



# AGENDA

## BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday  
February 9, 2015**

**Commissioners Chambers  
David R. Sandifer Administration Bldg.  
County Government Center  
Old U.S. 17**

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of the Minutes of the January 12, 2015 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Presentation.  
Voluntary Agricultural District (VAD) 2015 Annual Report.
- 9) Request for Extension of Planned Unit Development Approval.  
Saltbox Bay (SE-189) – Seasore Road off Holden Beach Road.
- 10) Public Hearings.
  - A. Rezoning Z-728 – Paramounte Engineering Inc./Dan Weeks (Southport-Supply Rd near St. James)  
Proposed rezoning of approximately 138.80 acres located off Southport-Supply Road (NC 211) near St. James from CI (Commercial Intensive) to CLD (Commercial Low Density) for Tax Parcels 20400009, 20400010, 20400011, 20400012, 20400013, 20400014, and 20400048.  
LAND USE PLAN MAP AMENDMENT LUM-728:  
Proposed land use amendment of approximately 56.25 acres located off Southport-Supply Road (NC 211) near St. James from Industrial to Commercial for Tax Parcel 20400048.
  - B. Clarification of Proposed Revisions to Various Provisions of the Unified Development Ordinance.
- 11) Other Business.
- 12) Adjournment.

**MINUTES**  
**PLANNING BOARD**  
**BRUNSWICK COUNTY, NC**

**6:00 P.M. Monday**  
**January 15, 2015**

**Commissioners Chambers**  
**David R. Sandifer Administration Bldg.**  
**County Government Center**  
**Old U.S 17 East**

MEMBERS PRESENT

Steve Candler, Chair  
Eric Dunham, Vice Chair  
Cynthia Henry  
Joy Easley  
Troy Price  
Chris Stanley  
Randy Ward

MEMBERS ABSENT

None

STAFF PRESENT

Michael Hargett, Director  
Connie Marlowe, Admin. Asst.  
Marc Pages, Land Planner  
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

John Hankins  
Crystal White  
Linda Stephens

Joe Johnson, Alternate  
John Parsons

I. CALL TO ORDER.

The Chair called the meeting to order at 6:06 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mrs. Henry said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 08-DEC-14 MEETING.

Mr. Ward made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING REZONINGS.

The Chair explained the process the Board would take in regards to the Public Hearing. He asked that the public keep all comments brief and address the matter at hand. The Chair stated that those persons for or against the matter at hand will be given an opportunity to speak.

The Chair said once the Public Hearing portion is over, the public would not be allowed to address the Board on Public Hearing matters when the Board begins their discussion on the matter at hand. The Chair stated that when the Board makes their decision, the Board will make a recommendation to the Board of Commissioners and they will make the final decision as to whether a request will be granted or denied.

A. Rezoning Z-726 – Brunswick County Planning & Community Development

Request to rezone approximately 192.33 acres located at 4237, 4249, 4311, 4335, 4415, 4489, 4495, 4569, and 4651 Todd Road SW (SR 1147) near Shallotte, NC from Undesignated and IG (Industrial General) to IG (Industrial General) and R-7500 (Medium Density Residential) for Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201.

Land Use Plan Map Amendment LUM-726:

Request to amend approximately 192.33 acres located 4237, 4249, 4311, 4335, 4415, 4489, 4495, 4569, and 4651 Todd Road SW (SR 1147) near Shallotte, NC from Undesignated and Industrial to Industrial and LDR (Low Density Residential) for Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201.

Mr. Pages addressed the Board. He read the Staff Report (attached). He identified the subject property and surrounding properties including the Register Cemetery and a mining pit that is no longer operating on a map displayed on an overhead projector. He further stated that one property owner (Tax Parcel 2290004503) indicated that they will be using their property for industrial purposes in the further.

Mr. Pages said staff recommends approval from Undesignated and IG (Industrial General) to IG (Industrial General) and R-7500 (Low Density Residential) for Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from Undesignated and Industrial to Industrial and LDR (Low Density Residential) for Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201 located at 4237, 4249, 4311, 4335, 4415, 4489, 4495, 4569, and 4651 Todd Road SW (SR 1147) near Shallotte, NC.

Mrs. Henry asked staff if tax parcel numbers could be placed on the map(s) as an identifier of properties? She, specifically, wanted to know which property houses the cell tower and residence. Mr. Pages identified those parcels on a map displayed on the overhead projector.

Mr. Dunham made a motion to open the Public Hearing and the motion was unanimously carried.

