



**PLANNING BOARD
LAND USE PLAN CONSISTENCY & REASONABLENESS STATEMENT
No. 2023-0002 for Case #REZ22-0007**

Request submitted by The Cullipher Group, P.A, on behalf of Perry Grandchildren, LLC, to rezone Tax PIN #636615528801000 located at 4713 San Juan Circle from R20 (Single-Family Residential District) to PD (Planned Development District) and for Sketch Development Plan approval for South Shore Cottages, a proposed fourteen (14) unit single-family residential planned development.

WHEREAS, The Cullipher Group, P.A, on behalf of Perry Grandchildren, LLC, has submitted an application to rezone 4713 San Juan Circle (Tax PIN #636615528801000) from R20 (Single-Family Residential District) to PD (Planned Development District); and

WHEREAS, North Carolina General Statute 160D-605(a) states, “When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.” and

WHEREAS, this request for amendment was duly advertised and was the subject of a public meeting of the Morehead City Planning Board on January 17, 2023, during which interested parties and staff were given the opportunity to comment; and

WHEREAS, the Planning Board has made the following findings and conclusions:

- 1) The rezoning request is generally consistent / inconsistent with the Land Use and Development Policies contained in the 2007 Town of Morehead City Core Land Use Plan, specifically:
 - i. Section 4.2.1 Public Access to Public Trust Waters, Policy 1, which reads “It is the policy of the Town of Morehead City to ensure a variety of opportunities for access to public trust waters to all segments of the community, including persons with disabilities.” *In the application submittals, the applicant indicated that the request was consistent because “environmental permitting required for this project provides for this balance. Wetlands fill is mitigated through a regional wetland mitigation bank. Fragile environments are protected through the erosion control process and the state stormwater process.”*
 - ii. 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.” *In the application submittals, the applicant indicated the request is consistent with this policy because “the Future Land Use Classification is medium density residential, 3 to 8 units per acre. The applicant is proposing 5.88 units per acre. As such. It fits in the future land use classification. The project site proposes utilization of town water and sewer facilities.”*
 - iii. 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.” *In the application submittals, the applicant indicated the request is consistent with this policy because “municipal water and sewer service is proposed.”*

- iv. 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.” *In the application submittals, the applicant indicated that request is consistent because “water and sewer are available at this location.”*
- v. 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.” *In the applicant submittals, the applicant indicated that the request is consistent because “a portion of this community is left in its natural state with 404 wetlands to provide protection from natural hazards.”*
- vi. 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 discharge directly to coastal waters.” *In the application submittals, the applicant indicated that the request was consistent because the proposed community will comply with State Stormwater Regulations. All available best management practices (BMP's) will be considered.*
- vii. Section 4.2.7 Areas of Local Concern (General) 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.” *In the application submittals, the applicant indicated that the request is consistent because the community will provide alternative housing with single-family ownership.*
- viii. Section 4.2.7 Areas of Local Concern (General) 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.” *In the application submittals, the applicant indicated that the request was consistent because “a variety of land uses is being met with this proposed PD development. Patio homes with a centralized common area provides a unique community environment for residences.”*
- ix. Section 4.2.7 Areas of Local Concern (General) 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.” *In the application submittals, the applicant indicated that the request was consistent because “the community is in compliance with the future land use plan for density and by default helps preserve the overall low-density character.”*
- x. Section 4.2.7 Areas of Local Concern (General) Policy 7, which reads “Infill development in existing residential areas will be encouraged only if it is compatible in density and scale to that of the surrounding area.” *In the application submittals, the applicant indicated that the request is consistent because this is a proposed in-fill community and is consistent in density and scale.*
- xi. Section 4.2.8, Neighborhood-Specific Policies, Neighborhood 6, Policy 1 which reads “The town will discourage nonresidential development adjacent to the Bogue Sound waterfront within existing residential neighborhoods.” *In the applicant submittals, the applicant indicated that the Proposed residential development in accordance with Policy #1.*

- xii. Section 4.2.8, Neighborhood-Specific Policies, Neighborhood 6, Policy 3 which reads “The current use, density, and building height requirements of the residential zoning classification in this neighborhood will be maintained to ensure the existing character of the area, unless developed as a Planned Development. In the applicant-submittals, the applicant indicated that the development would be developed as a Planned Development but would still be in accordance with building heights and medium density residential for compatibility in the neighborhood.
- 2) The rezoning request is reasonable / unreasonable and in / not in the public interest, because:
- a) The applicant described the consistency in size, physical conditions, and other attributes of the area proposed to be rezoned as “the community is large enough for a Planned Development and is located in a desirable neighborhood with mixed residential development.”
 - b) The applicant listed the benefits and detriments to the landowners, the neighbors, and/or the surrounding community by indicating that “the benefits include the construction of patio style homes with a community courtyard for interactive living with the neighborhood. The detriment would be the loss of what many may think is a park since the site has been maintained.”
 - c) The applicant described 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 by indicating that “the current R20 zoning would result in smaller number of lots but would not have the unique character of this community. The surrounding area has a mix of multi-family and single-family dwellings.”
 - d) The applicant listed other reasons that the rezoning may be in the public interest not previously stated as “the project would certainly add to the tax base and provide living opportunities for some that would want to downsize. Common facilities would be HOA maintained.”

NOW, THEREFORE, BE IT RESOLVED, on the basis of the foregoing findings and conclusions, that the Morehead City Planning Board does hereby find the request for rezoning to be generally consistent / inconsistent with the Core Land Use Plan, reasonable / unreasonable and in / not in the public’s interest, and so recommends to the Morehead City Council that the request for rezoning be approved / denied.

Sally Lumpkin, Chairperson

Date