

The Morehead City Planning Board conducted a remote public meeting on Tuesday, September 15, 2020, via the Zoom video conferencing application, at 5:30 p.m. The following people were present:

MEMBERS: Tom Outlaw, Ronetta Gaskill, Sally Lumpkin, Tom Saunders, Andrea Smith, and Diana Tootle.

ABSENT: None

Others present: Planning and Inspections Director Sandi Watkins, Planner Mackenzie Todd, Secretary Annie Bunnell, Elise Clouser with the Carteret County News-Times, Dennis Mock, David Horton, Ron Smith, Tim Parks, Melodie Reels, Will Rogers, Emily Smith, and other concerned citizens.

Chairman Tom Outlaw called the meeting to order and gave the invocation.

The roll was called and no one was absent.

Diana Tootle led the Pledge of Allegiance.

MINUTES: July 21, 2020: Sally Lumpkin made **MOTION**, seconded by Tom Saunders, to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

A.) Request submitted by Jared Quillen, on behalf of David Horton, to rezone 5079 Business Drive (Parcel #636601183307000) from CH (Highway Commercial) District to I (Industrial) District.

Mr. Jared Quillen, on behalf of David Horton, has submitted a request to rezone approximately 0.466 acres located at 5079 Business Drive from CH (Highway Commercial) District to I (Industrial) District. The property is currently vacant.

Surrounding zoning includes CH (Highway Commercial) to the north, R15M (Single-Family Residential/Manufactured Home) to the east, CH (Highway Commercial) and I (Industrial) to the south and I (Industrial) to the west.

Surrounding land use includes storage buildings to the north, residential to the east, and vacant land to the south and west.

The property is in Neighborhood 8 of the CAMA Land Use Plan. The property is classified as General Industrial.

Property owners within 300 feet of the property were notified of the Planning Board meeting as well as the date of the public hearing which is scheduled for October 13, 2020. The property has been posted.

Conventional Rezoning Request: Conventional rezoning requests require consideration of all the uses permitted in the CH or I districts because potentially any of those uses may be located on the site. Looking at all the permitted and special uses in both districts and the development standards, which is the more appropriate zoning classification for the property, CH or I? No site plan is required, and decisions cannot be based upon a specific use of the property, even though the property owner may speak to a specific use.

Land Use Consistency Statement/Resolution: In accordance with N.C.G.S. 160A-383, a land use consistency statement must be adopted when a zoning amendment is approved or rejected. The draft statement provided may be modified or rewritten at the discretion of the Planning Board and must take one of the following three forms:

1. A statement recommending approval of the proposed zoning amendment and describing its consistency with the plan; 2. A statement recommending denial of the proposed zoning amendment and describing its inconsistency with the plan; or 3. A statement recommending approval of the proposed amendment and amendment of the land use plan, along with an explanation of the change in conditions to meet the development needs of the community that were considered in recommendation of the zoning amendment.

Planner Mackenzie Todd introduced the request, stating that the parcel is currently vacant and located within Neighborhood 8, classified as General Industrial, of the Land Use Plan. Property owner David Horton was present to answer Board questions.

Mr. Horton spoke in favor of the request, stating that the applicant, Mr. Jared Quillen, had approached him to use the parcel for welding and metal artwork. Mr. Horton stated that the property is currently zoned Highway Commercial. After speaking with the Town, Mr. Quillen found that the use would not be allowed in the Highway Commercial district, but is allowed in the Industrial district. The parcel directly abuts Industrially-zoned property to the west, as well as the vacant forty-acre parcel owned by the State Port to the south and east.

Planner Mackenzie Todd read the directions for participants on the Zoom call to request to speak, if desired. The Board members discussed the change in zoning, with Tom Saunders stating he had no issues with the change and Andrea Smith stating that the changes seemed appropriate given the location.

Andrea Smith made **MOTION**, seconded by Diana Tootle, to recommend approval of the rezoning request and Resolution 2020-0006. The motion carried unanimously.

B.) Request submitted by Will Rogers to amend Article 14-3(B) of the Unified Development Ordinance (UDO) to allow for uncovered decks to encroach into front setbacks in the R5 (Residential) and R5S (Single-Family Residential) Districts.

