

The Morehead City Planning Board conducted a public meeting on Tuesday, July 20, 2021, in the Municipal Building located at 202 South 8th Street at 5:30 p.m. The following people were present:

MEMBERS: Tom Outlaw, Ronetta Gaskill, Diana Tootle, Tom Saunders, Andrea Smith, and Matt Johnson.

ABSENT: Sally Lumpkin

Others present: Planning and Inspections Director Sandi Watkins, Secretary Annie Bunnell, Planner Karyn Reid, Zoning Enforcement Officer Jeannie Drake, City Attorney Derek Taylor, Elise Clouser with the Carteret County News-Times, Ron Cullipher, Doug Brady, David Horton, and Joseph Smith.

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

The roll was called and Sally Lumpkin was absent. Tom Saunders made **MOTION**, seconded by Ronetta Gaskill, to excuse the called-in absence. The motion carried unanimously.

Tom Outlaw led the Pledge of Allegiance.

MINUTES: June 15, 2021: Ronetta Gaskill made **MOTION**, seconded by Diana Tootle, to adopt the minutes and dispense with the reading. The motion carried unanimously.

NEW BUSINESS:

- A). ***Request submitted by David Horton to amend the Commercial Neighborhood - Conditional Zoning (CN-CZ) District for 1100 North 20th Street (Tax PIN #638609250872000) to allow for an addition onto an existing self-service storage facility that will increase the overall ground coverage by structures on the site by more than ten percent.***

Zoned: CN-CZ. Effective Flood Zone: Shaded X, X. Preliminary Flood Zone: AE9. Total Area: 0.97 acres.

*Conditional Rezoning (Planning Board): April 16, 2019
Conditional Rezoning (Council): May 21, 2019*

Mr. Horton is requesting approval of a conditional zoning district amendment for a site which received original approval in May 2019. The original approval included a total of 12,624 square feet of self-service storage facility building area, a 400 square foot office, and 23 parking spaces. The current proposal is to add an additional 1,600 square feet of self-service storage facility area and to reduce the number of parking spaces provided to 10 spaces. The previous approval was granted based upon a maximum height of 16' and brick façade on the portions of the building facing Oglesby Road and North 20th Street. These conditions are retained in the current proposal.

Conditional Zoning: Section 10-9.2 allows minor changes to an approved conditional zoning district to be approved subject to certain limitations. Major changes to approved plans and conditions require approval by the City Council. One such major change is, "(C) An increase of 10% or greater of overall ground coverage by structures". The proposed increase in the overall ground coverage of structure is proposed at 13.82%. Therefore, Council approval of the proposed modification is required.

Lot Coverage: The maximum lot coverage permitted in the CN District is 40%. The proposed addition would increase the lot coverage from 33% to 35%.

Maximum Height: The maximum height in the CN District is 50'. The current buildings and proposed building have a maximum height of 16'.

Parking: The previously approved site plan required 21.04 of non-office use parking spaces and 1.77 office uses parking spaces and met this requirement by providing 23 parking spaces. Due to an Ordinance amendment adopted by City Council on October

8, 2019, the number of required parking spaces for self-service storage facilities was reduced. Parking spaces at self-service storage facilities are now required at a rate of one (1) space per each one thousand (1,000) square feet up to five thousand (5,000) square feet plus one (1) space per each additional five thousand (5,000) square feet of storage area. The total area of proposed storage area is 14,824 square feet. Based upon the existing and proposed self-service storage facility area, a total of eight (8) spaces are required for the use. A total of ten parking spaces (2 office + 8 non-office) are required and are shown on the map.

Setbacks: The site plan as shown meets all required setbacks.

Landscaping: In accordance with the UDO requirements, a ten-foot landscape strip is shown along both North 20th Street and Oglesby Road, a Screen Type A is shown along the northern property line which abuts RMF-zoned property; and a Screen type B is shown along the western and eastern property lines which abut R7-zoned property. The applicant had previously requested and received approval for an alternate landscaping plan along the north and east property lines under Article 15-6.4. The alternative landscaping plan was approved by the Planning Board in April 2019. No additional landscaping is required.

Land Use Plan Consistency: The property is located in Neighborhood 7 of the 2007 CAMA Land Use Plan and is classified as Low Density Residential. The applicant has submitted responses to the Land Use Consistency and Reasonableness Packet.

The property was posted and property owners within 300' of the site were mailed a copy of the public hearing notice that includes the dates of the Planning Board meeting and Council's public hearing (August 10, 2021).

Planner Karyn Reid introduced the request by reviewing the staff report. Ms. Reid stated that no inquiries had been received on this request.

Andrea Smith asked if the 40% lot coverage included the parking lot and building or just the building. Planning Director Watkins stated that it includes all area under a roof on the parcel and that Morehead City has a 40% maximum under-roof lot coverage requirement. The current proposal would bring the lot coverage to 37%, still meeting Town regulations. Ms. Watkins stated that if the building had been less than 10% of an addition of the ground coverage by structures then the major modification would not have been required. The proposal is a 12% addition of ground coverage by structures, so the major modification request is necessary. Ms. Smith expressed concerns that there was little difference between a roof and asphalt as they both create impervious coverage.

Applicant and property owner David Horton of 200 South 11th Street in Morehead City spoke in favor of the application. Mr. Horton clarified that he would not be adding any impervious surface to the property. Andrea Smith stated that the yellow area highlighted on the map to be the proposed addition was only gravel when she visited the site ahead of the meeting, and she felt that area was pervious because water was still able to get into the ground. Mr. Horton said that, per State Stormwater, six-inch-thick ABC gravel (aggregate base course gravel) is considered to be impervious surface, and that practically the entire parcel is comprised of impervious surface. He purchased the property in that condition, and it was partially zoned commercial at that time. Mr. Horton said that if the addition were only 1,260 square feet, it would not need Planning Board approval. The addition is proposed to be 1,600 square feet, will have eight 10' x 20' spaces, and will not affect the landscaping. Mr. Horton stated that, during the 2019 Planning Board meeting a neighbor expressed concerns about the development. He said that he had spoken with the neighbor ahead of this meeting and she was ok with the proposal. The development is quiet and does not bring in much traffic.

