

**TOWN OF SWANSBORO
PLANNING BOARD
REGULAR MEETING AGENDA**

March 2, 2021

Tuesday, 5:30 PM

***Zoom Link:** <https://us02web.zoom.us/j/86082103395>

1. Call to Order

2. Election of Chair & Vice Chair

In accordance with the Planning Board's General Rules, a Chairman and Vice Chairman shall be elected from within the membership by the members at the first meeting each calendar year. *(Board did not meet in January & February)*

3. Minutes

A. October 6, 2020 Regular Meeting

4. Old Business

A. Preservation of Wetlands

The Carolina Wetlands Association will initiate a discussion on steps we can take to revise our ordinances to protect and aid in the restoration of wetlands.

Action Needed: Establish priorities for future ordinance amendments.

B. Land Use Plan Implementation-Program of Work

In February of 2019, the Planning Board established a timeline for the implementation of the CAMA Land Use Plan Update. In May of 2019, it was revised to reflect those items remaining, however a timeline was not established. At the February 3, 2020 regular meeting, the Board revised the program of work to reflect their immediate goals and forthcoming amendments. The Board of Commissioners has made implementation of the plan a high priority for this budget cycle, FY 21-22.

Action Needed: Review the remaining items in the program of work and establish a meeting schedule.

5. Chairman/Board Thoughts/Staff Comments

6. Public Comments

7. Adjournment

**TOWN OF SWANSBORO
PLANNING BOARD
REGULAR MEETING MINUTES
OCTOBER 6, 2020**

Call to Order

The meeting was called to order at 5:30 pm. Board members in attendance were Christina Ramsey, Scott Chadwick, Brad Buckley, Jeff Conaway, Michael Favata, David Mohr, and Ed McHale.

Minutes

On a motion by Mr. Conaway, seconded by Mrs. Ramsey, the meeting minutes for June 1, 2020 and July 7, 2020 were approved unanimously.

New Business

ARC/HDS Onslow County Housing Corporation Rezoning

Mrs. Ansell reviewed that the Arc of North Carolina had petitioned the Town to rezone their property located at 413 Glancy Street from R-8 SF, Residential, to R-6, Residential. The property consists of approximately 0.94-acre and is within Town limits and was situated across the street from Swansboro Hill Apartments, and is surrounded by a mix of stick-built dwellings and manufactured homes. The property currently contains a 6-bedroom group home which operated in this location from 1986 to 2019.

In response to inquiries from the board, Mrs. Ansell clarified the following details

- Rezoning applications do not require appraisal evaluation
- The property was identified on the Future Land Use Map as Low Density/Suburban Neighborhood

Michael Gage, representative for ARC/HDS Onslow County Housing Corporation addressed the board and shared details related to the company and their intentions of the property.

After discussion, on a motion by Mr. McHale, seconded by Mr. Buckley, the request to rezone tax parcel 1401-123.7 located at 413 Glancy Street from R-8 SF to R-6 was recommend for approval to the Board of Commissioners. The motion was unanimous.

Old Business

Text Amendment - Food Truck Vendors

Mrs. Ansell reviewed that Elizabeth Shepard, owner of the Urban Street Eats food truck, has submitted an application for text amendment which would allow food truck vendors. The following history details for prior meetings related to this agenda item.

- **Planning Board Recommendation:**

- At the May 4, 2020 regular meeting, the Planning Board voted unanimously to recommended denial of the proposed text amendments related to food truck and push cart vendors due to the potential financial impact on brick-and-mortar businesses and current restrictions on those business as a result of the Coronavirus.
- At their July 7, 2020 special meeting, the Planning Board voted 4 to 1 to recommend denial of the revised ordinance amendment, citing its inconsistency with the 2019 CAMA Land Use Plan Update and Gateway Plan, specific to the vision for the appearance of the Highway 24 corridor.

