION OF TITLE. SETBACKS: FRONT 50' SIDE 15' REAR 35'

THE FOLLOWING EXCEPTION(S) APPLY TO TRACT 3 ONLY:

- 17. MATTERS SHOWN ON A PLAT RECORDED IN MAP BOOK 26 AT PAGE 10. -AS SHOWN ON SURVEY -

AFFIRMATIVE INSURED CLOSING PROTECTION COVERAGE PROVIDED AS TO THE TRANSACTION FOR WHICH THIS BINDER AND/OR POLICY IS ISSUED THE COMPANY AFFORDS INSURED CLOSING PROTECTION AS DESCRIBED IN THE ALTA CLOSING PROTECTION LETTER - SINGLE TRANSACTION (12-01-15) 12-01-18) TO THE PROPOSED AND/OR INSURED LENDER AND ITS SUCCESSORS AND/OR THE PROPOSED AND/OR INSURED OWNER. SAID LETTER IS INCORPORATED HEREIN IN ITS ENTIRETY. THE APPROVED ATTORNEY IS THE CLOSING ATTORNEY REFERENCED ABOVE. CLAIMS UNDER SUCH LETTER SHALL BE MADE PROMPTLY TO THE COMPANY AT ITS CLAIMS OFFICE AT PO DRAWER 2837, CHAPEL HILL, NC 27515

LEGAL DESCRIPTIONS DESCRIPTIONS PROVIDED SUFFICIENT TO PROPERLY DESCRIBE PROPERTY

TRACT 1 - BEING ALL THAT PROPERTY CONTAINING APPROXIMATELY 24.098 ACRES (SPECIFIED AS BEING 22.55 +/- ACRES) AS SHOWN ON A PLAT ENTITLED, "RECOMBINATION PLAT, WYNDWATER, SIGNATURE TOPSAIL, NC LTD", DATED 06-04-2021, PREPARED BY ATLANTIC COAST SURVEYING, PLLC AND RECORDED IN MAP BOOK 68, PAGE 137, IN THE OFFICE OF THE REGISTER OF DEEDS OF PENDER COUNTY, NORTH CAROLINA.

TRACT 2 - BEING ALL OF THE COMMON AREAS, SPRINGBRANCH ROAD, AND LOTS 1 - 34, INCLUSIVE, AS SHOWN ON A PLAT ENTITLED, "PLAT OF SUBDIVISION OF SPRINGBRANCH LANDING, PHASE ONE", DATED AUGUST 30, 1990, PREPARED BY MCKIM AND CREED ENGINEERS, P.A., AND RECORDED IN MAP BOOK 26, PAGE 10, IN THE OFFICE OF THE REGISTER OF DEEDS OF PENDER COUNTY, NORTH CAROLINA.

TRACT 3 - THAT CERTAIN TRACT OF LAND, CONTAINING APPROXIMATELY 14.645 ACRES, MORE OR LESS, DESIGNATED AS "FUTURE DEVELOPMENT", ON A PLAT ENTITLED, "PLAT OF SUBDIVISION OF SPRINGBRANCH LANDING, PHASE ONE", DATED AUGUST 0, 1990, PREPARED BY MCKIM AND CREED ENGINEERS, P.A., AND RECORDED IN MAP BOOK 26, PAGE 10, IN THE OFFICE OF THE REGISTER OF DEEDS OF PENDER COUNTY, NORTH CAROLINA.

LEGEND

- IPF IRON PIPE FOUND SIZE AS LISTED
IRF REBAR FOUND SIZE AS LISTED
OIRS IRON ROD SET (F REBAR)
OCMP CONCRETE MONUMENT FOUND
C CALCULATED POINT
OE OPEN END PIPE
PINCHED PINCH TOP PIPE
DB DEED BOOK
PS PAGE
NF NOW OR FORMERLY
RCP REINFORCED CONCRETE PIPE
CMP CORRUGATED METAL
RW RIGHT OF WAY
C MAIL BOX
YCW GUY WIRE
PW POWER POLE
RW RIGHT OF WAY
MW MONITOR WELL
LO LIVE OAK
OAK/WATER/UNKNOWN
LONG LEAF PINE
LOBLOLLY PINE
CEDAR
GUM
HICKORY
CHERRY
TREE SIZE
WETLANDS FLAG

SURVEYOR'S NOTES:

- 1. ALL DISTANCES ARE HORIZONTAL GROUND IN U.S. SURVEY FEET UNLESS OTHERWISE SHOWN.
2. BEARINGS & COORDINATES BASED ON NC GRID NAD 83/2011.
3. REFERENCES DEED BOOK 4770 PAGE 2356, AND DB 564 PG 40.
4. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
5. THE EXISTENCE OR NONEXISTENCE OF WETLANDS ON SUBJECT PROPERTY HAS NOT BEEN DETERMINED BY THIS SURVEY.
6. SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, AND/OR ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
7. GPS USED TO ESTABLISH NORTH CAROLINA STATE PLANE COORDINATES ON TWO CONTROL POINTS. ALL OTHER SURVEYING MEASUREMENTS WERE MADE USING CONVENTIONAL SURVEY METHODS.
8. A PORTION OF THIS SITE LIES WITHIN FLOOD ZONE "X" AND FLOOD ZONE "AE (ELEV 9') AND FLOOD ZONE "VE (ELEVATIONS 10' AND 11') ACCORDING TO FEMA FLOOD INSURANCE RATE MAP 37204213001, PANEL 4213, HAVING AN EFFECTIVE DATE OF FEBRUARY 16, 2007.
9. IRON RODS SET AT ALL CORNERS UNLESS OTHERWISE SHOWN.

LINE LEGEND

- BOUNDARY LINE
RIGHT OF WAY LINE
OVERHEAD ELECTRIC LINE
EASEMENT LINE
FENCE LINE AS LISTED
ZONE X LINE
ZONE AL LINE
ZONE VE LINE
HIGH WATER LINE
MARSH LINE
MEAN HIGH WATER LINE
MEAN LOW WATER LINE

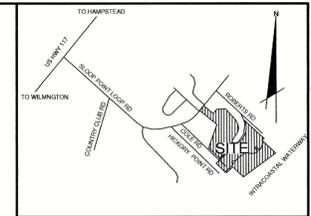
FOR SUBMITTAL PURPOSES ONLY



MCKIM & CREED
243 NORTH FRONT STREET
WILMINGTON, NORTH CAROLINA 28401
TELEPHONE: (910) 343-1048
FAX: (910) 251-8282
NORTH CAROLINA FIRM LICENSE NUMBER: F-1122

ALTA/NSPS LAND TITLE SURVEY
FOR
CAPITAL ASSET TOPSAIL DEVELOPMENT, LLC
BOUNDARY, AERIAL TOPO, AND WETLANDS
RICHARD ALAN LEWIS OF TRUST SPECIAL AND JOHN N. KALMAR ETAL
TOPSAIL TOWNSHIP, PENDER COUNTY, NORTH CAROLINA
JANUARY 20, 2024 REVISED APRIL 02, 2024

JOB NUMBER: 09763-0001
SCALE: 1" = 100'
CAD NUMBER: VA97830001_S1.00P.DWG
PLS: MKC
PARTY CHIEF: JF
CAD TECH: MBH
FIELD BOOK/PAGE:
DRAWING NUMBER: 2024-
SHEET 1 OF 3



VICINITY MAP - NOT TO SCALE

SURVEYOR'S CERTIFICATE STATE OF NORTH CAROLINA BRUNSWICK COUNTY

INVESTORS TITLE INSURANCE COMPANY, CAPITAL ASSET TOPSAIL DEVELOPMENT, LLC, RICHARD ALAN LEWIS, SUCCESSOR TRUSTEE OF TRUST SPECIAL, AND JOHN N. KALMAR ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES TABLE A ITEMS 1.2,3,4,6,(6),7,(a)(b)(1), 8.9,11(a),13,16, and 17. THE FIELDWORK WAS COMPLETED ON JANUARY 20, 2024. THE PROPERTY DESCRIBED IN THE TITLE COMMITMENT IS THE SAME PROPERTY SHOWN ON THE SURVEY.

I, MATTHEW T. ROBERTS PLS L-5332, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED AND AS SHOWN ON MAP); THAT THE BOUNDARY LINES NOT SURVEYED ARE INDICATED WITH DASHED LINES AS DRAWN FROM INFORMATION AS SHOWN; THAT THE POSITIONAL ACCURACY IS 0.04@95%; THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA(21 NCAC 56.1600);

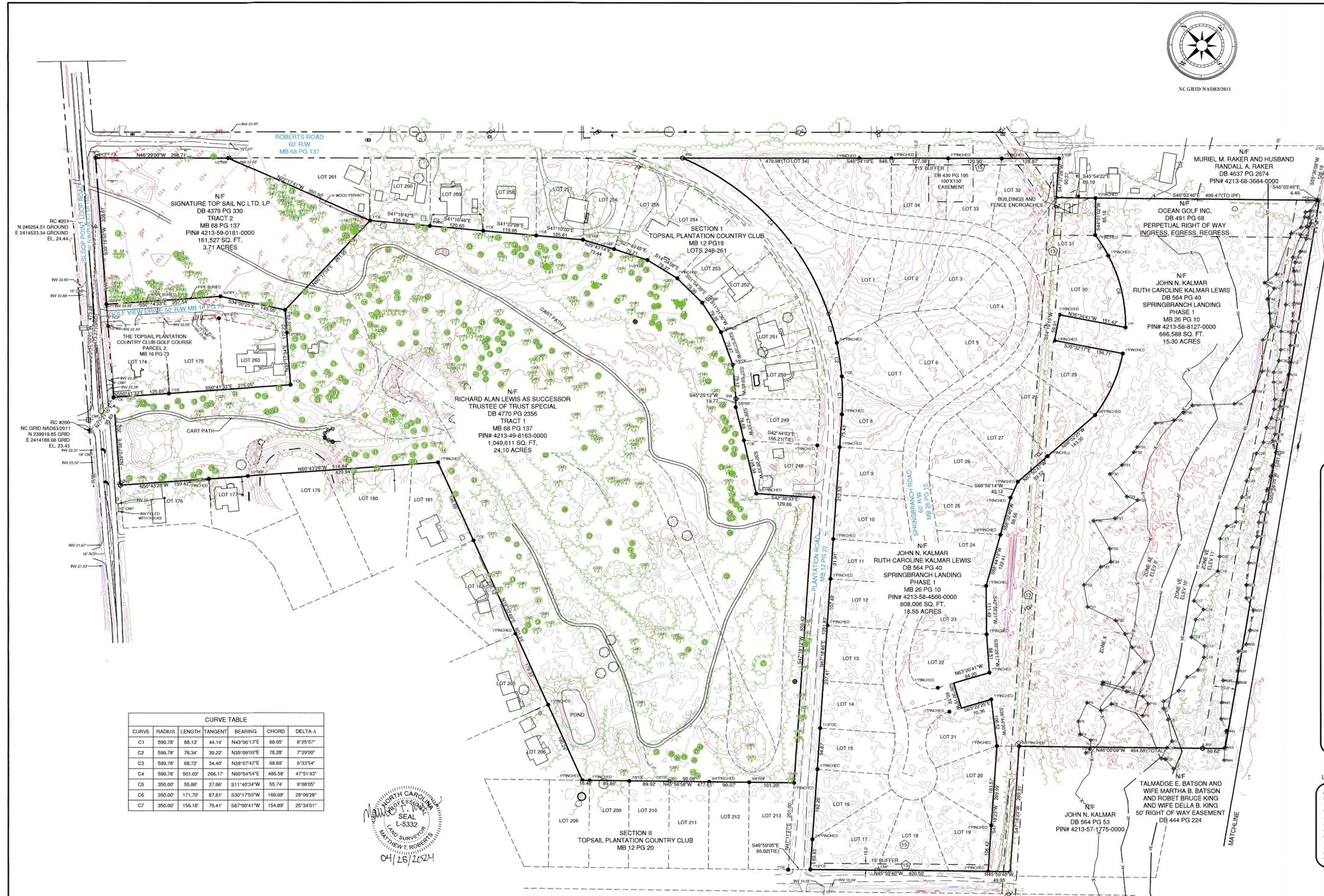
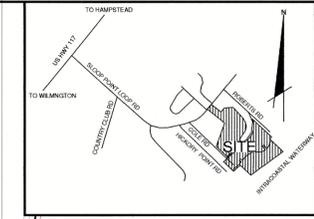
THAT THE GPS SURVEY MADE WAS UNDER MY SUPERVISION AND WAS USED TO ONLY ESTABLISH CONTROL.

CLASS OF SURVEY: C
POSITIONAL ACCURACY: 0.04' @ 95%
TYPE OF GPS FIELD PROCEDURE: RTK
DATES OF SURVEY: JANUARY 10, 2024
DATUM/EPOCH: NAD 83(2011)
PUBLISHED/FIXED-CONTROL USED: NA
GEOID MODEL: GEOID 18
COMBINED GRID FACTOR: 0.99998659388
UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 20th DAY OF APRIL, AD 2024.

MATTHEW T. ROBERTS
MATTHEW T. ROBERTS
PROFESSIONAL LAND SURVEYOR L-5332





CURVE	RADIUS	LENGTH	TANGENT	BEARING	CHORD	DELTA A
C1	599.78'	88.13'	44.14'	N43°06'13"E	88.05'	8°25'07"
C2	599.78'	78.34'	39.22'	N38°09'09"E	78.28'	7°29'00"
C3	599.78'	66.72'	34.40'	N28°07'42"E	66.69'	6°33'54"
C4	599.78'	501.02'	266.17'	N00°54'54"E	486.58'	47°51'43"
C5	350.00'	55.80'	27.90'	S11°40'34"W	55.74'	9°08'05"
C6	350.00'	171.70'	87.61'	S30°17'50"W	169.98'	28°06'28"
C7	350.00'	156.18'	78.41'	S67°00'41"W	154.89'	25°34'01"



- LEGEND**
- ▲ CONTROL POINT AS LISTED
 - IPF IRON PIPE FOUND SIZE AS LISTED
 - RPF REBAR FOUND SIZE AS LISTED
 - QMS IRON ROD SET (F REBAR)
 - GOMF CONCRETE MONUMENT FOUND
 - ○ CALCULATED POINT
 - ○ OPEN END PIPE
 - ○ PINCHED PINCH TOP PIPE
 - DB DEED BOOK
 - PG PAGE
 - NF NOW OR FORMERLY
 - RCP REINFORCED CONCRETE PIPE
 - CMP CORRUGATED METAL
 - RW RIGHT OF WAY
 - MAIL BOX
 - GUY WIRE
 - POWER POLE
 - RW RIGHT OF WAY
 - MONITOR WELL
 - LIVE OAK
 - OAK/WATER/UNKNOWN
 - LONG LEAF PINE
 - LOBLOLLY PINE
 - CEDAR
 - GUM
 - HICKORY
 - CHERRY
 - TREE SIZE
 - WETLANDS FLAG

- LINE LEGEND**
- BOUNDARY LINE
 - RIGHT OF WAY LINE
 - OVERHEAD ELECTRIC LINE
 - EASEMENT LINE
 - FENCE LINE AS LISTED
 - ZONE X LINE
 - ZONE AE
 - ZONE VE
 - HIGH WATER LINE
 - MARSH LINE
 - MEAN HIGH WATER LINE
 - MEAN LOW WATER LINE

FOR SUBMITTAL PURPOSES ONLY



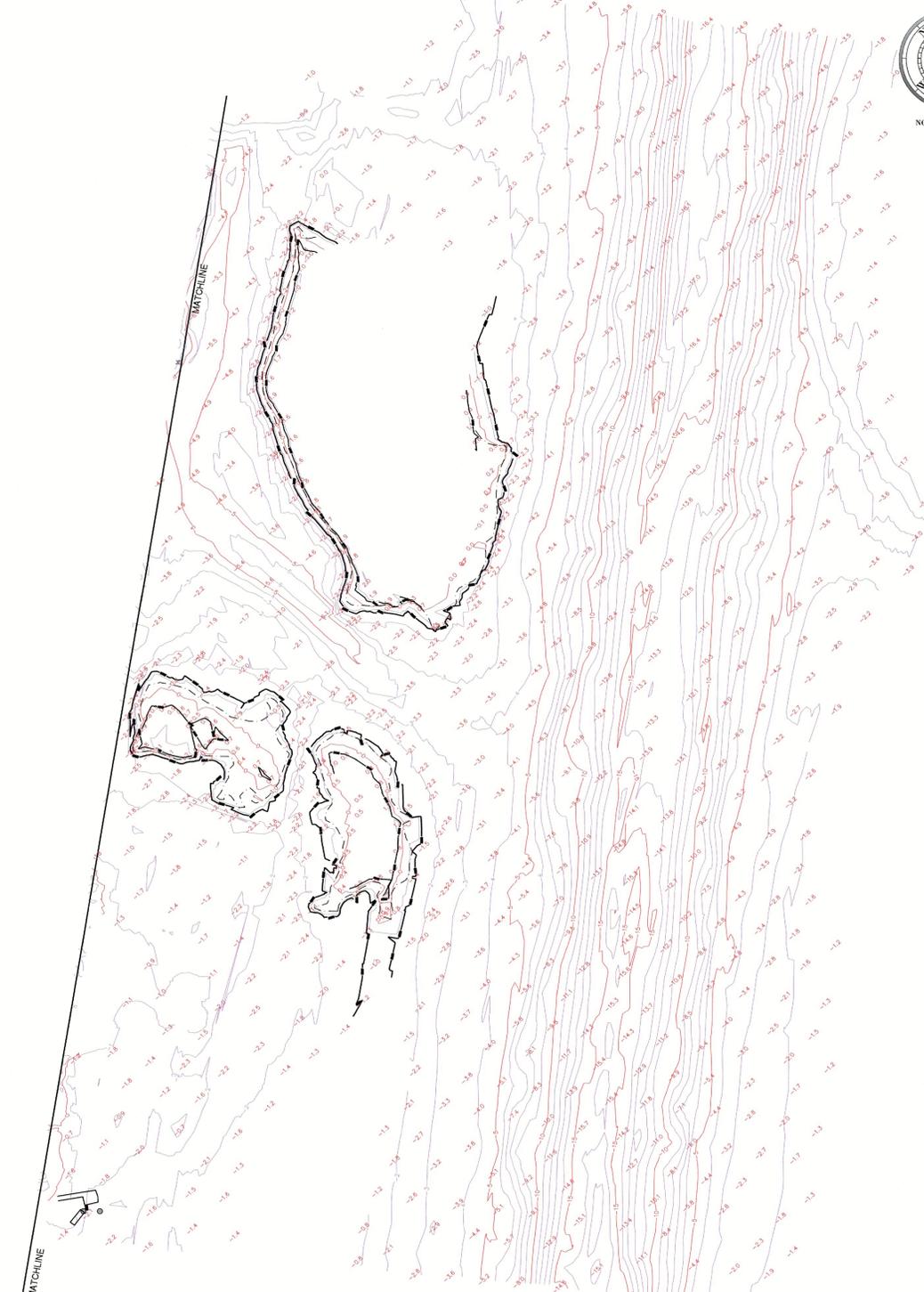
MCKIM & CREED
 243 NORTH FRONT STREET
 WILMINGTON, NORTH CAROLINA 28401
 TELEPHONE: (910) 343-1048
 FAX: (910) 251-8282
 NORTH CAROLINA FIRM LICENSE NUMBER: F-1222

ALT/NSPS LAND TITLE SURVEY
 FOR
CAPITAL ASSET TOPSAIL DEVELOPMENT, LLC
 BOUNDARY, AERIAL TOPO, AND WETLANDS
 RICHARD ALAN LEWIS OF TRUST SPECIAL AND JOHN N. KALMAR ETAL
 TOPSAIL TOWNSHIP, PENDER COUNTY, NORTH CAROLINA
 JANUARY 20, 2024 REVISED APRIL 02, 2024

JOB NUMBER: 09763-0001
 SCALE: 1" = 100'
 CAD NUMBER: v097630001_SLQDP.DWG
 PLS: MTR
 PARTY CHIEF: JF
 CAD TECH: MBH
 FIELD BOOK/PAGE: 2024
 DRAWING NUMBER: 2024
SHEET 2 OF 3



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	BEARING	CHORD	DELTA A
C1	599.78'	88.13'	44.14'	N43°06'13"E	88.05'	8°25'07"
C2	599.78'	78.34'	39.22'	N35°09'09"E	78.28'	7°29'00"
C3	599.78'	68.72'	34.40'	N28°07'42"E	68.69'	6°33'54"
C4	599.78'	591.02'	286.17'	N00°54'54"E	486.56'	47°51'43"
C5	350.00'	55.80'	27.90'	S11°40'34"W	55.74'	9°08'05"
C6	350.00'	171.79'	87.81'	S30°17'50"W	169.98'	28°06'28"
C7	350.00'	156.18'	78.41'	S67°00'41"W	154.89'	25°34'01"



LINE LEGEND

---	BOUNDARY LINE
---	RIGHT OF WAY LINE
---	OVERHEAD ELECTRIC LINE
---	EASEMENT LINE
x	FENCE LINE AS LISTED
x	ZONE X LINE
---	ZONE AE
---	ZONE VE
---	HIGH WATER LINE
---	MARSH LINE
---	MEAN HIGH WATER LINE
---	MEAN LOW WATER LINE

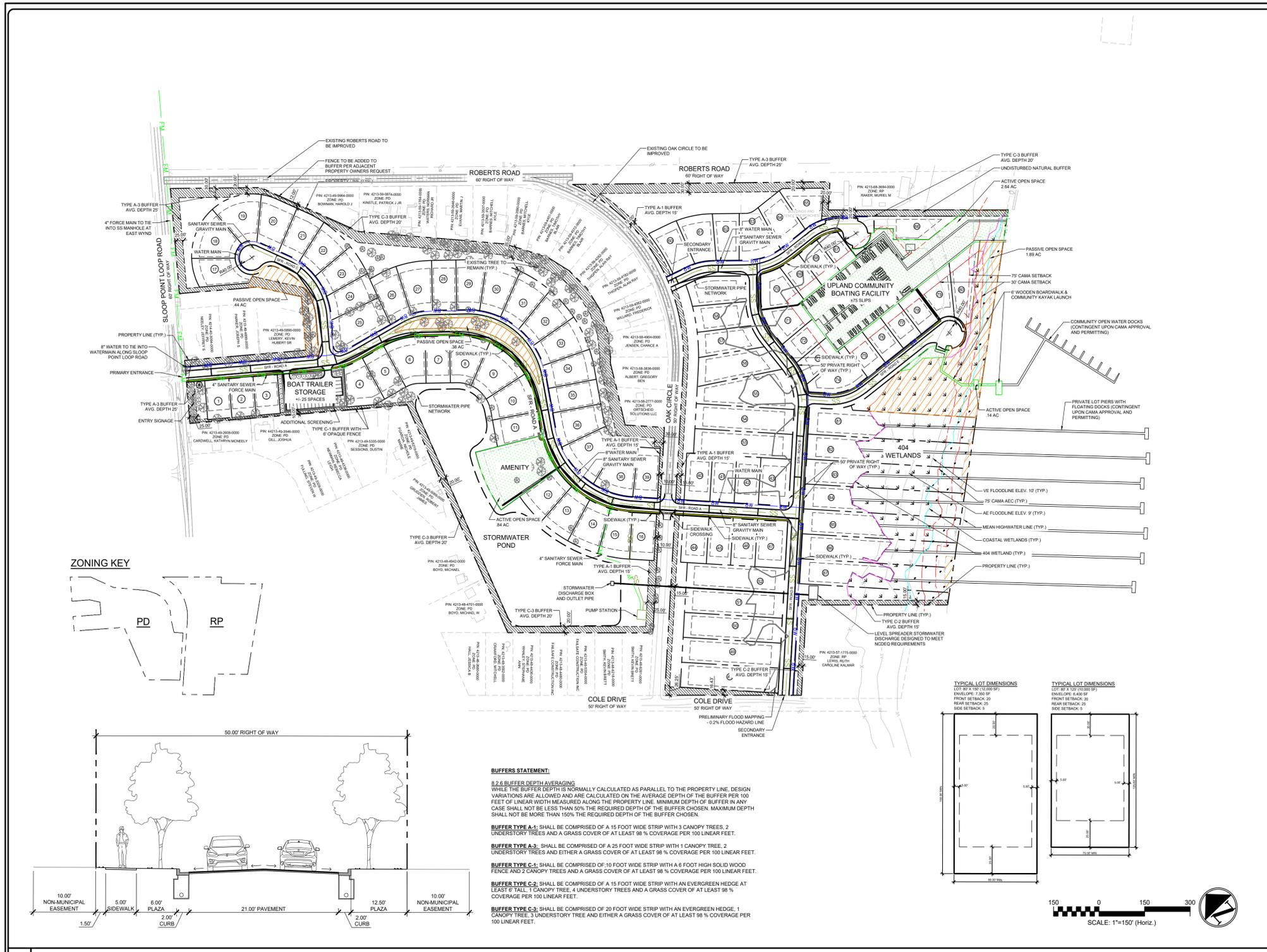
FOR SUBMITTAL PURPOSES ONLY



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 TELEPHONE: (910) 343-1048
 FAX: (910) 251-8282
 NORTH CAROLINA FIRM LICENSE NUMBER: F-1222

ALTA/NSPS LAND TITLE SURVEY
 FOR
CAPITAL ASSET TOPSAIL DEVELOPMENT, LLC
 BOUNDARY, AERIAL TOPO, AND WETLANDS
 RICHARD ALAN LEWIS OF TRUST SPECIAL AND JOHN N. KALMAR ETAL
 TOPSAIL TOWNSHIP, PENDER COUNTY, NORTH CAROLINA
 JANUARY 20, 2024 REVISED APRIL 02, 2024

JOB NUMBER: 09763-0001
 SCALE: 1" = 100'
 CAD NUMBER: V97630001_SLOOP.DWG
 PLS: MTR
 PARTY CHIEF: JF
 CAD TECH: MBH
 FIELD BOOK/PAGE: 2024
 DRAWING NUMBER: 2024
SHEET 3 OF 3



SITE DATA - OVERALL SITE

PROJECT NAME	SLOOP POINT ROAD SINGLE FAMILY	
PARCEL ID	4213-58-8163-0000, 4213-58-8164-0000, 4213-58-8167-0000, 4213-58-8168-0000 & 4214-49-0134-0000	
DEED BOOK & PAGE	MB 68 PG 137 & MB 26 PG 10	
PROPERTY ADDRESS	SLOOP POINT LOOP ROAD	
PROPERTY DEVELOPER	CAPITAL ASSET DEVELOPMENT LLC	
CURRENT ZONING	PD (PLANNED DEVELOPMENT) & RP (RESIDENTIAL PERFORMANCE)	
PROPOSED USE	SINGLE FAMILY COMMUNITY BOATING FACILITY	
PHASING	SINGLE PHASE	
TOTAL PROPERTY ACREAGE	461.65 AC	
PROJECT AREA	461.65 AC	
NO BUILDING CODE CONSTRUCTION TYPE	87	
TOTAL NUMBER OF LOTS	15	
175X125 (12,000 SF) MINIMUM LOT SIZE	5	
80X125 (10,000 SF)	67	
DENSITY	ALLOWED	PROVIDED
SEE DENSITY CALCULATIONS CHART BELOW	-	1.93 DU/AC
BUILDING HEIGHT	35'	
BUILDING SETBACKS	REQUIRED	
FRONT	30'	
REAR	25'	
SIDE	10'	
CORNER	15'	
OPEN SPACE	REQUIRED	
0.3 ACRE PER DWELLING UNIT	6.35 AC (10%)	
ACTIVE OPEN SPACE	2.81 AC	
ENHANCED DESIGN INCLUDING NOT LIMITED TO VILLAGE COMMONS, OUTDOOR RECREATION SPACE, CLUSTER MAILBOXES, PLAY AREAS	3.82 AC (8.3%)	
PASSIVE OPEN SPACE	4.6 AC	
UNDISTURBED NATURAL AREAS INCLUDING NOT LIMITED TO WETLANDS, WALKING TRAILS	2.71 AC (5.9%)	

DENSITY CALCULATIONS - OVERALL SITE

GENERAL INFORMATION	QUANTITY
PROPERTY ACREAGE	461.65 AC
NON-RESIDENTIAL ACREAGE	61.65 AC
A. WETLANDS ACREAGE	6.5 AC
B. RIGHT OF WAY / PARKING ACREAGE (PRIVATE RIGHTS OF WAY)	7.1 AC
C. TOTAL OPEN SPACE ACREAGE	6.35 AC
TOTAL NON-RESIDENTIAL ACREAGE	19.95 AC
DEVELOPABLE LAND	41.7 AC
TOTAL UNITS (SINGLE FAMILY LOTS)	87
PROJECT DENSITY	2.08 DU/AC

TRAFFIC TRIP GENERATION ESTIMATE - OVERALL SITE

PERIOD	DIRECTION	TRIPS
DAILY	TOTAL	820
	IN	410
	OUT	410
AM PEAK HOUR	TOTAL	61
	IN	15
	OUT	46
PM PEAK HOUR	TOTAL	82
	IN	52
	OUT	30

NOTE: BASED ON 11TH EDITION ITE TRIP GENERATION MANUAL

SYMBOL LEGEND

- ACTIVE OPEN SPACE
- PASSIVE OPEN SPACE
- PERIMETER BUFFER
- 404 WETLANDS
- COASTAL WETLANDS
- SIDEWALK

NOTES:

- AS OF APRIL 8, 2024 PENDER COUNTY GIS SHOW THE PD PARCELS (PIN# 4213-49-8163-0000) OWNED BY RICHARD ALAN LEWIS SUCCESSOR TRUSTEE AND (PIN# 4213-58-8168-0000) OWNED BY SIGNATURE TOP SAUL LTD. AND THE PARCELS IN THE RP SECTION ARE OWNED BY RUTH CAROLINE KALMAR LEWIS. THESE ARE IN THE PROCESS OF BEING PURCHASED BY THE DEVELOPER.
- PER PENDER COUNTY UDO SECTION 7.3 A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED FOR MANAGEMENT OF PRIVATELY MAINTAINED STREETS, OPEN SPACES & OTHER DEDICATED LAND.
- THE DEVELOPMENT OF 9,000 & 12,000 SF LOTS WITHIN THE RP DISTRICT IS CONTINGENT ON PUBLIC UTILITIES TO BE PROVIDED & LOW IMPACT DEVELOPMENT STORMWATER PRACTICES WITHIN THE PROJECT.
- OPEN SPACE REQUIREMENTS ADHERE TO UDO SECTION 7.4
- NO HISTORICAL STRUCTURES, LANDMARKS OR SITES AS RECOGNIZED BY THE COUNTY COMMISSIONERS ARE PRESENT ON THE PROJECT SITE.
- PENDER COUNTY EMERGENCY PERSONNEL HAS ACCESS TO ALL PRIVATE STREETS.
- SANITARY SEWER TO BE PROVIDED BY PLURIS.
- PUBLIC WATER TO BE PROVIDED BY PENDER COUNTY UTILITIES.
- ALL COMMUNITY AND PRIVATE BOATING FACILITIES TO BE APPROVED BY NCEC-DCM & CAMA RULES AND REGULATIONS
- 35' MAX BUILDING HEIGHT MAY EXCEED TO 45' WHERE ALLOWED BY PENDER COUNTY ADMINISTRATOR.
- AMENITY SITE SHALL INCLUDE POND, CLUBHOUSE, GRILLING STATION & RECREATION AREAS
- AMENITY SITE SHALL BE DEVELOPED CONCURRENTLY WITH NEIGHBORHOOD AS SINGLE PHASE

2 MASTER DEVELOPMENT PLAN

REV NO	DESCRIPTIONS	DATE

MCKIM & CREED
 243 North Front Street
 Wilmington, North Carolina 28401
 Phone: (910)343-1048, Fax: (910)251-8282
 License: F-1222
 www.mckimcreed.com

CAPITAL ASSET DEVELOPMENT

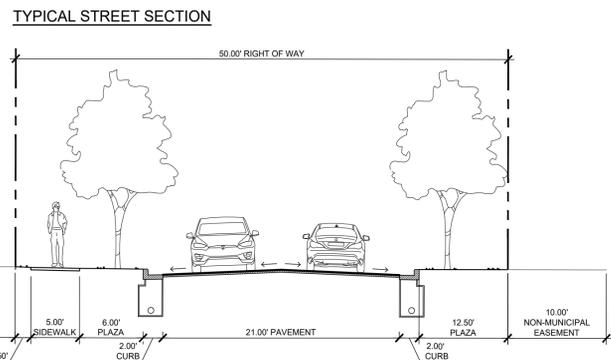
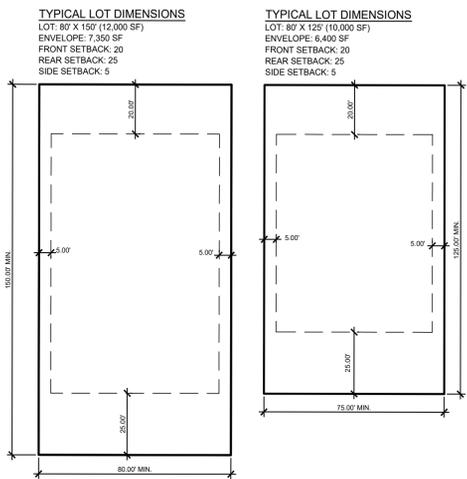
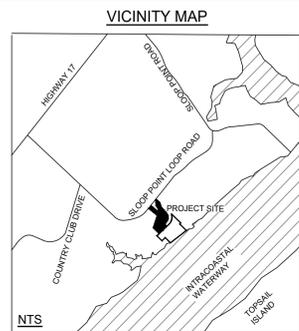
SLOOP POINT SINGLE FAMILY RESIDENTIAL
 SLOOP POINT LOOP RD, PENDER COUNTY, NC
OVERALL MASTER DEVELOPMENT PLAN

DATE: 4/12/2024
 MCE PROJ. #: 09763-0001
 DRAWN: HKA/JW
 DESIGNED: HKA/JW
 CHECKED: RMC
 PROJ. MGR.: RMC

SCALE: HORIZONTAL: N/A
 VERTICAL: N/A

C1.0
 DRAWING NUMBER
 REVISION

STATUS: PRELIMINARY DRAWING SET



BUFFERS STATEMENT:
 8.2.6 BUFFER DEPTH AVERAGING
 WHILE THE BUFFER DEPTH IS NORMALLY CALCULATED AS PARALLEL TO THE PROPERTY LINE, DESIGN VARIATIONS ARE ALLOWED AND ARE CALCULATED ON THE AVERAGE DEPTH OF THE BUFFER PER 100 FEET OF LINEAR WIDTH MEASURED ALONG THE PROPERTY LINE. MINIMUM DEPTH OF BUFFER IN ANY CASE SHALL NOT BE LESS THAN 50% THE REQUIRED DEPTH OF THE BUFFER CHOSEN. MAXIMUM DEPTH SHALL NOT BE MORE THAN 150% THE REQUIRED DEPTH OF THE BUFFER CHOSEN.

