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BOARD OF COMMISSIONERS MEETING AGENDA

Town of Swansboro

Monday, August 08, 2022

Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner
Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Jeffrey Conaway, Commissioner

I. Call to Order/Opening Prayer/Pledge

Mayor John Davis

II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda.

There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

III. Adoption of Agenda

Board of Commissioners

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items (if any), which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

IV. Appointments/Recognitions/Presentations

- a. Hometown Hero's Week

Mayor John Davis

V. Public Hearing

- a. Building Design and Compatibility-MI Materials

Jennifer Ansell
Planner

Mr. Richard Peterson has submitted plans to construct a building at 134 Seth Thomas Lane in the ETJ. In review of the application, it was communicated to Mr. Peterson that metal is not an allowed primary surface material. His contention is that in 2016, he constructed a metal building at 146 Seth Thomas Lane for E.L. Jones Development. In review of the 2016 permit file, there is no indication as to why metal was allowed as the primary material at that time.

Most of the buildings along Seth Thomas Lane in the MI zone are metal buildings, however some do have brick or stucco facades.

The Building Design and Compatibility Standards, adopted in 2013, currently contain under Section 152.560 (C)(4), a list of approved primary surface materials. Metal is not listed. Section (C)(6) requires that the same material as the front of the building must continue for at least 25% of the area of the side façades in the MI zone. Sections (C)(1), (5) and (6) contain additional architectural requirements for the façade of the building (base/body and entryway features).

Recommended Action: 1) Hold a public hearing; 2) A motion to approve, deny or table Ordinance 2022-O11 and adopt a statement of consistency.

VI. Business Non-Consent

a. Future Agenda Items

Alissa Fender
Town Clerk

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

Recommended Action: Discuss and provide any guidance

VII. Items Moved from Consent

VIII. Public Comment

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

IX. Manager's Comments

Paula Webb

X. Board Comments

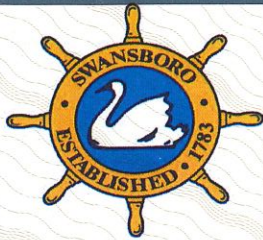
Board of Commissioners

XI. Closed Session

Board of Commissioners

XII. Adjournment

Board of Commissioners



PROCLAMATION

HOMETOWN HERO'S WEEK

WHEREAS the Town of Swansboro will host the second annual Tunnels to Towers 5K Run and Walk on Saturday, September 17, 2022 at 8:30am at the Municipal Park; and

WHEREAS the event follows in the footsteps of 9/11 Hero, New York City Firefighter Stephen Siller, to ensure that we never forget and honor the sacrifices of our Nation's First Responders and Military Hero's; and

WHEREAS in conjunction with the Tunnels to Towers 5K Run & Walk, organizers would like to include other activities the week prior to the event; to include a kickoff banquet on Friday, September 11, 2022 at the Swansboro Rotary Club.

NOW, THEREFORE, BE IT PROCLAIMED, that Mayor John Davis and the Board of Commissioners hereby designate the week of September 11-17, 2022 as "*Hometown Hero's Week*" in the Town of Swansboro.

WITNESS MY HAND AND SEAL this 8th day of August 2022.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item to Be Considered: **Building Design and Compatibility-MI Materials**

Board Meeting Date: **August 8, 2022**

Prepared By: **Jennifer Ansell, Planner**

Overview: Mr. Richard Peterson has submitted plans to construct a building at 134 Seth Thomas Lane in the ETJ. In review of the application, it was communicated to Mr. Peterson that metal is not an allowed primary surface material. His contention is that in 2016, he constructed a metal building at 146 Seth Thomas Lane for E.L. Jones Development. In review of the 2016 permit file, there is no indication as to why metal was allowed as the primary material at that time.

Most of the buildings along Seth Thomas Lane in the MI zone are metal buildings, however some do have brick or stucco facades.

The Building Design and Compatibility Standards, adopted in 2013, currently contain under Section 152.560 (C)(4), a list of approved primary surface materials. Metal is not listed. Section (C)(6) requires that the same material as the front of the building must continue for at least 25% of the area of the side façades in the MI zone. Sections (C)(1), (5) and (6) contain additional architectural requirements for the façade of the building (base/body and entryway features).

Planning Board Recommendation: At their July 5, 2022, regular meeting, the Planning Board recommended that metal be allowed as a secondary material in the MI zone. The vote was 3 to 2.

Action Needed: 1) Hold a public hearing;
2) A motion to approve, deny or table Ordinance 2022-O11 and adopt a statement of consistency.