- **Board of Commissioners' Discussion:**

- At the June 8, 2020 meeting, the Board of Commissioners directed Staff to revise the proposed ordinance and to submit it to the Planning Board for further review in order to:
 - Remove the allowance for food vendors in the B-2HDO zoning district.
 - To require a time limit for vendors to include a maximum duration per site and total allowance per year; and
 - Increase the fees proposed.
- At their June 22, 2020 regular meeting, the public hearing was held, but the discussion was tabled, and a special meeting was set for August 10, 2020.
- At the August 10, 2020 special meeting the Board directed Staff to:
 - Explore allowing food trucks in locations such as Seth Thomas Lane, large construction sites, parks and at special events, within specific Future Land Use designations/nodes, and distance them from other food establishments and locate them off of Hwy 24;
 - Allow them on a temporary basis. Most agreed 3 consecutive days in the same location was appropriate.
 - Limit the number of permits issued; and
 - Consider Commissioner Philpott's comments (provided at the meeting).

- **Philpott and Tursi Meeting**

Additionally, at the August 10, 2020 meeting, the Board of Commissioners directed Staff to meet with Commissioners Philpott and Tursi to further refine the ordinance proposal prior to it going back to the Planning Board for review. Staff met with the two Commissioners on September 17, 2020.

During discussion, the Board reviewed the Economic Strategic Plans vision which read as follows: *"Swansboro, the quaint and friendly city by the sea, is recognized by visitors and residents as a gem of North Carolina's coast. All who know and appreciate Swansboro celebrate the town's relaxed waterfront lifestyle; abundance of thriving, family-friendly locally-owned businesses; recreational opportunities; and a broad range of arts, historical, dining and shopping opportunities. The town remains committed to preserving its heritage, environment and small-town appeal."*

The board desired to know if 'locally-owned' was defined and expressed the need to determine how this request lined up with the town's plan and vision for the future. Mrs. Ansell advised that the term was not defined but she would research that term and provide further details to the board after the meeting. Board members were not comfortable making a decision and wanted more time to review the request against the Town's plans.

On a motion by Mr. Chadwick, seconded by Mr. Conaway, the request was tabled to the next meeting. The motion was unanimous.

Sign Amortization and Freestanding Sign Allowances

Mrs. Ansell reviewed that the Board of Commissioners discussed the freestanding sign amortization process again at their July 27, 2020 regular meeting and directed Staff to present an amendment to the Planning Board for consideration to remove the amortization requirement under Section 152.274 of the Unified Development Ordinance (UDO) and to clarify under what conditions nonconforming signs would have to be replaced.

Again, board members were not comfortable making a decision and wanted more time to review the request against the Town's plans.

On a motion by Mr. Chadwick, seconded by Mr. Conaway, the request was tabled to the next meeting. The motion was unanimous.

The following comments were provided from board members regarding signs.

Mr. Chadwick shared that this processed and possible amendment would not please everyone and that it might take time, but the board needed to find a way to make signs work and stick to the town plans and visions for the future.

Mrs. Ramsey shared that she did not understand why there was not an exemption given to the Historic District.

Staff Comments

Mrs. Ansell reviewed the following:

The board's next regular meeting in November fell on election day and inquire if they wished to hold that meeting or reschedule. The board consensus was to reschedule the meeting, and all agreed to November 10th.

The review of the wetland implementation was needed, and it was requested that the board members email her with dates they were available to meet.

160D amendments were ongoing and was a large text amendment that would be presented in the next several months.

Adjournment

On a motion by Mrs. Ramsey the meeting was adjourned at 6:24 pm.



Planning Board Agenda Item Submittal

Item to Be Considered: **Wetlands Discussion**

Board Meeting Date: **March 2, 2021**

Prepared By: **Jennifer Ansell, Planner**

Overview: The Carolina Wetlands Association will initiate a discussion on steps we can take to revise our ordinances to protect and aid in the restoration of wetlands.

Action Needed: Establish priorities for future ordinance amendments.

Attachments

CWA Outline

Ansell Email 10/6/20

MEMORANDUM

FROM: CWA

TO: TOWN OF SWANSBORO

RE: PRESERVATION OF WETLANDS

DATE: November 20, 2020

State and local governments have developed a broad range of tools for protecting and restoring wetlands. These policy directives are incorporated into local ordinances as conservation practices via the municipality's urban forestry, parks and recreation and landscaping requirements. Another major policy approach takes the form of building code, zoning and development ordinances related to stormwater management and flood control.