BUFFER TYPE A-1: SHALL BE COMPRISED OF A 15 FOOT WIDE STRIP WITH 3 CANOPY TREES, 2 UNDERSTORY TREES AND A GRASS COVER OF AT LEAST 98 % COVERAGE PER 100 LINEAR FEET.

BUFFER TYPE A-3: SHALL BE COMPRISED OF A 25 FOOT WIDE STRIP WITH 1 CANOPY TREE, 2 UNDERSTORY TREES AND EITHER A GRASS COVER OF AT LEAST 98 % COVERAGE PER 100 LINEAR FEET.

BUFFER TYPE C-1: SHALL BE COMPRISED OF 10 FOOT WIDE STRIP WITH A 6 FOOT HIGH SOLID WOOD FENCE AND 2 CANOPY TREES AND A GRASS COVER OF AT LEAST 98 % COVERAGE PER 100 LINEAR FEET.

BUFFER TYPE C-2: SHALL BE COMPRISED OF A 15 FOOT WIDE STRIP WITH AN EVERGREEN HEDGE AT LEAST 6' TALL, 1 CANOPY TREE, 4 UNDERSTORY TREES AND A GRASS COVER OF AT LEAST 98 % COVERAGE PER 100 LINEAR FEET.

BUFFER TYPE C-3: SHALL BE COMPRISED OF 20 FOOT WIDE STRIP WITH AN EVERGREEN HEDGE, 1 CANOPY TREE, 1 UNDERSTORY TREE AND EITHER A GRASS COVER OF AT LEAST 98 % COVERAGE PER 100 LINEAR FEET.



SITE DATA - PD ONLY

PROJECT NAME	SLOOP POINT ROAD SINGLE FAMILY
PARCEL ID	4213-49-134-0000, 4213-58-8127-0000, 4213-59-0181-0000 & 4214-49-134-0000
DEED BOOK & PAGE	MB 68 PG 137 & MB 26 PG 10
PROPERTY ADDRESS	SLOOP POINT LOOP ROAD
PROPERTY DEVELOPER	CAPITAL ASSET DEVELOPMENT LLC
CURRENT ZONING	PD (PLANNED DEVELOPMENT)
PROPOSED USE	SINGLE FAMILY COMMUNITY
TOTAL PROJECT ACREAGE	461.65 AC
PROJECT AREA	427.80 AC
CONSTRUCTION PHASING	SS
TOTAL NUMBER OF LOTS	39
80'X125' (10,000 SFT) (MINIMUM LOT SIZE)	3
50'X150' (7,500 SFT)	36
DENSITY	ALLOWED 38 PROVIDED 35
SEE DENSITY CALCULATIONS CHART BELOW	-
MAX BUILDING HEIGHT	1.75 DU/AC
BUILDING SETBACKS	REQUIRED PROVIDED
FRONT	20'
REAR	25'
SIDE	5'
CORNER	15'
OPEN SPACE	REQUIRED PROVIDED
0.3 ACRE PER DWELLING UNIT	1.17 AC 1.66 AC (6%)
39 LOTS = 17 ACRE OPEN SPACE	-
ACTIVE OPEN SPACE	-
ENHANCED DESIGN INCLUDING NOT LIMITED TO WALLAGE COMMONS, OUTDOOR RECREATION SPACE, CLUSTER WALKWAYS, PLAY AREAS	MIN 50% OF OPEN SPACE (3%) 84 AC (3%)
PASSIVE OPEN SPACE	1.99 ACRE
UNDISTURBED NATURAL AREAS INCLUDING NOT LIMITED TO WETLANDS, WALKING TRAILS	MAX 50% OF OPEN SPACE (3%) 82 AC (3%)

DENSITY CALCULATIONS - PD ONLY

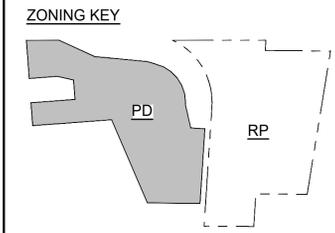
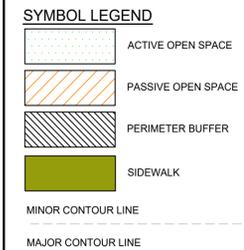
GENERAL INFORMATION	QUANTITY
PROPERTY ACREAGE	27.8 AC
NON-RESIDENTIAL ACREAGE	0 AC
A. WETLANDS ACREAGE	0 AC
B. RIGHT OF WAY / PARKING ACREAGE (PRIVATE RIGHTS OF WAY)	3.25 AC
C. TOTAL OPEN SPACE ACREAGE	1.66 AC
TOTAL NON-RESIDENTIAL ACREAGE	4.91 AC
DEVELOPABLE LAND	22.89 AC
TOTAL UNITS (SINGLE FAMILY LOTS)	39
PROJECT DENSITY	1.70 DU/AC

TRAFFIC TRIP GENERATION ESTIMATE - PD ONLY

PERIOD	DIRECTION	TRIPS
DAILY	TOTAL	388
	IN	194
AM PEAK HOUR	TOTAL	27
	IN	14
PM PEAK HOUR	TOTAL	20
	IN	10

NOTE: BASED ON 11TH EDITION ITE TRIP GENERATION MANUAL

- NOTES:**
- AS OF APRIL 8, 2024 PENDER COUNTY GIS SHOW THE PD PARCELS (PIN# 4213-49-134-0000) OWNED BY RICHARD ALAN LEWIS SUCCESSOR TRUSTEE, AND (PIN# 4213-59-0181-0000) OWNED BY SIGNATURE TOP SAIL NC LTD, AND THE PARCELS IN THE RP SECTION ARE OWNED BY RUTH CAROLINE KALMAR LEWIS. THESE ARE IN THE PROCESS OF BEING PURCHASED BY THE DEVELOPER.
 - PER PENDER COUNTY UDO SECTION 7.3 A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED FOR MANAGEMENT OF PRIVATELY MAINTAINED STREETS, OPEN SPACES & OTHER DEDICATED LAND.
 - THE DEVELOPMENT OF 9,000 & 12,000 SF LOTS WITHIN THE RP DISTRICT IS CONTINGENT ON PUBLIC UTILITIES TO BE PROVIDED & LOW IMPACT DEVELOPMENT STORMWATER PRACTICES WITHIN THE PROJECT.
 - OPEN SPACE REQUIREMENTS ADHERE TO UDO SECTION 7.4
 - NO HISTORICAL STRUCTURES, LANDMARKS OR SITES AS RECOGNIZED BY THE COUNTY COMMISSIONERS ARE PRESENT ON THE PROJECT SITE
 - PENDER COUNTY EMERGENCY PERSONNEL HAS ACCESS TO ALL PRIVATE STREETS.
 - SANITARY SEWER TO BE PROVIDED BY PLURIS.
 - PUBLIC WATER TO BE PROVIDED BY PENDER COUNTY UTILITIES.
 - ALL COMMUNITY AND PRIVATE BOATING FACILITIES TO BE APPROVED BY NCEQO-DCM & CAMA RULES AND REGULATIONS.
 - 35' MAX BUILDING HEIGHT MAY EXTEND TO 45' WHERE ALLOWED BY PENDER COUNTY ADMINISTRATOR.



2 MASTER DEVELOPMENT PLAN

REV NO	DESCRIPTIONS	DATE



MCKIM & CREED
 243 North Front Street
 Wilmington, North Carolina 28401
 Phone: (910)343-1048, Fax: (910)251-8282
 License: F-1222
 www.mckimcreed.com

CAPITAL ASSET DEVELOPMENT

SLOOP POINT SINGLE FAMILY RESIDENTIAL
 SLOOP POINT LOOP RD, PENDER COUNTY, NC
MASTER DEVELOPMENT PLAN - PD

1 LEGEND AND NOTES

DATE:	3/11/2024
MCE PROJ. #	09763-0001
DRAWN	HKA/AJW
DESIGNED	HKA/AJW
CHECKED	RMC
PROJ. MGR.	RMC
STATUS:	PRELIMINARY DRAWING SET

SCALE: HORIZONTAL: 1"=100' VERTICAL: N/A
 C2.0 DRAWING NUMBER
 REVISION

ATTACHMENT 2

Technical Stormwater Information



March 7, 2024

Mr. Richard Collier, PE
McKim & Creed
243 North Front Street
Wilmington, North Carolina 28401

Reference: Report of Seasonal High Water Table Estimation and Infiltration Testing
Sloop Point Tract
Hampstead, Pender County, North Carolina
ECS Project No. 49.22522

Dear Mr. Collier:

ECS Southeast, LLC (ECS) recently conducted a seasonal high water table (SHWT) estimation and infiltration testing within the stormwater control measure (SCM) area(s) off of Sloop Point Road in Hampstead, Pender County, North Carolina. This letter, with attachments, is the report of our testing.

Field Testing

On March 5 & 6, 2024, ECS conducted an exploration of the subsurface soil conditions, in accordance with the NCDEQ Stormwater Design Manual section A-2, at eleven requested locations shown on the attached Boring Location Plan (Figure 1). ECS used GPS equipment in order to determine the boring locations. The purpose of this exploration was to obtain subsurface information of the in situ soils for the SCM area(s). ECS explored the subsurface soil conditions by advancing one hand auger boring into the existing ground surface at each of the requested boring locations. ECS visually classified the subsurface soils and obtained representative samples of each soil type encountered. ECS also recorded the SHWT elevation observed at the time of the hand auger borings. The attached Infiltration Testing Form provides a summary of the subsurface conditions encountered at the hand auger boring locations.

The SHWT and groundwater elevation was estimated at the boring locations below the existing grade elevation. A summary of the findings are as follows:

Location	SHWT	Groundwater
I-1	28 inches	36 inches
I-2	16 inches	22 inches
I-3	44 inches	50 inches
I-4	70 inches	80 inches
I-5	42 inches	48 inches
I-6	6 inches	18 inches
I-7	70 inches	85 inches
I-8	54 inches	60 inches
I-9	0 inches	8 inches
I-10	48 inches	68 inches

I-11	18 inches	26 inches
------	-----------	-----------

ECS has conducted twelve infiltration tests utilizing a compact constant head permeameter near the hand auger borings in order to estimate the infiltration rate for the subsurface soils. Infiltration tests are typically conducted at two feet above the SHWT or in the most restrictive soil horizon. Tests in clayey conditions are conducted for durations of up to 30 minutes. If a more precise hydraulic conductivity value is desired for these locations, then ECS recommends collecting samples and performing laboratory permeability testing.

Field Test Results

Below is a summary of the infiltration test results:

Location	Description	Depth	Inches/hour
I-1	Tan fine SAND w/ silt	12 inches	10.18
I-2	Black silty SAND	10 inches	0.28
I-3	Tan/orange fine SAND w/ clay	20 inches	1.12
I-4	Tan/orange fine SAND w/ clay	34 inches	3.22
I-5	Brown/tan fine SAND	18 inches	4.71
I-6	Black silty SAND	10 inches	0.081
I-7	Tan/orange clayey SAND	36 inches	0.022
I-8	Tan/brown fine SAND	30 inches	5.54
I-9	Gray clayey SAND	10 inches	<0.001
I-10	Brown/tan fine SAND	24 inches	6.85
I-10A	Orange/tan clayey SAND	50 inches	0.013
I-11	Gray/tan fine SAND w/ shells	10 inches	3.80

Infiltration rates and SHWT may vary within the proposed site due to changes in elevation, soil classification and subsurface conditions. An additional test was conducted at I-10 in order to demonstrate the change in hydraulic conductivity with the change in soil classification. ECS recommends that a licensed surveyor provide the elevations of the boring locations.

Closure

ECS's analysis of the site has been based on our understanding of the site, the project information provided to us, and the data obtained during our exploration. If the project information provided to us is changed, please contact us so that our recommendations can be reviewed and appropriate revisions provided, if necessary. The discovery of any site or subsurface conditions during construction which deviate from the data outlined in this exploration should be reported to us for our review, analysis and revision of our recommendations, if necessary. The assessment of site environmental conditions for the presence of pollutants in the soil and groundwater of the site is beyond the scope of this geotechnical exploration.

*Report of SHWT Estimation and Infiltration Testing
Sloop Point Tract
Hampstead, Pender County, North Carolina
ECS Project No. 49.22522
March 6, 2024*

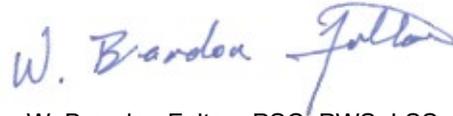
ECS appreciates the opportunity to provide our services to you on this project. If you have any questions concerning this report or this project, please contact us.

Respectfully,

ECS SOUTHEAST, LLC



K. Brooks Wall
Project Manager
bwall@ecslimited.com
910-686-9114

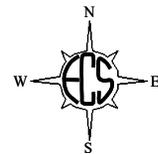


W. Brandon Fulton, PSC, PWS, LSS
Environmental Department Manager
bfulton@ecslimited.com
704-525-5152

Attachments: Figure 1 - Boring Location Plan
Infiltration Testing Form
GBA Document



⊗ APPROXIMATE BORING LOCATIONS



SCALE SHOWN ABOVE

Sloop Point Tract
 Hampstead, Pender County,
 North Carolina

ECS Project # 49.22522
 March 5&6, 2024
 KBW

Page 64 of 90



Figure 1– Boring Location Plan

Provided by: Google Earth

Infiltration Testing Form
 Sloop Point Tract
 Hampstead, Pender County, North Carolina
 ECS Project No. 49.22522
 March 5 & 6, 2024

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-1	0-15"	SM	Brown fine SAND w/ silt
	15"-36"	SP	Tan fine SAND

Seasonal High Water Table was estimated to be at 28 inches below the existing grade elevation.

Ground water was observed at 36 inches below the existing grade elevation.

Test was conducted at 12 inches below existing grade elevation

Infiltration Rate: 10.18 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-2	0-16"	SM	Black silty SAND
	16"-24"	SM	Tan fine SAND w/ clay

Seasonal High Water Table was estimated to be at 16 inches below the existing grade elevation.

Ground water was observed at 22 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation

Infiltration Rate: 0.28 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-3	0-24"	SP	Brown/tan fine SAND
	24"-40"	SM	Tan/orange fine SAND w/ clay
	40"-50"	SP	Tan/orange/gray fine SAND

Seasonal High Water Table was estimated to be at 44 inches below the existing grade elevation.

Ground water was observed at 50 inches below the existing grade elevation

Test was conducted at 20 inches below existing grade elevation

Infiltration Rate: 1.12 inches per hour

Infiltration Testing Form
 Sloop Point Tract
 Hampstead, Pender County, North Carolina
 ECS Project No. 49.22522
 March 5 & 6, 2024

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-4	0-36"	SP	Brown/tan fine SAND
	36"-80"	SM	Orange/tan fine SAND w/ clay

Seasonal High Water Table was estimated to be at 70 inches below the existing grade elevation.

Ground water was observed at 80 inches below the existing grade elevation.

Test was conducted at 34 inches below existing grade elevation

Infiltration Rate: 3.22 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-5	0-40"	SP	Brown/tan fine SAND
	40"-480"	SM	Orange/tan fine SAND w/ clay

Seasonal High Water Table was estimated to be at 42 inches below the existing grade elevation.

Ground water was observed at 48 inches below the existing grade elevation.

Test was conducted at 18 inches below existing grade elevation

Infiltration Rate: 4.71 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-6	0-18"	SM	Black silty SAND
	18"-24"	SM	Gray fine SAND w/ clay

Seasonal High Water Table was estimated to be at 6 inches below the existing grade elevation.

Ground water was observed at 18 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation

Infiltration Rate: 0.081 inches per hour

Infiltration Testing Form
 Sloop Point Tract
 Hampstead, Pender County, North Carolina
 ECS Project No. 49.22522
 March 5 & 6, 2024

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-7	0-22"	SP	Brown/tan fine SAND
	22"-36"	SC	Tan/orange clayey SAND
	36"-48"	SP	Tan/orange fine SAND
	48"-85"	SC	Tan/orange/gray clayey SAND

Seasonal High Water Table was estimated to be at 70 inches below the existing grade elevation.

Ground water was observed at 85 inches below the existing grade elevation

Test was conducted at 36 inches below existing grade elevation

Infiltration Rate: 0.022 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-8	0-42"	SP	Brown/tan fine SAND
	42"-52"	SM	Tan/orange fine SAND w/ clay
	52"-66"	SC	Tan/orange/gray clayey SAND

Seasonal High Water Table was estimated to be at 54 inches below the existing grade elevation.

Ground water was observed at 60 inches below the existing grade elevation

Test was conducted at 30 inches below existing grade elevation

Infiltration Rate: 5.54 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-9	0-5"	SM	Black silty SAND
	5"-12"	SP	Gray fine SAND

Seasonal High Water Table was estimated to be at 0 inches below the existing grade elevation.

Ground water was observed at 8 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation

Infiltration Rate: <0.001 inches per hour

Infiltration Testing Form
 Sloop Point Tract
 Hampstead, Pender County, North Carolina
 ECS Project No. 49.22522
 March 5 & 6, 2024

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-10	0-48"	SP	Brown/tan fine SAND
	48"-66"	SC	Orange/tan clayey SAND

Seasonal High Water Table was estimated to be at 48 inches below the existing grade elevation.

Ground water was observed at 68 inches below the existing grade elevation

Test I-10 was conducted at 24 inches below existing grade elevation

Infiltration Rate: 6.85 inches per hour

Test I-10A was conducted at 50 inches below existing grade elevation

Infiltration Rate: 0.013 inches per hour

<u>Location</u>	<u>Depth</u>	<u>USCS</u>	<u>Soil Description</u>
I-11	0-26"	SP	Gray/tan fine SAND w/ shells

Seasonal High Water Table was estimated to be at 18 inches below the existing grade elevation.

Ground water was observed at 26 inches below the existing grade elevation.

Test was conducted at 10 inches below existing grade elevation

Infiltration Rate: 3.80 inches per hour

Important Information about This

Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, clients can benefit from a lowered exposure to the subsurface problems that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed below, contact your GBA-member geotechnical engineer. Active involvement in the Geoprofessional Business Association exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Geotechnical-Engineering Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical-engineering study conducted for a given civil engineer will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client. *Those who rely on a geotechnical-engineering report prepared for a different client can be seriously misled.* No one except authorized client representatives should rely on this geotechnical-engineering report without first conferring with the geotechnical engineer who prepared it. *And no one – not even you – should apply this report for any purpose or project except the one originally contemplated.*

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read it *in its entirety*. Do not rely on an executive summary. Do not read selected elements only. *Read this report in full.*

You Need to Inform Your Geotechnical Engineer about Change

Your geotechnical engineer considered unique, project-specific factors when designing the study behind this report and developing the confirmation-dependent recommendations the report conveys. A few typical factors include:

- the client's goals, objectives, budget, schedule, and risk-management preferences;
- the general nature of the structure involved, its size, configuration, and performance criteria;
- the structure's location and orientation on the site; and
- other planned or existing site improvements, such as retaining walls, access roads, parking lots, and underground utilities.

Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light-industrial plant to a refrigerated warehouse;
- the elevation, configuration, location, orientation, or weight of the proposed structure;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.*

This Report May Not Be Reliable

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, that it could be unwise to rely on a geotechnical-engineering report whose reliability may have been affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If your geotechnical engineer has not indicated an "apply-by" date on the report, ask what it should be,* and, in general, *if you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying it. A minor amount of additional testing or analysis – if any is required at all – could prevent major problems.

Most of the "Findings" Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site's subsurface through various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing were performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgment to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team from project start to project finish, so the individual can provide informed guidance quickly, whenever needed.

This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, *they are not final*, because the geotechnical engineer who developed them relied heavily on judgment and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* revealed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a full-time member of the design team, to:

- confer with other design-team members,
- help develop specifications,
- review pertinent elements of other design professionals' plans and specifications, and
- be on hand quickly whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction observation.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note conspicuously that you've included the material for informational purposes only*. To avoid misunderstanding, you may also want to note that "informational purposes" means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report, but they may rely on the factual data relative to the specific times, locations, and depths/elevations referenced. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may

perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely*. Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a "phase-one" or "phase-two" environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures*. If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. As a general rule, *do not rely on an environmental report prepared for a different client, site, or project, or that is more than six months old*.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, none of the engineer's services were designed, conducted, or intended to prevent uncontrolled migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer's recommendations will not of itself be sufficient to prevent moisture infiltration*. Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building-envelope or mold specialists*.



Telephone: 301/565-2733

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ATTACHMENT 3

Public Input Meeting Information



March 18, 2024

Property Owner

RE: Sloop Point Residential Planned Development – Community Meeting Notice

Dear Property Owner,

This is a notice for a community information meeting for an upcoming request by McKim & Creed, Inc. on behalf of Capital Asset Development, LLC, for proposed development of a roughly 61-acre site located off Sloop Point Road between Roberts Road and Cole Drive. A portion of the project is zoned Planned Development ("PD") which consists of Parcels 4213-59-0181-0000, 4214-40-5134-0000, and 4213-49-8163-0000. The PD portion of the site proposes 41 single-family detached homes.

The remainder of the project is zoned Residential Performance ("RP"). See Exhibit A for a map indicating the PD and RP sections.

The purpose of this community information meeting is to explain the proposal and answer questions from the meeting attendees regarding the Planned Development ("PD") portion of the project. See Exhibit C PD Zoning Master Development Plan.

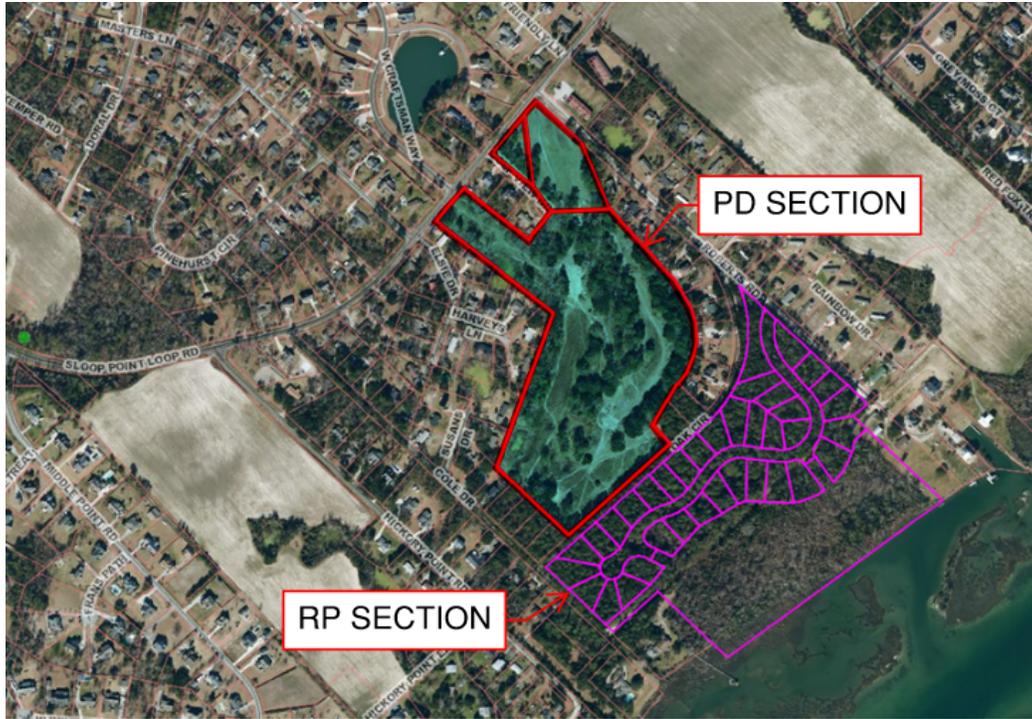
The meeting will be held at Hampstead Kiwanis Park, Large Picnic Shelter located at 586 Sloop Point Loop Road, Hampstead, NC and begin at 6:00 PM on Tuesday, April 2, 2024.

Sincerely,

McKIM & CREED, INC.