Ms. Smith asked if there will be garage doors on the addition. Mr. Horton said that this addition will be different and will not have garage doors, it will have a regular door on either end of the structure and be accessed from the inside "like mini-storage". Ms. Smith then asked Mr. Horton if he planned to mark the parking places as there are no actual lines delineating the spaces on the site currently. Mr. Horton said that he did not. Anyone is able to park in front of their own storage space and he does not allow cars to be left on the site. Mr. Horton said that there was plenty of space for parking on the site including more than what had been shown on the map. He said that the handicapped spaces had been

shown and that there were obvious parking spaces on both ends of the building. Ms. Smith then asked the Town if there was a requirement that the parking spaces be striped. Ms. Watkins said there was no requirement for the space lines to be painted.

Attorney Taylor reminded the Board that they must consider the application just as they would if it were any other person and not a City Council member. Attorney Taylor said that during the Council hearing, Mr. Horton must recuse himself from the voting and that this situation often arises in small towns where people who serve on boards are also the developers and business owners who bring forward requests for approval.

Matt Johnson asked if there was any requirement for an emergency services turnaround for this parcel. Planner Reid said that the Fire Marshal for Morehead City had reviewed the plans. The parcel does provide the 23' of backing area required and the Fire Marshal did not have any concerns. Ms. Watkins said that, as part of the standard building permit plan review, the Fire Department would again review the site plan and building plans to ensure it meets the requirements.

With no other speakers on the request, Planner Reid reviewed the applicant-submitted land use consistency responses with the Board.

The subject property is classified as Low Density Residential. Section 4.2.2 Land Use Compatibility, Policy 2 which reads "Morehead City will support growth and development at the densities specified in the Future Land Use Map land classifications as delineated in Section 4.5 of this plan" The Applicant found the request to be consistent because "this request will create no new impact to the neighborhood as well as no additional impervious surface. The proposed addition will be consistent with the current two buildings and is consistent with the goals and statements of 2007 CAMA Land Use Plan Neighborhood 7." Andrea Smith said that if this were a normal piece of property, the circumstances would be different. She felt gravel was different than asphalt because it could absorb water. In the end, she felt it was reasonable to agree the policy was consistent if it met the requirements, but she felt it would have impact on runoff that would be passed onto neighbors as the location is in a historically low area of town and the current preliminary flood maps show the property going into AE9. Tom Saunders mentioned Mr. Horton saying that the neighbor did not have concerns about the proposed addition and she lived adjacent to the property. The Board agreed that the request was consistent with the policy.

Section 4.2.5 Water Quality, Policy 6 which reads "The Town of Morehead City supports retaining existing vegetation, creating buffers, and limiting impervious surface areas in new commercial development to assist with managing stormwater runoff." The Applicant found the request to be consistent because "this addition will create no new runoff because the area is already impervious." Chairman Outlaw said that he felt the Board had already discussed this during the previous policy. Ms. Smith agreed that it was similar to the previous policy. The Board agreed that the request was consistent with the policy.

Section 4.2.7 Areas of Local Concern, Policy 3 which reads "Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community." The Applicant found this policy to be consistent because "this request is consistent with commercial servicing the neighborhood." Tom Saunders said he would agree with Mr. Horton's statement. Andrea Smith said he was assisting by giving residents a place to store their RV's and boats. She felt that it did fit in with the community and that Mr. Horton has previously

added the brick façade on the sides that was not required in order to look more aesthetically pleasing. The Board agreed that the request was consistent with the policy.

Section 4.2.4 Areas of Local Concern, Policy 5 which reads “The residential integrity of existing neighborhoods will be maintained by discouraging the encroachment of non-residential uses into such areas.” The Applicant found the request to be consistent because “this request creates no new encroachment and is just an internal expansion.” Chairman Outlaw felt that was obvious. The Board agreed that the request was consistent with the policy.

Section 4.2.4 Areas of Local Concern, Policy 9 which reads “Neighborhood-oriented commercial development will be encouraged only in areas where such use is compatible with existing surrounding and anticipated residential areas and where the street system is adequate to accommodate commercial vehicular traffic.” The Applicant found the request to be consistent because “this request is compatible and has limited traffic, noise and lights.” The Board agreed that the request was consistent with the policy.

Section 4.2.7 Areas of Local Concern, Policy 15 which reads “The town will encourage new commercial development to integrate design features that are compatible with Morehead City's existing architecture.” The Applicant found the request to be consistent because “the new structure will not be visible from the street.” The Board agreed the addition would not be visible from the street, and the request would be consistent with this policy.

Planner Reid then reviewed the applicant-submitted reasonableness responses with the Board. The Applicant addressed items A through D.

For item A, which reads “Describe consistency in size, physical conditions, and other attributes of the area proposed to be rezoned”, the Applicant responded that “this request is consistent with existing buildings and meets all Neighborhood 7 criteria.”

For item B, which reads “List benefits and detriments to the landowners, the neighbors, and/or the surrounding community”, the Applicant responded that “this request will not affect landowners negatively or positively unless they want to rent a storage unit. The addition will not be visible.”

For item C, which reads “Describe how the development that would be permissible under the proposed amendment relates to the current development permissible on the tract and to the character of adjoining areas”, the Applicant responded that “this request is a small expansion of conditional use. There will be no increase in environmental or social impact nor increase in impervious runoff.”