Ms. Crystal White addressed the Board. Ms. White said she and her husband own property in the area and they are concerned how the proposed zoning will impact the area. She asked staff to define industrial general zoning? Mr. Pages read permitted and permissible uses in the IG zoning district. Ms. White asked staff if the property owner of Tax Parcel 2290004305 indicated what type of industry they will be developing on the property? Mr. Pages said there is a cell tower on the site, but they made no indication of how the property will be developed in the future.

With no further comments, Mr. Dunham made a motion to close the Public Hearing and the motion was unanimously carried.

Mrs. Henry asked if there is a home on the property where the cemetery is located? Mr. Pages replied, no.

Mr. Dunham asked if the undesignated portion was IG? Mr. Pages said the property was in the Town of Shallotte and the property has been de-annexed as part of Session Law 2014-68 (SB846); thus, becoming a part of the County's planning and zoning jurisdiction. The Board asked about surrounding properties and Mr. Pages identified the developed and undeveloped properties in the area.

The Board discussed the worksheet and concluded the following:

- I. Will the uses permitted by the proposed change be appropriate for the area concerned?

Yes. There is similar zoning nearby.

- II. Does adequate public school facilities and other public services/services (i.e., water, wastewater, roads) 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?

Yes. This rezoning request is located in the Union Elementary School District, which has adequate capacity; Shallotte Middle School District has adequate capacity; and West Brunswick High School District is out-of-capacity.

This rezoning is located in the Shallotte Point Fire District.

Water is available by Brunswick County Utilities via an eight inch (8") main off Todd Road SW (SR 1147). Sewer is not available at this time. It is the developer's responsibility to connect to the water system.

This rezoning has access off Todd Road SW (SR 1147), which have no capacity deficiencies at this time. There are no North Carolina Department of Transportation (NCDOT) Transportation Improvement Program (TIP) Projects and Studies in this area.

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

No. However, an amendment has been requested.

IV. Is the proposed amendment reasonable as it relates to the public interest?

Yes. There is similar zoning nearby and there were no objections to the proposed zoning change.

THEREFORE, on the basis of all the foregoing, Mrs. Henry made a motion to recommend to the Board of Commissioners approval from Undesignated and IG (Industrial General) to IG (Industrial General) and R-7500 (Medium Density Residential) Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from Undesignated and Industrial to Industrial and LDR (Low Density Residential) for Tax Parcels 2290003205, 2290003208, 2290003217, 22900044, 2290004402, 2290004404, 2290004405, 2290004503, and a portion of 22900005201 located at 4237, 4249, 4311, 4335, 4415, 4489, 4495, 4569, and 4651 Todd Road SW (SR 1147) near Shallotte, NC. The motion was unanimously carried.

**B. Rezoning Z-727 – Brunswick County Planning & Community Development**

Request to rezone approximately 4.75 acres located at 1409 Ocean Highway (US 17) near Shallotte, NC from Undesignated to C-LD (Commercial Low Density) for Tax Parcel 1670006006.

**Land Use Plan Map Amendment LUM-727:**

Request to amend approximately 4.75 acres located at 1409 Ocean Highway (US 17) near Shallotte, NC from Undesignated to Commercial for Tax Parcel 1670006006.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages said the property was in the Town of Shallotte and the property has been de-annexed as part of Session Law 2014-68 (SB846); thus, becoming a part of the County's planning and zoning jurisdiction. He identified the subject property and surrounding properties on a map displayed on an overhead projector.

Mr. Pages said staff recommends approval from Undesignated to C-LD (Commercial Low Density) for Tax Parcel 1670006006 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from Undesignated to Commercial for Tax Parcel 1670006006 located at 1409 Ocean Highway (US 17) near Shallotte, NC.

Mr. Dunham asked staff about the property (Tax Parcel 1670006004) that is in the Town of Shallotte (currently zoned B-2)? Mr. Pages said that particular parcel will remain in the Town of

Shallotte's planning and zoning jurisdiction. Mrs. Henry asked why C-LD is proposed by staff? Mr. Pages said there is an existing retail business (burial plots) on the site and there is commercial zoning in close proximity to the subject property. Mr. Hargett said rezoning typically conforms to adjoining property.

Mr. Dunham made a motion to open the Public Hearing and the motion was unanimously carried. With no further comments, Mr. Dunham made a motion to close the Public Hearing and the motion was unanimously carried.

The Board discussed the worksheet and concluded the following:

- I. Will the uses permitted by the proposed change be appropriate for the area concerned?