Encl. Exhibit A: PD/RP Map
Exhibit B: List of 500' Adjacent Property Owners
Exhibit C: PD Zoning Master Development Plan

EXHIBIT A



500' Adjacent Property Owners

EXHIBIT 'B'

PIN	EXHIBIT ID	NAME	ADDRESS	CITY	STATE	ZIP
4213-39-4711-0000	1	KRAMER, BRUCE	530 PINE HURST CIRCLE	HAMPSTEAD	NC	28443
4213-39-4798-0000	2	HEARNE, JACOB	532 PINEHURST CIRCLE	HAMPSTEAD	NC	28443
4213-39-5886-0000	3	TIMERANKO, BRYAN J	534 PINEHURST CIRCLE	HAMPSTEAD	NC	28443
4213-39-6951-0000	4	GUNTER, ROBERT T	417 MASTERS LANE	HAMPSTEAD	NC	28443
4213-39-6554-0000	5	WALKER, JOSEPH	1767 SLOOP POINT LOOP RD	HAMPSTEAD	NC	28443
4213-39-7600-0000	6	FRAZIER, ROBIN MARSHALL C/O JACKSON, MILLS & CARTER	1803 SLOOP POINT LOOP RD	HAMPSTEAD	NC	28443
4213-39-8702-0000	7	GUNTER, ROBERT T	417 MASTERS LANE	HAMPSTEAD	NC	28443
4213-39-8393-0000	8	ROBINSON, LEE J	1794 SLOOP POINT LOOP ROAD	HAMPSTEAD	NC	28443
4213-39-9452-0000	9	ADAMS, ZACHARY D	1814 SLOOP POINT LOOP RD	HAMPSTEAD	NC	28443
4213-49-0546-0000	10	BICE, BRANDDON A	100 ELSIE DR	HAMPSTEAD	NC	28443
4213-49-1438-0000	11	OGDEN, MICHAEL J	104 ELSIE DR	HAMPSTEAD	NC	28443
4213-49-1305-0000	12	STECK, JESSICA	200 BRIGHTWATERS BLVD NE	SAINT PETERSBURG	FL	33704
4213-49-0267-0000	13	LUEHRSEN, JOHN	108 ELSIE DR	HAMPSTEAD	NC	28443
4213-49-0137-0000	14	GRAGO, JAMES V JR	210 BATES RETREAT	HAMPSTEAD	NC	28443
4213-49-0025-0000	15	VAN NESTE, KENNETH J	318 SCOTCH BONNET WAY	HAMPSTEAD	NC	28443
4213-48-0825-0000	16	SAWYER, GEORGE A	350 CJ JUSTICE DR	WAYNESVILLE	NC	28785
4213-38-8642-0000	17	DEITZ, DAVID	271 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-38-9533-0000	18	MASON, JAMES	283 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-48-0443-0000	19	BAILEY, LONNIE R	361 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-48-1333-0000	20	DELLO-RUSSO, LAWRENCE	371 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-48-2207-0000	21	KUGATOW, ADRIAN M	105 COTTAGE WALK	HAMPSTEAD	NC	28443
4213-48-0017-0000	22	GROBLEWSKY, JASON M	396 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-0997-0000	23	WHISLER, JEANIE	418 HICKORY POINT ROAD	HAMPSTEAD	NC	28443
4213-47-1960-0000	24	HOLT, SCOTT	434 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-2842-0000	25	WETMORE, JOHN	452 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-3742-0000	26	HENNESSEE, GROVER DILLON	480 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-3696-0000	27	RADFORD, MICHAEL E	494 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-4640-0000	28	LEVEL 10 LENDING LLC	8 ASPEN DR	CALDWELL	NJ	7006
4213-47-5504-0000	29	LEONARD, PETER ANDREW	526 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-5416-0000	30	MACON, WILLIAM LOREN	540 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-5452-0000	31	MACON, WILLIAM LOREN	540 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-6313-0000	32	GENES, JACQUELINE B C/O JACQUELINE B GENES	614 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-7402-0000	33	MAYER, WILLIAM A ETAL	4816 COUNTY RD 12	WATERLOO	IN	46793
4213-47-7445-0000	34	MAYER, WILLIAM A ETAL	4816 COUNTY RD 12	WATERLOO	IN	46793
4213-47-8211-0000	35	EDWARDS, ALLEN GLENN	712 VALPARAISO ST	WALLACE	NC	28466

500' Adjacent Property Owners

4213-47-8234-0000	36	RUSS, ANNE T	607 HICKORY POINT ROAD	HAMPSTEAD	NC	28443
4213-47-8287-0000	37	GIBSON, MELVIN L TRUSTEE OF JOANNE G GIB	599 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-9312-0000	38	GIBSON, MELVIN L TRUSTEE	599 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-47-8522-0000	39	BATSON, WILLIAM EDWARD C/O JOSEPH MOSLEY III		SNEADS FERRY	NC	28460
4213-57-0530-0000	40	MUSSER, MICHAEL S	412 COLE DRIVE	HAMPSTEAD	NC	28443
4213-57-1775-0000	41	LEWIS, RUTH CAROLINE KALMAR C/O RUTH C KALMAR LEWIS	2237 QUEENS RD EAST	CHARLOTTE	NC	28207
4213-47-7648-0000	42	STEENHUIS, JOANNE H TRUSTEE	227 HIGH TIDE DR	WILMINGTON	NC	28411
4213-47-8727-0000	43	ASHE, CAROLYN A MRS	8811 CYPRESS LAKES DR APT 106	RALEIGH	NC	27615
4213-47-6846-0000	44	GRAY, GARY MARK	469 HICKORY POINT ROAD	HAMPSTEAD	NC	28443
4213-47-5973-0000	45	SMITH, KEVIN BRETT	7805 BIGELOW RD	CARY	NC	27519
4213-47-5909-0000	46	SMITH, KEVIN BRETT	7805 BIGELOW RD	CARY	NC	27519
4213-48-4026-0000	47	SMITH, KEVIN BRETT	7805 BIGELOW RD	CARY	NC	27519
4213-48-3143-0000	48	ERLEWINE, DENNIS WAYNE	433 HICKORY POINT RD	HAMPSTEAD	NC	28443
4213-48-2281-0000	49	THACKER, LARRY R	114 E SANDERLING CIRCLE	HAMPSTEAD	NC	28443
4213-48-6281-0000	50	SMITH, KEVIN BRETT	7805 BIGELOW RD	CARY	NC	27519
4213-48-6218-0000	51	SMITH, KEVIN BRETT	7805 BIGELOW RD	CARY	NC	27519
4213-48-5354-0000	52	FAILSAFE CONSTRUCTION INC	PO BOX 1058	HAMPSTEAD	NC	28443
4213-48-4480-0000	53	FAILSAFE CONSTRUCTION INC	PO BOX 1058	HAMPSTEAD	NC	28443
4213-48-4436-0000	54	WHALEY, STEPHANIE ANN	205 COLE DR	HAMPSTEAD	NC	28443
4213-48-3552-0000	55	CRAWFORD, MITCHELL	203 COLE DR	HAMPSTEAD	NC	28443
4213-48-2680-0000	56	HALL, JESSICA B	410 W WINDWARD LANDING PLACE	HAMPSTEAD	NC	28443
4213-48-4701-0000	57	BOYD, MICHAEL W	410 W WINDWARD LANDING PLACE	HAMPSTEAD	NC	28443
4213-48-4942-0000	58	BOYD, MICHAEL W	410 W WINDWARD LANDING PLACE	HAMPSTEAD	NC	28443
4213-48-1639-0000	59	HOBB, WILLIE JAMES JR	201 SUSANS DR	HAMPSTEAD	NC	28443
4213-48-1860-0000	60	BOYD, MICHAEL	410 W WINDWARD LANDING PLACE	HAMPSTEAD	NC	28443
4213-48-1899-0000	61	HARDISON, CORNELL JR	190 MANHOLLOW CHURCH RD	HAMPSTEAD	NC	28443
4213-48-2929-0000	62	AQUA RENTALS LLC	5113 HARVEY GRANT RD	FLEMING ISLAND	FL	32003
4213-49-2135-0000	63	TASSI, JOSEPH L	PO BOX 21	HAMPSTEAD	NC	28443
4213-49-3123-0000	64	JONES, DONALD L III	204 HARVEYS LN	HAMPSTEAD	NC	28443
4213-49-5069-0000	65	GRUDZIEN, ROBERT JAMES	208 HARVEYS LN	HAMPSTEAD	NC	28443
4213-49-6216-0000	66	GARCIA, NICHOLE MARIE	209 HARVEYS LANE	HAMPSTEAD	NC	28443
4213-49-5335-0000	67	SESSIONS, DUSTIN	207 HARVEYS LN	HAMPSTEAD	NC	28443
4213-49-4338-0000	68	NEWMAN, REBECCA LEIGH	47 PIKE PL	STAFFORD	VA	22556
4213-49-3328-0000	69	FULLING, STEVEN W	105 ELSIE DR	HAMPSTEAD	NC	28443
4213-49-3546-0000	70	GILL, JOSHUA	103 ELSIE DR	HAMPSTEAD	NC	28443
4213-49-2608-0000	71	CARDWELL, KATHRYN MCNEELY	1874 SLOOP POINT LOOP ROAD	HAMPSTEAD	NC	28443

500' Adjacent Property Owners

4213-49-0833-0000	72	DILLER, VIRGIL LEE III	426 MASTERS LANE	HAMPSTEAD	NC	28443
4213-39-9934-0000	73	PINYATELLO, THOMAS EDWARD	424 MASTERS LANE	HAMPSTEAD	NC	28443
4214-30-8013-0000	74	BELL, WILLIAM J	422 MASTERS LANE	HAMPSTEAD	NC	28443
4214-30-7131-0000	75	RICE, CATHERINE A L/E	420 MASTERS LN	HAMPSTEAD	NC	28443
4214-30-9049-0000	76	WYNDWATER HOA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403
4214-40-0483-0000	77	WYNDWATER HOA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403
4214-40-2116-0000	78	SCOVILLE, GAIL ANN	1947 SLOOP POINT LOOP RD	HAMPSTEAD	NC	28443
4214-40-2273-0000	79	LEONARD, JASON W	1971 SLOOP POINT LOOP RD	HAMPSTEAD	NC	28443
4214-40-3236-0000	80	WYNDWATER HOA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403
4214-40-3382-0000	81	BENNETT, JEREMY D	182 W CRAFTSMAN WAY	HAMPSTEAD	NC	28443
4214-40-4443-0000	82	CURRY, LANCE AUSTIN	180 W CRAFTSMAN WAY	HAMPSTEAD	NC	28443
4214-40-4504-0000	83	ROBINSON, ERNEST B	178 W CRAFTSMAN WAY	HAMPSTEAD	NC	28443
4214-40-2698-0000	84	WYNDWATER HOA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403
4214-40-3787-0000	85	MAHR, CELESTE M ANTHONY	107 FRIENDLY LN	HAMPSTEAD	NC	28443
4214-40-4698-0000	86	GAY, JODIE EARL	105 FRIENDLY LANE	HAMPSTEAD	NC	28443
4214-40-5671-0000	87	DUFFEY, PATRICK I	101 FRIENDLY LN	HAMPSTEAD	NC	28443
4214-40-6535-0000	88	DUFFEY, PATRICK I	101 FRIENDLY LN	HAMPSTEAD	NC	28443
4214-40-3094-0000	89	NEELEY, JEFFREY S	PO BOX 775	HAMPSTEAD	NC	28443
4213-49-4899-0000	90	PARKER, JOSEPH S	202 GOLF VIEW DR	HAMPSTEAD	NC	28443
4213-49-5890-0000	91	LEMERY, KEVIN HUBERT SR	1712 WHITE POND LN	WAXHAW	NC	28173
4214-40-5908-0000	92	CHICOSKY, ALLISON DERBY	108 FRIENDLY LANE	HAMPSTEAD	NC	28443
4214-40-5981-0000	93	CARPENTER, BRUCE W SR	106 FRIENDLY LANE	HAMPSTEAD	NC	28443
4214-40-6852-0000	94	PELLETIER, DALE ROMERO	104 FRIENDLY LANE	HAMPSTEAD	NC	28443
4214-40-7754-0000	95	ZEIGER, JOAN	102 FRIENDLY LN	HAMPSTEAD	NC	28443
4214-40-9316-0000	96	VISTA COVE CONDOS HOA	2002 EASTWOOD RD	WILMINGTON	NC	28403
4214-50-0541-0000	97	VISTA COVE CONDOS HOA	2002 EASTWOOD RD	WILMINGTON	NC	28403
4214-50-0202-0000	98	BEIGHLE, PHILLIP L	95 ROBERTS ROAD	HAMPSTEAD	NC	28443
4214-50-0399-0000	99	BEIGHLE, PHILLIP L	95 ROBERTS ROAD	HAMPSTEAD	NC	28443
4214-50-1288-0000	100	BEIGHLE, PHILLIP L	95 ROBERTS ROAD	HAMPSTEAD	NC	28443
4214-50-3202-0000	101	MCKINLEY, DANIEL	123 ROBERTS RD	HAMPSTEAD	NC	28443
4214-50-3194-0000	102	MORRIS, ANTHONY	131 ROBERTS ROAD	HAMPSTEAD	NC	28443
4214-50-4075-0000	103	PORTER, SAMUEL COLE TRUSTEE	585 MOORES LANDING ROAD	HAMPSTEAD	NC	28443
4214-50-1079-0000	104	SKIPPER, CATHRINE ELIZABETH	111 ROBERT RD	HAMPSTEAD	NC	28443
4213-59-2927-0000	105	DAVIS, CARO ANNE	133 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-3932-0000	106	HARDISON, JENNIFER TRUSTEE FOR CANAAN HA	157 ROBERTS ROAD	HAMPSTEAD	NC	28443
4213-49-9964-0000	107	BOWMAN, HAROLD J	108 ROERTS ROAD	HAMPSTEAD	NC	28443

500' Adjacent Property Owners

4213-59-0874-0000	108	KINSTLE, PATRICK J JR	132 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-1764-0000	109	WATERS, NORMAN RICHARD JR	146 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-2646-0000	110	EVANS, MARTIN J	PO BOX 1178	HAMPSTEAD	NC	28443
4213-59-5865-0000	111	JONES, GLORIA	195 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-3537-0000	112	BARNES, MITCHELL KYLE	194 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-3590-0000	113	BARNES, MITCHELL KYLE	194 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-4451-0000	114	BARNES, TIMOTHY BLAIR	114 OAK CIRCLE	HAMPSTEAD	NC	28443
4213-59-4372-0000	115	BARNES, TIMOTHY BLAIR	114 OAK CIRCLE	HAMPSTEAD	NC	28443
4213-59-4282-0000	116	THIGPEN, ALAN RAY	118 OAK CIR	HAMPSTEAD	NC	28443
4213-59-4182-0000	117	THIGPEN, ALAN RAY	118 OAK CIR	HAMPSTEAD	NC	28443
4213-59-4062-0000	118	WILLARD, FREDERICK	120 OAK CIRCLE	HAMPSTEAD	NC	28443
4213-58-4904-0000	119	JENSEN, CHANCE A	122 OAK CIRCLE	HAMPSTEAD	NC	28443
4213-58-3836-0000	120	ALBERT, GREGORY BEN	4932 DEER WALK AVENUE	CHARLOTTE	NC	28270
4213-58-2777-0000	121	ORTSCHEID SOLUTIONS LLC	1132 PRINCETON AVE	CHARLOTTE	NC	28209
4213-59-6624-0000	122	GROUNDHOG LLC	PO BOX 1178	HAMPSTEAD	NC	28443
4213-59-7786-0000	123	MORISON, CHARLES DAVID	211 BROOKWOOD	WILMINGTON	NC	28403
4213-59-7516-0000	124	GROUNDHOG LLC	PO BOX 1178	HAMPSTEAD	NC	28443
4213-59-8770-0000	125	MORETHAN MANAGEMENT LLC	107 RAINBOW DRIVE	HAMPSTEAD	NC	28443
4213-59-7570-0000	126	DAVIS, COLLEN M	269 ROBERTS RD	HAMPSTEAD	NC	28443
4213-59-9641-0000	127	MORISON, CHARLES DAVID	211 BROOKWOOD	WILMINGTON	NC	28403
4213-59-8452-0000	128	REGISTER, TAMARA NORRIS	PO BOX 52	ALBERTSON	NC	8508
4213-69-0526-0000	129	RUSSELL, JAMES	111 RAINBOW DR	HAMPSTEAD	NC	28443
4213-59-9318-0000	130	SPEAKS, RODNEY CORNELL	PO BOX 6091	STATESVILLE	NC	58687
4213-69-1408-0000	131	MORISON, CHARLES DAVID	211 BROOKWOOD	WILMINGTON	NC	28403
4213-59-9371-0000	132	HOLT, KENNETH RAY	359 ROBERTS RD	HAMPSTEAD	NC	28443
4213-69-1471-0000	133	MORALES, FAYE ROBERTS	7827 SHANGRILA LANE	HOUSTON	TX	77095
4213-69-0245-0000	134	HOLT, KENNETH RAY	359 ROBERTS RD	HAMPSTEAD	NC	28443
4213-69-2342-0000	135	HARDISON, FAYE R	7827 SHANGRILA LN	HOUSTON	TX	77095
4213-69-1165-0000	136	HOLT, KENNETH RAY	359 ROBERTS RD	HAMPSTEAD	NC	28443
4213-69-3157-0000	137	NORDLEY, BRANDON COLE	5912 O C HESTER RD	HOLLY SPRINGS	NC	27540
4213-69-2063-0000	138	MIZELLE, ALLISTON W	407 ROBERTS ROAD	HAMPSTEAD	NC	28443
4213-69-3225-0000	139	YOUNDT, D CRAIG	431 ROBERTS RD	HAMPSTEAD	NC	28443
4213-69-4108-0000	140	YOUNDT, D CRAIG	431 ROBERTS RD	HAMPSTEAD	NC	28443
4213-68-3684-0000	141	RAKER, MURIEL M	430 ROBERTS RD	HAMPSTEAD	NC	28443
4213-68-5627-0000	142	JACOBS, HENRY H III	435 ROBERTS RD	HAMPSTEAD	NC	28443
4213-68-5793-0000	143	HOLLAND, JONATHAN B	1751 AVENT FERRY RD	HOLLY SPRINGS	NC	27540

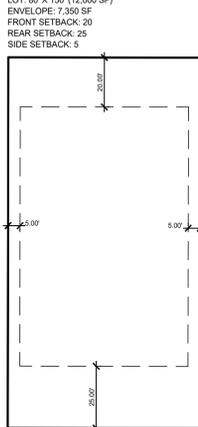
500' Adjacent Property Owners

4213-68-8813-0000	144	TIMMONS, ROBIN	130A RAINBOW DR	HAMPSTEAD	NC	28443
4213-69-4041-0000	145	YOUNDT, D CRAIG	431 ROBERTS RD	HAMPSTEAD	NC	28443
4213-69-9313-0000	146	SIGNATAURE TOP SAIL NC LTD	9337B KATY FREEWAY #377	HOUSTON	TX	77024
4214-41-4283-0000	147	WYNDWATER HOA INC	1612 MILITARY CUTOFF RD	WILMINGTON	NC	28403
Shaded owners/addresses are duplicates						

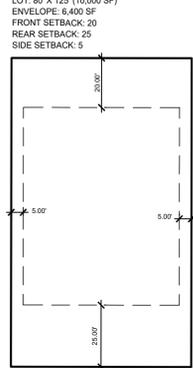
EXHIBIT 'C'



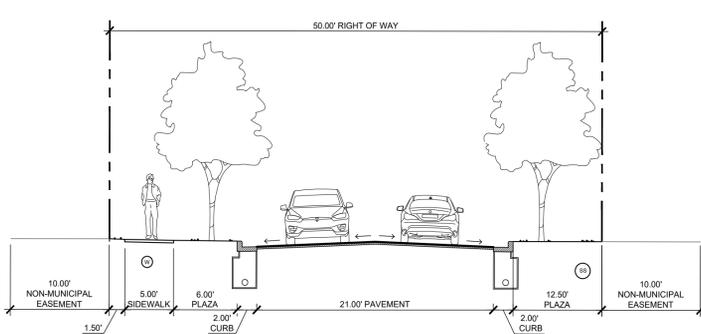
TYPICAL LOT DIMENSIONS



TYPICAL LOT DIMENSIONS



TYPICAL STREET SECTION



SITE DATA	
PROJECT NAME	SLOOP POINT ROAD SINGLE FAMILY
PROJECT AREA	427.80 AC
TOTAL PROJECT ACREAGE	461.85 AC
CONSTRUCTION PHASING	SINGLE PHASE
TOTAL NUMBER OF LOTS	41
80'X125' (10,000 SF)	5
80'X150' (12,000 SF)	36
DENSITY	ALLOWED: 1.75 DU/AC, PROVIDED: 5
SEE DENSITY CALCULATIONS CHART BELOW	
BUILDING SETBACKS	REQUIRED: PROVIDED
FRONT	20'
REAR	25'
SIDE	5'
OPEN SPACE (0.3 ACRE PER DWELLING UNIT, 0.3 X 41 LOTS = 1.23 ACRE OPEN SPACE)	1.23 AC
ACTIVE OPEN SPACE (ENHANCED DESIGN INCLUDING NOT LIMITED TO VILLAGE COMMONS, OUTDOOR RECREATION SPACE, CLUSTER WALKWAYS, PLAY AREAS)	MIN. 50% OF OPEN SPACE (6.2 ACRE), 84 AC (89%)
PASSIVE OPEN SPACE (UNDISTURBED NATURAL AREAS INCLUDING NOT LIMITED TO WETLANDS, WALKING TRAILS)	MAX. 50% OF OPEN SPACE (6.1 ACRE), 38 AC (31%)

DENSITY CALCULATIONS

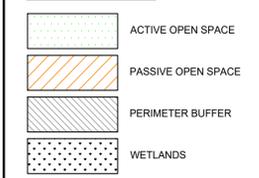
GENERAL INFORMATION	QUANTITY
PROPERTY ACREAGE	27.8 AC
NON-RESIDENTIAL ACREAGE	
A. WETLANDS ACREAGE	0 AC
B. RIGHT OF WAY / PARKING ACREAGE (PRIVATE RIGHTS OF WAY)	3.25 AC
C. TOTAL OPEN SPACE ACREAGE	1.23 AC
TOTAL NON-RESIDENTIAL ACREAGE	4.48 AC
DEVELOPABLE LAND	23.32 AC
TOTAL UNITS (SINGLE FAMILY LOTS)	41
PROJECT DENSITY	1.75 DU/AC

TRAFFIC TRIP GENERATION ESTIMATE

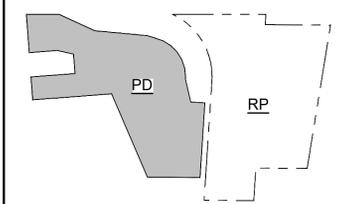
PERIOD	DIRECTION	TRIPS	
		IN	OUT
DAILY	TOTAL	368	184
	IN	184	184
AM PEAK HOUR	TOTAL	27	7
	IN	20	7
PM PEAK HOUR	TOTAL	37	23
	IN	23	14

- NOTES:
- PER PENDER COUNTY UDO SECTION 7.3 A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED FOR MANAGEMENT OF PRIVATELY MAINTAINED STREETS, OPEN SPACES & OTHER DEDICATED LAND.
 - THE DEVELOPMENT OF 8,000 & 12,000 SF LOTS WITHIN THE RP DISTRICT IS CONTINGENT ON PUBLIC UTILITIES TO BE PROVIDED & LOW IMPACT DEVELOPMENT STORMWATER PRACTICES WITHIN THE PROJECT.
 - OPEN SPACE REQUIREMENTS ADHERE TO UDO SECTION 7.4
 - NO HISTORICAL STRUCTURES, LANDMARKS OR SITES AS RECOGNIZED BY THE COUNTY COMMISSIONERS ARE PRESENT ON THE PROJECT SITE.
 - PENDER COUNTY EMERGENCY PERSONNEL HAS ACCESS TO ALL PRIVATE STREETS.
 - SANITARY SEWER TO BE PROVIDED BY PLURIS.
 - PUBLIC WATER TO BE PROVIDED BY PENDER COUNTY UTILITIES.
 - ALL COMMUNITY AND PRIVATE BOATING FACILITIES TO BE APPROVED BY NCDCEQ-DCM & CANA RULES AND REGULATIONS.
 - 30' MAX BUILDING HEIGHT MAY EXTEND TO 45' WHERE ALLOWED BY PENDER COUNTY ADMINISTRATOR.

SYMBOL LEGEND



ZONING KEY



2 MASTER DEVELOPMENT PLAN

REV NO.	DESCRIPTIONS / REVISIONS	DATE

SEAL

MCKIM & CREED
 243 North Front Street
 Wilmington, North Carolina 28401
 Phone: (910)343-1048, Fax: (910)251-8282
 License: F-1222
 www.mckimcreed.com

CAPITAL ASSET DEVELOPMENT

SLOOP POINT LOOP ROAD SINGLE FAMILY
 SLOOP POINT RD, PENDER COUNTY, NC
MASTER DEVELOPMENT PLAN

1 LEGEND AND NOTES

DATE:	3/01/2024	SCALE:	C2.0
MCE PROJ. #:	09763-0001	HORIZONTAL:	1"=100'
DRAWN:	HKA/AJW	VERTICAL:	N/A
DESIGNED:	HKA/AJW	DRAWING NUMBER:	
CHECKED:	RMC	REVISION:	
PROJ. MGR.:	RMC		

STATUS: PRELIMINARY DRAWING SET



Sloop Point Community Meeting
4/2/24
6:00PM
Hampstead Kiwanis Park

Meeting Notes:

- Richard introduced the team and mentioned there is a planning board meeting Tuesday at 6:00PM in Burgaw and all are welcome to attend. **Correction: The Planning Board meets the first Tuesday of each month at 7:00PM unless otherwise posted. The upcoming planning board meeting that will be open for public comments regarding this project will be May 7th.**
- Richard provided the following description of the project: Single family development, custom homes, 87 lots, inland cut marina with 75 slips with additional open water slips and individual piers for a total of 112 potential slips. Full topo, Geotech, and wetlands surveys have been done. Vegetation has been preserved along the perimeter of the property. We are conserving trees on site as well as we can. There will be one amenity site with a pool and a clubhouse, and a boat/trailer storage area. Half of the small pond on the property is being filled in and we will work with adjacent property owners to fill in the entire pond. Stormwater plans will work through some of the drainage issues currently existing. A pump station will pump into public sewer system. Public water is coming off Sloop Point Loop Road.

Questions from the public:

- Where is the stormwater going to go?
Richard explained how the stormwater would be directed.
- Will stormwater be piped directly into the intercoastal?
No
- What will the access be to the neighborhood?
The main entrance will be located at Sloop Point Loop Road.
- Will there be a berm or fence around the development?
Richard explained where there will be a minimum 25' vegetative buffer along the perimeter of the development.
- Multiple people said they were pleased to hear that there would be an effort made to preserve trees.
- Will there be public water?
Yes, extending the water through the neighborhood.
- Will it be sewer or septic?
Sewer will be included in the neighborhood, not septic.



- Joan Kelly commented that Roberts Road is private, there are a few residents that currently maintain that road. They don't want any access, egress or construction vehicles going down that road unless the road gets paved and maintained. There is a lot of traffic already and they don't want additional traffic.
Richard said he will pass that info on to the developer and the residents of Roberts Road can discuss with them.
- Who is the Developer?
The Developer is Capital Asset Topsail Development, LLC. There will be a custom home builder for the houses.
- When will the construction start?
The construction is anticipated to start in the Spring of 2025 and the build out timeline is 5 years.
- How do I get information on the homes? The Dello-Russo's know someone who would be interested in buying.
Richard said Anne would email the map to them and also provide contact info for developer. Anne passed on the Dello-Russo's contact information to Capital Asset Topsail Development, LLC.
- Will multiple contractors be building houses?
If there are multiple builders they will be custom home builders.
- What size will the houses be?
Richard explained that they will each be custom designed per buyer and square footage will vary.
- Will there be an HOA?
Yes
- Will there be a privacy fence?
There will be a vegetative buffer along the perimeter of the development, which will be a minimum of 25' and up to 50', but if fencing is requested by neighboring property owners that can be discussed.
- Will buyers be bound by HOA covenants to keep the vegetative buffer?
This question will be passed on to the Developer.
- How many docks are proposed out on the water?
25
- Has the County approved the marina?
Richard explained that the marina is subject to CAMA approval.
- How far along is the CAMA approval for the marina?



We have had one meeting with CAMA. There are multiple tests that are required and some of those tests can't be done until Summer.

- Why are there more boat slips than lots?
It is unlikely that the total proposed slips shown will be approved.
- Is there a plan for a boat ramp in the development?
No
- Mr. & Mrs. Jacobs would like the proposed layout of the slips down on the waterway.
This will be provided via email.

An email was received on 4/2/24 at 5:44PM from Becca Newman:
beccalnewman@gmail.com with the following questions:

1. How are you going to protect the pond located behind 205 Harvey's Lane and the animals in it from the run off and trash from the proposed boat storage area you are building directly next to it?
On our portion of the property, we will be filling in the pond and adding a bulkhead and a fence, which will provide separation from 205 Harvey's Lane. Trash receptacles will be located within the storage area.
2. Will the sewer station compromise our drinking well?
No.
3. How many street lights will be in the area of 205 Harvey's lane and where will they be located?
This has not yet been determined.

The following email addresses were provided at the meeting:

Kathy and Larry Dello-Russo: ldelloru@yahoo.com
Henry Jacobs: tjacobs@psgtrafficservices.com
Muriel Raker: anchors0415@gmail.com
Katie and Jim Bowman: katebow1516@hotmail.com
Joan Kelly: stingray00@hotmail.com

As a result of the community meeting and TRC review, the following changes were made to the project's proposal:

- The developer will be improving a portion of Roberts Road and Oak Circle
- The developer will adding a fence behind Lots 20-22 at the adjacent neighbor's request of the same

NEIGHBORHOOD MEETING SIGN-IN SHEET

DATE OF MEETING: 4/2/24

PROJECT NAME: SLOOP POINT PLANNED DEVELOPMENT

LOCATION OF MEETING: HAMPSTEAD KIWANIS PARK, LARGE PICNIC SHELTER LOCATED AT 586 SLOOP POINT LOOP ROAD, HAMPSTEAD, NC

ATTENDEES

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>KATHY + 1. <u>MARY DENORE</u></p> <p>2. <u>Lonnie & Mary Bailey</u></p> <p>3. <u>Joe Ruten</u></p> <p>4. <u>Muriel & Randy Lakee</u></p> <p>5. <u>John Kelly & Craig Yundt</u></p> <p>6. <u>Harold H. Dook III</u></p> <p>7. <u>Melissa Parks</u></p> <p>8. <u>Josh Gou</u></p> <p>9. <u>Katie & Jim Bowman</u></p> <p>10. <u>Len Hamilton & Carl Timmer</u></p> <p>11. <u>Dennis Felsowicz</u></p> <p>12. <u>Joanne Steenhuis</u></p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p> <p>16. _____</p> <p>17. _____</p> <p>18. _____</p> <p>19. _____</p> <p>20. _____</p> | <p>21. <u>L.DENORE@YAHOO.COM</u></p> <p>22. _____</p> <p>23. _____</p> <p>24. _____</p> <p>25. _____</p> <p>26. _____</p> <p>27. _____</p> <p>28. _____</p> <p>29. _____</p> <p>30. _____</p> <p>31. _____</p> <p>32. _____</p> <p>33. _____</p> <p>34. _____</p> <p>35. _____</p> <p>36. _____</p> <p>37. _____</p> <p>38. _____</p> <p>39. _____</p> <p>40. _____</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

IF MORE SPACE IS NEEDED ADD ADDITIONAL SHEETS

ATTACHMENT 4

Legal Description Exhibit

ATTACHMENT

Situated in Topsail Township, Pender County, North Carolina and being more particularly described as follows:

Tract 1 - Being all that property containing approximately 24.098 acres (specified as being 22.55 +/- acres) as shown on a plat entitled, "Recombination Plat, WYNDWATER, SIGNATURE TOPSAIL NC LTD," dated 08-04-2021, prepared by Atlantic Coast Surveying, PLLC and recorded in Map Book 68, Page 137, in the Office of the Register of Deeds of Pender County, North Carolina.

Tract 2 - Being all of the Common Areas, Springbranch Road, and Lots 1 - 34, inclusive, as shown on a plat entitled, "Plat of Subdivision of SPRINGBRANCH LANDING, PHASE ONE," dated August 30, 1990, prepared by McKim and Creed Engineers, P.A. and recorded in Map Book 26, Page 10, in the Office of the Register of Deeds of Pender County, North Carolina.

Tract 3 - That certain tract of land, containing approximately 14.945 acres, more or less, designated as "Future Development," on a plat entitled, "Plat of Subdivision of SPRINGBRANCH LANDING, PHASE ONE," dated August 30, 1990, prepared by McKim and Creed Engineers, P.A. and recorded in Map Book 26, Page 10, in the Office of the Register of Deeds of Pender County, North Carolina.

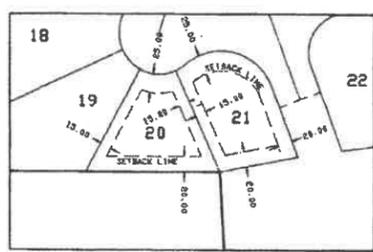
Tract 4 - That area of property adjacent to Tract 3, described above, extending approximately 500 feet adjacent to and southeasterly of said Tract 3.