For item D, which reads “Other reasons this amendment may be in the public interest not otherwise listed above”, the Applicant responded that “the development is quiet, has limited traffic and improves value compared to previous use.”

Tom Saunders said he felt for Item A the request met the neighborhood criteria and was consistent with the existing buildings. Andrea Smith said that prior to this development, the parcel did not have all the landscaping, trees, and vegetative buffer that it has now. Tom Outlaw said he felt the addition would not be detrimental because it is quiet. Andrea Smith said she felt most storage facilities are not heavily trafficked. Matt Johnson said that Mr. Horton is only before the Board because he wished to exceed the 10% ground coverage by structures. If he were to take a unit off each end, it could be just a building permit. Mr. Johnson

said he initially had concerns about emergency services being able to maneuver around the parcel, but the fire department had reviewed the request and will review again for building permit issuance.

Tom Saunders made **MOTION**, seconded by Ronetta Gaskill, to let it be resolved on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the request for conditional rezoning to be consistent with the most recently adopted CAMA Land Use Plan and recommends to the Morehead City Council that the rezoning and Resolution Number 2021-0009 for Case Number REZ21-0003 be approved. The motion carried 5 to 1 (Andrea Smith in opposition).

B). Request submitted by The Cullipher Group, LLC, on behalf of N20, LLC, to amend the Single-Family Residential-Conditional Zoning (R15-CZ) District for 1601 North 20th Street and one unaddressed parcel on North 20th Street (Tax PIN #'s 638717108594000 and 638717101757000) to revise the Sketch Development Plan for Calico, a proposed 80-lot single-family development due to a proposed change to the vehicular traffic routes and a reduction in proposed open space area.

Zoned: R15-CZ. Effective Flood Zone: Shaded X, X. Preliminary Flood Zone: AE8, Shaded X, X. Total Area: 38.24 acres. Average Lot size: 15,434 square feet. Minimum Lot Size: 9,570 square feet. Density: 2.09 unit per acre.

The Cullipher Group, on behalf of N20, LLC, has submitted a request to amend the R15 - Conditional Zoning District and to revise the sketch development plan for Calico, a proposed 80-lot single family cluster development subdivision on 38.24 acres. The subject property is currently undeveloped.

Site Information: Wetlands are shown and primarily located within the northern open space titled "Central Park" and the lift station abutting Lot 38. This site is located in the Shaded X and X (non-special flood hazard areas) flood zones on the current flood map and in the AE8, Shaded X and X flood zones on the preliminary flood map.

Cluster Development Requirements: The subdivision is proposed as a cluster development and must meet the requirements of section 14-23 of the Unified Development Ordinance, as shown below.

- "Cluster housing may be permitted in any R district."
- "The density of the cluster housing does not exceed the maximum density requirements of the district in which it is to be located. The maximum allowed density of R15 is 2.5 units per acre." A density of 2.09 units per acres is proposed.
- "The minimum lot size for a cluster housing development is 2.15 acres." This development has a total area of 38.24 acres.
- "Cluster development lots shall be required to meet the setback requirements for the district in which it is established."
 - o R15 setbacks: Front: 20 feet, Side: 10 feet, Rear: 25 feet. The proposed plat meets required setbacks.
- "Lot sizes may not be reduced by more than fifty (50) percent of the minimum lot size requirement for the district in which it is located. Fifty (50%) percent of the minimum lot size in the R15 district is 7,500 square feet." The smallest proposed lot size is 9,570 square feet.
- "The minimum setback requirements for the perimeter of the property are as follows:
 - o Front: 40 feet.
 - o Side: 40 feet.
 - o Rear: 40 feet
 The proposed plat meets the minimum perimeter setbacks.
- "Approval of cluster housing developments shall be in accordance with the procedures outlined in the Subdivision Regulations.

Open Space: A minimum of 3.71 acres of open space is required. A total of 3.81 acres is proposed. Central Park shows a total area of 1.42 acres and the southern passive open space including a proposed ornamental and flood control pond has a total area of 2.39 acres. If the development was not a cluster development, based upon Article 15-7, a total of 2.2 acres would be required as open space. The previously approved plan provided 5.4 acres of open space.

Conditional Zoning: As part of this conditional zoning amendment, a review of the accompanying sketch plan, which reflects how the property is proposed to be developed, must be conducted.

10-9.1 Major changes to approved plans and conditions of development may be authorized only by the City Council after review and recommendation by the Planning Board in the same manner as applicable to the Zoning Map amendments. Major changes include, but are not limited to:

- (D) A reduction in approved open space;
- (E) Change in street layout

The Planning Board may attach appropriate conditions to its recommendation to Council. Per section 10-7.2, Conditions and site-specific standards imposed in a conditional zoning district shall be limited to those that address conformance of the

development and use of the site to local ordinances, plans adopted pursuant to N.C.G.S. § 160D-501, or the impacts reasonably expected to be generated by the development or use of the site. Per Section 10-7.3, “Such conditions to approval of the request may include, but are not limited to, dedication to the Town, county or state, as appropriate, of any land, rights-of-way or easements for streets, water, sewer, drainage, recreational uses or other public utilities necessary to serve the proposed development. Conditions may relate to the relationship of the proposed use to surrounding property, size, scale, location and design of structures, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, preservation of protected trees, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the City Council may find appropriate or the applicant may propose.” Any conditions must be agreed upon by the Council and the applicant.

Street lights: Street lights are proposed to be installed every 400 feet, every intersection and major alignment changes.