Yes. There is similar zoning in close proximity.

- II. Does adequate public school facilities and other public services/services (i.e., water, wastewater, roads) 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?

Yes. This rezoning request is located in the Supply Elementary School District, which has adequate capacity; Cedar Grove Middle School District has adequate capacity; and West Brunswick High School District is out-of-capacity.

This rezoning is located in the Supply Fire District.

Water is available by Brunswick County Utilities via a thirty inch (30") main off US 17. Sewer is available by Brunswick County Utilities via an eight inch (8") force main off US 17. It is the developer's responsibility to connect to the water and sewer systems.

This rezoning has access off Ocean Highway West (US 17), which has no capacity deficiencies at this time. There are no North Carolina Department of Transportation (NCDOT) Transportation Improvement Program (TIP) Projects and Studies in this area.

- III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

No. However, an amendment has been requested.

- IV. Is the proposed amendment reasonable as it relates to the public interest?

Yes. There is similar zoning in close proximity and it is located on a major corridor (US 17).

THEREFORE, on the basis of all the foregoing, Mr. Ward made a motion to recommend to the Board of Commissioners approval from Undesignated to C-LD (Commercial Low Density) for Tax Parcel 1670006006 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from Undesignated to Commercial for Tax Parcel 1670006006 located at 1409 Ocean Highway (US 17) near Shallotte, NC. The motion was unanimously carried.

VIII. PUBLIC HEARING AND CONSIDERATION OF PRELIMINARY SPECIAL EXCEPTION APPROVAL.

A. SE-202

Name: S&W Campground (Expansion)  
Tax Parcel: 1980007302  
Developer: Linda Stephens and John Parsons  
Location: 532 Holden Beach Road (NC 130)  
Description: Applicant requests a Special Exception for an expansion of an existing Campground consisting of 56 campsites on approximately 5.8 acres, including this expansion, the Campground will consist of 78 campsites on 8.6 acres.

The Chair reminded the Board that they are now acting as a quasi-judicial Board and anyone offering testimony must be sworn in or affirmed.

Ms. Marlowe swore in or affirmed John Parsons, Linda Stephens, and Marc Pages as to their testimony being truthful and relevant to the respective case.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages said staff recommends approval with the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the special exception application and kept on file by the Brunswick County Planning and Community Development Department;
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance;
3. That if the specified conditions addressed in this special exception are violated, the permit shall be revoked and the use will no longer be allowed. Only by reapplying to the Planning Board for another special use permit and receiving their approval can the use be again permitted;
4. An updated North Carolina Department of Transportation (NCDOT) Driveway Permit shall be required for the 48 additional campsites included in Phase 3; and
5. A heritage tree survey shall be required prior to the development of Phase 3.

Mr. John Parsons, owner of S&W Campground, addressed the Board. Mr. Parsons said the existing campground has been operational for 32 years with no substantially injury to the value of properties in the general vicinity. He stated that they have complied with all federal, state, and local guidelines with no adverse affect to public health and safety.

Ms. Linda Stephens addressed the Board. She reiterated that the campground has been operational for 32 years with no complaints from the public. She made herself available for questions from the Board and/or staff.

The Chair asked the applicant if he intends to develop Phase 2 (8 campsites) and develop Phase 3 (48 campsites) at a later date? Mr. Parsons replied, yes.

The Chair stated that Ms. Stephens is a realtor with the Brunswick County Association of Realtor and he is the CEO of that organization. He further stated that he does not feel that this will pose a conflict of interest and Attorney Batton agreed. With no further comments, the Chair closed the Public Hearing.

Mrs. Easley asked if the Special Exception is for Phase 2 only? The Chair said the applicant is requesting approval for 56 campsites, but they are only developing Phase 2 at this time, which consists of 8 campsites. Mr. Pages clarified that the applicant is adding 8 spaces at the current time that will be Phase 2, but there will be 48 other campsites totaling 56 campsites. He further stated that the other 48 campsites will be added at a later date, which will be Phase 3. Mr. Pages said this will negate the applicant from requesting another special exception when they are ready to develop the remaining 48 campsites as long as it is within a 5 year period. Mr. Pages added that there are wetlands to the rear of the property that may determine how many additional campsites can be developed on the property. Mrs. Easley asked staff if the applicant will still have to provide the items mentioned earlier in the Staff Report? Mr. Pages replied, yes.

Mr. Stanley asked about potential wetlands on site. Mr. Pages said a wetland delineation will be required for any on site wetlands and any development will have to be approved by the U.S. Army Corps of Engineers.