A request has been submitted by Will Rogers to amend Article 14-3(B) of the Unified Development Ordinance (UDO) to allow for an uncovered deck to encroach in the front setback in the R5 (Residential) and R5S (Single-Family Residential) Districts.

Proposed additions are shown in blue text below:

Article 14-3 - Adjustments in Front Yard Setback Requirements

(B) Unenclosed porches and steps shall be permitted to be located within the front setbacks of the R5 and R5S Districts provided that the unenclosed porches contain no walls or screening. An uncovered deck may be permitted to encroach into a front setback provided the following are met:

- (1) The uncovered deck forms an integral part of a covered porch (i.e. railing around covered porch and uncovered deck area);
- (2) The area of the covered porch must be equivalent to or greater than one-third of the total combined area of the covered porch plus the uncovered deck area;
- (3) The uncovered deck shall not extend further into the front setback than the covered porch;
- (4) The uncovered deck shall not extend into a side setback; and
- (5) The width of the uncovered deck may not extend beyond the width of the house.

Note: Please note this is not a city-initiated request. Should the Planning Board or Council desire staff research this topic, the item would need to be tabled to a future meeting date to allow research be conducted by staff.

Planner Mackenzie Todd introduced the request.

Following Planner Todd's presentation, Board members discussed what is currently allowed and expressed concerns regarding the potential for setting a precedence for allowing additional encroachments into front setbacks. Sally Lumpkin asked the Town if covered front porches were currently allowed to encroach in setbacks. Planner Watkins explained that a covered front porch is not allowed to encroach into a side setback, but a front porch and steps could go all the way to the front property line provided the forty-percent maximum lot coverage allowance was not exceeded.

Encroaching front porches are not permitted under the current ordinance to be screened-in or have any walls.

Applicant Will Rogers had prepared a presentation for the Board in favor of his position on the text amendment. Mr. Rogers stated that his situation began with the misunderstanding of the word “porch”, as he would like to cover only a portion of his front deck, leaving the remaining portion uncovered. Mr. Rogers presented photos to the Board of many homes in Beaufort that show the style of partially-covered deck that he would like at his home. Under his proposal, the uncovered deck would be required to meet side setbacks. Mr. Rogers stated that his amendment would not allow an entirely uncovered deck, a portion equal to one-third of the square footage would be required to be covered.

Chairman Outlaw expressed concerns about allowing encroachments of any kind within the setbacks. Andrea Smith stated that the uncovered decks would look different in downtown Morehead City because the homes would be on stilts or otherwise raised up.

Tom Saunders asked the Town when the allowance was made for covered porches to encroach into the front setback. Planner Watkins clarified for the Board that the current allowance for covered front porches and steps to encroach into the front setback came in 2007 following a study of the downtown area. An amendment was made by the Council to allow such encroachments due to the number of porches encroaching into the front setback at the time. This change helped to reduce the number of nonconforming structures.

Planner Mackenzie Todd read the directions for participants on the Zoom call to request to speak, if desired.

With no further speakers on the request, board members discussed the proposed changes. Board members discussed the possibility of allowing just one uncovered deck on the first live-able floor of the home.

Sally Lumpkin made **MOTION**, seconded by Ronetta Gaskill, to recommend approval of the text amendment request and Resolution 2020-0007. The motion failed with Tom Outlaw, Diana Tootle, and Andrea Smith in opposition and Tom Saunders abstaining.

Andrea Smith made **MOTION**, seconded by Diana Tootle, to recommend denial of the text amendment request. The motion carried 3 to 2, with Sally Lumpkin and Ronetta Gaskill in opposition and Tom Saunders abstaining.

C.) Request submitted by Ron Smith and Dennis Mock of Carteret Health Care to amend Article 2-2.173.1 and Article 19-6.7 of the Unified Development Ordinance (UDO) to define the community hospital as a multi-tenant development and to allow additional primary freestanding signage for the community hospital subject to specified criteria.