Streets: Residential collector streets are proposed throughout the subdivision. These proposed streets meet the Code of Ordinances, Section 28-32 requirements of a minimum pavement width of 31 feet (back of curb to back of curb), a minimum right-of-way width of 50 feet exclusive of utility easements. The development proposes an additional 10 foot on each side utility easement. The curb will be a rollback type. The proposed access will be from N 20th Street and is proposed to construct four (4) temporary cul-de-sacs at the terminus of Great Blue Heron Drive, White Ibis Way, Kill Drive and American Egret Way. Per section 16-5 “Access to Adjacent Properties”, “Streets shall connect with existing streets located on adjacent property whenever possible. The temporary turnaround shall be constructed with a fifty-foot radius and shall be paved with curb and gutter. When a temporary turnaround is removed as a result of an extension of the former stubbed out street, the land formerly part of the cul-de-sac and not needed for right-of-way shall revert to adjacent property owners.” Full street details will be reviewed at preliminary plat.

Sidewalks: Sidewalks are proposed along one side of each road (the same side as the street lights) as well as along the front N 20th Street access. Per Section 28-32 of the Code of Ordinances, the plat meets the required one side, five foot wide sidewalk. **Utilities:** This development is within the Town limits and is proposed to be serviced by City water and sewer. Complete utility plans will be reviewed by the Public Services Department at the review of the preliminary plat.

Permits: State and Federal permits are anticipated to be updated due to changes in the subdivision.

Land Use Plan Consistency: The property is located in Neighborhood 7 of the 2007 CAMA Land Use Plan and is classified as Low Density Residential.

The property was posted and property owners within 300’ of the site were mailed a copy of the public hearing notice that includes the dates of the Planning Board meeting and Council’s public hearing (August 10, 2021). The request was published in the newspaper.

Sketch (Conceptual) Plan: City Departments, Planning Board, and Council review the Sketch Plan. This is an opportunity to comment on and suggest changes to the project design. The sketch plan shows the entire development. Comments from the Assailant Chief/Fire Marshal and the Public Services Director have been addressed. The sketch plan, including any Planning Board comments, will be forwarded to the Town Council for consideration during its meeting on August 10, 2021

PROJECT HISTORY:			
DATE	Request	Board & Action	Condition(s)
06/20/2006	Rezoning (R20 to PD) & Sketch Plan Approval	Planning Board - Denied	
07/11/2006	Annexation	Council - Tabled	
08/08/2006	Annexation	Council - Adopted	
09/12/2006	Rezoning (R20 to R15)	Planning Board - Recommended Approval	
10/10/2006	Rezoning (R20 to R15-CU)	Council - Approved	<ul style="list-style-type: none"> Limited density of 2.18 units per acre
12/19/2006	Sketch Plan Review	Planning Board - Recommended Approval	<ul style="list-style-type: none"> One-way alleys behind dwellings
01/09/2007	Sketch Plan Review	Council - Adopted	<ul style="list-style-type: none"> Sidewalks on at least one side of all streets throughout the proposed development
			<ul style="list-style-type: none"> “Green street” design will be applied, subject to City approval of the design and acceptance of the streets to the City maintenance system.

09/18/2007	Preliminary Plat	Planning Board - Withdrawn	
01/15/2008	Preliminary Plat Review and Approval of Variance	Planning Board - Recommended Approval	<ul style="list-style-type: none"> • Receipt of State Stormwater Permit and NCDOT Driveway Permit
02/12/2008	Approval of Variance	Council - Tabled	
03/04/2008	Approval of Variance	Council - Approved	
03/17/2009	Preliminary Plat Extension	Planning Board - Approved	
10/17/2017	Revised Sketch Plan Review	Planning Board - Recommended Approval	<ul style="list-style-type: none"> • Middle Street is proven to be able to be made a publicly dedicated street
11/14/2017	Revised Sketch Plan Review	Council - Approved	
06/16/2020	Preliminary Plat Review	Planning Board - Approved	<ul style="list-style-type: none"> • Lift pumping station volume rate be reduced
			<ul style="list-style-type: none"> • Relocation of street lights to the same side of the street as the sidewalk.

Planner Karyn Reid introduced the request by reviewing the staff report. Three inquiries had been received on the request, two were general inquiries and one was opposed to the development because of traffic concerns.

Chairman Outlaw said that the open space was being reduced, but the development would still have more than required. He stated that he liked the addition of the streetlights along the same side of the street as the sidewalks.

Matt Johnson asked why the request is back before the Board if the open space being proposed still meets the requirements. Ms. Reid stated that any change in open space requires the subdivision to come back before the Board for approval. Ms. Watkins clarified that even an increase in open space would come back before the Board based upon the language contained in the Unified Development Ordinance. In this case, there is also a change in the proposed streets.

Ron Cullipher of The Cullipher Group, LLC spoke stating that he was representing applicant N20, LLC. One of the members of N20, LLC, Mr. Doug Brady, was also in attendance to answer questions as needed. Mr. Cullipher said that the request included changes which allow more building area on each lot because the developer was struggling to find suitable house plans. By changing the layout and other alterations including the removal of a cul-de-sac, the developer was able to gain 33,000 square feet to go back into the lots, making them much more suitable to build on and meeting the needs of the future community much better. This change was equivalent to approximately 500 additional square feet per lot. Mr. Cullipher said that the traffic impacts would not be changing and that he is currently working on a turn lane project with the North Carolina Department of Transportation from North 20th Street into the development. Mr. Cullipher said that all of the streets within the development have been “stubbed-out” so that any future development could be connected. Each street end has a temporary cul-de-sac for emergency services access purposes, which has been reviewed by the Town Fire Marshal.

Chairman Outlaw asked Mr. Cullipher to explain the turn lane project for the development. Mr. Cullipher said that a portion of North 20th Street would be widened to include a separate middle turn

lane into the development which was designed for traffic traveling at 50 miles per hour. The turn lane extends approximately 450 feet south of Blair Farms.