The Board discussed the worksheet and concluded the following:

Having heard all of the evidence and arguments presented at the hearing, the Planning Board, at its regular meeting, determined that the application is  complete /  incomplete and finds:

I. WHETHER THE PROPOSED USE IS IN HARMONY WITH THE AREA AND NOT SUBSTANTIALLY INJURIOUS TO THE VALUE OF PROPERTIES IN THE GENERAL VICINITY:

- Yes  
 No

State the sworn testimony and evidence presented at the hearing of this matter upon which you base your finding:

Based upon sworn testimony presented by the applicant, the use has been operational for 32 years with no complaints and there were no objections from the public.

II. WHETHER THE USE IS IN CONFORMANCE WITH ALL SPECIAL REQUIREMENTS APPLICABLE TO THE USE:

- Yes  
 No

State the sworn testimony and evidence presented at the hearing of this matter upon which you base your finding:

Based upon affirmed testimony by staff in the Staff Report.

III. WHETHER THE USE, IF DEVELOPED AS PROPOSED, WILL NOT ADVERSELY AFFECT THE HEALTH AND SAFETY OF THE PUBLIC:

- Yes  
 No

State the sworn testimony and evidence presented at the hearing of this matter upon which you base your finding:

Based upon sworn testimony by the applicant that the facility has been operational for 32 years and no complaints have been made.

IV. WHETHER THE USE, IF DEVELOPED AS PROPOSED, WILL ADEQUATELY ADDRESS THE TWELVE (12) REVIEW FACTORS IDENTIFIED IN SECTION 3.3.9.B. OF THE BRUNSWICK COUNTY UNIFIED DEVELOPMENT ORDINANCE:

- Yes  
 No

State the sworn testimony and evidence presented at the hearing of this matter upon which you base your finding:

Based upon affirmed testimony by staff in the Staff Report.

**DECISION:**

Mr. Dunham made a motion to grant the Special Exception because the proposed use, if developed as proposed and subject to the conditions imposed below and other permits such as stormwater:

- a. **will be in harmony with the area and not substantially injurious to the value of properties in the general vicinity,**
- b. **will be in conformance with all special requirements applicable to the use,**
- c. **will not adversely affect the health and safety of the public, and**
- d. **will adequately address the twelve (12) review factors identified in Section 3.3.9.B. of the Brunswick County Unified Development Ordinance.**

**CONDITIONS:**

1. The development shall proceed in conformity with all amended plans and design features submitted as part of the Special Exception application and kept on file by the Brunswick County Planning and Community Development Department.
2. The development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance (UDO).
3. If the specified conditions addressed in this Special Exception are violated, the permit shall be revoked and the use will no longer be allowed. Only by reapplying to the Planning Board for another Special Exception permit and receiving their approval can the use be again permitted.

4. An updated North Carolina Department of Transportation (NCDOT) Driveway Permit shall be required for the 48 additional campsites included in Phase 3.
5. A heritage tree survey shall be required prior to the development of Phase 3.

The motion was seconded by Mrs. Easley and unanimously carried.

IX. OTHER BUSINESS.

Mr. Hargett addressed the Board. He stated that staff will be attending a Green Growth meeting on Friday 27-Feb-15 from 9:00 to 4:00 at Brunswick Community College. He stated that the Board will receive an announcement regarding the meeting and he encouraged anyone interested to attend.

The Chair asked about the new flood maps. Mr. Hargett said Ms. Dixon is liaison for the department and there are some violations that must be addressed before the County can move forward. He further stated that the County is working diligently to bring those homeowners into compliance with the floodplain requirements.

The Chair expressed concern about comments made regarding affordable housing at the previous meeting by a citizen that was opposed to a zoning change. Mr. Hargett stated that the applicant for that particular zoning change request has contacted neighboring properties about his intent if his property is rezoned to accommodate multifamily.

X. ADJOURNMENT.

With no further business, Mr. Price made a motion to adjourn and the motion was unanimously carried.

SE-189

**Harbour Town Investments, LLC**

RE: Saltbox Bay

January 27, 2015

Dear Sir or Madam:

As conveyed to Kirstie Dixon in December, we are moving forward with development of the Saltbox Bay project on Seashore Road, off Holden Beach Rd. While economic conditions prevented productive development of the site since approval of the PUD, we feel strongly that present conditions offer such an opportunity.

