

**Town of Swansboro
Planning Board
Regular Meeting Minutes
July 2, 2024**

Call to Order

The meeting was called to order at 5:30pm. Board members in attendance were Christina Ramsey, Lauren Brown, Sherrie Hancock, Tim Vannoy, and Jerry Seddon. Clara Abalos was absent. There was one ETJ vacancy.

Approval of Minutes

On a motion by Ms. Brown, seconded by Mrs. Hancock, the May 9, 2024, Special Meeting Minutes were approved unanimously.

Business

UDO Text Amendment to Section 152.073 Moratoria

Town Planner Brehmer shared that after a review of North Carolina General Statutes and UDO on Moratoria at a recent Board of Commissioners meeting, the Town Attorney advised that the UDO Section 152.073, Moratoria, was not consistent with G.S. § 160D-107 Moratoria in that it was missing a portion of the first sentence under Section (A) Authority. It was proposed that the UDO Section 152.073 Moratoria should have the first sentence (A) Authority to read “As provided by G.S. § 160D-107”

In response to inquiries from the board, the following was clarified by Town Planner Brehmer and Chief Building Inspector Ingram:

- The Town or any entity would not be allowed to enable a Moratoria for development, adopting new, amended plans, or development regulations governing residential uses.
- Even though the first sentence under Section (A) was not clear the town attorney clarified that the general statute had to be followed.

On a motion by Mr. Vannoy, seconded by Ms. Brown, the proposed UDO text amendment to Section 152.073 Moratoria, Section (A) Authority was unanimously recommended for approval to the Board of Commissioners along with the Comprehensive Plan Consistency Statement.

UDO Text Amendment to Section 152.445 Coastal High Hazard Areas (Zone VE)

Town Planner Brehmer reviewed that the Town UDO Section 152.445 Coastal High Hazard Areas (Zone VE) (Q) in the Flood Damage Prevention Ordinance was not feasible and needed to be deleted. Ms. Brehmer further shared that FEMA guidelines did not specifically call out the number of outlets and switches that could be installed. The goal in deleting UDO Section 152.445 (Q) was to both follow FEMA guidelines more accurately as well as give homeowners/business owners more options when it comes to outlets and switches being installed in a flood zone under the base flood elevation.

In response to inquiries from the board, the following was clarified by Town Planner Brehmer and Chief Building Inspector Ingram:

- Businesses/homeowners were being hindered because the UDO did not allow them to add more than four outlets.
- It was not stated in the FEMA Guidelines that there was a limit of four outlets.
- As a result of the Town Planner's research, it was unknown as to why the UDO only allowed four outlets.
- The electrical code would allow two circuits.

On a motion by Mr. Seddon, seconded by Mr. Vannoy, the proposed UDO text amendment to Section 152.445 Coastal High Hazard Areas (Zone VE) (Q) was unanimously recommended for approval to the Board of Commissioners along with the Comprehensive Plan Consistency Statement.

Town Code/UDO Text Amendment to Section 150.45 Permits Required and Section 152.196 Notes to the Table of Area, Yard, and Height Requirements
Town Planner Brehmer reviewed a text amendment that was proposed to the Town Code Section 150.45 Permits Required to have a zoning permit added to the list of permits required for any new development and a text amendment was also proposed to the UDO Section 152.196 Notes to the Table of Area, Yard, and Height Requirements, (F) Note 6.

In response to inquiries from the board, the following was clarified by Town Planner Brehmer and Chief Building Inspector Ingram:

- For any accessory structure that was smaller than 12x12 in any direction, a building permit would not be required. However, due to the wind zone regulations, it would still need an inspection. The zoning permit process includes a component for this inspection.
- There was a cost of \$25.00 for Property additions and \$50.00 for new construction/additions for commercial & residential associated with the zoning permit.

On a motion by Ms. Brown, seconded by Mrs. Hancock, the proposed amendment Town Code Section 150.45 Permits Required to have a zoning permit added to the list of permits required for any new development and the text amendment to the UDO Section 152.196 Notes to the Table of Area, Yard, and Height Requirements, (F) Note 6. was unanimously recommended for approval to the Board of Commissioners along with the Comprehensive Plan Consistency Statement.

Town Code Amendment to Chapter 93: Streets and Sidewalks, Section 93.007 Playing Games in Streets

Town Planner Brehmer was given direction from the Board of Commissioners and Town Manager that due to enforcement capabilities; a text amendment had been proposed to remove Town Code Section 93.007 Playing Games in Street. Allowing this activity to take place in Town Limits.

On a motion by Mr. Vannoy, seconded by Mr. Seddon, the proposed amendment to Town Code Chapter 93: Streets and Sidewalks, Section 93.007 Playing Games in Streets Was unanimously recommended for approval to the Board of Commissioners.

Chairman/Board Thoughts/Staff Comments

Town Planner Brehmer shared with the board that the Planning Board General Rules had been provided as requested during the Planning Board's training class on Legislative Zoning Decisions held May 16, 2024.

Mr. Vannoy shared his concern that Mr. Chadwick's signature was on the Planning Board General Rules and would like to possibly have the new Chair's signature along with the current Planning Board member's signature on the Planning Board General Rules. Deputy Clerk Cuadro informed Mr. Vannoy that she would research the request and bring it back to the board at the August 6, 2024, meeting.

Adjournment

On a motion by Mr. Vannoy, seconded by Mrs. Hancock, the meeting adjourned at 6:01 pm.