R14370

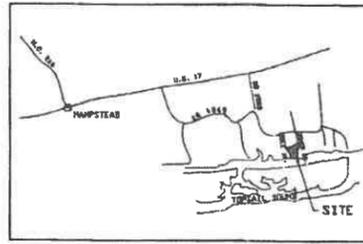
Sloop Point Rd, Springbranch Rd & Cole Rd, Hampstead, NC

ATTACHMENT 5

Historical Plats Exhibit



TYPICAL SETBACK DETAIL



VICINITY MAP

TOPSAIL PLANTATION COUNTRY CLUB SECTION II MAP BOOK 12 PAGE 20

Handwritten notes and signatures on the left side of the plat, including 'MB 26-10' and 'By: [Signature]'.

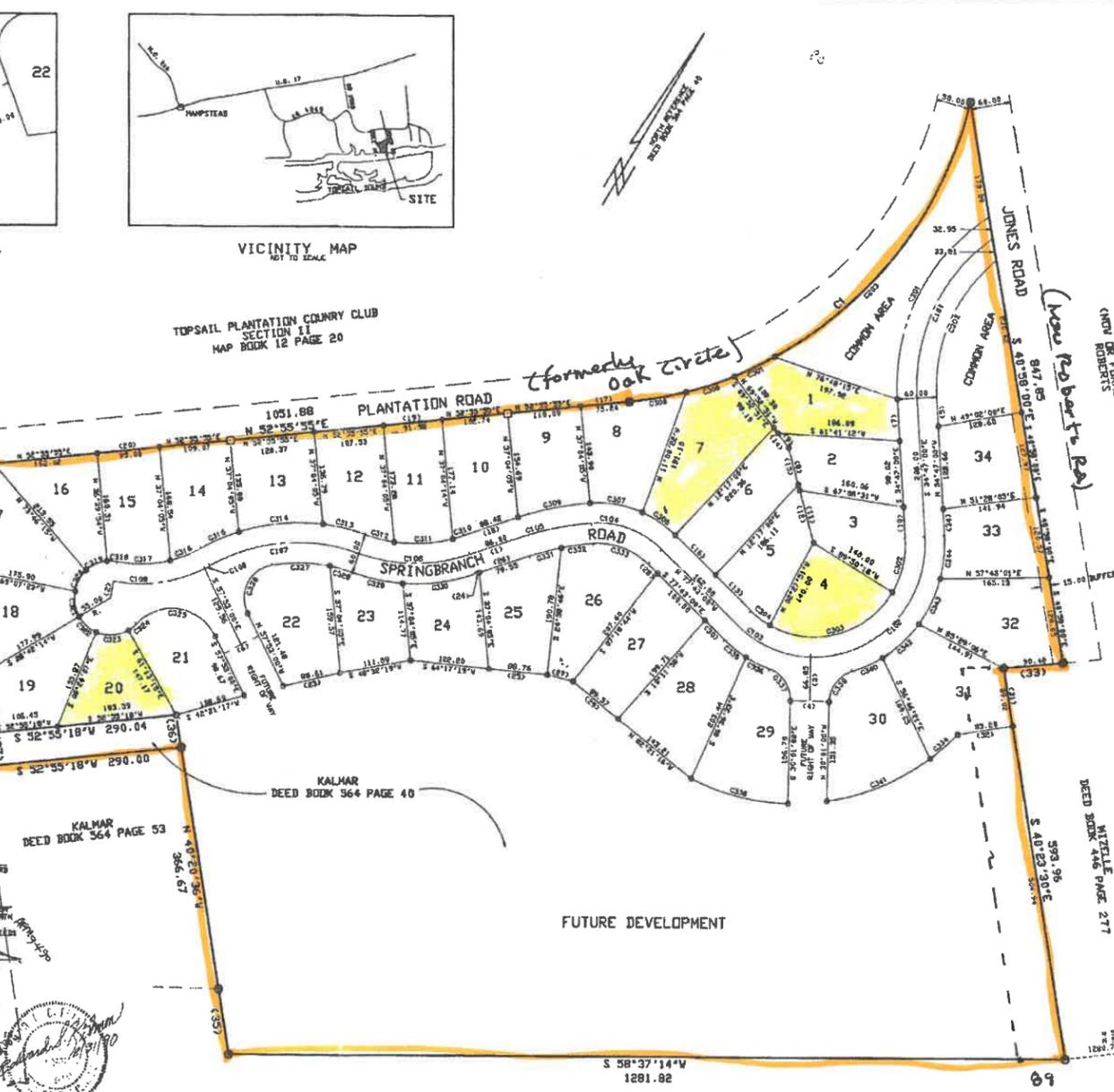
CERTIFICATE OF APPROVAL BY THE PLANNING BOARD THE PLANNING BOARD OF PENDER COUNTY HEREBY APPROVE THE FINAL SUBDIVISION.

CERTIFICATE OF APPROVAL FOR RECORDING I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE ZONING ORDINANCE OF PENDER COUNTY, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED BY THE COUNTY COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF PENDER COUNTY.

CERTIFICATE OF SURVEY AND ACCURACY I, EDWARD S. KILLEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION...

CERTIFICATE OF SURVEY AND ACCURACY I, BEBBA LYNN MURPHY, A NOTARY PUBLIC OF THE COUNTY AND STATE OF NORTH CAROLINA, CERTIFY THAT EDWARD S. KILLEN, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME...

NOTES: 1. ALL DIMENSIONS HEREON, UNLESS OTHERWISE NOTED, APPLY TO FEET AND DECIMAL FRACTIONS THEREOF. ALL BEARINGS HEREON ARE REFERENCED AS NOTED AND DISTANCES HEREON ARE HORIZONTAL SURFACE MEASUREMENTS.

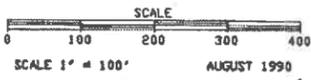


CURVE TABLE with columns: STATION, DELTA, ARC TANGENT, CHORD, BEARING. Contains data for curve segments along the roads.

TABLE with columns: NO., BEARING, DISTANCE, ACUT ANGLE, AREA (SQUARE FEET), AREA (ACRES). Contains area calculations for various lots.

APPROVED DATE 8/31/90 ZONING ENFORCEMENT

- LEGEND: EXISTING IRON STAKE, NEW IRON STAKE, SET CENTRAL MONUMENT, TANGENT NUMBER, CURVE NUMBER.



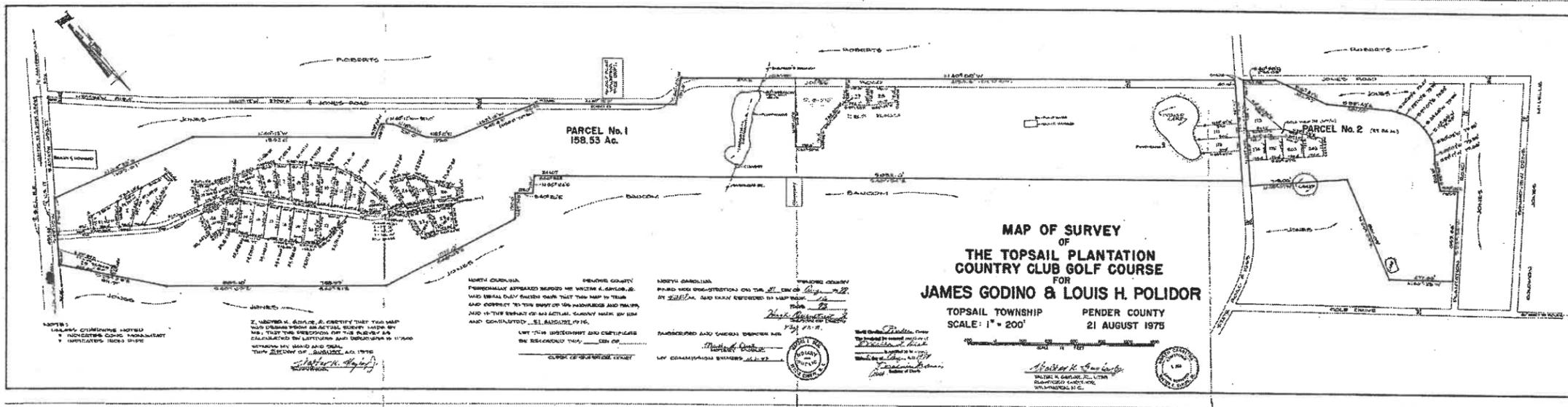
REFERENCE: BOOK 569, PG. 159 - ORDER FOR CLOSURE OF PLANTATION RD. & SOUND VIEW DR. SHOWN ON PLAT IN MAP BOOK 12, PG. 19.

MCKIM & CREED ENGINEERS • PLANNERS • SURVEYORS WILMINGTON, NORTH CAROLINA GREENVILLE, NORTH CAROLINA

A PLAT OF SUBDIVISION OF SPRINGBRANCH LANDING PHASE ONE TOPSAIL TOWNSHIP PENDER COUNTY, N. C. FOR CLAIRE KALMAR P.O. BOX 718 WRIGHTSVILLE BEACH, N. C. Telephone 919-256-3079

Prepared By McKim and Creed Engineers, P.A. 243 North Front Street Wilmington, North Carolina 28401 Telephone 919-343-1048 AUGUST 30, 1990

Handwritten note: 'My 26/10'



Map Book 16. Page 73



Pender County
REZONE 2024-62: Request to rezone
approximately 4.91 acres from the GB,
General Business zoning district to a
conditional zoning district in the Rocky
Point Township

TO: Planning Board
FROM: Tucker Cherry
DATE: May 7, 2024
SUBJECT: REZONE 2024-62: Request to rezone approximately 4.91 acres from the GB, General Business zoning district to a conditional zoning district in the Rocky Point Township

SUMMARY:

Seth F. Stroud, applicant on behalf of Stroud Holdings, LLC, owner, is requesting approval of a Zoning Map Amendment to rezone one parcel totaling approximately 4.91 acres of land from the GB, General Business zoning district to a CZ, Conditional District zoning district. The proposed request would permit a covered 93-unit storage facility for boats and Recreational Vehicles. It will operate in conjunction with StroudCraft Marine boat manufacturing, which currently operates on the property.

The subject property is located approximately 1/4 mile west of the intersection of NC Highway 210 and US Highway 117, between NC Highway 210 and Carr Avenue, in the Rocky Point Township and may be further identified by Pender County PIN 3235-61-3629-0000.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

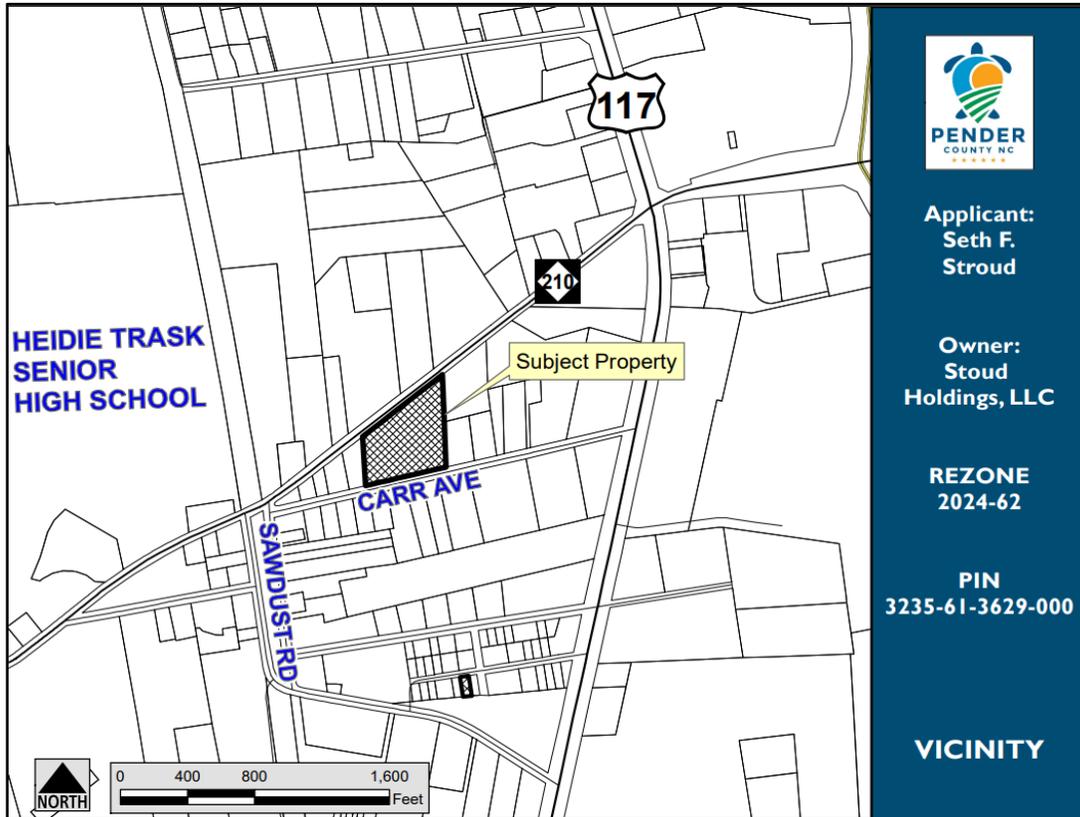
1. Staff Report
2. Application
3. List of Adjacent Owners
4. TRC Comments
5. Site Plan
6. Landscape Plan
7. Attachment 1: Table of Permitted Uses
8. Attachment 2: Project Narrative
9. Attachment 3: Public Input Meeting Packet

**STAFF REPORT FOR REZONE 2024-62
ZONING MAP AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	REZONE 2024-62
Hearing Dates	May 7, 2024 Planning Board June 17, 2024 Board of Commissioners
Applicant	Seth F. Stroud
Property Owner	Stoud Holdings, LLC
Parcel Identification Number	3235-61-3629-000
Acreage	4.91
Township	Rocky Point
Pender 2.0 Future Land Use Category	Neighborhood Mixed Use

REZONING PROPOSAL
Seth F. Stroud, applicant on behalf of Stroud Holdings, LLC, owner, is requesting approval of a Conditional Zoning Map Amendment to rezone one parcel totaling approximately 4.91 acres of land from the GB, General Business zoning district to a CZ, Conditional Zoning district. The proposed request would permit a covered 93-unit storage facility for boats and Recreational Vehicles. It will operate in conjunction with StroudCraft Marine boat manufacturing, which currently operates on the property. The owner is also seeking to expand the existing boat manufacturing business by 2,600 square feet.
LOCATION
The subject property is located approximately ¼ mile west of the intersection of NC Highway 210 and US Highway 117, between NC Highway 210 and Carr Avenue, in the Rocky Point Township and may be further identified by Pender County PIN 3235-61-3629-0000.

Below: Vicinity Map of the Area



Applicant:
Seth F.
Stroud

Owner:
Stoud
Holdings, LLC

REZONE
2024-62

PIN
3235-61-3629-000

VICINITY

REZONING PROPOSAL

The applicant is proposing to rezone approximately 4.91 acres from the GB, General Business zoning district to a CZ, Conditional Zoning district. The intention of this request is to allow for the use of a boat and RV storage facility, as well as the expansion of a legally non-conforming use of the on-site boat manufacturing facility. According to the applicant's narrative (see Attachment 2), the property has been used for boat manufacturing for the past 30 years. During that time, the property was neglected, and the current owner has taken action to remove overgrown trees and dilapidated buildings that were unsafe. The application, narrative, and survey of the site for the request are provided as attachments.

Pender County uses the North American Industry Classification System (NAICS) to classify land uses based on functional or product characteristics. Functions and characteristics include the type and amount of activity, the type of customers and how goods or services are sold or delivered (see Attachment 1 for Table of Permitted Uses). More information on how the NAICS system is used can be found in Article 5 of the County's Unified Development Ordinance (UDO). The applicant has specifically requested that NAICS codes 531 I 30 (Lessors of Miniwarehouses and Self-Storage Units) and 336612 (Boat Building) be used for the site.

Intent of the Conditional Zoning District

A conditional zoning district (aka “CZ”) is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements. If approved, the applicant would be required to submit a major site development plan. The major site development plan would be reviewed by staff and the Pender County Technical Review Committee (TRC). Review and approval of the major site development plan would be an administrative procedure, meaning staff would issue any approvals, consistent with the requirements outlined in the Unified Development Ordinance and consistent with the conditions of this approval. Changes to the proposed conditional zoning district, including an alteration of the proposed dimensional standards, uses, requirements or conditions would require the applicant to resubmit a conditional zoning proposal in accordance with Article 3.3.9.B.6 of the UDO.

Below: Aerial Map of the Area



Dimensional Requirements

Per Article 4.13 of the UDO, standards of a conditional zoning district are specific to the conditions of the site and are set by a conditional rezoning application. The applicant has proposed the following dimensional standards for the site:

Front (Carr Avenue & NC 210)	25'
Side	10'
Rear	N/A
Max. Height	40'
Structure Separation	20'

Landscaping and Buffers

After working with staff, the applicant is proposing a C-1 Buffer along the eastern boundary, a C-3 Buffer along the western and southern boundaries, and a modified C-2 Buffer along the northern boundary.

Duke Energy has a 10-foot powerline easement parallel to the northern border of the parcel along NC Highway 210. Due to constraints of the existing powerline easement along this boundary as well as the constraints of the desired use, staff is recommending a modified C-2 Buffer that would consist of a 6-foot-high evergreen hedge along the boundary of the easement. This will maximize the screening while maintaining adequate buffer space. According to Section 8.2.5.C of the Pender County Unified Development Ordinance, shrubs may be planted within easements, provided they are only within the outer three feet of the easement. No new trees may be planted in an easement. The required plantings will be placed outside of the fenced-in area of the site. Below is a graphic from the UDO describing the various C-Buffer options.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:

C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

*Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge

C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or

C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Allowable Uses

The applicant is proposing NAICS codes 531130 and 336612 as uses for the site. Uses under NAICS code 53 are permitted by-right within the General Business, zoning district; however, Boat Manufacturing (NAICS 336612) is only permitted in the GI, General Industrial zoning district. This conditional rezoning approval would allow the Boat Manufacturing component to be expanded as seen on the proposed site plan, as this use is considered a legal nonconformity that would not be able to be expanded under today's UDO without the approval of a zoning map amendment.

Public Input Meeting

As required by Article 3.3.9 of the UDO, the applicant hosted a public input meeting at the project site on Monday, February 26, 2024, from 6:30 PM to 9:00 PM. The applicant provided notice to all property owners within 500 feet of the subject parcels. According to the report submitted by the applicant (see **Attachment 2**), four people attended the meeting and the discussion involved lighting, aesthetics, building heights, traffic, hours of operation, and waste disposal.

TRANSPORTATION INFRASTRUCTURE

Table 2: Estimated Vehicular Trips

Table 2: Estimated Vehicular Trips			
Land Use (ITE Code)	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Boat Marina (420)	224	7	20
Manufacturing (140)	20	3	2

Access

The applicant is proposing two points of access into the development. The primary entrance for the proposed storage facility will be from NC Highway 210. The subject property has direct access to NC Highway 210 and Carr Avenue via existing driveways. The driveway connecting to NC Highway 210 will be gated and the applicant will be required to connect to the adjacent commercial property to the northeast for additional connectivity. Further development of the subject property would require driveway approval from the North Carolina Department of Transportation (NCDOT).

Traffic

The UDO requires a Traffic Impact Analysis (TIA) to be completed when a development generates 100 trips in the morning or evening peak hours or over 1,000 trips per day. If approved and developed in the future, estimated trip generation data will be required during the review of any site-specific development plan to determine if a TIA is required.

The volume to capacity ratio for NC Highway 210 near the subject site has been provided below. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, NC Highway 210 in this area has capacity to handle the anticipated traffic volume increases associated with the proposed project.

NCDOT Annual Average Daily Traffic (AADT) – 2023; WMPO Roadway Capacities – 2020

Road	Location	Volume	Planning Capacity	V/C
NC 210	Between US 117 and Sawdust Rd	6,429 (2023)	20,943 vehicles	0.31

OTHER INFRASTRUCTURE

Utilities

Public water is available through Pender County Utilities (PCU) and according to available GIS data, the nearest PCU water main runs parallel to Carr Avenue. Pender County Utilities does have sewer infrastructure in this area; however, the method of water and wastewater service will be determined when a site-specific development plan is submitted for review.

Schools

There is no residential development associated with this proposal, so no specific impacts on the school system are anticipated.

Table 3: Environmental Concerns

Table 3: Environmental Concerns	
Special Flood Hazard Areas	The subject property does not contain Special Flood Hazard Areas ¹ .
Wetlands	The subject property contains no characteristics of wetlands. ^{2, 3}
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC) ⁴ .

¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

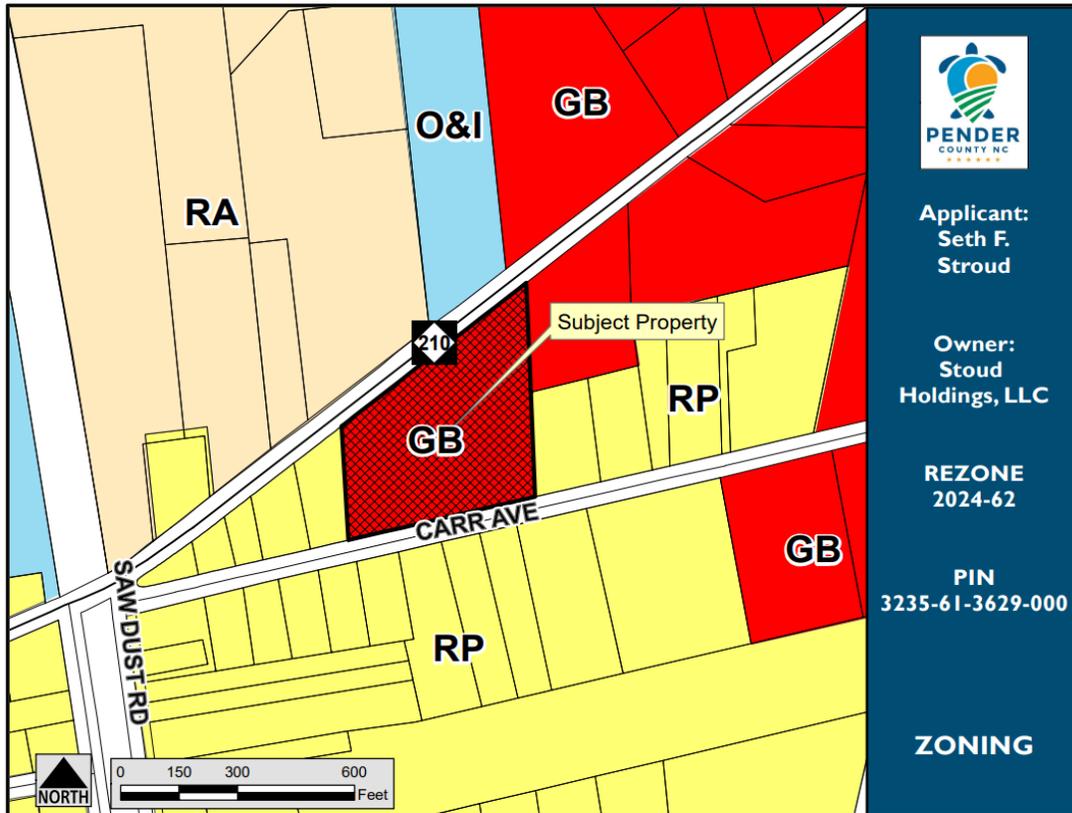
² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

⁴ According to the North Carolina Department of Environmental Quality (NCDEQ).

EVALUATION

Below: Current Zoning Map of the Area



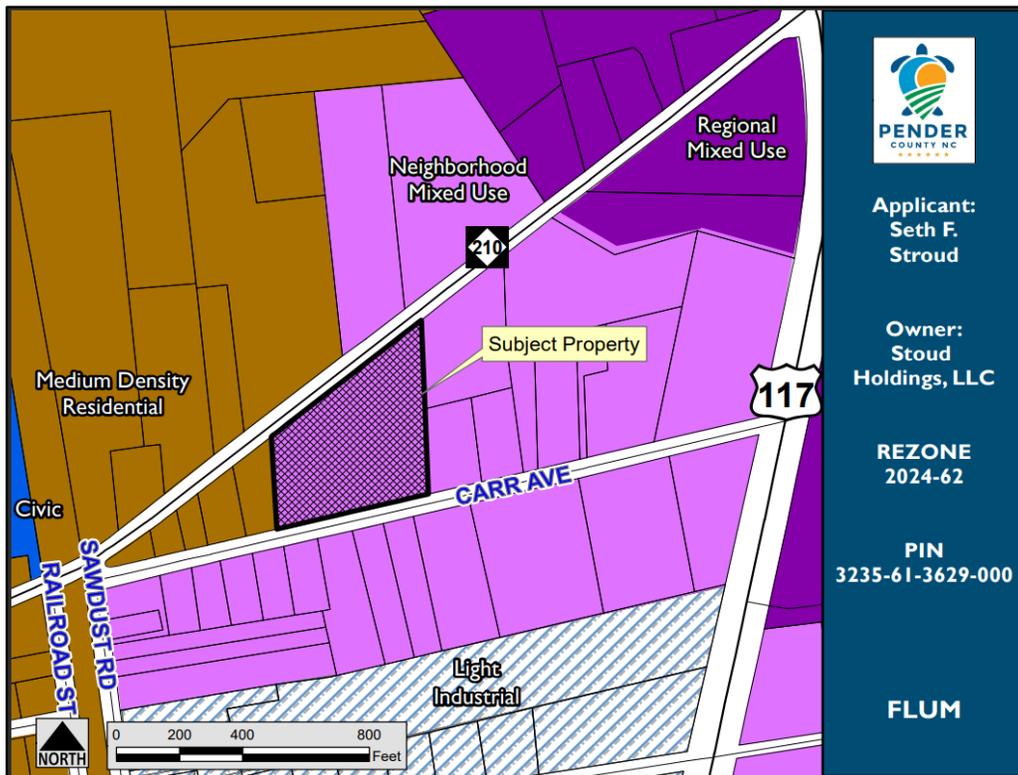
Surrounding Zoning and Adjacent Land Uses

The subject property is currently within the GB, General Business zoning district. Properties adjacent to the subject property are currently zoned RP, Residential Performance, O&I, Office & Institutional, GB, General Business, and RA, Rural Agricultural, as indicated by Table 4.

There are established residential uses on all sides of the parcel along NC Highway 210 and Carr Avenue. To the north, across US Highway 210, is Mt. Morian Church. Located approximately 0.1 miles west is Heide Trask Senior High School.

Table 4: Characteristics Of the Surrounding Area		
	LAND USE	ZONING
North	Commercial, Institutional	RA, Rural Agricultural; O&I, Office Institutional; GB, General Business
East	Vacant, Residential	GB, General Business; RP, Residential Performance
South	Vacant, Residential	GB, General Business; RP, Residential Performance
West	Institutional (Trask High School), Residential	Office & Institutional, O&I; RP, Residential Performance; RA, Rural Agricultural

Below: Future Land Use Map of the Area



Pender 2.0 Comprehensive Land Use Plan Compliance: The subject property is located within the Neighborhood Mixed Use future land use category, as shown on the Future Land Use Map (FLUM) within the Pender 2.0 Comprehensive Land Use Plan.

The Neighborhood Mixed Use future land category allows for a transition between more intense commercial, office, and residential development to lower density residential neighborhoods. The neighborhood mixed use category is primarily dedicated to non-residential uses that provide services, entertainment, and amenities to residents within a three-mile radius. Appropriate uses include neighborhood-scale retail, restaurant, and office establishments; religious and educational institutions; and higher-density single-family residences – attached and detached. Large-scale or intense commercial establishments, multi-family development, and industrial operations are not appropriate. Building footprints are generally limited to 15,000 square feet in size or smaller. These areas should be served by water and sewer infrastructure. Development density within this category allows for up to 10 units per acre for residential development.

Desired Uses:

- Commercial/retail and office uses that serve existing communities. Examples include restaurants, cafes, drug stores, healthcare facilities, professional offices, and retail-oriented uses.
- Single-family dwellings – detached, duplex, and townhouse (up to ten units in a single structure).

Inappropriate Uses:

- Establishments requiring large surface parking in excess of 20,000 square feet.
- Low density residential uses.
- Industrial uses.
- Storage facilities.

Transportation Infrastructure:

- Automobile: arterial, collector (major, local, minor), and local roads.
- Pedestrian: 5-foot sidewalks, crosswalks, and pedestrian signals.
- Cyclist: bicycle lanes, multi-use paths, and bicycle parking.

While the proposed Zoning Map Amendment is inconsistent with the Future Land Use Map, it was found to be consistent with the following policies within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.C: Coordination with Infrastructure/Services: The County shall encourage development in areas where the necessary infrastructure – roads, water, sewer, broadband, and schools – is available, planned or can be most cost effectively provided and extended to serve existing and future development. Natural resource conservation should be considered.

Policy 5.1.F: Conditional Zoning: The County shall continue to use conditional zoning process as a tool for encouraging desirable development outcomes.

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

Unified Development Ordinance Compliance: Section 3.3.5 of the Unified Development Ordinance provides for standards that shall be followed by the Planning Board and Board of County Commissioners before a favorable recommendation of approval for a rezoning can be made. The standards have been outlined in this report for consideration by the Planning Board and Board of County Commissioners.

3.3.5 Approval Criteria for Rezoning

The reviewing bodies (Planning Board and Board of Commissioners) shall consider the following matters in deciding a rezoning proposal, in addition to any other considerations as detailed in the specific rezoning application type:

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

RECOMMENDATION

Planning Staff is submitting the proposal for the Planning Board's recommendation. The proposed Conditional Zoning Map Amendment is supported by three policies within the Pender 2.0 Comprehensive Land Use Plan that encourage appropriately located commercial development that minimize impacts on existing residential uses. Although the proposed Conditional Zoning district is inconsistent with the Future Land Use Map, the site has historically been used for light industrial purposes and the proposed use is compatible with the existing use. Therefore, the existing and historical uses on-site, proposed uses, and supporting policies, indicate that the request is reasonable and appropriate for this area. Planning Staff respectfully recommends approval of the Zoning Map Amendment as detailed in this report.

PLANNING BOARD ACTION NEEDED:

TO APPROVE: Motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with the following policies in the Pender 2.0 Comprehensive Land Use Plan:

- **Policy 5.1.C**
- **Policy 5.1.F**
- **Policy 5.1.K**

While the proposed rezoning is inconsistent with the Neighborhood Mixed Use Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan the proposal is reasonable and in the public interest because it has the potential to be generally consistent with current land uses in the vicinity. This approved would automatically update the Future Land Use classification for the property from Neighborhood Mixed Use to Light Industrial.

TO DENY: Motion to deny the Zoning Map Amendment and to make a finding of denial because although the proposal is consistent with the Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest and does not further the goals of the Pender 2.0 Comprehensive Land Use Plan because [INSERT REASONING] ...