Our efforts during the latter half of December and January include having our Engineers and Land Planners review work previously completed. These firms are Stroud Engineering and Stewart (formerly Haden Stanziale), respectively. Also, we have contacted the Brunswick County Utilities Department to gauge the most logical path for bringing sewer to the site.

Based on the foregoing efforts, as well as favorable market conditions, I respectfully request a two-year extension to avoid expiration of the Planned Unit Development for this project. Your favorable consideration is much appreciated in this matter. At your convenience I am available to discuss further.

Most sincerely,



Pete Gratale

7211 Ogden Business Lane  
STE 201  
Wilmington NC 28411  
910.409.3339

# REZONING STAFF REPORT

Date: January 28, 2015

Case#: Z-728

Tax Parcel(s): 20400009, 20400010, 20400011, 20400012, 20400013,  
20400014, and 20400048

Acreage: 138.80

Applicant(s): Paramounte, Inc. / Dan Weeks (NC 211 near St. James)



## APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcels 20400009, 20400010, 20400011, 20400012, 20400013, 20400014, and 20400048 to CLD and change the Land Use Map to Commercial for Tax Parcel 20400048. The owner and adjacent owners have been notified of the proposed rezoning and land use plan amendment via first class mail.

## ZONING ANALYSIS

*Proposed Zoning Request:*

*From:* CI (Commercial Intensive)

*To:* CLD (Commercial Low Density)

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

### SURROUNDING AREA ZONING DESIGNATIONS:

**North:** CI & CLD (Oak Island Jurisdiction)

**South:** CI, R-7500 & PUD (St. James Jurisdiction)

**East:** CI

**West:** CLD & CI

PROJECT BOUNDARY BUFFERS:  NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	Not available	Not available
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	25 feet 0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 5 canopy 0 understory 9 shrubs

\* Buffer Depths and Plants Required Per 100 Linear Feet

## LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands
  Vacant/Undeveloped Property  
 Residential
  Commercial
  Industrial
  Institutional
  Utility

**Brunswick County CAMA Land Use Plan Land Use Classification: Commercial & Industrial**

Consistent with the Land Use Plan Map  
(Tax Parcels 20400009, 20400010, 20400011,  
20400012, 20400013, & 20400014)

Not Consistent with Land Use Plan Map  
(Tax Parcel 20400048)

**Brunswick County CAMA Land Use Plan policies affecting this rezoning:**

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

**Capital Improvement Plan (CIP):**

CIP Projects     No CIP Projects

CIP Project(s)	Scheduled
New Middle School	FY 2017
Vocational High School	FY 2018 & 2019
211 Plant Improvements	FY 2015 & 2018
Smithville Park Improvements	FY 2015 & 2016

**Future Surrounding Areas Land Use(s):**

The area surrounding this rezoning site has been experiencing growth based upon recent land development activities submitted to the Brunswick County Planning Department. St. James Plantation and Arbor Creek PUD are located nearby. Commercial activity has been occurring in the area with a hotel and funeral home recently completed and as well as several areas approved for additional commercial activities. The rezoning is located next to the Town of St. James & the Town of Oak Island.

The rezoning site is located in the Morehead Farms Inc. Subdivision recorded on July 19, 1989. *Currently mining is occurring on the rezoning site.*

**INFRASTRUCTURE AND SERVICE IMPACTS**

**SCHOOL CAPACITY:**

<i>Elementary School:</i> <b>Virginia Williamson</b>	<i>Middle School:</i> <b>South Brunswick</b>	<i>High School:</i> <b>South Brunswick</b>
<input checked="" type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity
<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning
<input type="checkbox"/> Out-of-Capacity	<input checked="" type="checkbox"/> Out-of-Capacity	<input checked="" type="checkbox"/> Out-of-Capacity

**MAJOR ROADWAY IMPACTS:**

**ROAD ACCESS AND CAPACITY:**     **Wilmington MPO**     **Grand Strand MPO**

Roads	Capacity Deficiencies
Southport-Supply Rd (NC 211)	Over

**NCDOT PROJECTS AND STUDIES:**     **NONE**

Project	Project Type	Project Description	Status
R-3324	TIP	New Route from NC 211 to NC 87 at Bethel Rd	Under Construction Completion November 2015
R-5021	TIP	Widening of NC 211 from Midway Road to NC 87	Planning & Design In Progress Construction 2017

**UTILITIES:**

**CURRENT WATER AND SEWER AVAILABILITY**

**WATER:**                     Not Available                     Available

**PROVIDER:**

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H<sub>2</sub>GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 12 inch line  
LOCATION: NC 211 & St. James Dr.