Among the examples studied, municipalities may:

- Map wetlands for planning, public education, regulatory and other purposes
- Incorporate wetland maps and policies into planning to protect land, water and watersheds
- Protect wetlands on public property such as greenways, forested areas, and parks
- Adopt wetland protection ordinances for private land including building codes, subdivision control and zoning
- Adopt municipal tax incentives for wetlands on private property
- Acquire fee or conservation easement interests in wetlands on private property
- Establish signage, interpretive data, boardwalks and viewing areas in wetlands
- Protect, restore and construct wetlands for municipal pollution control, stormwater management, parks and recreation, tourism and other purposes
- Seek and obtain grants and funding from a multitude of state and federal agencies and NGOs

Sample ordinances for both wetland conservation and stormwater management are available from the United States Environmental Protection Agency and the Federal Emergency Management Agency.

Local governments may also seek landowner wetland conservation support by

- Reducing real estate taxes on wetlands
- Reduce road, sewer and water levees for wetlands
- Work with local land trusts to provide donors of wetlands in fee or conservation easements to obtain income and estate tax benefits
- Provide variance procedures where regulations will prevent all economic uses of lands

- Direct wetland owners to seek financial aid from state and federal resources to ease regulatory burdens

Financial incentives for owners of wetlands may include

- Deferred ad valorem taxes in exchange for conservation easement(s) on private property for a term of years
- Deferment or abatement of taxes on designated wetlands on private property as part of a comprehensive flood management strategy
- Deferment or abatement of taxes for cluster development and maintaining substantial intact portions of open space
- Incentives for increased density housing and maintaining intact portions of open space
- Purchase in fee existing wetlands from private landowners
- Reduced stormwater fee(s) assessed against private landowners who maintain existing wetlands and reduce planned amount of impervious surfaces

Other options include incentives for urban planning, mitigation banking and voluntary participation.

Mitigation banking

The Clean Water Act allows use of compensatory mitigation to replace the benefits of lost wetlands and streams. North Carolina allows preservation for compensatory mitigation by private mitigation banks and a state-operated in-lieu fee (ILF) program. Since 2008, North Carolina's ILF program and mitigation banks have continued to use preservation at relatively low rates for both wetland and stream mitigation. Notably, between 2012 and 2015, no wetland preservation was used for mitigation by the ILF program.

Young, Ben, Lydia Olander, and Amy Pickle. 2016. *Use of Preservation in North Carolina Wetland and Stream Mitigation*. NI WP 17-04. Durham, NC: Duke University.

Ecosystem Services

Voluntary participation in a municipal program recognizing the ecosystem services and benefits of natural spaces can be used as an incentive for preservation of wetlands much like voluntary agriculture districts supported by the NC and United States Department(s) of Agriculture.

Maintaining open spaces that include forestry and wetlands have been proven to:

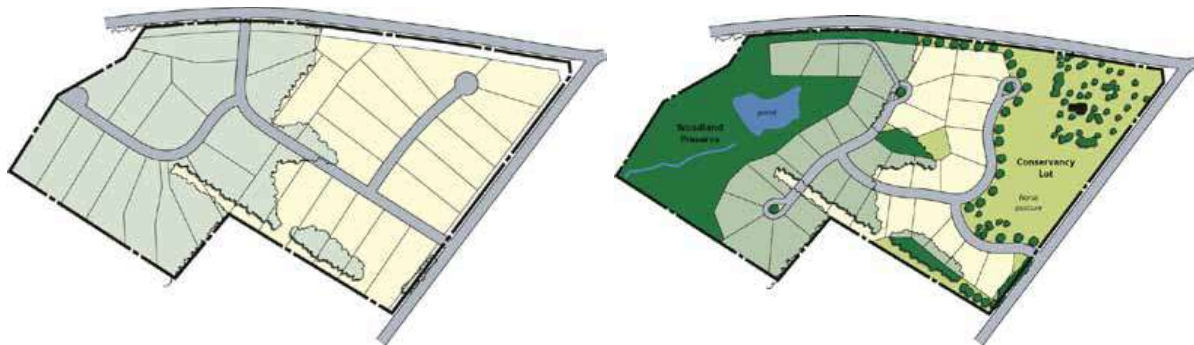
- Enhance and increase adjoining property values
- Reduce flooding and improve water quality
- Enhance health and wellness among citizens
- Maintain connectivity and habitat for wildlife
- Preserve migratory bird habitat
- Establish good will among neighboring land owners and municipalities