Chairman Outlaw asked if the stormwater drainage feature was still proposed. Mr. Cullipher said yes. The project was a remediation project to hold and gradually release stormwater because the developer recognized back in 2017 when the feature was first added that drainage was an issue in the area. The pond is proposed to hold about 350,000 gallons of water. Mr. Cullipher said that the drain under North 20th Street is also being improved as part of the street-widening project.

Chairman Outlaw asked why the tax map still shows an indentation in the vicinity of the proposed Killdeer Drive. Doug Brady, one of the owners of the property, spoke and stated that he resides at 805 Front Street in Beaufort. He said that the road did not show on any map because it was part of an old subdivision but was never dedicated and is not in use. Mr. Brady said that the road was able to be closed because N20, LLC owned the property on either side. The process involved going back to the property owner who originally platted the subdivision.. Mr. Cullipher said that the Carteret County GIS hasn't updated the map because there has been nothing presented to them that would require a change. With the recordation of the final plat for Calico, it will be updated. Attorney Taylor explained to the Board that the Town is in possession of two documents prepared by Harris Law Firm indicating the original owners had given up the rights to dedicate the street.

Mr. Brady continued that the drainage pond was kept because he wanted to mitigate the drainage issues prior to the water crossing under North 20th Street towards Blair Farms subdivision. The development has also removed asphalt surfaces which will help from a run-off standpoint and he felt the new design improved the drainage.

Andrea Smith expressed concerns that there was only one entrance and exit from the development. Mr. Brady explained that this plan was originally approved back in 2006 and, at that time, there was no proposed turn lane into the development. The turn lane project is a fairly large expense and is being paid for by the developer to help with traffic concerns.

With no other speakers on the request, Planner Reid reviewed the applicant-submitted land use consistency responses with the Board.

Section 4.2.2 Land Use Compatibility, Policy 1, which reads "It is the policy of the Town of Morehead City to ensure that land use and development activities provide a balance between economic development needs and protection of natural resources and fragile environments." The applicant found the request to be consistent because "Minimal impact to existing wetlands was authorized for street crossings and associated drainage only." Andrea Smith said there was sure to be fill dirt brought in, but the Town is in need of more single-family lots. The Board agreed that the Sketch Plan Revision is consistent with the policy.

Section 4.2.2 Land Use Compatibility, Policy 2, which reads "Morehead City will support growth and development at the densities specified in the Future Land Use Map land classifications as delineated in Section 4.5 of this plan." The Applicant found the request to be consistent because "Development located in Neighborhood 7 and proposed as single-family low-density subdivision. The density is 2.09 dwelling units per acre and consistent with future development projection of 2 dwelling units per acre. The property is zoned R15-CU. The average lot size is 15,434 square feet. With the smallest being 9,570 square feet. The conditional use allows open space to be provided elsewhere within the subdivision for

those lots proposed less than 15,000 square feet. Extensions of municipal water and sewer are proposed and permitted for the subdivision.” Chairman Outlaw stated that cluster housing is permitted and as Ms. Smith had previously stated, the Town is in need of residential lots. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.2 Land Use Compatibility, Policy 3, which reads “The town will promote the continued low density residential development character of areas located on the fringes of the extraterritorial jurisdiction and in locations adjacent to identified fragile areas.” The Applicant found this policy to be consistent because “The project is 2.09 units per acre and consistent with residential characteristics.” Andrea Smith stated that the zoning district was consistent with Blair Farms Subdivision across the street. The Board agreed that the Sketch Plan Revision was consistent with this policy.

Section 4.2.3 Infrastructure Carrying Capacity, Policy 2, which reads “It is the policy of the Town of Morehead City to ensure that public infrastructure systems are sized, located and managed in accordance with the need to protect or restore natural resources and fragile environments.” The Applicant found the request to be consistent because “The project proposed and permitted with NCDEQ as Low Density with maximum impervious at 25% of the project area and provides treatment through the best management practices of sheet flow and grassed swales.” Chairman Outlaw stated he noticed the swales on the map as shaded areas and that those seem to work well in his neighborhood. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.3 Infrastructure Carrying Capacity, Policy 3 which reads “Public water and sewer will be required for all new development occurring within the town's corporate limits in areas in which municipal sewer service is available or can be made readily available.” The Applicant found the request to be consistent because “Public Utility extensions and capacities for the project have been approved by both the Town and NCDEQ.” Chairman Outlaw said that the development is in the City Limits and will be serviced by City water and sewer. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.3 Infrastructure Carrying Capacity, Policy 6, which reads “The town will encourage land development in areas that currently have the necessary support infrastructure (water, sewer, streets, etc.) or where these services can readily be made available. Land development will be guided to areas that have public water and sewer services and an adequate street system to accommodate increased land development.” The Applicant found the request to be consistent because “There is an existing 8-inch water line on the east side of N 20th street. The Town has proposed improvements to pump station 20 and the force main and water line within Contract No. 102. The Proposed pump station within the Calico subdivision discharges via force main extension to Pump Station 20.” Mr. Cullipher clarified here that the lift station would be toward the rear of the development. The force main size is proposed to be increased and updated to go across to the lift station in Blair Farms to carry wastewater back into Town. Water lines have already been stubbed-out to the Calico Development. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.4 Natural Hazard Areas, Policy 1, which reads “It is the policy of the Morehead City to conserve the natural resources and fragile environments that provide protection from such natural hazards as floods and storm surges.” The Applicant found the request to be consistent because “The project is currently in Zone X and not within a regulated flood zone per FIRM Panel 6387, Map number 3720638700J, dated 7/16/03.” Chairman Outlaw stated the property is not currently in a flood zone. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.5 Water Quality, Policy 4, which reads “Morehead City will promote the use of best available management practices to minimize the degradation of water quality resulting from stormwater runoff; examples of these practices include using pervious or semi-pervious materials for driveways and walks, retaining natural vegetation along marsh and waterfront areas, and allowing stormwater to percolate into the ground rather than discharging it directly to coastal waters.” The Applicant found the request to be consistent because “The project is permitted as Low Density, limiting the built-upon area to 25%, maximizing disperse flow and providing vegetated stormwater conveyances.” Andrea Smith stated that the developer had decreased the amount of asphalt which was increasing the amount of grass in the development. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.6 Areas of Environmental Concern, Policy 4, which reads “Coastal wetlands should only be filled in connection with activities or projects that are directly related to erosion control or water dependent uses. However, coastal wetlands should only be filled in extreme cases when a permit applicant has exhausted all means of avoiding coastal wetlands in development of the project plans, and only in cases where the filling of coastal wetlands would have an overwhelming public benefit and proper mitigative measures are to be incorporated in the project.” The Applicant found the request to be consistent because “There are no coastal wetlands on site.” Mr. Cullipher confirmed that there are no coastal wetlands on the property. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.7 Areas of Local Concern, Policy 1, which reads “Morehead City will promote the diversification of housing in varying types, densities, and costs to meet the demands of all income levels and age groups.” The Applicant found the request to be consistent because “This is a single-family community with low density and is a type of development that meets the demand.” The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.7 Areas of Local Concern, Policy 3 which reads “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.” The Applicant stated they found the policy to be inconsistent. Andrea Smith said she felt that the Town needed more residential areas and asked Mr. Cullipher why had thought the policy was inconsistent. Mr. Cullipher said he now felt the policy was consistent, but it was written in a way that was hard to understand. The Board agreed that the Sketch Plan Revision was consistent with this policy.