**SEWER:**                     Not Available                     Available

**PROVIDER:**

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H<sub>2</sub>GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 16-inch force main  
LOCATION: NC 211

*Water is not located in front of the rezoning site and would have to be extended to the site from the entrance into St. James Plantation. It is the developer's responsibility to extend lines and connect to the water and sewer system.*

**ENVIRONMENTAL IMPACTS**

- Located within a FEMA Flood Hazard Zone (AE).
- Located near a watercourse/water body (Alligator Branch).
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area (Boiling Spring Lakes Wetland Complex).

**OTHER SITE CONSIDERATIONS**

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near commercially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated as Commercial, Industrial, and LDR in the Brunswick County CAMA Land Use Plan.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (St. James).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located near the rezoning.
- Historic Site(s) known to be located near the rezoning.

**STAFF RECOMMENDATION SUMMARY**

**Staff recommends APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCEL 20400048 based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.**

**Case No. Z-728**

**COUNTY OF BRUNSWICK**  
**REZONING REQUEST**  
**FINDINGS**  
**BOARD CONSIDERATION WORKSHEET**

Applicant: Dan Weeks (Paramounte Engineering, Inc.)

Owner: Malcolm Jones (Jones Holding Company, LLC)

Property Location: Located off Southport-Supply Road SE, Southport, NC 28461

Tax Parcel #(s): 2040009, 20400010, 20400011, 20400012, 20400013, 20400014, and 20400048

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

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II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) 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?

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III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

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IV. Is the proposed amendment reasonable as it relates to the public interest?

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THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a REZONING be recommended to the Board of Commissioners for

Planning Board recommends:       Approval       Denial

For Office Use Only  
File# \_\_\_\_\_

**BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT**  
PO BOX 249  
BOLIVIA NC 28422  
910-253-2025/1-800-621-0609/910-253-2437(fax)

**REZONING APPLICATION FORM**

Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: Jan 5, 2015

CASE: Z-728

RECEIVED  
JAN 05 2015 KO

RECEIPT #: 013308

- FEE:  \$300 (<5.00 acres)  
 \$500 (5.00 to 49.99 acres)  
 \$750 (50.00 to 99.99 acres)  
 \$1,000 (>100 acres)  
 \$200 (Land Use Amendment Request)

**LAND USE PLAN CONSISTENCY:**  
 Consistent with Future Land Use Plan  
 NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: Industrial Commercial  
20100048  
Requested Land Use Classification: Commercial

**Contact Information:**  
Applicant/Agent: DAN WEEKS, PARAMOUNT ENGINEERING, INC.  
(This person will be the contact person and will receive all mailings)

Address: 5911 CLEANER DR, WILMINGTON, NC 28403  
Phone: 910.791.6707 Fax: \_\_\_\_\_  
Email: DWEEKS@PARAMOUNT-ENG.COM

Property Owner(s): MALCOLM JONES, JONES HOLDING COMPANY, LLC  
(If the owner is different than the applicant)  
Address: 207 ISLAND DRIVE, JUNIPER FL 33477  
Phone: 561 248 3505 Fax: 561 746 8848  
Email: MALCOLMJONES@HOMESBYJONES.NET

**Property Information:**  
Property Location/Address(es): HIGHWAY 211

Tax Parcel Identification Number(s): 20400048, 20400009, 20400010, 20400011, 20400012, 20400013, 20400014  
Current Use of Property(ies): UNDEVELOPED  
Acreage to be Rezoned: 138.8 AC

Zoning Information: CO-CI - COMMERCIAL INTERMEDIATE  
Current Zoning District(s): \_\_\_\_\_

Requested Zoning District(s): CO-CLD

Purpose of Zoning Change (optional): PROVIDE NECESSARY GOODS AND SERVICES AND MIXED USE DEVELOPMENT.