Examples:

- Wake Nature Preserves Partnership
<https://wakenature.wordpress.com/resources/management-plan-examples/>
- Mecklenberg Nature Preserves
<https://www.mecknc.gov/ParkandRec/StewardshipServices/Pages/Nature-Preserves.aspx>

Urban Planning and Green Infrastructure

To promote the conservation of wetlands and natural areas, update municipal planning to include open space development incorporating smaller lot sizes to minimize total impervious area, reduce total construction costs, provide community recreational space, and promote watershed protection.



Incentives for conservation and green infrastructure might include tax credits; stormwater waivers; or density, floor area, or height bonuses.

- Implement planning design to reduce impervious cover of streets and sidewalks
- Reduce length of residential streets to increase the number of homes per unit length
- Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce impervious cover
- Use vegetated open channels in the street right-of-way to convey and treat stormwater runoff
- Reduce impervious cover in parking lots by examining parking ratios, providing compact car spaces, reduced stall dimensions, efficient parking lanes, and pervious materials in spillover parking areas and encouraging structured parking
- Use stormwater BMPs for parking lot runoff including bioretention areas, filter strips, and/or other practices in landscaping areas and traffic islands
- Relax side yard setback, allow narrower frontages and flexible sidewalk design to reduce overall site imperviousness
- Promote alternative surfaces and shared driveways that connect two or more homes
- Create a variable width vegetated buffer system along streams and wetlands

- Limit clearing and grading of forests and native vegetation to the minimum amount needed to build lots, allow access, and provide fire protection

Resources

Cappiella, K. and K. Brown. 2001. *Impervious Cover and Land Use in the Chesapeake Bay*. Center for Watershed Protection, Ellicott City, MD.

Cappiella, K., Schueler, T., and T. Wright. 2006. *Urban Watershed Forestry Manual. Part 2: Conserving and Planting Trees at Development Sites*. NA-TP-01-06. USDA Forest Service, Northeastern Area State and Private Forestry. Newtown Square, PA. Center for Watershed Protection

National Association of City Transportation Officials (NACTO). 2013. *Urban Street Design Guide*. Island Press. 192 pp. <https://nacto.org/publication/urban-street-design-guide/street-design-elements/sidewalks/>

Center for Watershed Protection (CWP). 1998. *Better Site Design: A Handbook for Changing Development Rules in Your Community*. Center for Watershed Protection. Ellicott City, MD.

McElfish, J. 2004. *Nature-Friendly Ordinances*. Environmental Law Institute. Washington, DC.

From: [Jennifer Ansell](#)
To: [Rick Savage](#); [Aaron Ellis](#); [Amanda Willis](#); [Amanda Johnson](#); [Cam McNutt](#); [Chad Guthrie](#); [David Shouse](#); [Kim Matthews](#); [Kris Bass](#); [Lena Simmons](#); [Linda Wendling](#); [Lindsey Smart](#); [Morgan Stone](#); [Norton Webster](#); [Sara Bazemore](#); [Shaefny Grays](#)
Cc: [Christopher Seaberg](#); [Frank Tursi](#); [Alissa Fender](#); [Brad Buckley](#); [Christina Ramsey](#); [David Mohr](#); [Edward McHale](#); [Jeff Conaway](#); [Michael Favata](#); [Scott Chadwick](#)
Subject: RE: Swansboro follow up meeting Oct. 5, 2020
Date: Tuesday, October 6, 2020 11:07:00 AM
Attachments: [Residential Cluster.pdf](#)
Importance: High

All:

As we discussed yesterday, our [Unified Development Ordinance](#) currently contains provisions for [Residential Cluster Development Regulations](#) (also see attached) and we have an established [Conservation](#) zoning district with limited [land uses](#).

One thought was to rezone the properties identified as Conservation Priority Areas on the Future Land Use Map in the [2019 CAMA LUP Update](#) to Conservation, and to refine the land uses allowed under that zoning district.