Section 4.2.7 Areas of Local Concern, Policy 4, which reads “Current residential densities will be maintained in order to preserve the overall low-density character of Morehead City’s residential sector.” The Applicant found the request to be consistent because “The property was located in Neighborhood 7 with majority of the land, developed and vacant, zoned for residential use. The proposed density of 2.09 is at the lower end of the allowable 2 to 36 units per acre. The project is currently zoned and to remain R15-CZ.” Chairman Outlaw said he felt this policy was very similar to others that had just been discussed and he felt it was consistent. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2.7 Areas of Local Concern, Policy 5, which reads “The residential integrity of existing neighborhoods will be maintained by discouraging the encroachment of nonresidential uses into such areas.” The Applicant found the request to be not applicable. The Board agreed that the policy was not applicable to the Sketch Plan Revision.

Section 4.2.7 Areas of Local Concern, Policy 7, which reads “Infill development in existing residential areas will be encouraged only if it is compatible in density and scale to the in the surrounding area.” The Applicant stated the request is consistent because surrounding zoning includes “Keeter Park, Zone R20, to the south, Blair Farms, Zone R15, to the east and Sprookey’s Mobile Home Park, Zone R15M to the North. Proposed amended R15-CZ is consistent with residential policies in Neighborhood 7.” The Board agreed that the Sketch Plan Revision is consistent with this policy.

Section 4.2 Neighborhood 7, Policy 1, which reads “The review of development plans for tracts where potential wetlands have been identified will be coordinated with the US Army Corps of Engineers.” The Applicant stated the policy is consistent because it would create “minimal impacts to USACE wetlands. Permit SAW-2002-01322 and DWR Project #2019-0206.” Andrea Smith asked if the Town was in possession of the referenced permits. Planner Reid replied yes, and that any revisions to those permits would be requested at preliminary plat. The Board agreed that the policy is not applicable to the Sketch Plan Revision.

Section 4.2 Neighborhood 7, Policy 2, which reads “Low density residential development will be promoted in those areas lacking public water and wastewater facilities.” The Applicant found the request to be consistent because “low-density development proposed even though extending municipal water and sewer lines to the subdivision.” Mr. Cullipher said he felt he should have marked this policy as not-applicable since the development will be serviced by city water and sewer. The Board agreed that the policy is not applicable to the Sketch Plan Revision.

Section 4.2 Neighborhood 7, Policy 4, which reads “The town will promote the enhancement of the North 20th Street corridor as a major thoroughfare to improve access to the residential areas located in the northern section of town.” The Applicant found the request to be consistent because an “NCDOT Driveway Permit D2219010 includes improvements to N. 20th Street. A left turn lane is to be constructed and completed before the 41st lot is sold.” Chairman Outlaw asked if that was half of the lots. Mr. Cullipher said yes, that that the NCDOT required the left turn lane into the development to be complete at that point. The Board agreed that the Sketch Plan Revision is consistent with this policy.

Planner Reid then reviewed the applicant-submitted reasonableness responses with the Board. The Applicant has addressed items A through D.

For item A, which reads “Describe consistency in size, physical conditions, and other attributes of the area proposed to be rezoned” the Applicant has responded that the “site maintains the R15-CZ zone and is only amending the approved sketch. The revision has a slightly different alignment of American Egret Way with the removal of the portion of road originally approved on the north side of the wetland pocket. The vacant land at the entrance originally proposed as open space for amenities has been absorbed into the lots reducing the proposed open space but still more than required.”

For item B, which reads “List benefits and detriments to the landowners, the neighbors, and/or the surrounding community” the Applicant has responded that the “benefits include increase in tax base providing additional financial resources for the Town and surrounding landowners and neighbors.”

For item C, which reads “Describe how the development that would be permissible under the proposed amendment relates to the current development permissible on the tract and to the character of adjoining areas” the Applicant has responded that “the proposed amendment is for a revised layout of the subdivision reducing the amount of impervious surfaces generated by roads and sidewalks and

dispersing to the lots. The revised plan also reduces the amount of open space. The zoning remains R15-CZ and no increase in the number of lots (80 lots).”