**Spot Zoning Statement:**

In the space below, please indicate whether the proposed rezoning will or will not constitute a spot zoning and explain why the proposed rezoning will or will not constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

THE SITE IS ADJACENT TO EXISTING CLD ZONING. THIS SITE HAS APPROXIMATELY 2400 LINEAR FEET OF FRONTAGE ON A MAJOR COLLECTOR ROAD WITH LARGE SCALE RESIDENTIAL DEVELOPMENTS SURROUNDING THE SUBJECT PROPERTY

**BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY**

All rezoning requests must be consistent with the Brunswick County CAMA Land Use Map

Current Land Use Classification(s): INDUSTRIAL (20400048) & Commercial

This rezoning request is:  Consistent with the CAMA Land Use Map.  
 NOT consistent with the CAMA Land Use Map. 20400048

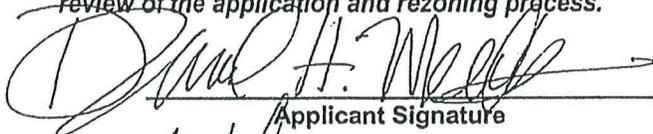
**IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:**

A Land Use Map Amendment is REQUIRED. All rezoning requests MUST BE CONSISTENT with the Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at [www.brunswickcountync.gov](http://www.brunswickcountync.gov)).

A PORTION OF THE SITE ABUTS EXISTING COMMERCIAL LAND USE CLASSIFICATION. IF APPROVED, THE REMAINDER OF THE INDUSTRIAL ACREAGE WOULD ALLOW BOTH LIGHT INDUSTRIAL/INDUSTRIAL SITE DEVELOPMENT.

Requested Land Use Classification(s): COMMERCIAL

With my signature, I certify that I have read the application guidelines below and I have submitted one (1) folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.

  
Applicant Signature  
Date Jan 2/2015

  
Owner Signature  
Date 1/2/2015

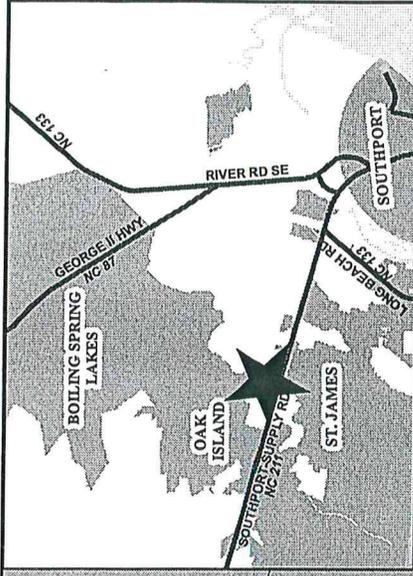
**APPLICATION GUIDELINES**

1. All applications must be submitted with:
  - A. A non-refundable application fee; and
  - B. One (1) folded copy of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests **MUST BE CONSISTENT** with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. **DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.**
4. Rezoning Review Process:
  - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
  - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
  - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:00 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the third Monday of the month at 6:00P.M. in the Commissioners' Chambers at the Brunswick County Government Center.

# Rezoning Case Z-728 CI to CLD

LAND USE PLAN AMENDMENT FROM  
INDUSTRIAL TO COMMERCIAL FOR  
TAX PARCEL 20400048

Proposed to be  
Rezoned to CLD



SJ = St. James Jurisdiction  
OK = Oak Island Jurisdiction  
CO = County Jurisdiction