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

REZONE 2024-62 CZMA
Application

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

Conditional Zoning Map Amendment Submission (Conditional Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

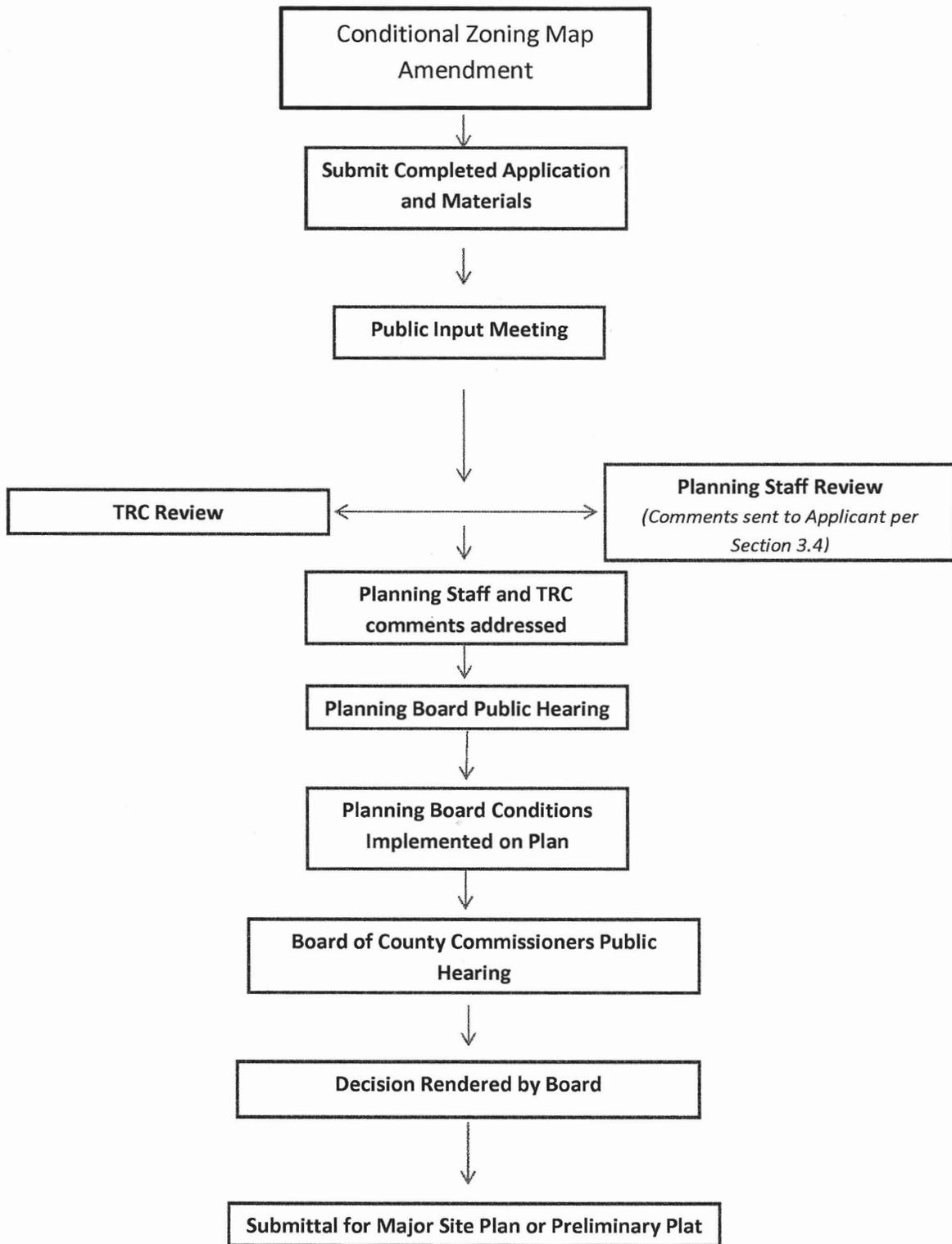
1. **Pre-submittal Meeting**
Date of Meeting 10-23-23
2. **Signed Application**
3. **Payment**
\$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter
4. **Generalized Site Development Plan**
All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application.
5. **Narrative**
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
6. to be scheduled **Public Input Meeting Report**
A meeting summary shall be submitted in accordance with the Unified Development Ordinance. This item is not required at the time of application submittal but must be received by the Administrator prior to any public hearings are noticed.
7. **Digital Submission**
For all documents submitted in paper copy, a digital copy shall be sent via email or digital drive.
8. **Adjacent Property List**
A list of names and addresses, as obtained from the county tax listings and tax abstract, to the owners of all properties located within 500-feet of the perimeter of the project bounds.
9. **Adjacent Property Envelopes**
The applicant shall provide two sets of business envelopes addressed to each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with the amount of postage required for first class postage. No return address shall be placed on the envelopes at the time of submission.

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant *Seth Stroud*
Printed Name Seth Stroud

Date 1-5-24

Staff Initials:	_____
Date:	_____



APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE			
Application No.	ZMA-CD REZONE-2024-62	Date	01/08/2024
Application Fee	\$ 500.00	Invoice Number:	00037843
Pre-Application Conference	10/23/2023	Hearing Date	PB 05/07/2024
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Seth F. Stroud	Owner's Name:	Stroud Holdings LLC
Applicant's Address:	13991 Hwy 210	Owner's Address:	←
City, State, & Zip	Rocky Point, NC 28457	City, State, & Zip	←
Phone Number:	910-202-4730	Phone Number:	←
Email Address:	stroudcraftmarine@gmail.com	Email Address:	←
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3235-61-3629-0000	Total property acreage:	4.83
Current Zoning District:	GB	Proposed Zoning District:	GB
Project Address or Location:	13991 NC Hwy 210 Rocky Point, NC 28457		
Proposed Uses to be Considered (Include NAICS Code):			
Warehouse + Storage 493 Miscellaneous Mfg 339			
Transportation Equipment Mfg 336 Storage of boats + watercraft outdoors			
Proposed Uses to be Eliminated from Consideration (Include NAICS Code):			
SECTION 3: SIGNATURES			
Applicant's Signature	<i>Seth F Stroud</i>	Date:	1-5-24
Applicant's Name Printed	Seth F Stroud	Date:	1-5-24
Owner's Signature	<i>Seth F Stroud</i>	Date:	1-5-24
Owner's Name Printed	Seth F. Stroud	Date:	1-5-24
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable. 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda. 			

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

CONDITIONAL REZONING

Intent

- A. Conditional zoning districts hereby included are to allow for the consideration of certain uses that are permitted uses in the underlying zoning district but due to their nature may not be appropriate for a particular location.
- B. A conditional zoning district is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses on small and large scale projects.
- C. Although, it is not intended to be used for speculative purposes, a conditional zoning district applicant may include as part of the application, a list of uses which will not be developed on the property.
- D. All uses listed as part of any application must be in the same format and description as listed in the Table of Permitted Uses.
- E. The following zoning district categories are approved to be assigned conditional zoning districts: PD, RP, RM, GB, OI, IT, IG (Reference Article 4 for Zoning District Descriptions).

Application

Except as provided herein, all applications to establish a conditional zoning district must follow the regulations prescribed in this section in addition to the standard rezoning process as described in Section 3.3, Rezoning of this Ordinance.

Public Input Meeting

Prior to scheduling a public hearing on the rezoning application, **the applicant must conduct one public input meeting and file a report of the results with the Administrator.**

1. The report for the public hearing will include a summary of the public input meeting.
2. The applicant shall mail a notice for the public input meeting to adjoining property owners not less than ten (10) days prior to the scheduled meeting.
3. The notice shall include the time, date and location of the meeting as well as a description of the proposal.
4. The applicant's report of the meeting shall include:
 - a. A copy of the letter announcing the meeting.
 - b. A list of adjoining property owners contacted.
 - c. An attendance roster.
 - d. A summary of the issues discussed.
 - e. The results of the meeting including changes to the project's proposal, if any.

Review

When evaluating an application for the creation of a conditional zoning district, the Planning Board and Board of Commissioners shall consider the following:

1. The application's consistency to the general policies and objectives of the adopted Land Use Plan.
2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
3. The report of results from the public input meeting.

Conditional Rezoning Standards Checklist

When submitting a conditional rezoning application, the site plan and supporting materials must provide proposed standards for a variety of standards which are guided by the zoning district. This may be by requesting custom standards or by requesting the existing standards of an existing general use zoning district. Please provide proposed standards for:

<input type="checkbox"/>	Maximum density
<input type="checkbox"/>	Setbacks (Front, side, rear, corner)
<input type="checkbox"/>	Minimum lot width/Minimum chord length at the right-of-way for cul de sacs
<input type="checkbox"/>	Structure separation
<input type="checkbox"/>	Minimum lot size
<input type="checkbox"/>	Maximum building height
<input type="checkbox"/>	Permitted uses (Including NAICS code)
<input type="checkbox"/>	Buffer standards (Depth, number and type of vegetation per 100 linear feet)
<input type="checkbox"/>	Sign standards to the extent that the UDO's requirements are zoning district-specific

Where desired, the applicant must explicitly request varying standards for different uses within the conditional zoning district.

Conditional rezoning applications may not be used to vary from the general standards of the ordinance, including but not limited to:

- Traffic Impact Analysis thresholds
- Stormwater regulations
- Open space/recreational unit requirements
- Street design standards
- Off-street parking standards
- HOA requirements
- Water and wastewater requirements

The Pender County Planning Board and Board of County Commissioners may approve or deny the request entirely, or approve with modifications. Additionally, In approving a petition for the reclassification of property to a conditional zoning district, the Planning Board may recommend, and the Board of Commissioners request that the applicant add reasonable and appropriate conditions to the approval of the petition.

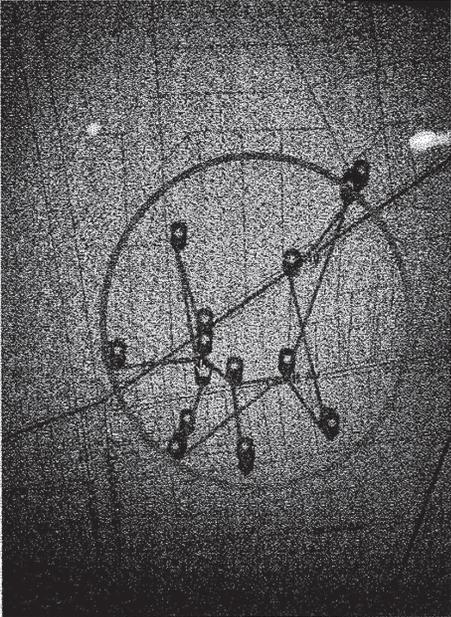
Conditional (Zoning Map) Amendment Checklist

<input type="checkbox"/>	Signed application form
<input type="checkbox"/>	Application fee
<input type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings & tax abstract, all adjacent property owners, including property owners directly across any road or road easement, & owners of the property under consideration for rezoning.
<input type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list.
<input type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.
<input type="checkbox"/>	12 (11"x17") map copies to be distributed to the Planning Board
<input type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners
<input type="checkbox"/>	Digital (.pdf) submission of all application materials
<input type="checkbox"/>	Public Input Meeting Report (Section 3.4.3 or see Public Input Meeting on the first page of this application)
<input type="checkbox"/>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.
<input type="checkbox"/>	All applications which specify an intended use must include a generalized site development plan drawn to a suitable scale, supporting information and text which specifies the use or uses intended for the property and any development standards to be approved concurrently with the rezoning application
<input type="checkbox"/>	<p>A generalized site development plan shall include the following items:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A vicinity map drawn to a suitable scale which illustrates adjacent or nearby roadways, railroads, waterways & public facilities. <input type="checkbox"/> A (metes and bounds) boundary of the parcel or portion of the parcel to be rezoned and developed. <input type="checkbox"/> All existing easements, reservations and rights of way. <input type="checkbox"/> Delineation of all Areas of Environmental Concern including but not limited to federal jurisdictional wetlands. <input type="checkbox"/> For residential uses, the number of units, heights and a generalized location. For non-residential uses, the height, approximate footprint and location of all structures. <input type="checkbox"/> If a known use is proposed: Traffic impact report, parking and circulation plans illustrating dimensions, intersections and typical cross sections. <input type="checkbox"/> All proposed setbacks, buffers, screening and landscaping. <input type="checkbox"/> Phasing. <input type="checkbox"/> Signage. <input type="checkbox"/> Outdoor lighting. <input type="checkbox"/> Current zoning district designation and current land use status. <input type="checkbox"/> Other information deemed necessary by the Administrator, Planning Board, or Board of Commissioners, including but not limited to a Traffic Impact Analysis or other report from a subject matter expert.

Office Use Only

ZMA-CD Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)				Total Fee Calculation: \$ 500.00			
Attachments Included with Application: (Please include # of copies)							
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N	
Payment Method:	Cash: <input type="checkbox"/> \$ _____		Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input checked="" type="checkbox"/> Check # 2869		
Application received by:					Date:		
Application completeness approved by:					Date:		
Dates scheduled for public hearing:			<input checked="" type="checkbox"/> Planning Board: 05/07/2024		<input type="checkbox"/> Board of Commissioners:		

REZONE 2024-62 CZMA
Adjacent Owners

Adjacent property list (500' from property line)				
				
name	address			
MATTHEWS, JENNIFER CARTER	2850 SLOCUM TRAIL	ATKINSON	NC	28421
MT MORIAH AME CHURCH	PO BOX 219	ROCKY POIN	NC	28457
CCH INVESTMENTS LLC	9100 SALEM CC	WILMINGT	NC	28411
HICKS, BLONDELL	PO BOX 261	ROCKY POIN	NC	28457
MATTHEWS, DANIEL CHARLES SR	13994 NC HWY 210	ROCKY POIN	NC	28457
WRIGHT, ARDEN A C/O GLENDA LYTTLE		FLORENCE	SC	29505
MATTHEWS, DANIEL C JR	14100 NC HWY 210	ROCKY P	NC	28457
AURINGER, SHAUNA	5905 MCDUGALD D	CASTLE H	NC	28429
BLANTON, LUCIAN III	14144 NC HWY 210	ROCKY P	NC	28457

WORRELL, MAURICE J	12490 ASHTON ROAD	BURGAW	NC	28425
DAVIS, RONALD GORDON	370 CARR AVE	ROCKY POIN	NC	28457
HAIRE INVESTMENTS PROPERTIES LLC		ROCKY POIN	NC	28457
BYNUM, ROBERT MARCUS	338 CARR AVENUE	ROCKY POIN	NC	28457
HUBBARD, ANTHONY V	318 CARR AVE	ROCKY POIN	NC	28457
GRAVES, RONALD D	404 S BICKETT ST	BURGAW	NC	28425
TRACY, TONY LEE	339 CARR AVE	ROCKY POIN	NC	28457
ASHE, ROBERT W	4121 HWY 133	ROCKY POIN	NC	28457
DURHAM, THURMAN R	348 LANDS END LN	JACKSONVILL	NC	28540
MITCHELL, JERRY BRYANT	837 TIFFANY PLACE	CHINO VALLE	AZ	86323
JONES, BARBARA H ET AL	308 CHARLOTTE AVE	CAROLINA BE	NC	28428
MCPHERSON, REGINA J	115 SAWDUST RD	ROCKY POIN	NC	28457
SATCHELL, WALTER R	PO BOX 966	ROCKY POIN	NC	28457
BLAIR, TERENCE E	277 CARR AVE	ROCKY POIN	NC	28457
BROWN, JAMES E	239 CARR AVE	ROCKY POIN	NC	28457
CHASE, STEPHEN M	225 CARR AVE	ROCKY POIN	NC	28457
MATHIS, DEVONNA ANN TRUSTEE	151 CARR AVE	ROCKY POIN	NC	28457
LACROIX, JEFFREY A	6221 MOTTS VILLAGE	WILMINGTON	NC	28412
BLANTON, CODY CASWELL	200 CARR AVE	ROCKY POIN	NC	28457
NEMETH, HAYLEY ALISE	166 CARR AVE	ROCKY POIN	NC	28457
ROBERSON, CAROLYN HEIRS		ROCKY POIN	NC	28457
SADLER, MARY S HEIRS		ROCKY POIN	NC	28457
DAVIS, MICHELE R	111 BAVARIAN DR	CASTLE HAYN	NC	28429
TRAVERS, RICHARD A	90 CARR AVE	ROCKY POIN	NC	28457
MATHIS, DEVONNA ANN TRUSTEE	151 CARR AVE	ROCKY POIN	NC	28457
HALE, JOHN T	PO BOX 348	ROCKY POIN	NC	28457
HICKS, BLONDELL	PO BOX 261	ROCKY POIN	NC	28457

REZONE 2024-62 CZMA
TRC Comments



Technical Review Committee Review and Response

Project Title: Stroud Boat Storage Conditional Rezoning
Case Number: REZONE 2024-62
TRC Meeting Date: 02/01/2024
Board Hearing (if applicable): TBD
Date of Review: 01/20/2024
Reviewed by: Tucker Cherry (tcherry@pendercountync.gov; (910) 259-1274)

The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Administrator no less than 1:50 scale. Outstanding ordinance standards are illustrated below in black with corresponding **staff comments in red**.

3.3.9.B Conditional Rezoning

1) Intent

A conditional zoning district (aka "CZ") is intended for a development that has a high level of certainty of being constructed and the most commonly expected application will contain a specified use or uses, permitted by right or special use, accompanied by a plan showing proof of concept, and typically including the spatial relation of uses and site elements.

2) Application requirements

- a) Except as provided herein, all applications to establish a conditional zoning district shall adhere to the regulations and procedures prescribed in this subsection in addition to the standard general use district rezoning process as described in this Section.
- b) Contents of Application – at a minimum, the following (and a description) shall be required for a conditional zoning district to be considered:

- i) A list of all uses proposed for the district, which shall be of equal descriptiveness and in the same format and description as listed in the Table of Permitted Uses from this Ordinance.
Please include all proposed used with their associated NAICS codes. See the Table of Permitted Uses in the UDO for reference.
- ii) A list of all setbacks and dimensional standards for every proposed use, which shall be of equal descriptiveness and in the same format and description as listed in the Zoning District Dimensional Requirements, from this Ordinance.
See comment below.
- iii) A sketch plan drawn to a suitable scale, with supporting information and text which specifies the location of the use or uses intended for the property and any development or dimensional standards to be approved as part of the establishment of the conditional rezoning district.
Clarify all uses of the labeled buildings, including existing uses. Provide the number of individual storage units per building. See comment below for recommended dimensional standards.

- iv) The sketch plan shall include the following items:
 - i. Delineation of all Areas of Environmental Concern and Resource Conservation Areas including but not limited to federal jurisdictional wetlands.
Please include if applicable.
 - ~~ii. For residential uses, the number of units, heights, and a generalized location.~~
 - iii. For non-residential uses, the height, approximate footprint, and location of all structures.
Provide the height of existing and proposed structures.
 - iv. Traffic generation calculations and/or Traffic Impact Analysis if required by this Ordinance, parking and circulation plans illustrating dimensions, intersections, and typical cross sections.
Please provide trip generation data for existing and proposed uses. This would be informed by the most recent trip generation manual.
 - v. All proposed setbacks, buffers, screening, and landscaping
Please include buffers, screening, and landscaping. See additional comments below.
 - vi. Phasing
Please include if applicable.
 - vii. Signage
What type of commercial signage is proposed on-site?
 - viii. Outdoor lighting
All outdoor lighting shall comply with Section 7.11 of the UDO.
 - ~~ix. Current zoning district designation and current land use status~~

- 3) Review Approval Criteria for Conditional Rezoning
 - a) When evaluating an application for the establishment of a conditional zoning district, the reviewing bodies shall consider the following:
 - i) The Approval Criteria for a Rezoning (Section 3.3.5).
 - ii) That the application meets the intent of a conditional rezoning, per this subsection.
 - iii) That the contents of the application are complete, sufficient, and recorded appropriately either as conditions of approval or on the associated site plan or preliminary plat, and that the appropriate procedures have been followed.
 - iv) The potential impacts and/or benefits on the surrounding area and adjoining properties.
 - v) The report of results from the public input meeting.
 - vi) That sufficient guarantee is in place or can be made that any off-site impacts generated by the proposed project shall be mitigated appropriately at the time the need for the mitigating action is generated.

Additional Staff Comments:

Clarify setbacks. Are you proposing using the standard GB, General Business setbacks? Staff recommends 25' setbacks around the entire perimeter of the property. Please correct labels on the plans as they are inconsistent for the front setbacks.

Staff is recommending a Type A Buffer along all boundaries adjacent to NC 210. See table below.

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:
A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or
A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or
A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or
A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

Staff is recommending a Type C Buffer including a 6-foot-tall wooden stockade fence around all non-street boundaries adjacent to Residential Districts. On the boundary adjacent to the property zoned GB (see below), a Type B Buffer is recommended. See tables below.

Buffer B

Buffer "B" This buffer is a medium density planting area to be used primarily along non street boundary lines to provide spatial separation between similar types of uses. The requirements for buffer "B" shall be met by any one of the following:
B-1) 10 foot wide strip with 3 canopy trees, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-2) 15 foot wide strip with 3 canopy tree, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-3) 20 foot wide strip with 1 canopy tree, 2 understory tree and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 15 shrubs per 100 linear feet, or
B-4) 25 foot wide strip with 0 canopy trees, 5 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Staff is recommending a Type C-3 Buffer along the boundary adjacent to Carr Ave.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met by any one of the following:
C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.

Show any restrictions/easements located on the property including utilities, access, etc. on the requested existing conditions sheet.

Provide parking calculations, including existing and proposed parking spaces. For storage uses, the UDO requires a minimum of 5 or 1 per 100 storage units, whichever is greater.

Staff is concerned about the lack of vehicular circulation between the two separate uses on site. Please clarify how access can be provided between the two uses within the site.

A public input meeting is required prior to scheduling a planning board meeting. See Section 3.1.3 of the UDO. Please provide an update.

Additional Technical Review Committee Comment Contacts:

Pender County Environmental Health, Vencent Dodge (vdodge@pendercountync.gov)

No comment received.

Pender County Utilities, Katie Leubner (kleubner@pendercountync.gov)

Once rezoning has been completed, PCU will need plans indicating the water usage intended at this site.

Tanya Sokolik -Porch, NCDOT, 910-467-0508, (tmsokolik-porch@ncdot.gov)

- NCDOT typically does not provide comments on rezoning; however, the plans show a change to the existing driveway access.
- Proposed single access: NC210
- Proposed single access: SR1418 (Carr Avenue)
- Provide trip generation for the proposed land use(s) for our review to determine if any roadway improvements will be required. Please contact the District office if assistance with trip generation is needed.
- An NCDOT Encroachment Agreement is required for any utility connections or installation within NCDOT Right-of-Way.

Addressing, Michael Dickson, 910-259-1442 (mdickson@pendercountync.gov)

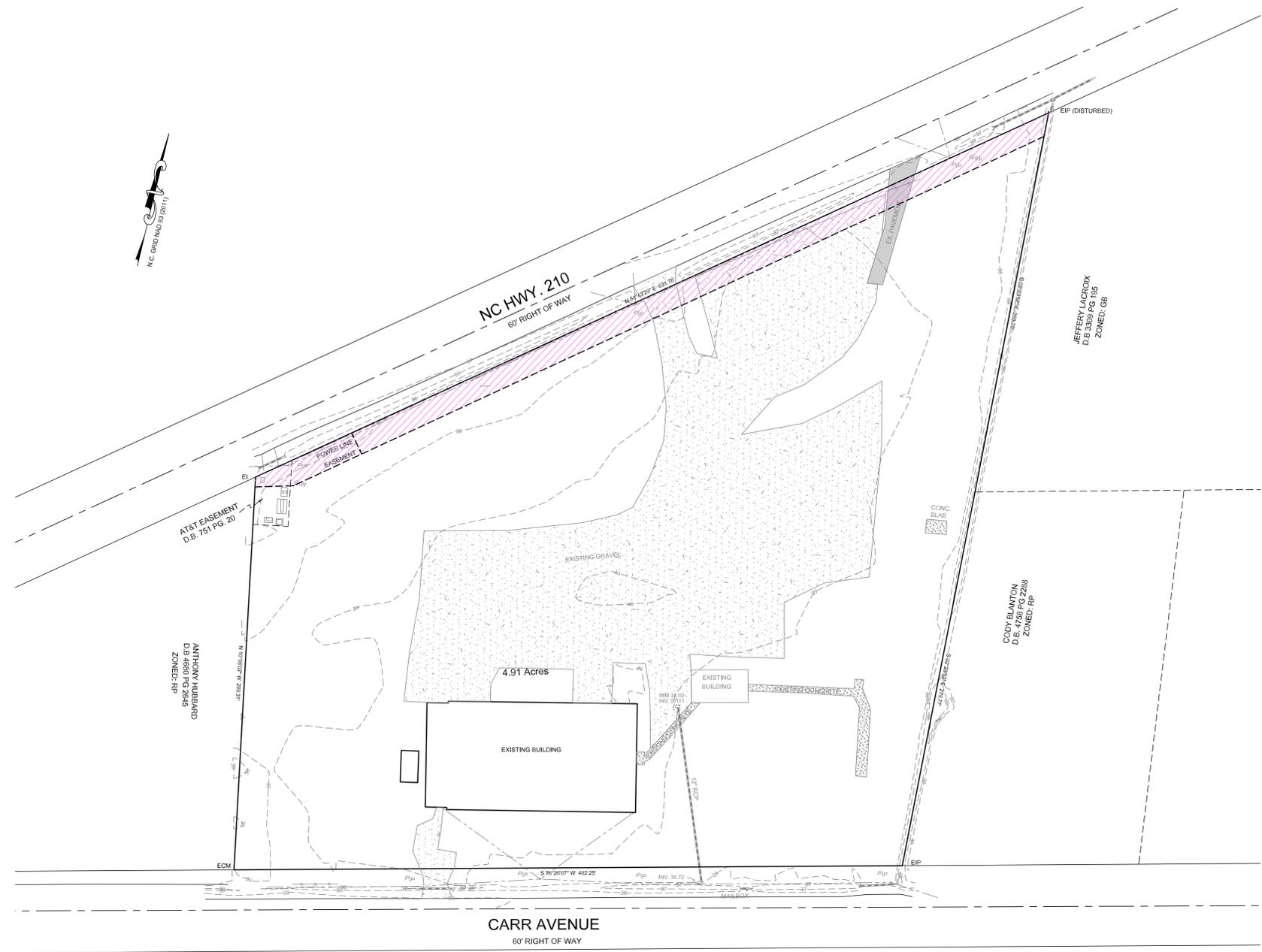
The address of the business shall remain 13991 NC Hwy 210 in Rocky Point.

Long Range Planner, Adam Moran, 910-259-1408 (amoran@pendercountync.gov)

See attached comments sheet.

REZONE 2024-62 CZMA

Site Plan



HANOVER DESIGN SERVICES, P.A.
 LAND SURVEYORS & LAND PLANNERS
 1000 W. HANOVER AVENUE, SUITE 200
 HANOVER, N.C. 28038
 LICENSE #00002

REVISIONS	DATE
1	4-28-22

EAST SIDE GRADING REVISION

StroudCraft Marine
 LOCATED IN PENDER COUNTY, N.C.

OWNER: StroudCraft Marine
 13801 Hwy. 210
 Rocky Point, N.C. 28457

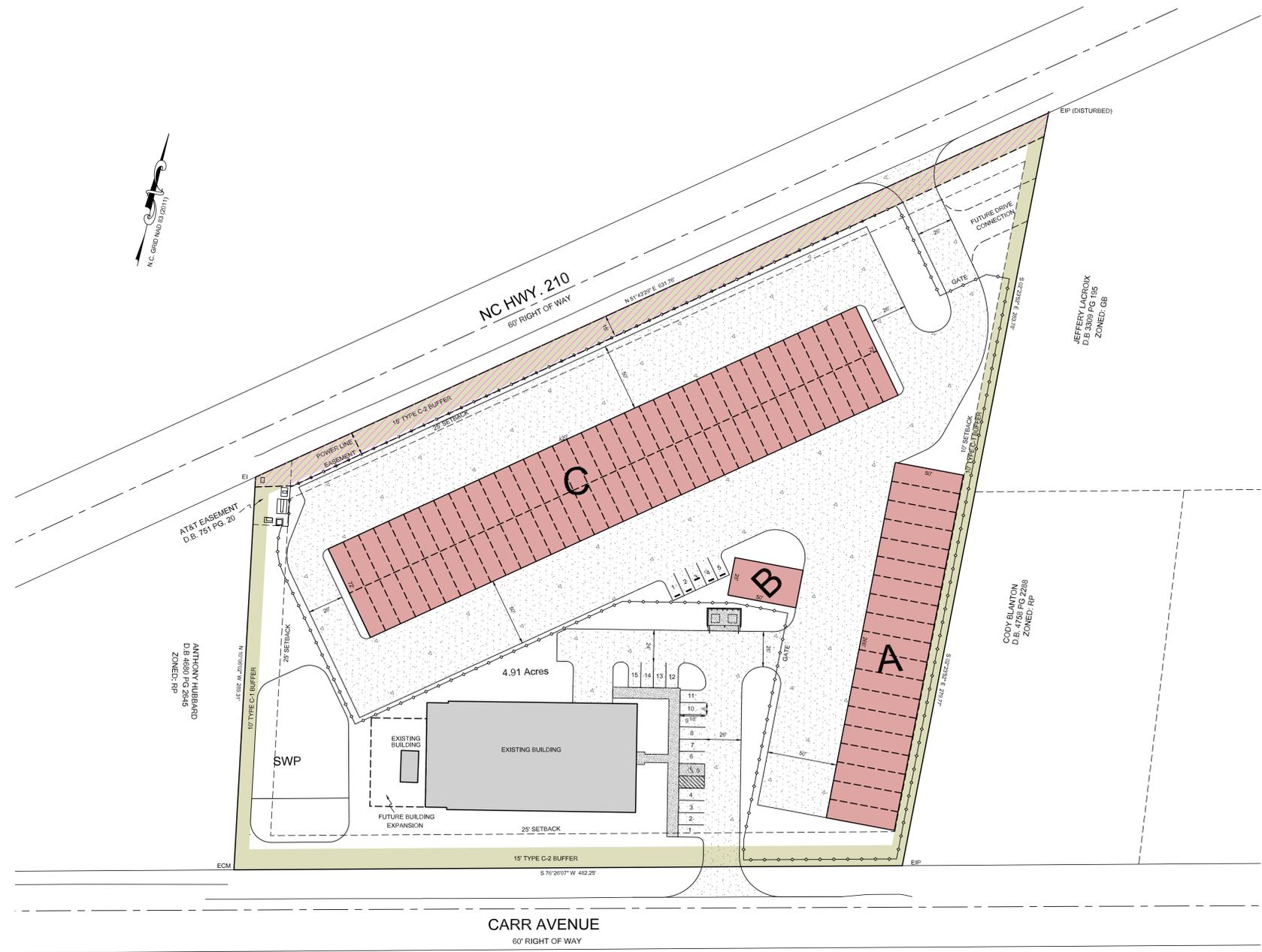
Date: 02-22-24
 Scale: 1" = 40'
 Drawn: gw
 Checked: GW
 Project No:

EXISTING CONDITIONS

EXISTING CONDITIONS

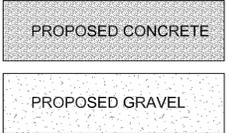
Sheet No:
 2
 of
 3

PRELIMINARY



IMPERVIOUS CALCULATIONS

EXISTING		S.F.
	BUILDINGS	13349
	GRAVELED AREA	63825
	CONCRETE	1263
	PAVEMENT	952
TOTAL		79389
PROPOSED		
	EX. BUILDINGS	12357
	PROPOSED BUILDINGS	44940
	PROPOSED SIDEWALKS	1358
	DUMPSTER PAD	367
	PROPOSED H/C PARKING	333
	PROPOSED GRAVELED AREA	80558
	FUTURE BLDG. EXPANSION	2600
TOTAL		142513
TOTAL INCREASE		63124



Land Use (ITE Code)	Intensity	Weekday 24 Hour Volume	AM Peak Hour Trips		PM Peak Hour Trips	
			Enter	Exit	Enter	Exit
Boat Marina (420)	93 berths	224 trips	5	2	12	8
Manufacturing (140)	8 employees	20 trips	2	1	0	2

SITE DATA	SETBACKS
PACEL ID NO: 3235-61-3629-0000 ZONING: GB (GENERAL BUSINESS DISTRICT) PROPOSED USE: ENCLOSED BOAT STORAGE (NAICS 531130) EXISTING USE: BOAT MANUFACTURING (NAICS 336612) HEIGHT OF PROPOSED BUILDINGS 15 FT.	FRONT = 25' REAR = 10' SIDE = 10' MINIMUM REQUIRED STRUCTURE SEPERATION = 20' MAXIMUM BUILDING HEIGHT = 40'

PRELIMINARY

HANOVER DESIGN SERVICES, P.A.
LAND SURVEYING, ENGINEERING & LANDSCAPE ARCHITECTURE
1000 W. MARKET ST. SUITE 200
HANOVER, N.C. 28030
LICENSE # 00002

DATE	REVISIONS
4-29-22	1

StroudCraft Marine

OWNER: StroudCraft Marine
13901 Hwy. 210
Rocky Point, N.C. 28457

DATE: 02/22/24
SCALE: 1" = 40'
DRAWN: gw
CHECKED: GW
PROJECT NO:

PRELIMINARY PLAN FOR
StroudCraft Marine
LOCATED IN FAYETTE COUNTY, N.C.