Per NCGS 160D-605, 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.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

Background Attachments

Proposed Ordinance 2022-O11

Planning Board Statement of Consistency

Action: _____

ORDINANCE 2022-011
AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE
TO CLARIFY PRIMARY SURFACE MATERIAL ALLOWANCES IN THE MI ZONE

WHEREAS North Carolina General Statute 160D-605 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-605 also states that 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 the Board of Commissioners finds that the proposed text amendment is consistent with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and considers the action taken to be reasonable and in the public interest.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Unified Development Ordinance is amended as follows:

TITLE XV: LAND USAGE

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

§ 152.560 ARCHITECTURAL CHARACTER.

(C) *Entryways.*

(4) *Building materials/colors.*

- a) Each building shall be constructed with approved primary surface materials.
- b) Approved primary surface materials shall include:
 1. Brick or glazed brick;
 2. Wood;
 3. Fiber Cement (Hardiplank);
 4. Stucco or synthetic stucco;
 5. Tinted and textured concrete masonry;
 6. Concrete (Pre-Cast or Cast-in-place);
 7. Glass;
 8. Split face block; and
 9. Concrete block may be permitted on interior sides and rears provided it matches the color of the corresponding surface materials.
- c) If renovating the structure, brick, stone, or wood facades shall not be covered or replaced with artificial siding or panels. Synthetic materials that resemble or match the original façade can be used.
- d) Secondary materials may be used to add architectural interest. They may consist of one or more primary materials, or any other (appropriate) material that adds architectural interest. Metal is allowed as a secondary material in the MI zoning district only.

- e) Façade with main entrance may be glass (including windows and doors) or combinations of glass and materials listed in item division (C)(4)(b) of this section.
- f) Variations of materials and textures are encouraged with each storefront in multi-tenant buildings.
- g) It is recommended that primary surface materials shall be natural colors including primary colors, or have “earth” tones (i.e. gray, white, beige, brown, or brick) (See [Figure 152.560.7](#)).
- h) For secondary materials, additional colors may be used.

(6) Body.

(f) *Exterior wall cladding.* All exterior walls visible from a parking lot or public right-of-way in any zoning district except the MI (Light Industrial) shall be clad with the same material required for the front of the building. ~~Buildings in the MI zoning district are required to provide the same material as the front of the building for at least 25% of the area of the side façades and 100% of the area of side façades directly facing a public right of way. All walls not visible from a parking lot or public right of way, or the remaining 75% of the side façades in the MI zoning district, may be constructed of alternate material(s), but shall be of a color that is complimentary to the primary material, and is incorporated into the overall color scheme of the building.~~

These amendments are effective upon adoption of this Ordinance.

Adopted this 8th day of August 2022.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Alissa Fender, Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

During its July 5, 2022 regular meeting, the Town of Swansboro Planning Board recommended proposed amendments to the Unified Development Ordinance related to primary surface material allowances in the MI zone.

This proposed amendment is **consistent** with the current Comprehensive Plan, specifically the CAMA Land Use Plan, Implementation Recommendations and Strategies, Other Community Priorities, Enhance Appearance and Maintain Small Town Coastal Character, and has been recommended for **approval** by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 5th day of July 2022.

3-2

Vote

A handwritten signature in black ink, appearing to read "Scott Chadwick", is written over a horizontal line.

Scott Chadwick, Planning Board Chairperson



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **August 8, 2022**

Prepared By: **Alissa Fender - Town Clerk/Admin Services Director**

The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc.

In providing this memo each month, we hope it will also provide opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

August 18, 2022, Special Joint Workshop with Planning Board – 3pm

Proposed for August 22, 2022

- * Town Code Amendment/Subdivision Speed Limits

Future Agenda Items

- * American Rescue Plan Funding Recommendations (updates)
- * Further LUP Review/Amendments
 - o Comprehensive Transportation Plan Revisions
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Sub-committee designations for Strategic Plan Implementation
(*Eco Dev Committee est. Oct 2020*)
- * Shipwrights Point Phase II Street Acceptance (*Tentative*)
- * Historic Preservation Commission Recommendations (Joint Meeting Items)
- * Visitor's Center Improvements
- * Building Standards
- * Zoning Map & Table of Uses Amendments (possible)
- * EOC Discussion (ongoing)
- * Ward Shore Project Additional Alternatives (gather quotes for sod/AstroTurf or similar)
- * Joint Meeting with Historic Preservation Commission
- * Appearance Commission – Planning Board and HPC to review/provide feedback
- * Special Use Permit/Starbucks – Additional details needed; Planning Board tabled
- * Board Meeting Alternatives for Public viewing (*undergoing further research*)
- * Swimming Pool
- * Church Street Dock Safety Policy

September Meetings:

Regular – 12th

Regular – 26th