For item D, which reads “Other reasons this amendment may be in the public interest not otherwise listed above” the Applicant has responded that the request “provides a needed residential community that has limited homes or lots for sale.”

Andrea Smith stated that she felt the price point of the lots would fill a large gap in the residential housing market. She also stated that, if the Board were to list the benefits and detriments, a detriment would be the roads. Chairman Outlaw said that, living in Blair Farm, he appreciated the stormwater retention pond the developer proposed to add that was not required to help alleviate the drainage issues

Andrea Smith made **MOTION**, seconded by Tom Saunders, to let it be resolved on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the request for conditional rezoning to be consistent with the most recently adopted CAMA Land Use Plan and recommends to the Morehead City Council that the request for rezoning, Sketch Development Plan for Calico, and Resolution Number 2021-0010 for Case Number SUB21-0023 be approved. The motion carried unanimously.

C). A City-initiated text amendment to amend subsection 19-8.3 and to add section 22-11 to the Unified Development Ordinance to declare temporary signs located on public property or within a public or railroad right-of-way to be a public nuisance and to define procedures and to grant authority for the Enforcement Officer to abate such nuisance.

Current Article 19, Section 8 reads:

~~19-8.3 No temporary sign shall be permitted to be located within the right-of-way.~~

Article 19 “Signs”, Section 8 “Temporary Signs” is proposed to declare temporary signs a public nuisance and reference Article 22 “Nuisances and Abandoned or Junked Motor Vehicles”.

19-8.3 No temporary sign shall be permitted to be located on public property or within any right-of-way. Such signs are declared to be a public nuisance, antithetical to public health, safety and welfare, and they may be summarily removed by the Town pursuant to Section 22-11 of this UDO.

Article 22 “Nuisances and Abandoned or Junked Motor Vehicles” is proposed to include a new Section 11 “Temporary Signs”, as follows:

22-11.1 Unlawful Temporary signs. Temporary signs located within the city limits or within one mile thereof, which are wholly or partially installed or placed on public property or within a public or railroad right-of-way in violation of Article 19 are declared to be an unlawful public nuisance, dangerous and prejudicial to public health, safety, and welfare, and may therefore be summarily abated by the Town pursuant to NCGS 160A-193.

22-11.2 Administration. The Planning and Inspections Department of the Town of Morehead City shall be responsible for the removal and disposition of unlawful temporary signs as defined in 22-11.1.

22-11.3 Removal of Unlawful Temporary Signs. A designated Enforcement Officer may, without notice, remove any such signs. If the owner of the removed sign can be reasonably determined, such owner will be given written notice of the violation in any manner allowed by 160D-404, including but not limited to hand delivery, email, or first class mail. The notice will inform the owner that, after payment of any fine assessed by the town, the sign(s) may be collected from a designated location within ten days after removal. Any removed signs not timely collected by the owner will be deemed abandoned and may be destroyed. If the owner of removed signs cannot be reasonably identified or if the same identified owner violates the provisions of this ordinance more than once in any 12 month period, the owner will forfeit their right to collect the removed signs and the same may be immediately destroyed.

22-11.4 Remedies Not Exclusive. Remedies provided in this Section shall not be exclusive and any other fines, fees, costs, remedy or other form of enforcement provided by this Article 22, by statute, or by Article 19 of this UDO may apply cumulatively.

Land Use Plan Evaluation: The Land Use Plan should be considered as part of the Planning Board's consideration of this request.

Notice of Meeting/Public Hearing Date: The public hearing before the City Council will be heard during its meeting on August 10, 2021.

Planner Karyn Reid introduced the request by reviewing the staff report. Andrea Smith stated that the request is much needed in Morehead City.

Joseph Smith spoke, stating that he has lived in Morehead City for 38 years on South 17th Street. Mr. Smith expressed concerns over the growing number of feather flag signage in the right-of way and the Curb Market on Evans Street placing signage in the railroad right-of-way on Saturdays. Mr. Smith said that the signs blocked visibility and made it difficult to cross traffic. He felt that if the Town wished to allow the feather flag signs past Carteret Community College, that may be more appropriate. He requested the amendment be approved and enforced.

Andrea Smith thanked Mr. Smith for coming out to speak on the request. She said she felt that too much signage at the road distracts drivers and is not aesthetically pleasing. She said that, as a realtor, she does not place temporary "for sale" signs between the sidewalk and road because she thought this ordinance already existed. Ms. Watkins clarified that the requirement not to place signs in the right-of-way is currently in the UDO. This amendment is to give Code Enforcement Officers the authority to remove noncompliant signs when needed.

Planner Reid reviewed the Land Use Consistency Statement with the Board. She stated for this request, the Statement references the Purpose of the CAMA Land Use Plan because the plan and policies within the plan do not reference signs. She said the Town felt the request was consistent with the Purpose because it will minimize distractions, avoid unnecessary clutter, and avoid the unregulated placement of signs in the public right-of-way. Andrea Smith stated she agreed and that the statement sounded like what she has previously stated. Board members agreed the request is consistent with the Purpose of the Land Use Plan.

Andrea Smith asked about political signage being allowed for a certain number of days prior to an election. Attorney Taylor stated that Ms. Smith is correct that the State allows them. Ms. Watkins said that the UDO states political signs may be in place for six weeks prior to an election and up to one week after, however, the sign ordinance is content neutral and does not specifically address regulation of political vs. other messages on signs.

Matt Johnson asked if this ordinance would be enforced on a complaint-basis or if the Town would patrol for signs. Ms. Watkins said that, if the City Council adopts the text amendment, there would first be an education component, but that additional enforcement efforts would be made.