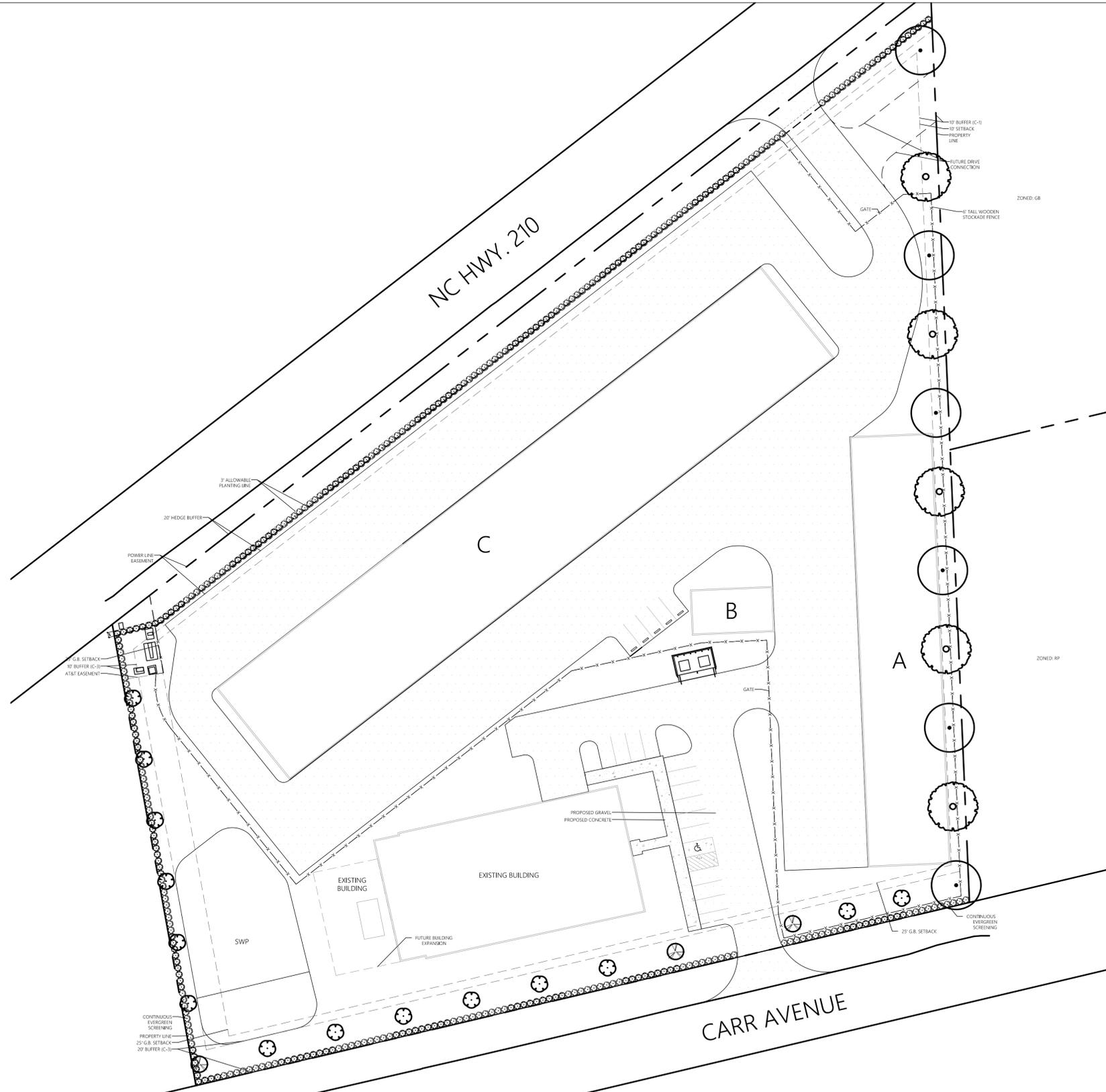
SHEET NO:
3
OF
3

REZONE 2024-62 CZMA
Landscape Plan

PLANT LEGEND			
SYMBOL	QTY.	SIZE	PLANT NAME
	5	2" cal	Chinese Pistache (<i>Pistacia chinensis</i>)
	6	15 gal	Natchez Crepe Myrtle (<i>Lagerstroemia indica 'Natchez'</i>)
	3	7 gal	Eastern Redbud (<i>Cercis canadensis</i>)
	14	7 gal	Eastern Red Cedar (<i>Juniperus virginiana</i>)
	175	3 gal	Dwarf Burford Holly (<i>Ilex cornuta 'Dwarf Burford'</i>)
	161	3 gal	Spartan Juniper (<i>Juniperus chinensis</i>)

BUFFER REQUIREMENTS (4.91 ac. site)	
North Boundary (Hedge Buffer): 631.76'	
Required:	20' wide strip with evergreen hedge that will provide a continuous screen at least 6' high within 4 years Boundary length: 631.76'
Provided:	20' wide strip with evergreen hedge that will provide a continuous screen at least 6' high within 4 years
East Boundary (C-1 Buffer): 283.78' + 279.77'	
Required:	10' wide strip with a 6' high wood stockade, basket weave, or other solid wood fence and 2 canopy trees Boundary length: 563.55' / 100 = 5.64 units per boundary length Canopy trees: 5.64 x 2 = 11.28 = 11 Canopy trees required
Provided:	10' wide strip with a 6' high wood stockade, basket weave, or other solid wood fence and 2 canopy trees per 100 linear feet 11 Canopy trees provided
South Boundary (C-3 Buffer): 482.25'	
Required:	20' wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 2 understory trees per 100 linear feet Boundary length: 482.25' / 100 = 4.82 units per boundary length Understory trees: 4.82 x 2 = 9.64 = 10 Understory trees required
Provided:	20' wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 2 understory trees per 100 linear feet 10 Understory trees provided
West Boundary (C-3 Buffer): 289.31'	
Required:	20' wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and 98% grass coverage per 100 linear feet Boundary length: 289.31' / 100 = 2.89 units per boundary length Understory trees: 2.89 x 2 = 5.78 = 6 Understory trees required
Provided:	20' wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 2 understory trees per 100 linear feet 6 Understory trees provided

*NOTE: Screening shrubs planted at 48" o.c. per code 98% grass coverage required (except within 4' of the base of any tree). Trees not required along the North property boundary per Henderson County.



EDGE OUTDOOR LIVING

Tim McAuliffe
Outdoor Living Designer



Stroudcraft Marine
13991 Hwy. 210
Rocky Point, NC

SUBMITTAL	
<input type="checkbox"/>	02.24.2024 Buffer exhibition
<input checked="" type="checkbox"/>	04.19.2024 Buffer revision
<input type="checkbox"/>	

L1.0
Landscape Buffer
Exhibition

ATTACHMENT 1:
Table of Permitted Uses

TABLE OF PERMITTED USES

P=Permitted Use D=Permitted w/ Use Standards S=Special Use Approval Required SD=Special Use Approval Required w/ Additional Standards PM=Permitted in conjunction w/ the MDP process

Use Category Specific Use Type	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
		Residential				Mixed Use	Commercial	Industrial			Special Purpose
RESIDENTIAL											
SFD: Detached-Conventional		P	P	P	P	P					
SFD: Detached Zero Lot Line				P		P					
SFD-Attached: Duplex		P	P	P		P					
SFD-Attached: Multiplex				P		P					
SFD-Townhouse (5+ attached)				P		P					
Multifamily (condominium/apartment)				P		P					
Upper Story Residential						P	P	P			
Accessory Dwelling		D	D	P		D					
Accessory Dwelling on Non Residential Principal Uses		D				D			P	P	
Manufactured Home		P	D		P						
Manufactured Home Park					PMD						
ACCESSORY USES AND STRUCTURES											
Accessory Structures		P	P	P	P	P	P	P	P	P	
Cottage Occupations		SD	SD	SD		SD	SD				
Home Occupation		D	D	D	D	D	D				
Agritourism Activities on active farms		D	D	D	D	D	D	D	D	D	D
Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION											
Nonmetallic Mineral Mining & Quarrying	2123	S									S
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
Sector 22: UTILITIES											
Fossil Fuel Electric Power Generation	221112										S
Other Electric Power Generation	221119	S	S			S			P	P	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	

Natural Gas Distribution Except Transmission Lines	221210										P
Water Supply Facilities*	221310		S				PM				P
Sewage Treatment Facilities*	221320		S	PMD/S			PMD/S				P
Except: Sewage Lift Stations*		SD	SD	PMD/S	PMD/S	PMD/S	D	D	D	D	
*County Owned or County Service District Provided Systems=P											
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33 MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	

Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating and Adhesive Manufacturing	3255									P	
Soap, Cleaning Compound and Toilet Preparation Manufacturing	3256									P	
Other Chemical Product and Preparation Manufacturing										P	
Except: 32592 Explosive Manufacturing											
Plastics and Rubber Products Manufacturing	326									P	
Clay Product and Refractory Manufacturing	3271									P	
Ready-Mix Concrete Manufacturing	32732									P	
Concrete Pipe, Brick, & Block Manufacturing	32733									P	

Use Type	Ref NAICS	Zoning Districts										
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
Sectors 31-33 MANUFACTURING												
Other Concrete Product Manufacturing	32739										P	
Gypsum Product Manufacturing	32742										P	
Fabricated Product Manufacturing	332										P	
Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	3327									P	P	
Machinery Manufacturing	333										P	
Computer & Electronic Product Manufacturing	334									P	P	
Electrical Equipment, Appliance, & Component Manufacturing	335										P	
Transportation Equipment Manufacturing	336										P	
Furniture and Related Product Manufacturing	337									P	P	
Miscellaneous Manufacturing	339									P	P	
Sector 42 WHOLESALE TRADE												
Wholesale Trade	42	S								P	P	
Sectors 44-45 RETAIL TRADE												

Motor Vehicle and Parts Dealers	441	S						P		P		
Furniture and Home Furnishings Stores	442							P		P		
Electronics and Appliance Stores	443	S				P		P		P		
Building Material, Garden Equipment & Supplies Dealers	444	S						P		P	P	
Food and Beverage Stores	445	S	S			P		P		P		
Health and Personal Care Stores	446	S	S			P		P	P	P		
Gasoline Stations	447	S				P		P		P		
Clothing and Clothing Accessories Stores	448	S				P		P		P		
Sporting Goods, Hobby, Book, and Music Stores	451					P		P		P		
Miscellaneous Store Retailers	453	S				P		P				
Non store Retailers	454	S				P		P		P		
Liquefied Petroleum Gas Dealers	454312										P	
Sectors 48-49: TRANSPORTATION AND WAREHOUSING												
Air Transportation	481									P	P	
Rail Transportation	482									P	P	
Truck Transportation	484									P	P	
Transit and Ground Passenger Transportation	485									P	P	
Interurban and Rural Bus Transportation	4852							P		P	P	
Taxi and Limousine Service	4853							P		P	P	
School and Employee Bus Transportation	4854									P	P	
Charter Bus Industry	4855									P	P	
Support Activities for Transportation	4881									P	P	
Support Activities for Road Transportation	4884	S						P		P	P	
Postal Services	491110	S	S			P		P	P			
Couriers and Messengers	492							P	P	P	P	
Zoning Districts												
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC	
Sectors 48-49: TRANSPORTATION AND WAREHOUSING												

Warehousing and Storage	493	S							P	P	
Sector 51: INFORMATION											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
Sector 53: REAL ESTATE AND RENTAL AND LEASING											
Real Estate and Rental and Leasing	53	S	S			P	P	P	P	P	
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P	
Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111										S
Solid Waste Landfill	562212										S
Solid Waste Combustors and Incinerators	562213										S
Other Nonhazardous Waste Treatment and Disposal	562219	S					S		S	S	
Remediation Services	562910										S
Materials Recovery Facilities	562920										S
All Other Waste Management Facilities	56299										S
Sector 61: EDUCATIONAL SERVICES											
Educational Services	611	P	S			P	P	P			
Business Schools, Computer & Management Training	6114	S				P		P	P		
Technical and Trade Schools	6115	S				P	P	P	P	P	
Other Schools and Instruction	6116	S				P	P	P	P		

Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
Performing Arts Companies	7111	S				P	P				
Spectator Sports	7112	S					P		P		
Promoters of Performing Arts, Sports and Similar Events	7113	S				S	S				
Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	7114					P	P	P			
Museums, Historical Sites and Similar Institutions	712	S				P	P	P			
Amusement and Theme Parks	713110	S				S	S				
Amusement Arcades	713120						P				
Golf Courses and Country Clubs	713910	S	PM			P					
Fitness & Recreational Sports Centers	713940	S				P	P	P	P		
Bowling Centers	71395					P	P	P	P		

All Other Amusement & Recreation Industries	71399	S				P	P		P		
Aviation Clubs, Recreational	713990	S	S			P	P		P		
Canoeing, Recreational	713990	S	S			P	P		P		
Fishing Clubs, Recreational	713990	S	S			P	P		P		
Flying Clubs, Recreational	713990	S	S			P	P		P		
Guide Services (i.e. Fishing, Hunting, Tourist)	713990	S	S			P	P		P		
Horse Riding, Recreational	713990	P	S								
Outdoor Shooting Ranges	713990	S									
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
Hotels and Motels	72111					P	D	D			
Bed and Breakfast Inns	721191	S	S		S	P	P				
All Other Traveler Accommodation	721199	S	S		S	P	P				
RV Parks and Recreational Camps	7212	SD					SD				
Recreational and Vacation Camps	721214	S									S
Rooming and Boarding Houses	721310	S				P	P				
Full Service Restaurants	7221	S				P	P	P	P	P	
Limited Service Eating Places	7222	S				P	P	P	P	P	
Special Food Services	7223	S				P	P	P	P	P	
Drinking Places (Alcoholic Beverages)	7224	S				P	P				
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
Automotive Repair and Maintenance	8111	S					P		P	P	
Electronic and Precision Equipment Repair and Maintenance	8112	S					P	P	P	P	
Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113								P	P	
Personal and Household Goods Repair and Maintenance	8114	S				P	P	P	P	P	

Personal Care Services	8121	P	S			P	P	P	P		
Funeral Homes and Funeral Services	81221	S					P	P	P	P	
Cemeteries and Crematories Except: Private Cemetery	81222	S	S			S	S	S	S	S	
Coin Operated Laundries and Drycleaners	812310	P				P	P				
Dry-cleaning and Laundry Services	812320	S				P	P		P	P	
Linen & Uniform Supply	81233								P	P	
Other Personal Services	8129	S				P	P	P	P		
Pet Care Services	812910	D					D		D	D	
Religious Organizations	8131	P	S			P	P	P	P		
Grant making and Giving Services	8132					P	P	P	P		
Social Advocacy Organizations	8133					P	P	P	P		
Civic and Social Organizations	813410	S	S			P	P	P			
Business, Professional, Labor, Political and Similar Organizations	8139					P	P	P	P		
Public Administration	92	P	P	P	P	P	P	P	P	P	
Zoning Districts											
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES											
Adult and Sexually Oriented Businesses									S	S	
Adult Retail									S	S	
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D
Child Care Center		P	S			S	P	P			
Community Boating Facility		SD	SD	SD	SD	SD					
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD					
Disaster Volunteer Housing		D	D	D	D	D	D	D	D	D	
Family Care Home		D	D	D	D	D					
Family Child Care Home		P	P			P	P	P			
Industrial Park										SD	
Marina (Commercial)		SD	PMD			PMD					
Portable Storage Containers		D	D	D	D	D	D	D	D	D	
Private Cemetery less than 6,000 sq. ft.		D	D				D	D	D		

Private Cemetery 6,000 sq. ft. and larger		S	S				S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P	
Private Residential Boating Facility		D	D	D	D	D					
Salvage Operations		S									D
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
Storage of boats and watercraft outdoors or on dry stack structures							S				
Sweepstakes Center							SD		SD	SD	
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD	
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD	
Temporary Manufactured Homes		P	P			P					
Temporary Modular/Manufactured Offices						P	P	P	P	P	
Temporary Fruit & Vegetable Stands		P	P								
Temporary Buildings for Construction or Development		D	D	D	D	D	D	D	D	D	
Temporary Events		D					D	D	D	D	

ATTACHMENT 2:
Project Narrative

Wilmington Storage Narrative

The property in discussion was neglected for 30 years while being operated as a boat manufacturing facility. The property, over the past three years, has been much improved by removing overgrown trees and buildings that were not only an eye sore to the community, but were unsafe to enter due to structural water damage and neglect. The existing building has been improved with new doors, a roof, paint and general maintenance.

The objective with the existing property, is to enhance the current use by creating 93 covered boat and RV storage units. As many homeowners who live in HOA communities or live on small parcel lots do not have a place to store their boats or RVs, this would be a solution to the problem. The land is not currently being utilized to its full potential. The proposed construction will include 93 metal covered storage units, 6 feet chain link fencing with privacy slats, required buffer to adjacent properties, wash station, lights designed by duke energy. With the addition of landscaping which will exceed that required by Pender County the property will enhance the area. The creation of a retention pond as part of the upgraded site plan will help relieve the water load on the neighboring properties. The storage facility will work cohesively with the StroudCraft Marine manufacturing business and their trained personnel to provide customers with on-site maintenance or boat needs they may have. Activities to take place on the 5-acre proposed lot include parking and storage of boats, boat trailers, RVs, and campers. We intend for customers to have 24-hour access to the property; However as there are only 93 covered units an increase in traffic in the area related to the storage lot will be minimal.

ATTACHMENT 3:
Public Input Meeting Packet

Wilmington Storage LLC Community Informational Meeting Report

Wilmington Storage LLC held a community meeting on Monday, February 26, 2024 from 6:30 pm to 9:00pm at the burgaw Library in Pender County, NC to inform residents within five hundred feet of the proposed "Conditional Rezoning" and erection of 93 boat and rv storage units. The meeting was an opportunity to report the proposal, address questions, and hear concerns regarding the proposed project. The residents were notified of the meeting by mail. A detailed map of the plan was provided as visual aid during the meeting.

Community meeting attendance included; the two owners, wife of owner, four interested residents. One resident contacted us via email. A reporting of the attendees is attached. The primary interests were lighting, noise, how much traffic the project will produce, height of proposed buildings, timeline of project, and aesthetics. All the comments and concerns were from neighbors located on Carr Ave. A general overview of the meeting follows:

Lighting:

The concern of lighting for the buildings at night. The neighbor did not want the property to be lit up like a gas station. Parking lot lighting shall be shielded so that it does not cast direct light beyond the property line.

Aesthetics: What will this property look like when it is finished. We described what the finished product should look like. Including the vegetative barriers and privacy slats within the property.

Height of buildings: Concerns about the building structure heights and the possibility of adding on to the top of the storage structures was mentioned. I was able to explain to the citizens that these buildings were not capable of being added onto vertically.

How busy: Traffic pattern how much traffic would be generated was mentioned. The traffic impacts for the storage facility would be minimal due to 93 storage units being available. The trip calculations for a 24 hour period would be 18, peak morning 7-9am is 1, and peak afternoon 4-6 would be 1.

Cross City Pedestrian Path: The neighbor to the adjoining property does not care for the cross city pedestrian path on their land and the potential of giving up their land.

Additional Comments:

This will be a Great improvement to the property, it is cleaning up the property and will look great. I am excited for this business. This will benefit the community because it is cleaning up the existing property.

What would the daily noise be around the new business?

4 landowners attended / 2 representatives attended

Wilmington Storage LLC
 Community Meeting- Burgaw Public Library
 February 26, 2024
 Attendance Sheet

Name	Address	Concerns
Debbie Ashe	4121 NC Highway 33	Rocky Point, NC 28457
Wayne Ashe		
Sarah Bynum	338 CARR AVE.	Lighting, ground water / waste disposal, traffic, hours of operation, building height, privacy, fence, aesthetics. ⚡
Marc Bynum		

February 16, 2024

Wilmington Storage LLC

To All It May Concern,

Wilmington Storage, LLC is writing to notify you of an informal community meeting to discuss a proposed conditional rezoning of a Boat and RV storage project located at 13991 Hwy 210, Rocky Point, Pender County, NC.

The meeting is scheduled to be held on **Monday, February 26th at the Pender County Library –103 S. Cowan Street, Burgaw, NC from 6:30-9:00 pm.** Maps and information on the proposed project will be under discussion at the meeting.

Please R.S.V.P. by email (Wes Gray: wesgray83@gmail.com) or call or text 910-742-4773.

Thank You,

Wes Gray (Owner)



Fabry Stroud (Owner)





**Pender County
ZTA 2024-24: Request to amend the
Unified Development Ordinance to
permit personal structures (non-
commercial) on property in the RA, Rural
Agricultural and RP, Residential
Performance zoning districts**

TO: Planning Board
FROM: Adam Moran
DATE: May 7, 2024
SUBJECT: ZTA 2024-24: Request to amend the Unified Development Ordinance to permit personal structures (non-commercial) on property in the RA, Rural Agricultural and RP, Residential Performance zoning districts

SUMMARY:

Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance (UDO). Specifically, the changes include adjustments to the Table of Permitted Uses to add "Personal Structure (non-commercial)" as a permitted use with standards in the Rural Agricultural (RA) and Residential Performance (RP) zoning districts. The use standards for this addition would be added as 5.3.12.R, Personal Structure. A detailed description and full language of the proposed changes are available in the Pender County Planning & Community Development office.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

1. Staff Report
2. Application
3. Attachment 1: UDO Excerpts with Amended Text

**STAFF REPORT FOR ZTA 2024-24
ZONING TEXT AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	ZTA 2024-24
Hearing Dates	May 7, 2024 - Planning Board June 17, 2024 - Board of Commissioners
Applicant	Pender County Planning & Community Development

ZONING TEXT AMENDMENT PROPOSAL

Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance (UDO). Specifically, the changes include adjustments to the Table of Permitted Uses to add “Personal Structure (non-commercial)” as a permitted use with standards in the Rural Agricultural (RA) and Residential Performance (RP) zoning districts. The use standards for this addition would be added as 5.3.12.R, Personal Structure. A detailed description and full language of the proposed changes are available in the Pender County Planning & Community Development office.

AMENDMENT DESCRIPTION

Pender County Planning & Community Development is requesting an amendment to the Unified Development Ordinance (UDO). Planning & Community Development Staff is proposing to add “Personal Structures (non-commercial)” as a use in Section 5.3.2, “Table of Permitted Uses,” under “Miscellaneous Uses.” Personal, non-commercial structures would be permitted with use standards in the Rural Agricultural (RA) and Residential Performance (RP) districts. The use standards for “Personal Structure (non-commercial)” would be described in a new section, 5.3.12(R), “Personal Structure (non-commercial).” The proposed changes to the ordinance are provided as follows:

5.3.2 Table of Permitted Uses, Miscellaneous Uses

	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
<i>Personal Structure (non-commercial)</i>	<i>D</i>	<i>D</i>								

[D = Permitted with Use Standards]

5.3.12(R), Personal Structure (non-commercial)

A principal structure solely dedicated to personal, non-commercial use, such as a personal, non-commercial garage, personal storage building not associated with a commercial use, or workshop structure not associated with a commercial use. The structure may be used for the storage of personal items or as a non-commercial workshop only and may not be used as a dwelling; and is subject to the following additional requirements:

1. Meets all setback and dimensional requirements for principal structures in the zoning district in which it is permitted (see Section 4.14);
2. Must be placed on the parcel in such a manner that at such time the structure becomes an accessory to a primary structure, it is compliant with all of the requirements for accessory structures, consistent with Section 5.3.3 of the UDO;
3. The number of personal structures allowed on each parcel are noted as follows:

Lot Size	Number of Structures
2 acres or less	1 structure
Greater than 2 acres and less than 10 acres	2 structures
10 acres or greater	3 structures

BOARD EVALUATION PROCEDURES

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

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

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the 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, the CAMA Land Use Plan, and the specific intent of this Ordinance.

STAFF EVALUATION & RECOMMENDATION

In Appendix A: Definitions of the UDO, “principal structure” is defined as: “A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in the principal structure.” In the case at hand, a personal storage structure or non-commercial workshop would be the principal (and only) structure on the property and would therefore constitute its primary use. In the same section, “accessory or secondary use” is defined as:

“A use of land or of a building or portion thereof customarily associated with and incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use. A secondary use shall be a use not already permitted by right in a zoning district but may be permitted in conjunction with a permitted use. In no instances shall an accessory or secondary use be permitted without the presence of a primary use.” (Appendix A: Definitions)

As noted in the definition above, a personal structure is not permitted as a standalone primary structure because it is not listed as a permitted use within the Table of Permitted Uses (Section 5.3.2) and it is not permitted as an accessory structure because there would be no structure to which the personal structure would be an accessory. Therefore, this text amendment is being proposed to allow property owners to construct personal, non-commercial structures for personal storage and non-commercial workshop usage.

These regulations have led to some citizens who own parcels without a primary residential structure (dwelling) to be unable to utilize their property in a meaningful, useful, and reasonable way. The following are scenarios where property owners could benefit from the changes in permitted uses and standards being proposed by this text amendment:

1. A resident with a large parcel in the Rural Agricultural zoning district is not able to construct a building to store their tractor, lawn mower, or landscaping equipment on the large parcel they want to maintain.
2. A vacant lot adjacent to a parcel with a dwelling owned by the same person would not be permitted to have a shed, barn, pole barn, or similar structure for personal use without recombining the parcels into one larger parcel.
3. Parcels that do not pass a septic soil suitability analysis and are unable to secure offsite wastewater treatment, making the use of the parcel for residential or commercial purposes very difficult.
4. Property owners who wish to construct a personal structure for storage and non-commercial, agricultural usage may not be permitted to do so. Obtaining a Bona Fide Farm determination from the Planning and Community Development Department would exempt owners from the zoning code for agricultural purposes; however, not all property owners have the ability or intention to use their land for Bona Fide Farm purposes and are therefore without recourse to be allowed to build their personal structure.

The proposed text amendment would change this situation for parcels in the RA and RP districts. While all RA and RP parcels would be subject to this regulation, only vacant parcels would be able to utilize its provisions. Ultimately, this text amendment is intended to create a regulation that would allow property owners to use their land without having to first build a dwelling as a primary structure; the personal structure would be the primary structure upon permitting and construction.

The proposed amendment specifically allows personal structures (non-commercial) in low and medium density residential districts, RA and RP. These districts are specified because the personal structure (non-commercial) use is intended to fit within the context of residential usage as a standalone, primary structure that is compatible with rural or low/medium-density residential settings. The use would be noted in the Miscellaneous Uses section of the Table of Permitted Uses because it is a primary or principal use that is personal in nature and not to be used as a dwelling, accessory, or commercial building. The intention is that the structure may be used for the storage of personal items or as a non-commercial workshop only and may not be used as a dwelling.

The use standards proposed specify that the personal structure must meet all setback and dimensional requirements as noted in Section 4.14 of the UDO. A personal structure must meet the same requirements as a dwelling, or any other principal structure permitted in the RA and RP districts. To encourage property owners to consider that a dwelling may be placed on the parcel in the future, the amendment notes that the personal structure must be placed in a way that would allow for a residence to be subsequently built with regard for the structure separation and setback requirements.

The text amendment proposes that the number of personal, non-commercial structures allowed on a parcel is dependent upon the size of the parcel. Lots two (2) acres or less would be permitted one (1) personal structure; lots greater than two (2) acres and less than ten (10) acres would be permitted two (2) personal structures; and lots ten (10) acres or greater would be permitted three (3) personal structures. The proposed amendment does not create any regulation regarding the size of these personal structures other than to note that they must adhere to the setback and dimensional requirements of Section 4.14 of the UDO.

Planning Staff respectfully recommends approval of the Zoning Text Amendment to the Unified Development Ordinance as described in this report. The proposed text amendment is consistent with the purpose and intent of the Ordinance and Comprehensive Plan because it “preserve[s] the overall quality of life for residents” (1.4.1(D)), “maintain[s] orderly and compatible land-use and development patterns” (1.4.1(H)), and “establish[es] clear and efficient development review and approval procedures” (1.4.1(O)). The ability for a citizen to utilize their property by constructing a standalone building for personal, non-commercial use (with certain standards) is established by this amendment.

In addition to Staff’s recommendation of approval, the proposed changes are supported by two policies in the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.G: Development Review: The County supports an efficient, transparent, and predictable development review and approval procedure.

Policy 5.1.EE: Rural Land Use Patterns: The County supports the rural residential and agricultural land use patterns as they currently exist throughout much of the County and as depicted on the future land use map.