A request has been submitted by Ron Smith and Dennis Mock of Carteret Health Care to amend Article 2-2.173.1 and Article 19-6.7 of the Unified Development Ordinance (UDO) to define the community hospital as a multi-tenant development and to allow additional primary freestanding signage for the community hospital subject to specified criteria.

Proposed additions are shown in blue text below:

Article 2-2 Definitions

2-2.173.1 *Multi-tenant development.* A development consisting of one (1) or more lots and two (2) or more businesses, services, or other non-residential entities or establishments which share appurtenant facilities, such as driveways, pedestrian walkways, or off-street parking or loading facilities. *The community hospital shall be considered a multi-tenant development since it provides several distinct services to the community.*

Article 19-6 Freestanding Signs

19-6.7 In order to promote the fair distribution and unified appearance of signage, primary freestanding signs located within multi-tenant developments may be permitted additional sign area subject to the following requirements.

(A) A multi-tenant signage plan shall be submitted for review and approval by Morehead City Planning and Inspections Department staff. The plan shall include:

- (1) Site plan, drawn to scale, showing the lot lines and dimensions of any existing and proposed freestanding signs to be located on the site.
- (2) Information concerning the maximum dimensions and sign type of all proposed freestanding signage, including any non-primary freestanding signs (e.g. directional signs).
- (3) North arrow and orientation.
- (4) Location of existing and proposed rights-of-way.
- (5) Location of existing and proposed driveways or alleys.

(B) Additional sign area per individual sign shall be based upon the number of additional advertised tenants in accordance with Table 19-6.1.

(C) Additional primary freestanding signs may be permitted at a rate of one (1) per one hundred (100) feet of linear foot of road frontage (as measured from the center of the sign) with a maximum of three (3) freestanding signs for the multi-tenant development.

(D) Outparcels associated with the multi-tenant development shall be consolidated with the remainder of the development and included within the multi-tenant signage plan in order to utilize the additional signage allowances.

(E) Both a copy of the signage plan and the deed (or other recordable instrument referencing the approved signage plan) shall be recorded with the Carteret County Register of Deeds prior to final approval of the multi-tenant signage plan.

(F) The community hospital is exempt from the maximum number of primary freestanding signs permitted as set forth in subsection 19-6.7(C), is exempt from the requirement to consolidate outparcels as set forth in subsection 19-6.7(D), and is exempt from the requirements to record the signage plan and deed with the Carteret County Register of Deeds as set forth in subsection 19-6.7(E) provided all other requirements for multi-tenant development signage have been met, including the minimum one hundred (100) foot separation requirement. The ability to communicate information associated with a hospital use is paramount to the public health and welfare of the Town citizens and visitors. The maximum square footage of primary freestanding multi-tenant development signs associated with a community hospital shall be limited to the maximum allowed for the total building area on the parcel.

Planner Mackenzie Todd introduced the request, stating that applicants Ron Smith and Dennis Mock were present on behalf of Carteret Health to answer Board questions.

Applicant Ron Smith spoke in favor of the request, stating that most of the signage on the hospital property is directional, but is oversized for today's ordinance. Mr. Smith stated that the hospital would like to incorporate electronic signage to better communicate with the community. Part of the sign requested would have fixed graphics which indicate that it is the hospital, with the remaining portion being electronic where updates and messages may be displayed. Carteret Healthcare wishes to place a sign in front of the hospital on Arendell Street.

Mr. Saunders asked the Town if the proposed ordinance amendment would allow the sign to be two-sided. Planning Director Watkins responded the amendment would allow the proposed sign to be two-sided, but all other sign requirements would still apply, including the requirement for signs to be at least one-hundred feet apart.

Planner Mackenzie Todd read the directions for participants on the Zoom call to request to speak, if desired.

Diana Tootle made **MOTION**, seconded by Tom Saunders, to recommend approval of the text amendment request and Resolution 2020-0008. The motion carried unanimously.

REQUESTS/COMMENTS: Planning Director Watkins entered the attendance record and monthly reports for the record.

ADJOURNMENT:

There being no further requests or comments, the meeting adjourned at 7:52 p.m.

Annie Bunnell, Secretary