Matt Johnson asked if there were any temporary allowances for special events such as the Seafood Festival, Marlins game, or road race. Ms. Watkins said that the activities that occur inside of the Seafood Festival area or other Town-sponsored events are regulated differently. The Town is allowed to regulate time, place, manner, height, and square footage of signage. The proposed ordinance does not change when or where signs are allowed.

Chairman Outlaw asked if the City Attorney was involved in drafting the amendments. City Attorney Taylor replied that he was. Signs in rights-of-way create dangerous situations and need to be able to be removed without a long due process period. Based on the draft, sign owners are allowed to come pick up their property within a given time if they wish.

Matt Johnson made **MOTION**, seconded by Andrea Smith, to let it be resolved on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the request for text amendment to be consistent with the most recently adopted CAMA Land Use Plan and recommends to the Morehead City Council that the text amendment and Resolution Number 2021-0008 for Case Number OA21-0006 be approved. The motion carried unanimously.

D). Request submitted by Stroud Engineering, P.A., on behalf of Best Ventures, LLC, for a Final Plat Review for “Subdivision of Best Ventures, LLC”, located at 3822 Galantis Drive (TAX PIN #637613242798000).

Zoned OP and RMF-CZ. Effective and Preliminary Flood Zone: X. Total Area: 10.8 acres. Minimum lot size: 5.2 acres. Average Lot Size: 5.4 acres.

Sketch Development Plan Review (Planning Board): May 18, 2021

Sketch Development Plan Review: June 8, 2021

Preliminary Plat Review (Planning Board): June 15, 2021

Stroud Engineering, P.A., on behalf of Best Venture, LLC, has submitted a request for final plat approval for a two-lot subdivision of 5.4 acres located on the north side of Galantis Drive at 3822 Galantis Drive. The tract is zoned Office and Professional (O&P) and Residential Multifamily – Conditional Zoning (RMF-CZ) and is within the corporate limits.

The developer has agreed to construct a 20 feet wide turnaround and a 30 feet wide easement is proposed outside of the Duke Progress Energy Easement for emergency services purposes. Street lights will not be required since the area of the lots is greater than 40,000 square feet. No recreational/open space areas are required because this is a commercial subdivision.

Any applicable state and federal permits will be required along with the Building Permit application submittals. **Approval of this plat should be contingent upon the receipt of a surety in the amount of \$66,757.50 to ensure construction of the emergency services turnaround.**

Final Plat Approval:

The purpose of this review is to assure that all improvements have been installed in accordance with the site development master plan and preliminary plat and to make sure that all fees have been paid. The Unified Development Ordinance does allow a developer to get final plat approval without all the improvements being installed provided that a bond or guarantee is submitted in the amount of 1.25 times the cost of the improvements is submitted to the City. The proposed amount of the bond or guarantee for the uninstalled improvements is reviewed and approved by Staff and appropriate Department Head.

Planner Karyn Reid introduced the request by reviewing the staff report.

Josh Johnson of Stroud Engineering spoke and said there had been no changes to the plat. Andrea Smith asked what the proposed use was for the parcel. Mr. Johnson replied that it is proposed to become a senior living facility with three levels of care including a critical care wing. The developer chose to include the emergency turnaround on the plat to service the facility because it met Town requirements without promoting through traffic. Chairman Outlaw asked what the plan was for the second parcel. Mr. Johnson replied that there are no solid plans in place yet for the western parcel. Andrea Smith stated that the Town needs senior living facilities.

Diana Tootle made **MOTION**, seconded by Ronetta Gaskill, to approve the Final Plat request for “Subdivision of Best Ventures, LLC” contingent upon receipt of a surety in the amount of \$66,757.50 to ensure construction of the emergency services turnaround. The motion carried unanimously.

REQUESTS/COMMENTS:

- A.** Planning Director Sandi Watkins reviewed commercial activity in Morehead City:
1. *Commercial Alteration to upfit Golden Corral building for EJW Outdoors, 4060 Arendell Street*
 2. *Commercial Alteration to upfit unit for Monkee's Boutique, 5000 Highway 70 #111*
 3. *Commercial Demolition of old Appleebees building, 5183 Highway 70*
 4. *Commercial Dock/Pier/Bulkhead reissue of permit for OTYC Slip A18, 100 Olde Towne Yacht Club Road*
 5. *Commercial Miscellaneous permit to relocate T-Mobile antennas from temporary tower to new tower, 510 Maple Lane*
 6. *Commercial New Construction for metal shell building, 230 Arthur Farm Road (Heritage Cabinet Company)*
 7. *Commercial New Construction for Office Building, 3408 Pine Street (Will Rogers)*
- B.** Planning Director Sandi Watkins reviewed single-family development activity in Morehead City:
1. *Residential Additions: 2*
 2. *Residential Alterations: 11*
 3. *Residential Accessory Structures: 11*
 4. *Residential Demolitions: 2*
 5. *Single-Family Dwelling at 114 Camp Morehead Drive*
 6. *Single-Family Dwelling at 2406 Marsh Tern Lane*
 7. *Single-Family Dwelling at 206 Nottingham Lane*
 8. *Single-Family Dwelling at 4004 Oak Street*
- C.** Planning Director Watkins entered the attendance record and monthly reports for the record.
- D.** Planning Director Watkins presented Chairman Tom Outlaw and Tom Saunders with Certificates of Appreciation signed by the Mayor and City Manager as both Mr. Outlaw and Mr. Saunders had achieved maximum term limits with three consecutive, full three-year terms.

ADJOURNMENT:

There being no further requests or comments, the meeting adjourned at 7:20 p.m.

Annie Bunnell, Secretary