The Pender 2.0 Comprehensive Land Use Plan encourages the accommodation of non-residential uses that are reasonably expected in rural areas with rural residential land use patterns (**Policy 5.1.EE**). The ability to build a barn, shed, workshop, or pole barn structure upon one’s own property is a reasonable expectation within rural or low/medium-density residential areas. Rural land use patterns are supported by the amendment, which would allow storage of personal items within a permitted structure. In combination with the UDO’s purpose statements that note the desire to “preserve the overall quality of life for residents,” “maintain orderly and compatible land-use and development patterns,” and “establish clear and efficient development review and approval procedures,” the Comprehensive Land Use Plan policies noted above show that the creation of a clear procedure for establishing a personal structure for non-commercial and non-dwelling usage as the principal structure on a property is within the purpose and intent of the UDO and Pender 2.0 Comprehensive Land Use Plan as well as a reasonable expectation for the owner of a vacant parcel of land in a rural or low/medium-density residential context.

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 Pender County Unified Development Ordinance’s purpose and intent, and advances the public health, safety, or welfare and is consistent with two policies in the Pender 2.0 Comprehensive Land Use Plan.

- Policy 5.1.G: Development Review
- Policy 5.1.EE: Rural Land Use Patterns

TO DENY: Motion to deny the Zoning Text Amendment and to make a finding that the proposal is inconsistent with the Pender County Unified Development Ordinance and Pender 2.0 Comprehensive Land Use Plan, said denial is reasonable and in the public interest because [INSERT REASONING...]

PLANNING BOARD ACTION FOR ZONING TEXT AMENDMENT

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

ZTA 2024-24

Application

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

Zoning Text Amendment Submission

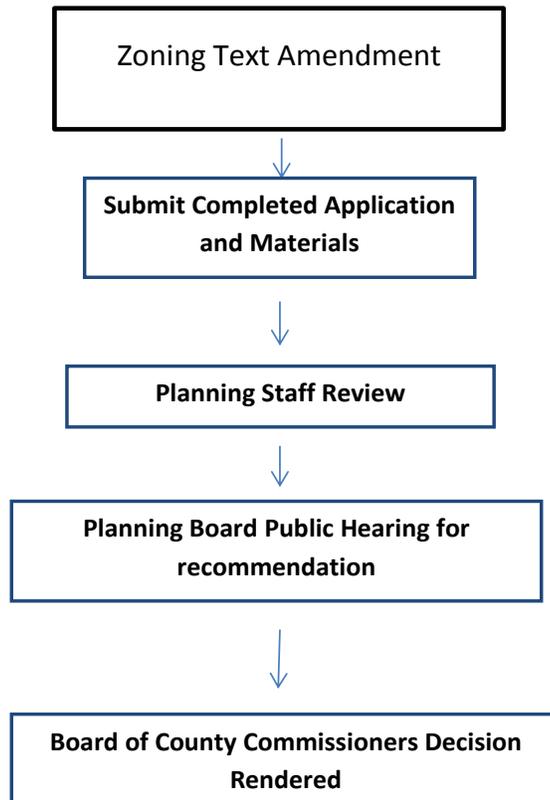
Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

- | | | |
|----|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <u>✓</u> | Pre-submittal Meeting
Date of Meeting <u>4/2/2024</u> |
| 2. | <u>✓</u> | Signed Application |
| 3. | <u>n/a</u> | Payment
\$250 |
| 4. | <u>✓</u> | Narrative
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. |
| 5. | <u>✓</u> | Digital Submission
For all documents submitted in paper copy, please a digital copy with paper submission. |

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant	<u>Adam Moran</u>	Date <u>4/2/2024</u>
Printed Name	<u>Adam Moran</u>	

Staff Initials:	<u>AM</u>
Date:	<u>4/2/24</u>



Zoning Map Amendment Specific Requirements

1. Application Submittal

- Application
- Narrative: 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.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.18.5)

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

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

TEXT AMENDMENT

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

Approval Criteria (*Section 3.18.5*)

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

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

Action by the Planning Board

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

Action by County Commissioners

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

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

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA 2024-24	Date	4/2/2024
Application Fee	\$ n/a	Invoice Number:	n/a
Pre-Application Conference	4/2/2024	Hearing Date	PB (5/7/24); BOCC (6/17/2024)
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Pender County Planning & Community Development Department		
Applicant's Address:	805 South Walker Street		
City, State, & Zip	Burgaw, NC 28425		
Phone Number:	910-259-1202		
Email Address:	amoran@pendercountync.gov		
SECTION 2: UDO TEXT TO BE AMENDED			
Current Text to be Amended (Please site accurate Article number referenced):			
Pertaining to creating allowances for standalone personal, private storage buildings on residential properties. Please see details attached.			
Proposed Text to be added:			
Pertaining to creating allowances for standalone personal, private storage buildings on residential properties. Please see details attached.			
SECTION 3: SIGNATURE			
Applicant's Signature	<i>Adam Moran</i>	Date:	4/2/2024
Applicant's Printed Name	Adam Moran	Date:	4/2/2024
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 type="checkbox"/> n/a	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			
n/a <input type="checkbox"/> ZTA Fees: \$250		Total Fee Calculation: n/a	
Payment Method:	Cash :	Credit Card:	Check:
X	<input type="checkbox"/> \$ _____ X	<input type="checkbox"/> Master Card <input type="checkbox"/> Visa X	X <input type="checkbox"/> Check # _____
Application Received By:	Adam Moran	Date:	4/2/2024
Application completeness approved by:	Adam Moran	Date:	4/2/2024
Dates Scheduled for Public Hearings:	X Planning Board: 5/7/2024	X	BOC: 6/17/2024

ATTACHMENT 1

UDO Excerpts with Amended Text

5.2.3 Table of Permitted Uses

The Table of Permitted Uses shows those principal uses that are permitted by right, permitted subject to limited use standards, or permitted subject to a Special Use Permit.

TABLE OF PERMITTED USES										
P = Permitted Use D = Permitted with Use Standards S = Special Use Approval Required SD = Special Use Approval Required with Additional Standards PM = Permitted in conjunction with the MDP process										
Use Category Specific Use Type	Residential				Mixed Use	Commercial	Industrial			Special Purpose
Zoning Districts										
Use Type	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
RESIDENTIAL										
SFD-Detached: Conventional	P	P	P	P	P					
SFD-Detached: Zero Lot Line			P		P					
SFD-Attached: Duplex	P	P	P		P					
SFD-Attached: Multiplex			P		P					
SFD: Townhouse (5+ attached)			P		P					
Multifamily (condominium/apartment)			P		P					
Upper Story Residential					P	P	P			
Accessory Dwelling Unit	D	D	P		D					
Accessory Dwelling Unit on Non-Residential Principal Uses	D				D			P	P	
Manufactured Home	P	D		P						
Manufactured Home Park				PMD						
ACCESSORY USES AND STRUCTURES										
Accessory Structures	P	P	P	P	P	P	P	P	P	
Cottage Occupations	SD	SD	SD		SD	SD				
Home Occupation	D	D	D	D	D	D				
Agritourism Activities on active farms	D	D	D	D	D	D	D	D	D	D

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 21: MINING, QUARRYING, OIL AND GAS EXTRACTION											
Nonmetallic Mineral Mining & Quarrying	2123	S								S	
Except: 212392 Phosphate Rock Mining											
Except: 212321 Borrow Pit Sand Mining			PMDS			PMD					
Sector 22: UTILITIES											
Fossil Fuel Electric Power Generation	221112									S	
Other Electric Power Generation	221119								S	S	
Electric Bulk Power Transmission & Control	221121	S	S	S	S	S	S	S	P	P	
Natural Gas Distribution Except Transmission Lines	221210									P	
Water Supply Facilities*	221310		S			PM				P	
Sewage Treatment Facilities*	221320		S	PMD /S		PMD /S				P	
Except: Sewage Lift Stations*		SD	SD	PMD /S	PMD /S	PMD /S	D	D	D	D	
*County Owned or County Service District Provided Systems = P (Permitted)											
Sector 23: CONSTRUCTION											
Construction of Buildings	236						D		P	P	
Heavy and Civil Engineering Construction	237						D		P	P	
Specialty Trade Contractors	238						D		P	P	
Sectors 31-33: MANUFACTURING											
Artisan Manufacturing		S	S			P	P		P		
Food Manufacturing	311									P	
Beverage and Tobacco Product Manufacturing	312									P	
Textile Mills	313									P	
Textile Product Mills	314									P	
Apparel Manufacturing	315									P	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 31-33: MANUFACTURING (cont.)											
Wood Product Manufacturing	321								P	P	
Truss Manufacturing	321214						S		P	P	
Prefabricated Wood Building Manufacturing	321992						S		P	P	
Prefabricated Metal Building and Component Manufacturing	332311						S		P	P	
Paper Manufacturing	322									S	
Converted Paper Product Manufacturing	3222									P	
Printing and Related Support Activities	323								P	P	
Petroleum and Coal Products Manufacturing	324									S	
Synthetic Dye and Pigment Manufacturing	32513									P	
Other Basic Organic Chemical Manufacturing	32519									P	
Resin, Synthetic Rubber & Artificial Synthetic Fibers and Filaments Manufacturing	3252									P	
Pharmaceutical Manufacturing	3254								P	P	
Paint, Coating, and Adhesive Manufacturing	3255									P	
Soap, Cleaning Compound, and Toilet Preparation Manufacturing	3256									P	
Other Chemical Product and Preparation Manufacturing										P	
Except: 32592 Explosive Manufacturing											
Plastics and Rubber Products Manufacturing	326									P	
Clay Product and Refractory Manufacturing	3271									P	
Ready-Mix Concrete Manufacturing	32732									P	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 31-33: MANUFACTURING (cont.)											
Concrete Pipe, Brick & Block Manufacturing	32733									P	
Other Concrete Product Manufacturing	32739									P	
Gypsum Product Manufacturing	32742									P	
Fabricated Product Manufacturing	332									P	
Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	3327								P	P	
Machinery Manufacturing	333									P	
Computer & Electronic Product Manufacturing	334								P	P	
Electrical Equipment, Appliance & Component Manufacturing	335									P	
Transportation Equipment Manufacturing	336									P	
Furniture and Related Product Manufacturing	337								P	P	
Miscellaneous Manufacturing	339								P	P	
Sector 42: WHOLESALE TRADE											
Wholesale Trade	42	S							P	P	
Sectors 44-45: RETAIL TRADE											
Motor Vehicle & Parts Dealers	441	S					P		P		
Furniture and Home Furnishings Stores	442						P		P		
Electronics & Appliance Stores	443	S				P	P		P		
Building Material, Garden Equipment & Supplies Dealers	444	S					P		P	P	
Food and Beverage Stores	445	S	S			P	P		P		
Health & Personal Care Stores	446	S	S			P	P	P	P		

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sectors 44-45: RETAIL TRADE (cont.)											
Gasoline Stations	447	S				P	P		P		
Clothing and Clothing Accessories Stores	448	S				P	P		P		
Sporting Goods, Hobby, Book, and Music Stores	451					P	P		P		
Miscellaneous Store Retailers	453	S				P	P				
Non store Retailers	454	S				P	P		P		
Liquefied Petroleum Gas Dealers	454312									P	
Sectors 48-49: TRANSPORTATION AND WAREHOUSING											
Air Transportation	481								P	P	
Rail Transportation	482								P	P	
Truck Transportation	484								P	P	
Transit and Ground Passenger Transportation	485								P	P	
Interurban and Rural Bus Transportation	4852						P		P	P	
Taxi and Limousine Service	4853						P		P	P	
School and Employee Bus Transportation	4854								P	P	
Charter Bus Industry	4855								P	P	
Support Activities for Transportation	4881								P	P	
Support Activities for Road Transportation	4884	S					P		P	P	
Postal Services	491110	S	S			P	P	P			
Couriers and Messengers	492						P	P	P	P	
Warehousing and Storage	493	S							P	P	
Sector 51: INFORMATION											
Information	51					P	P	P	P	P	
Finance and Insurance	52	S	S			P	P	P	P	P	
Sector 53: REAL ESTATE, RENTAL & LEASING											
Real Estate, Rental & Leasing	53	S	S			P	P	P	P	P	
Commercial and Industrial Machinery and Equipment Rental and Leasing	5324								P	P	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 54: PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES											
Professional, Scientific & Technical Services	54	S	S			P	P	P	P	P	
Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES											
Management of Companies and Enterprises	55	S	S			P	P	P	P	P	
Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES											
Administrative and Support Services	561	S				P	P	P	P	P	
Solid Waste Collection Public	562111	P	P	P	P	P	P	P	P	P	
Solid Waste Collection Private	562111									S	
Solid Waste Landfill	562212									S	
Solid Waste Combustors and Incinerators	562213									S	
Other Nonhazardous Waste Treatment and Disposal	562219	S					S		S	S	
Remediation Services	562910									S	
Materials Recovery Facilities	562920									S	
All Other Waste Management Facilities	56299									S	
Sector 61: EDUCATIONAL SERVICES											
Educational Services	611	P	S			P	P	P			
Business Schools, Computer & Management Training	6114	S				P		P	P		
Technical and Trade Schools	6115	S				P	P	P	P	P	
Other Schools and Instruction	6116	S				P	P	P	P		

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 62: HEALTH CARE AND SOCIAL ASSISTANCE											
Ambulatory Health Care Services	621					P	P	P			
Except: Outpatient Mental Health and Substance Abuse Centers	62142						P	S			
Hospitals	622	S				P	P	P			
Except: Psychiatric and Substance Abuse Hospitals	6222							S			
Except: Outpatient Mental Health and Substance Abuse Hospitals	62142						S	S			
Nursing and Residential Care Facilities	623	S	S			P	P	P			
Except: Residential Mental Retardation, Mental Health & Substance Abuse Facilities	6232	S						S			
Social Assistance	624	S				P	P	P			
Vocational Rehabilitation Services	6243						P	P	P	P	
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION											
Performing Arts Companies	7111	S				P	P				
Spectator Sports	7112	S					P		P		
Promoters of Performing Arts, Sports, and Similar Events	7113	S				S	S				
Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	7114					P	P	P			
Museums, Historical Sites, and Similar Institutions	712	S				P	P	P			
Amusement and Theme Parks	713110	S				S	S				
Amusement Arcades	713120						P				

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 71: ARTS, ENTERTAINMENT, AND RECREATION (continued)											
Golf Courses and Country Clubs	713910	S	PM			P					
Fitness & Recreational Sports Centers	713940	S				P	P	P	P		
Bowling Centers	71395					P	P	P	P		
All Other Amusement & Recreation Industries	71399	S				P	P		P		
Aviation Clubs, Recreational	713990	S	S			P	P		P		
Canoeing, Recreational	713990	S	S			P	P		P		
Fishing Clubs, Recreational	713990	S	S			P	P		P		
Flying Clubs, Recreational	713990	S	S			P	P		P		
Guide Services (i.e. Fishing, Hunting, Tourist)	713990	S	S			P	P		P		
Horse Riding, Recreational	713990	P	S								
Outdoor Shooting Ranges	713990	S									
Sector 72: ACCOMMODATIONS AND FOOD SERVICES											
Hotels and Motels	72111					P	D	D			
Bed and Breakfast Inns	721191	S	S		S	P	P				
All Other Traveler Accommodation	721199	S	S		S	P	P				
RV Parks and Recreational Camps	7212	SD					SD				
Recreational and Vacation Camps	721214	S									S
Rooming and Boarding Houses	721310	S				P	P				
Full Service Restaurants	7221	S				P	P	P	P	P	
Limited Service Eating Places	7222	S				P	P	P	P	P	
Special Food Services	7223	S				P	P	P	P	P	
Drinking Places (Alcoholic Beverages)	7224	S				P	P				

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Sector 81: OTHER SERVICES, EXCEPT PUBLIC ADMINISTRATION											
Automotive Repair and Maintenance	8111	S					P		P	P	
Electronic and Precision Equipment Repair and Maintenance	8112	S					P	P	P	P	
Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113								P	P	
Personal and Household Goods Repair and Maintenance	8114	S				P	P	P	P	P	
Personal Care Services	8121	P	S			P	P	P	P		
Funeral Homes and Funeral Services	81221	S					P	P	P	P	
Cemeteries and Crematories Except: Private Cemetery	81222	S	S			S	S	S	S	S	
Coin Operated Laundries and Drycleaners	812310	P				P	P				
Dry-cleaning and Laundry Services	812320	S				P	P		P	P	
Linen & Uniform Supply	81233								P	P	
Other Personal Services	8129	S				P	P	P	P		
Pet Care Services	812910	D					D		D	D	
Religious Organizations	8131	P	S			P	P	P	P		
Grant Making and Giving Services	8132					P	P	P	P		
Social Advocacy Organizations	8133					P	P	P	P		
Civic and Social Organizations	813410	S	S			P	P	P			
Business, Professional, Labor, Political, and Similar Organizations	8139					P	P	P	P		
Public Administration	92	P	P	P	P	P	P	P	P	P	

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES											
Adult and Sexually Oriented Businesses									S	S	
Adult Retail									S	S	
Bona fide Farm Purposes		D	D	D	D	D	D	D	D	D	D
Child Care Center		P	S			S	P	P			
Community Boating Facility		SD	SD	SD	SD	SD					
Community Boating Facility in conjunction with a Master Development Plan		SD	PMD	PMD	PMD	PMD					
Disaster Volunteer Housing		D	D	D	D	D	D	D	D	D	
Family Care Home		D	D	D	D	D					
Family Child Care Home		P	P			P	P	P			
Industrial Park										SD	
Marina (Commercial)		SD	PMD			PMD					
Portable Storage Containers		D	D	D	D	D	D	D	D	D	
Private Cemetery less than 6,000 sq. ft.		D	D				D	D	D		
Private Cemetery 6,000 sq. ft. and larger		S	S				S	S	S		
Public Parks		P	P	P	P	P	P	P	P	P	
Private Residential Boating Facility		D	D	D	D	D					
Salvage Operations		S								D	
Storage of Merchandise, Materials or Equipment On Site Inside or Outside An Enclosed Building, Excluding Salvage		S							P	P	
Storage of boats and watercraft outdoors or on dry stack structures							S				
Sweepstakes Center							SD		SD	SD	
Telecommunication Facilities		SD	SD			SD	SD	SD	SD	SD	
Telecommunication Facilities – Public Safety		SD	SD			SD	SD	SD	SD	SD	
Temporary Manufactured Homes		P	P			P					

Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES <i>(continued)</i>											
Temporary Modular/Manufactured Offices						P	P	P	P	P	
Temporary Fruit & Vegetable Stands		P	P								
Temporary Buildings for Construction or Development		D	D	D	D	D	D	D	D	D	
Temporary Events		D					D	D	D	D	
<i>Personal Structure (non-commercial)</i>	<i>D</i>	<i>D</i>									

5.3.12 Miscellaneous Uses

- A. Adult and Sexually Oriented Businesses
 - 1) No such business shall locate within one thousand (1,000) feet of any other Adult Oriented Business, as measured in a straight line from property line to property line.
 - 2) No Adult Oriented Business shall be located within two thousand (2,000) feet of a church, public or private elementary or secondary school, child day care or nursery school, Public Park, residentially zoned or residentially used property, or any establishment with an on-premise ABC license, as measured in a straight line from property line to property line.
 - 3) The gross floor area of any Adult Oriented Business shall not exceed three thousand (3,000) square feet and all business related activity shall be conducted in a building.
 - 4) There shall not be more than one (1) Adult Oriented Business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any Adult Oriented Business.
 - 5) Except for signs as may be permitted by Article 9 of this Ordinance, no printed material, slide, video, photograph, written text, live show, or other visual presentation format shall be visible from outside the walls of the establishment, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.
- B. Bona fide Farm Purposes
 - 1) Bona fide farm purposes must comply with §160D-903 of the North Carolina General Statutes.
- C. Community Boating Facility
 - 1) Must serve five (5) or more residential units and may include a dock, pier, ramp, or launching pad.
 - 2) No commercial activities of any kind shall be allowed within the confines of the facility.
 - 3) Approved Special Use Permits are required in all zoning districts unless the proposed facility is illustrated in conjunction with a development which requires a master development plan. Sufficient detail must be

provided on the master plan to allow the Planning Board to make an informed decision on the facility's impacts to the surrounding properties throughout the public hearing process.

D. Disaster volunteer housing – Temporary housing units as defined in this ordinance shall be permitted to house volunteers who are responding to an event that has resulted in a major disaster declaration under the following circumstances:

- 1) The applicant shall be a recognized Voluntary Organization Active in Disaster (VOAD) operating in Pender County.
- 2) The applicant shall provide evidence of liability insurance for the temporary housing units.
- 3) A Zoning Approval Permit shall be issued by the Administrator for all temporary housing units at the time of placement on the lot.
- 4) Any temporary structure must meet setbacks for that zoning district and all other applicable regulations. In the event the temporary structure cannot meet the required setbacks, a variance must be granted by the Zoning Board of Adjustment prior to the temporary structure being located on the property.
- 5) The Zoning Approval Permit application shall indicate the location of the temporary housing unit, other existing and proposed structures, proposed setbacks and separations, and include a description of the proposed utility connections.
- 6) The Zoning Approval Permit shall be issued for a period of time not to exceed twelve (12) months and may be renewed for additional six (6) month periods, providing the sponsoring organization is still actively engaged in the County's recovery process. The final expiration date shall be no later than September 14, 2021.
- 7) Temporary housing units shall be removed within thirty (30) days after the sponsoring organization suspends operations related the disaster declaration or within thirty (30) days following expiration of the related Zoning Approval Permit, whichever occurs first.

E. Family Care Home

- 1) A family care home means a home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment as defined by NCGS § 168-21.

F. Industrial Park

- 1) Applicability: In order to qualify as an Industrial Park, the subject property must:
 - a) Be entirely located in a General Industrial zone, according to the official zoning map of Pender County;
 - b) Contain at least 200 acres under unified control;
 - c) Have direct access to a road designated by the NCDOT as a US, or NC Highway; or at least a portion of the property shall be within 5000' of such a road and have direct access to a state maintained road;
 - d) Be served, or have written confirmation from the Utility Authority that the area will be served, by a public water and sewer system; and
 - e) Obtain a Special Use Permit from the Board of County Commissioners.
- 2) Subdivision Procedure: Industrial Parks shall be exempt from the procedures established in Section 3.8, Subdivisions, Section 3.9, Minor Subdivision, and 3.10, Major Subdivision, of the Pender County UDO. The following regulations apply:
 - a) Major and minor subdivisions of an Industrial Park are subject to review by the Technical Review Committee, and are reviewed and approved by the UDO Administrator.
 - b) Plans must meet all the requirements prescribed in Section 6.4, Preliminary Plat Contents, and Section 6.5, Final Plat Contents in the Pender County UDO, except that subdivision plans for an Industrial Park shall be exempt from:
 - i) The timing and phasing requirements of Sections 6.5.A.1, 6.5.A.4, and 6.5.A.8;
 - ii) The homeowner's association requirements of Sections 6.5.B.3 and 6.5.B.6; and
 - iii) The preliminary plat requirements of Sections 6.4.A.9 through 6.4.A.13.

- a. Industrial Parks shall follow the subdivision standards listed in Section 5.3.12.E.3, Subdivision Standards, below.
- b. These standards must be met and shown on the Preliminary Plat.
- c) A copy of the draft protective covenants to be recorded on the Park shall be submitted with the final plat application.
 - i) The covenants shall address: owner's association, organization, responsibilities & membership, use and other restrictions on the property, term, revisions & renewal of the covenants, nuisances on the property and maintenance of facilities in the park.
 - ii) The covenants as approved under the Special Use Permit shall be recorded prior to division or sale of any parcels and prior to issuance of any zoning permit for or within the Park.
- d) The final plat shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 30 working days of completed submission. When the final plat is approved the signed original will be provided to the applicant and a signed copy placed in the Record File for the subdivision.
- e) A final plat shall be approved on a finding that the applicant demonstrates that the proposed division meets all of the requirements of the Pender County UDO and will:
 - i) Be in harmony with the Special Use Permit;
 - ii) Be in accordance with the Preliminary Plat;
 - iii) Not endanger the public health or safety;
 - iv) Be in conformity with the County's Land Use Plan.
- 3) Subdivision Standards: Industrial Parks shall be exempt from the regulations of Article 7.6, Open Space, and Article 8, Landscaping and Buffers. As an alternative, Industrial Parks are governed by the following open space and landscaping standards:
 - a) Open Space:
 - i) Approved Industrial Parks shall provide dedicated area(s) as open space, equating to 5% of the overall Industrial Park.
 - ii) The open space must be dedicated at the time in which at least 25% of the Industrial Park is occupied.
 - b) Landscaping and Buffers:
 - i) A visually opaque landscaped buffer of native vegetation at least 20 feet in width and/ or combination of berms and fencing is required along the external perimeter of the Industrial Park.
 - ii) Existing trees and shrubs shall count towards meeting the buffer yard and screening requirements.
 - iii) The buffer areas may be in common area and counted towards meeting open space requirements.
 - iv) For every 1,000 sf. of buffer area, the buffer areas shall include:
 - a. Ten evergreen shrubs; and
 - b. Three trees, which shall consist of the following:
 - i. 50% large maturing;
 - ii. 25% small maturing, and
 - iii. 25% evergreen.
 - v) Buffers will not be required for internal property boundaries of Industrial Parks with the exception of road frontage.

- vi) The Administrator may allow modification to the buffer width and planting types when special site conditions exist.
- 4) Major Site Plan Procedure: Individual Sites locating within an Industrial Park shall be exempt from Section 3.7, Major Site Development Plan, of the Pender County UDO. The following procedure applies:
 - a) Major Development Plans are subject to review by the Technical Review Committee, and are reviewed and approved by the UDO Administrator.
 - b) Master Development Plans shall meet all of the requirements of Section 6.1.3 Major Development Plans Contents – Commercial and Industrial Districts, with the exception of Section 6.1.3.A.10.
 - i) The Major Development Plan shall meet the Landscaping and Buffer requirements set forth below in Section 5.3.12.E.6.e, Landscaping and Buffers.
 - ii) The Major Development Plan shall be complete at the time of submittal and must be made by a licensed professional and illustrated at sufficient scale and with detailed design for the all uses located within the industrial park.
 - c) Major Development Plans shall be reviewed and approved or disapproved and notice of action taken provided to the applicant within 30 working days of completed submission.
- 5) Site Dimensional Standards: Individual Sites shall be exempt from the regulations of Section 4.14, Zoning District Dimensional Requirements of the Pender County UDO. The following site dimensional standards apply:

Dimensional Standards for Individual Sites in Industrial Parks	
Maximum Height	50 feet
Minimum Setbacks ^[1]	
Front ^[2]	50 feet
Rear ^[3]	25 feet
Side ^[3]	25 feet
Corner ^[4]	50 feet
Minimum Building Separation	North Carolina Building Code Regulations Apply
Minimum Lot Width	100 feet
NOTES:	
[1] There must be an owner maintained strip with a minimum of 20 feet in width of landscaped ground along the street property lines, except that drives and walks may be located within the landscaped strip.	
[2] In the event more than one parcel of land shall be owned by one person or entity, and in the improvement of each parcel of land, a building shall be erected on more than one parcel of land, then the interior rear or side setbacks may be waived.	
[3] In the case of corner lots, both 50 foot front setbacks will apply.	

- 6) Site Design Standards: Individual Sites shall be exempt from the regulations of Article 7, Design Standards, and Article 8, Landscaping and Buffers, of the Pender County UDO. Individual Sites shall meet the following site design standards:
 - a) Parking:

- i) Each Individual Site located within the approved Industrial Park shall provide three parking spaces for each four employees on the largest shift plus additional spaces for vehicles permanently used in the operation of the business.
 - a. At the discretion of the Administrator, a reduction to the parking requirements may be approved if the applicant demonstrates the peak level of need is lower than these standards require.
 - b. To justify the reduction, a statement shall be provided by a licensed professional addressing facility usage, employment figures, shift changes, and any other applicable standards.
- b) Loading:
 - i) Off-street loading and unloading facilities shall be provided by each owner or lessee of any parcel of land within the Park when that parcel is developed;
 - ii) Parking and loading facilities shall generally be located along the side or rear of lots. Loading facilities may be located facing the front of a lot only when:
 - a. Cross-dock operations are proposed, in which loading facilities are on opposite sides of a building; and
 - b. Expressed written permission is provided by property owner's board or other covenant holder within approved industrial park.
 - iii) Allowance for front-side loading and unloading facilities within this Ordinance shall not override restrictive covenants in place for approved industrial parks that prohibit front-facing loading and unloading facilities.
 - iv) Front-side loading and unloading facilities in industrial parks without a property owners board shall require approval of a Variance in accordance with Section 3.14.
 - v) All loading and unloading facilities shall be screened by effective landscaping or otherwise from view of any public street or access road within or leading to or from the Park.
- c) Outdoor Lighting:
 - i) Outdoor lighting shall utilize illumination so as to not cast direct light beyond any property line.
- d) Outdoor Storage and Screening:
 - i) Outdoor storage yards and storage areas, incinerators, storage tanks, and trucks based on the premises, shall either be housed in closed buildings or be screened for sound and sight from public view as is deemed necessary by the Administrator and shall be placed so as to conform with the setback requirements of Section 5.3.12.E.5, Site Dimensional Standards, above.
 - ii) Such screening shall include landscaping or permanent fences (excluding chain link), or approved solid materials and shall be located so as to most effectively screen the view of the offending items from the street.
 - iii) The Administrator may allow modification to the screening requirements when special site conditions exist.
- e) Landscaping Standards:
 - i) If applicable, Individual Sites must ensure that the 20 foot, visually opaque landscaped buffer required along the external perimeter of the Industrial Park is maintained, according to the requirements of Section 5.3.12.E.3.b, Landscaping and Buffers above.
 - ii) Buffers are not required for internal property boundaries of Industrial Parks with the exception of road frontage.
- F. Marinas (Commercial): Activities and possible uses on the marina or club property shall be limited to wet boat storage, dry stack boat storage, boat service and repairs, boat accessory sales, ship's store, coffee shop, boat

trailer parking areas, automobile parking areas, launching ramp, piers and boat petroleum service areas. Additional uses permitted shall follow the Table of Permitted Uses for the specific zoning district.