Another was to refine the provisions for Residential Cluster Developments to include various incentives (it already allows increased density) for conserving/locating development out of environmentally sensitive areas (wetlands/floodplain), for example to allow the required open space to consist of a certain percentage of/or all wetlands/floodplain or to allow dedication of those areas to meet all or a portion of the recreation dedication/payment in lieu requirements of the [Subdivision Ordinance](#).

I will discuss this with the Planning Board tonight and get their thoughts on future meetings. They meet the first Tuesday of the month at 5:30 pm, but we have the ability to schedule special meetings as needed.

Thank you,

Jennifer H. Ansell, CFM, CZO
Planner
Town of Swansboro
601 W. Corbett Avenue
Swansboro, NC 28584
(910) 326-4428
(910) 326-3101 Fax

From: Rick Savage <rick.savage@carolinawetlands.org>
Sent: Monday, October 5, 2020 8:34 PM
To: Aaron Ellis <abellis9400@gmail.com>; Amanda Willis <amwillis@ncsu.edu>; Amanda Johnson <amandajohnson828@gmail.com>; Cam McNutt <campbell.mcnutt@gmail.com>; Chad Guthrie <dchadguthrie@carolinawetlands.org>; David Shouse <dsandmr@gmail.com>; Kim Matthews <kim.matthews@carolinawetlands.org>; Kris Bass <kbass@kbeng.org>; Lena Simmons

<lsimmons954@gmail.com>; Linda Wendling <linda.wendling@wgu.edu>; Lindsey Smart <lssmart@ncsu.edu>; Morgan Stone <morganstone57@gmail.com>; Norton Webster <norton@biodiversegroup.com>; Sara Bazemore <sarabazemore@gmail.com>; Shaefny Grays <sdgrays@ncsu.edu>

Cc: Christopher Seaberg <cseaberg@ci.swansboro.nc.us>; Jennifer Ansell <jansell@ci.swansboro.nc.us>; Frank Tursi <ftursi@ci.swansboro.nc.us>

Subject: Swansboro follow up meeting Oct. 5, 2020

Great meeting today, thanks Chris, Jennifer, Frank, Chad, David, Norton, Shaefny, Amanda J. for a very productive meeting.

Attached are the notes I took today. Let me know if there are any corrections.

Also attached is the Climate Change Interagency Council presentations and the NC DCM Resilient Coastal Communities Program starts on Slide 74.

I will pursue the additional information on funding and other tasks are in the attached notes.

Thanks all,

Rick

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President of the Carolina Wetlands Association
PO Box 55392
Raleigh, NC 27636

919-412-9754

www.carolinawetlands.org



Planning Board Agenda Item Submittal

Item to Be Considered: **Land Use Plan Implementation-Program of Work**

Board Meeting Date: **March 2, 2021**

Prepared By: **Jennifer Ansell, Planner**

Overview: In February of 2019, the Planning Board established a timeline for the implementation of the CAMA Land Use Plan Update. In May of 2019, it was revised to reflect those items remaining, however a timeline was not established.

At the February 3, 2020 regular meeting, the Board revised the program of work to reflect their immediate goals and forthcoming amendments.

The Board of Commissioners has made implementation of the plan a high priority for this budget cycle, FY 21-22.

Action Needed: Review the remaining items in the program of work and establish a meeting schedule.

Attachments

Planned Order of Work February 2020

Per Regular Meeting Minutes, February 3, 2020

- 1) Flood Damage Prevention Ordinance Update (Adopted June 8, 2020; Effective June 19, 2020)
- 2) RA Residential Agricultural Zoning District (rezoning or text amendment)
- 3) Wetlands (Ongoing; Engaged the Carolina Wetlands Association for guidance)
- 4) Text amendment related to Conservation Zoning District to reflect the recommended CAMA Plan changes to strengthen coastal resiliency
- 5) ~~Text amendment related to requirements for connection for development to nearby amenities~~ (Adopted June 22, 2020)
- 6) Text amendment related to the overall appearance of commercial, industrial and mixed-use development
- 7) Text amendment related to tying square foot to the use of higher quality materials, additional stormwater control measures
- 8) Consider map amendments (zoning maps) that reflect the Future Land Use categories after the regulatory changes are made (if needed)
- 9) UDO amendments related to NCGS 160D implementation (Ongoing; Edits completed and submitted to Town Attorney for review in November. Hope to have before PB in April)