18700023

OK-CLD

20400049

CO-CI

CO-CLD

20400050

CO-CI

20400048

20400047

20400008

20400009

20400010

20400011

20400012

20400013

20400014

20400015

CO-CI

CO-CLD

SJ-CLD

SOUTHPORT-SUPPLY RD SE

20400068

SJ-EPUD

GO-R-7300

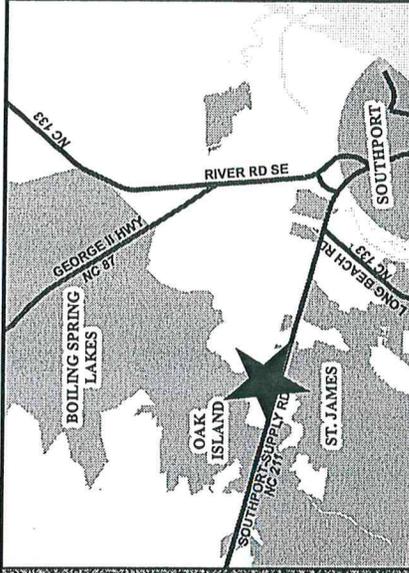
US 17



# Rezoning Case Z-728 CI to CLD

LAND USE PLAN AMENDMENT FROM  
INDUSTRIAL TO COMMERCIAL FOR  
TAX PARCEL 20400048

Proposed to be  
Rezoned to CLD



18700023

OK-CLD

20400049

CO-CI

COMMITTEE DR SE

20400048

20400047

20400050

CO-CLD

CO-CI

20400008

20400009

20400010

20400011

20400012

20400013

20400014

20400015

CO-CI

CO-CLD

SJ-CLD

SOUTHPORT SUPPLY RD SE

20400068

SJ-EPUD

CO-R-7500

US 17

# Rezoning Case Z-728 CI to CLD

Land Use Plan Map 18700023

LAND USE PLAN AMENDMENT FROM  
INDUSTRIAL TO COMMERCIAL FOR  
TAX PARCEL 20400048

Proposed to be  
Rezoned to CLD

OK - Commercial

20400050

Commercial

20400008

20400009

20400010

20400011

20400012

20400013

20400014

20400015

20400048

20400047

20400049

Industrial

Commercial

LDR

SJ - LDR

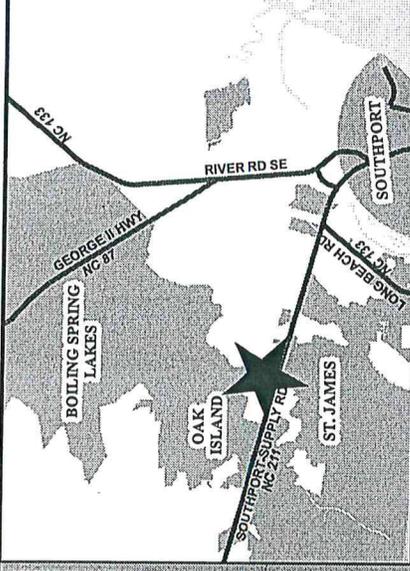
20400068

US 17

SOUTHPORT-SUPPLY RD SE

COMMITTEE DR SE

N



# CASE Z-728

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
20400047	T & G REAL ESTATE SERVICES INC		8505 E OAK ISLAND DR #2	OAK ISLAND	NC	28465
20400050	COMPOS JOHN & WALTER HILL & ASSOCIA		216 MCGLAMERY ST	OAK ISLAND	NC	28465
20400008	GRIFFIN D H SR ETUX MARYLENE		2022 SHIMER DRIVE	JAMESTOWN	NC	27282
20400049	GILBERT SALLY P TRUSTEE		209 SHORT STREET	SOUTHPORT	NC	28461
20400060	ST JAMES DEVELOPMENT CO LLC		PO BOX 10879	SOUTHPORT	NC	28461
20400015	CENTERLINE DEVELOPMENT INC		PO BOX 11060	SOUTHPORT	NC	28461
20400068	RESERVE DEVELOPMENT CO LLC		P O BOX 10879	SOUTHPORT	NC	28461
18700023	EQUITY INVESTMENTS ASSOCIATES LLC		7610 SIX FORKS RD STE 200	RALEIGH	NC	27615
2290004503	TOWN OF OAK ISLAND		4601 E. OAK ISLAND DR	OAK ISLAND	NC	28465
2290005201	TOWN OF ST. JAMES		4140 A SOUTHPORT-SUPPLY RD	ST. JAMES	NC	28461

## OWNER(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
20400009	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400010	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400011	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400012	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400013	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400014	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477
20400048	JONES HOLDING NC LLC	% MALCOLM JONES	207 ISLAND DRIVE	JUPITER	FL	33477

## APPLICANT(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
---	PARAMONTE ENGINEERING INC.	DAN WEEKS	5911 OLEANDER	WILMINGTON	NC	28403

# Brunswick County

## Unified Development Ordinance

### REVISION CLARIFICATIONS

January 28, 2015

1. Add single family residential as a permitted use in the MR-3200 district with minimum lot size of 10,000sf without water and sewer and 6,000sf with water and sewer.
2. Allow up to three single family residences as principal structures on a lot, minimum one acre in size, in all residential districts subject to meeting all area, dimensional and other requirements.

Allow additional residences in the RR district as follows:

<u>Lot size</u>	<u>Dwellings</u>
10 Acres – 19.99 Acres	4
20 Acres – 29.99 Acres	5
30 Acres – 39.99 Acres	6
40 Acres – 49.99 Acres	7
50 Acres or more	8

3. Allow walls or fences with 15 and 10 feet of plantings respectively for the 0.4 opacity buffer.
4. Reduce minimum open space requirement for Planned Development projects from 20, 30, 35 and 40 percent to 15, 20, 25 and 30 percent respectively in the RR, R-7500, R-6000 and MR-3200 districts.  
  
Increase requirement for useable recreation area in required open space from 12.5% to 15% (*net increase of 2.5%*) in view of open space area requirement reductions.
5. Reduce minimum required buffer adjoining existing utility or drainage easements from 100 to 50 feet.