- 1) Setbacks
 - a) Up to 35' in height: 100' front and 50' sides and rear.
 - b) Between 36' to 50' in height: Add two (2) additional feet of setback for every one foot in height above 35'.
- 2) Approved Special Use Permits are required in all zoning districts unless the proposed facility is illustrated in conjunction with a development which requires a master development plan. Sufficient detail must be provided on the master plan to allow the Planning Board to make an informed decision on the facility's impacts to the surrounding properties throughout the public hearing process

G. Portable Storage Containers

- 1) All portable storage containers located on private property must apply for and obtain a permit. Each individual shall submit a complete application, site plan, and fee for review and approval by the Administrator or their agent. Applicants shall submit a site plan showing any permanent container and the relationship of this structure to the overall site. The site plan shall indicate how the container meets all permanent requirements including but not limited to; stormwater considerations, traffic circulation, screening requirements, other development codes and inspection requirements including engineered design plans to demonstrate the permanent storage container meets NC Building Code.
- 2) Permanent portable storage container use shall be restricted to non-residential districts: GB, General Business Zoning District, O&I, Office and Institutional Zoning District, GI, General Industrial Zoning District and IT, Industrial Transition Zoning District.
- 3) Portable storage containers may be permitted as an accessory structure, for storage purposes only.
- 4) A maximum of one (1) portable storage container per site shall be permitted on lots of one (1) acre or less. One (1) additional portable storage container may be permitted for lots greater than one (1) acre. No more than two (2) portable storage containers may be permitted on one (1) single property.
- 5) A portable storage container may be placed for thirty or less consecutive days in any twelve month period without issuance of a permit in all zoning districts, except Environmental Conservation.
- 6) Portable storage containers shall be allowed no more than two (2) times on a lot for a period no longer than 60 days within a twelve (12) month period when the following items are met:
 - a) The principal structure is damaged and dilapidated and is undergoing repairs, reconstruction, or renovation.
 - b) A building permit has been issued for the repairs, constructions, reconstruction, or renovation, if required, and is valid throughout the extension.
 - c) An extension may be granted for portable storage containers located in all districts, excluding Environmental Conservation, up to sixty (60) additional days within a twelve (12) month period as approved by the Administrator.
- 7) Portable storage containers shall not be permitted in any parking areas, required buffers or setbacks.
- 8) Portable storage containers must meet minimum accessory use and structure setback and separation requirements.
- 9) Portable storage containers shall meet all yard setback requirements and be located on the rear of the lot.
- 10) Portable storage containers shall not exceed the dimensions of forty (40) feet in length, eight (8) feet in width and ten (10) feet in height.
- 11) Stacking of portable storage containers shall not be permitted.
- 12) No sign shall be attached to a portable storage container other than the provider's contact information.
- 13) All portable storage containers shall be screened from view from any public right-of-way, private street or access easements and any residential use or residential zoning district. Screening shall be accomplished by a combination of fencing or landscaping which is contiguous and at least six (6) feet in height.

- 14) Portable storage containers must be off-chassis.
- 15) No permanent off-chassis portable storage containers shall be permitted in loading areas.
- 16) Portable storage containers shall not be permitted to be rented or leased to a use not located on the same lot.
- 17) The structure shall be maintained in good condition free from structural damage, rust and deterioration.

H. Private Residential Boating Facility

- 1) May provide single access in approved zoning districts for residential use only.
- 2) Commercial activities of any kind shall be prohibited.

I. Salvage Operations

- 1) Must be enclosed by a screened fence a minimum eight feet in height.
- 2) The fence must be located a minimum of 20 feet from any public street right-of-way and vegetative planting along the fence to provide a continuous evergreen screen in front of the fence.
- 3) The combined screening shall be adequate to conceal all storage from public view.
- 4) Must be located entirely outside any FEMA designated Special Flood Hazard Area (SFHA).

J. Sweepstakes Center

- 1) Sweepstakes centers shall be permitted in accordance with Section 5.2.3, Table of Permitted Uses.
- 2) All new sweepstakes centers and additions or alterations to existing sweepstakes centers must be in accordance with this Ordinance.
- 3) Sweepstakes Centers shall be located a minimum distance of 500 feet, measured in a straight line in any direction from the closest point of the building or unit of the proposed business to the property line of any of the following:
 - a) Religious Organizations as defined by NAICS code 813110
 - b) A public or private school and family child care home or child care center with an active license with the State of North Carolina
 - c) A public park, playground, public library, or private cemetery
 - d) Drinking Places (Alcoholic Beverages) as defined by NAICS code 722410
 - e) Adult and Sexually Oriented Businesses
 - f) Any other approved sweepstakes center
- 4) Hours of operation shall be limited Monday to Saturday from 9:00 a.m. to 12:00 midnight and on Sunday from 12:00 noon to 10:00 p.m.
- 5) All food or beverage to be served or distributed by the establishment must meet the requirements of the Pender County Environmental Health Department.
- 6) Sweepstakes centers shall receive approval from the Pender County Fire Marshal prior to occupancy and must comply with annual review standards.
- 7) Sweepstakes centers must meet indoor recreation parking requirements as outlined in Section 7.10, Off Street Parking and Loading/Parking Requirements
- 8) All zoning and building permits issued after June 18, 2012 for all sweepstakes centers shall be subject to an annual review and inspection (from the date of approval) to ensure compliance with this Ordinance.

K. Temporary Events - The Administrator or their agent may issue a temporary permit for carnivals, religious revivals, sport events, circuses, festivals and similar activities that will last for a period of up to sixty (60) days in the districts in which they are indicated as a permitted use. All temporary events shall submit an application and site plan, at least 14 calendar days prior to the event, with a description of activities so that it can be determined if adequate parking, sanitation & other necessary facilities will be available. The Administrator shall submit each temporary event proposal to the Building Inspector, Health Director, and Fire Marshal for review and approval.

- L. Temporary Modular/Manufactured Offices
- 1) Modular or Manufactured offices may be used on a temporary basis for office or business purposes in cases where a new building for the use is under construction or where the permanent structure has been destroyed through no fault of the owner or tenant. A temporary permit must be obtained before the use of the mobile office is initiated. This permit shall be valid for a specified period of time while reconstruction takes place not to exceed six (6) months and may be renewed no more than once.
 - 2) Manufactured homes rated for residential use may only be used for residential uses and not for other temporary or permanent uses.
 - 3) Licensed motor vehicles used as an accessory use by a public or nonprofit entity for such purposes as book mobiles, blood mobiles, medical services or educational purposes will not require a permit unless set up for use on a site for more than 7 days.
- M. Temporary Manufactured Homes - Temporary use of a manufactured home as a residence shall be permitted in any district in cases where the permanent home has been destroyed through no fault of the owner or tenant or when completing the construction of a new home. A temporary occupancy permit must be obtained from the Administrator before the use of the mobile home is initiated. This occupancy permit shall be valid for a specified period of time not to exceed six (6) months while reconstruction takes place and may be renewed no more than twice, unless specifically approved by the Board of Adjustment for additional time.
- N. Temporary Fruit & Vegetable Stands - Temporary fruit & vegetable stands that are located on the property where the fruits or vegetables are produced will be permitted in the districts in which they are indicated as a permitted use and will not require zoning approval. All activities associated with such stands shall be set back a minimum of 10' from any street right-of-way, and any structures associated with such stands will comply with requirements for building permits and the building code. Temporary fruit & vegetable stands that are not located on the property where they are produced are subject to all provisions of this Ordinance.
- O. Temporary Buildings for Construction or Development - In any zoning district, temporary structures, as set forth below, which are to be used in connection with the development and sale of a tract of land, may be erected or located on said tract, prior to, and may remain thereof, during the construction or development period
- 1) Temporary buildings, mobile offices or trailers, not exceeding 400 sq. ft. per contractor or developer on the site, may be used as construction offices, field offices, or for storage of materials to be used in connection with the development of said tract, provided that said temporary structures are removed from said tract within thirty (30) days after completion of the project or development, after voluntary suspension of work on the project or development, after revocation or expiration of building permit or an order by the Building Inspector upon a finding that said temporary structure is deemed hazardous to the public health and welfare. No such building may however remain on the site for more than one year without renewal of the permit. Such permits may be renewed by the Administrator one time for a period not to exceed one year.
 - 2) Temporary real estate offices or sales offices may be established in a display dwelling unit or temporary building provided that said offices are closed and the operation discontinued and all temporary structures and facilities are removed from the tract upon the completion of the sale, rent, or lease of ninety-five percent (95%) of the dwelling units or lot of said tract unless prior approval is given by the Administrator.
 - 3) No temporary buildings or trailers shall at any time be located closer than twenty-five (25) feet to a property line of any adjacent property, notwithstanding the required setbacks of the zoning district in which such temporary building or trailer is located.
 - 4) Manufactured Homes rated for residential use may only be used for residential purposes and not any other temporary or permanent use.
- P. Telecommunication Facilities

- 1) Co-located - Telecommunication antenna units that are attached to structures constructed for purposes other than supporting telecommunication equipment may be no taller than 30 feet or 30% of the structure's height. Co-located towers must comply with all relevant standards of this Article.
- 2) Freestanding - Freestanding telecommunication towers must comply with the following standards:
 - a) The minimum distance between the tower and an adjoining parcel of land that is residentially developed or is vacant and zoned Rural Agricultural, Residential Performance, Manufactured Home, General Business or Office & Institutional, or from an adjoining local road separating the tower site from such a parcel, must be equal to the tower's height, but not less than 50 feet, nor less than the minimum setback depth applicable in the zoning district. This provision does not apply in relationship to any nonconforming residential use or the residence of a caretaker or watchman accessory to a permitted non-residential use.
 - b) The Board of Commissioners, through the Special Use Permit public hearing, may reduce the minimum distance required above on finding that a lesser distance will not be injurious to properties or improvements in the affected area, but in no case may the minimum distance be reduced to less than that equal to 50% of the tower's height, or 50 feet, nor less than the minimum required setback depth applicable in the zoning district in which the tower is located.
 - c) The minimum distance between the tower and any other adjoining parcel of land or road must be equal to the minimum setback depth applicable in the zoning district, plus any additional distance necessary to ensure that the tower, as designed, will fall within the tower site.
 - d) The distances referred to above must be measured from the outside dimensions of the tower, not from the guy anchors.
 - e) If the tower is more than 100 feet high, but less than 180 feet high, it must be engineered and constructed to accommodate at least one additional telecommunication user. If the tower is at least 180 feet high, it must be engineered and constructed to accommodate at least 2 additional telecommunication users. Provision of co-location sites on other towers is encouraged wherever feasible.
 - f) The base of the tower and each guy anchor must be surrounded by a fence or wall at least 8 feet high, unless the tower and all guy anchors are mounted entirely on a structure over 8 feet high. Except for its entrances, the fence or wall must be screened with plant material so that no more than two-thirds of its surface is visible, within 3 years after its installation, from a public street or from any adjoining parcel of land that is residentially developed or is vacant and zoned Rural Agricultural, Residential Performance, Manufactured Home, General Business or Office & Institutional.
 - g) A buffer yard must be provided around the perimeter of the lease lot as in accordance with the requirements of Article 8, Landscaping & Buffering. A 40-foot-type C buffer yard is required along the inside perimeter of a leased lot or parcel for the utilization of telecommunication towers.
 - h) Radio, television, or other electromagnetic transmission or reception on other properties may not be disturbed or diminished.
 - i) The tower must meet the standards of the Federal Aviation Administration (FAA) for avoiding obstruction of navigable airspace and approaches to public airports (see Federal Aviation Regulations Part 77, as amended), and for marking and lighting structures to promote aviation safety (see FAA Advisory Circular 70/7460, as amended). Specifically, tower lighting must meet applicable FAA standards for either red obstruction lighting systems or dual lighting systems (red lighting for nighttime and medium-intensity flashing white lighting for daytime). If a tower is proposed to be located within 1,000 feet of a private use airport, the application must so indicate.
 - j) Output from the tower's antennas must meet the minimum standards of the Federal Communications Commission (FCC) relating to the environmental effects of radio frequency emissions.
- 3) Standards for Specific Zoning Districts

- a) Residential Districts - Telecommunication towers in residential districts must comply with the following standards:
 - i) If the tower is more than 75 feet high, it must be located at least 1,500 feet from any other telecommunications tower greater than 75 feet high; provided, however, that this separation requirement does not apply from a tower if the applicant submits sufficient evidence to demonstrate that a reasonable effort to co-locate on that tower has been made, or that co-location on the tower will not technically satisfy the applicant’s specific needs.
 - ii) Buildings associated with the tower may not be used as an employment center for any worker (This provision does not prohibit the periodic maintenance or monitoring of equipment and instruments).
- b) Non-residential Districts - If the tower is more than 100 feet high, it must be located at least 1,000 feet from any other telecommunications tower greater than 100 feet high; provided, however, that this separation requirement does not apply from a tower if the applicant submits sufficient evidence to demonstrate that a reasonable effort to co-locate on that tower was made, or that co-location on the tower will not technically satisfy the applicant’s specific needs.

Q. Telecommunication Facilities – Public Safety

- 1) Public Safety Telecommunication Facilities must meet the development standards for Telecommunication Facilities as outlined in Section 5.3.12.P. Through the Special Use Permit process, the Board of Commissioners shall have the authority to waive setback requirements provided that a survey prepared by a licensed professional showing that the designated fall zone associated with the tower is sufficient to accommodate the designed fall radius of the proposed tower.

R. Personal Structure (non-commercial)

A principal structure solely dedicated to personal, non-commercial use, such as a personal, non-commercial garage, personal storage building not associated with a commercial use, or workshop structure not associated with a commercial use. The structure may be used for the storage of personal items or as a non-commercial workshop only and may not be used as a dwelling; and is subject to the following additional requirements:

- 1. **Meets all setback and dimensional requirements for principal structures in the zoning district in which it is permitted (see Section 4.14);**
- 2. **Must be placed on the parcel in such a manner that at such time the structure becomes an accessory to a primary structure, it is compliant with all of the requirements for accessory structures, consistent with Section 5.3.3 of the UDO;**
- 3. **The number of personal structures allowed on each parcel are noted as follows:**

Lot Size	Number of Structures
2 acres or less	1 structure
Greater than 2 acres and less than 10 acres	2 structures
10 acres or greater	3 structures



**Pender County
ZTA 2024-25: Request to amend the
Unified Development Ordinance to
require stormwater calculations and
specifications to be submitted with
development proposals**

TO: Planning Board
FROM: Daniel Adams
DATE: May 7, 2024
SUBJECT: ZTA 2024-25: Request to amend the Unified Development Ordinance to require stormwater calculations and specifications to be submitted with development proposals

SUMMARY:

Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 7.9 Stormwater Management, to require the submission of calculations and specifications for stormwater infrastructure with the submission of development proposals.

ACTION REQUESTED:

Hold a public hearing and consider the proposal.

ATTACHMENTS:

1. Staff Report
2. Application
3. Narrative
4. Attachment 1: Amended Text

**STAFF REPORT FOR ZTA 2024-25
ZONING TEXT AMENDMENT APPLICATION**

APPLICATION SUMMARY	
Case Number	ZTA 2024-25
Hearing Dates	May 7, 2024 – Planning Board June 17, 2024 – Board of Commissioners
Applicant	Pender County Planning & Community Development

ZONING TEXT AMENDMENT PROPOSAL
Pender County Planning & Community Development, applicant, is requesting the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Article 7.9 Stormwater Management, to require the submission of calculations and specifications for stormwater infrastructure with the submission of development proposals.

AMENDMENT DESCRIPTION

Pender County Planning & Community Development, applicant, is requesting a text amendment to the Unified Development Ordinance (UDO) that will allow the County’s stormwater engineering consultant to properly review and evaluate stormwater systems designed and constructed as required by the UDO. The text amendment simply removes the word “not” from the statement “Calculations and specifications are *not* required to be submitted” (Section 7.9.D.1.e.i).

The current language that regulates stormwater infrastructure in the UDO was adopted prior to the County hiring a stormwater engineering firm to review development proposals as part of the County’s development review process. Prior to having an engineer available to review plans, staff did not have the technical expertise to review or provide comments regarding stormwater calculations and specifications, thus it was not necessary to provide that information. On January 16, 2024, the Board of County Commissioners approved a contract with Sungate Design Group, P.A. to provide stormwater engineering review services for the County. A contract with Sungate was subsequently executed on January 22, 2024.

The proposed amendment does not change the standards related to stormwater infrastructure in the County. It simply requires the developer or the developer’s engineer to submit the applicable information that was used to develop their stormwater system so that the County can have adequate information to review the proposal for compliance with the regulatory standards of the UDO.

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, the CAMA Land Use Plan, and the specific intent of this Ordinance.

RECOMMENDATION

Planning staff is submitting the proposed Zoning Text Amendment for Planning Board recommendation. Staff respectfully recommends approval of the proposed amendment to the Unified Development Ordinance as described in this report. The amendment is supported by Policy 3.1.D of the Pender 2.0 Comprehensive Land Use Plan which reads, "The County shall continue to enforce the stormwater management requirements contained in the UDO." Policy 5.1.G also supports the proposed amendment, as it reads, "The County supports an efficient, transparent, and predictable development review and approval procedure." Additionally, one of the top 10 public input priorities as noted in the Comprehensive Plan is, "Prioritize enhanced stormwater management and retention for new development, while supporting programs to rectify drainage concerns in existing communities."

As noted in the Comprehensive Plan's policies, recommended actions, and public input priority, stormwater management is a vital component of managing the growth in the County. This text amendment provides the County with the necessary tools to ensure our guiding policies and regulatory requirements are being achieved.

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 spirit, purpose, and intent of the Pender County Unified Development Ordinance and the Pender 2.0 Comprehensive Land Use Plan. The Zoning Text Amendment is supported by the following policies within the Comprehensive Land Use Plan:

- Policy 3.1.D: Stormwater Runoff
- Policy 5.1.G: Development Review

TO DENY: Motion to deny the Zoning Text Amendment and to make a finding that although the proposal is consistent with the Pender County Unified Development Ordinance, said denial is reasonable and in the public interest because [INSERT REASONING].

PLANNING BOARD ACTION FOR ZONING TEXT AMENDMENT

MOTION	SECONDED

APPROVED	DENIED	UNANIMOUS

Jordan	Buchanan	Beaudoin	Gruntfest	Mosca	Pitts	Teachey

ZTA 2024-25

Application

Pender County Planning and Community Development

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



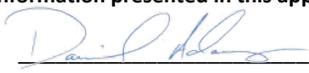
Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

Zoning Text Amendment Submission

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

- | | | |
|----|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <u>N/A</u> | Pre-submittal Meeting
Date of Meeting _____ |
| 2. | <u>Yes</u> | Signed Application |
| 3. | <u>N/A</u> | Payment
\$250 |
| 4. | <u>Yes</u> | Narrative
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. |
| 5. | <u>Yes</u> | Digital Submission
For all documents submitted in paper copy, provide a version. These may be emailed or uploaded to a share folder. Physical media such as CD or USB drives will not be accepted. |

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant	<u></u>	Date <u>4/12/2024</u>
Printed Name	<u>Daniel Adams</u>	Staff Initials: _____ Date: _____

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

TEXT AMENDMENT

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

Approval Criteria (*Section 3.18.5*)

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

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

Action by the Planning Board

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

Action by County Commissioners

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

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

APPLICATION FOR TEXT AMENDMENT

THIS SECTION FOR OFFICE USE			
Application No.	ZTA	Date	
Application Fee	\$	Invoice Number:	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Pender County Planning & Community Development		
Applicant's Address:	805 S. Walker Street		
City, State, & Zip	Burgaw, NC 28425		
Phone Number:	910-259-1202		
Email Address:	dadams@pendercountync.gov		
SECTION 2: UDO TEXT TO BE AMENDED			
Current Text to be Amended (Please site accurate Article number referenced):			
Article 7.9 Stormwater Management			
Section D - Design Standards, 1) New Development Projects Requiring a NCDEQ Stormwater Permit, e) Plan Submittal Requirements, i)			
Remove the word "not" from the sentence that reads, "Calculations and specifications are not required to be submitted."			
Proposed Text to be added:			
No text to be added.			
SECTION 3: SIGNATURE			
Applicant's Signature			Date: 4/12/2024
Applicant's Printed Name	Daniel Adams		Date: 4/12/2024
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 type="checkbox"/>	Signed application form		
<input type="checkbox"/>	Application fee		
<input 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 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 type="checkbox"/> Check # _____
Application Received By:		Date:	
Application completeness approved by:		Date:	
Dates Scheduled for Public Hearings:	<input type="checkbox"/> Planning Board:	<input type="checkbox"/> BOC:	

ZTA 2024-25

Narrative

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

ZTA 2024-25 Text Amendment Narrative

Pender County Planning & Community Development staff are submitting a text amendment to modify the County's Unified Development Ordinance (UDO). Specifically, the request is to remove one word within the last sentence within Article 7.9.D.1.e.i., which reads, "All details of the stormwater collection, retention and discharge systems shall be included on the plans including pipe sizes, locations of all structures and devices, all proposed inverts and grades and any other typical details required to construct the system. Calculations and specifications are not required to be submitted." The proposed text amendment removes the word "not" from the last sentence in that paragraph, which reads, "Calculations and specifications are *not* required to be submitted."

Staff is requesting this text amendment because we now have an engineering firm that conducts plan review as part of our technical review of development proposals. The ability of the engineering firm to provide a detailed analysis of the plans is limited if the supporting calculations and specifications are not required to be submitted. The intent of this amendment to the UDO, and the intent of hiring the engineering firm to participate in our technical review process, is to ensure that all stormwater systems are designed and installed to be compliant with the County's development requirements.

The attachment shows the language staff is proposing to remove in red and struck-through.

Sincerely,

Daniel Adams
Planning & Community Development Director

7.9 STORMWATER MANAGEMENT

A. Applicability

- 1) This ordinance shall be applicable to all new development projects from the date of the adoption of this ordinance that fit the following criteria.
 - a) New development of any tract of land or subdivision that requires a North Carolina Department of Environmental Quality (NCDEQ) Stormwater Permit.
- 2) Pre-development Exclusion
 - a) Any project or part of a project area that is granted a pre-development exclusion by the NCDEQ from having to obtain a standard NCDEQ stormwater permit requiring the project meet existing rules and regulations is excluded in whole or in part from this rule in accordance with the exclusion granted by NCDEQ.

B. Definition of Terms

- 1) NCDEQ – The North Carolina Department of Environmental Quality
- 2) NCDOT - The North Carolina Department of Transportation
- 3) PCPD – Pender County Planning Department
- 4) NOAA – National Oceanic and Atmospheric Administration
- 5) Time of Concentration – The calculated time of travel for runoff to flow across a project area from the farthest distance from the outfall to that outfall, expressed as a unit of time.
- 6) Peak Flow – The calculated maximum flow generated by a specific design storm as calculated by the rational method or other industry standard methodologies, expressed in cubic feet per second.
- 7) Impervious Surface - Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes non-permeable pavement structures, sidewalks, rooftops or any other structure or improvement that impedes rainfall from entering the ground surface.
- 8) Pervious Surface – Any bare or vegetated soil or surface that allows the penetration of rainfall. This includes permeable pavement structures, drip through decks not covered by a roof structure, gravel surfaces meeting the standard of pervious surfaces as described by NCDEQ.
- 9) Post Development – Site conditions including impervious surface coverage that exist after the proposed development has occurred.
- 10) Pre- Development – Site conditions that exist prior to the proposed land development.
- 11) Design Storm – A specified storm event consisting of the return period, expressed in years.
- 12) Rainfall Depth – The depth of a specific storm event, expressed in inches.
- 13) Intensity – The rate at which rain falls, expressed in inches per hour.
- 14) Design Storm Duration – The length of time over which a storm event occurs, expressed in units of time.
- 15) Design Storm Return Period – The statistically expected occurrence of a given storm event, expressed in years.
- 16) High Density Projects – Projects deemed to be high density by NCDEQ standards.
- 17) Low Density Projects – Projects deemed to be low density by NCDEQ standards.

18) Storm Event – Precipitation greater or equal to a rainfall depth of .1 inches occurring in a continuous single time frame.

C. Administration

1) These regulations are adopted pursuant to the authority vested in the County of Pender by its charter and the General Statutes of North Carolina, particularly Chapter 153A, 160D, and Chapter 340.

D. Design Standards

1) New Development Projects Requiring a NCDEQ Stormwater Permit

a) Pre-Development and Post Development Peak Flow Comparisons for Design Storm Events.

i) All projects shall be designed so that the post development runoff from the project be no more than ten (10) percent more than the pre- development runoff.

ii) Low density projects shall meet this requirement for the 1 year 24-hour event or demonstrate that stormwater discharge is through multiple outlets with each not exceeding a flow of over 50% of the total predevelopment flow. High density projects shall meet this requirement for the 10 and 25 year return period events and be analyzed for the 50-year event.

iii) Peak flows shall be calculated using the rational method or other industry standard methods for doing so.

iv) For high density projects the time of concentration for pre- and post-development shall be calculated for each storm event using standard methods as set out in TR-55 or other industry standard methodology. These time of concentrations shall be used to determine the duration for each storm event which will yield the intensity used to calculate peak flows for each individual event.

v) All rainfall data for rainfall depth and intensity shall be determined by the National Oceanic and Atmospheric Administration (NOAA) for the specific project location.

vi) For low density projects or projects that do not require detention of stormwater, the sum of all outfalls shall be used to determine the post development peak flow.

vii) For projects with detention structures, the post development flow will be calculated using industry standard methods to route storm events through the detention device to illustrate the compliance with the pre and post development requirements. These calculations shall provide outlet structure details along with the retention basin geometry and peak stage calculations for each storm event.

viii) All NCDEQ stormwater requirements shall apply.

b) On-Site Collection System Requirements

i) All stormwater collection and conveyance systems shall convey the runoff from the 10-year storm event.

ii) All other project areas including parking lots and green spaces shall be designed to limit ponding of water during the 10-year event.

c) Low Impact Development (LID) design strategies shall be encouraged to reduce peak flows. LID devices shall be designed according to NCDEQ requirements using industry standard methodology.

d) Off-Site Runoff

- i) Runoff that is tributary to the project area but is not generated on the project may be bypassed around the collection, conveyance and treatment systems and discharged. Off-site runoff that is not bypassed must be accounted for in the calculations for conveyance systems, retention systems and pre- and post-development calculations.
- ii) Conveyances for off-site runoff shall be designed for the 10-year event.
- e) Plan Submittal Requirements
 - i) All details of the stormwater collection, retention and discharge systems shall be included on the plans including pipe sizes, locations of all structures and devices, all proposed inverts and grades and any other typical details required to construct the system. Calculations and specifications are ~~not~~ required to be submitted.
 - ii) The plans shall include a statement that the proposed system meets the criteria of this ordinance.
 - iii) The plans shall be signed, dated and sealed by a NC licensed design professional in accordance with industry standards for doing so. Plans may be marked preliminary or with other indications that they are for review and permitting.
 - iv) All Plans shall be produced on D – size drawing sheets (24" x 36") at an appropriate and legible scale.
 - v) Typical industry standards of care shall be used in the design, analysis and preparation of plans in accordance with rules and requirements of the applicable licensing board.
- f) Plan Certification Requirements
 - i) Upon completion of the construction of the stormwater control system in part or in phases a design certification letter shall be submitted to the Pender County Planning Department (PCPD) stating that the system was installed in accordance with the plans. Any discrepancies from the original design shall be noted. The certification shall include a statement that the system, as installed, meets the requirements of this ordinance.
 - ii) If the system installation differs from the proposed plans a record drawing showing all discrepancies shall be submitted to the PCPD.
- E. Design Professional Requirements
 - 1) All stormwater analysis, design and preparation of plans shall be performed by or under the direct supervision of a NC licensed professional. A NC licensed professional is considered any individual licensed by the State of North Carolina to perform such work as defined by their respective licensing board. The design professional shall date, sign and seal all design documents according to the requirements and standards as set out by their licensing board.
 - 2) Typical industry standards of care shall be used in the design, analysis and preparation of plans in accordance with rules and requirements of the applicable licensing board.

ATTACHMENT 1
Amended Text

7.9 STORMWATER MANAGEMENT

A. Applicability

- 1) This ordinance shall be applicable to all new development projects from the date of the adoption of this ordinance that fit the following criteria.
 - a) New development of any tract of land or subdivision that requires a North Carolina Department of Environmental Quality (NCDEQ) Stormwater Permit.
- 2) Pre-development Exclusion
 - a) Any project or part of a project area that is granted a pre-development exclusion by the NCDEQ from having to obtain a standard NCDEQ stormwater permit requiring the project meet existing rules and regulations is excluded in whole or in part from this rule in accordance with the exclusion granted by NCDEQ.

B. Definition of Terms

- 1) NCDEQ – The North Carolina Department of Environmental Quality
- 2) NCDOT - The North Carolina Department of Transportation
- 3) PCPD – Pender County Planning Department
- 4) NOAA – National Oceanic and Atmospheric Administration
- 5) Time of Concentration – The calculated time of travel for runoff to flow across a project area from the farthest distance from the outfall to that outfall, expressed as a unit of time.
- 6) Peak Flow – The calculated maximum flow generated by a specific design storm as calculated by the rational method or other industry standard methodologies, expressed in cubic feet per second.
- 7) Impervious Surface - Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes non-permeable pavement structures, sidewalks, rooftops or any other structure or improvement that impedes rainfall from entering the ground surface.
- 8) Pervious Surface – Any bare or vegetated soil or surface that allows the penetration of rainfall. This includes permeable pavement structures, drip through decks not covered by a roof structure, gravel surfaces meeting the standard of pervious surfaces as described by NCDEQ.
- 9) Post Development – Site conditions including impervious surface coverage that exist after the proposed development has occurred.
- 10) Pre- Development – Site conditions that exist prior to the proposed land development.
- 11) Design Storm – A specified storm event consisting of the return period, expressed in years.
- 12) Rainfall Depth – The depth of a specific storm event, expressed in inches.
- 13) Intensity – The rate at which rain falls, expressed in inches per hour.
- 14) Design Storm Duration – The length of time over which a storm event occurs, expressed in units of time.
- 15) Design Storm Return Period – The statistically expected occurrence of a given storm event, expressed in years.
- 16) High Density Projects – Projects deemed to be high density by NCDEQ standards.
- 17) Low Density Projects – Projects deemed to be low density by NCDEQ standards.

18) Storm Event – Precipitation greater or equal to a rainfall depth of .1 inches occurring in a continuous single time frame.

C. Administration

1) These regulations are adopted pursuant to the authority vested in the County of Pender by its charter and the General Statutes of North Carolina, particularly Chapter 153A, 160D, and Chapter 340.

D. Design Standards

1) New Development Projects Requiring a NCDEQ Stormwater Permit

a) Pre-Development and Post Development Peak Flow Comparisons for Design Storm Events.

i) All projects shall be designed so that the post development runoff from the project be no more than ten (10) percent more than the pre- development runoff.

ii) Low density projects shall meet this requirement for the 1 year 24-hour event or demonstrate that stormwater discharge is through multiple outlets with each not exceeding a flow of over 50% of the total predevelopment flow. High density projects shall meet this requirement for the 10 and 25 year return period events and be analyzed for the 50-year event.

iii) Peak flows shall be calculated using the rational method or other industry standard methods for doing so.

iv) For high density projects the time of concentration for pre- and post-development shall be calculated for each storm event using standard methods as set out in TR-55 or other industry standard methodology. These time of concentrations shall be used to determine the duration for each storm event which will yield the intensity used to calculate peak flows for each individual event.

v) All rainfall data for rainfall depth and intensity shall be determined by the National Oceanic and Atmospheric Administration (NOAA) for the specific project location.

vi) For low density projects or projects that do not require detention of stormwater, the sum of all outfalls shall be used to determine the post development peak flow.

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