

Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516 252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, August 17, 2020 - Held Virtually through Zoom Due to the COVID-19 Pandemic Monthly Meeting

Call to Order

1. Call to Order

Roll Call

1. Roll Call

Agenda Approval

1. Agenda Approval for the August 17, 2020 Meeting

Minutes Approval

1. Minutes Approval from the July 20, 2020 meeting

New Business

1. Preliminary Plat for Live Oak Commons

Commission / Board Comments

Staff Comments

Adjourn



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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, July 20, 2020 - Held Virtually through Zoom due to the COVID-19 Pandemic **Minutes**

Call to Order

Chairman Neve called the July 20, 2020 meeting to order.

Roll Call

Chairman Neve asked for a roll call. Present for the meeting were; Ryan Neve, Paula Gillikin, Diane Meelheim, Ralph Merrill, Jeff Vreugdenhill, Aaron Willis and John LoPiccolo. Secretary Winn declared a quorum.

Also present for the meeting were, Kyle Garner, Kate Allen, Commission John Hagle and Commissioner Marianna Hollinshed.

Agenda Approval

Agenda Approval for July 20, 2020

Chairman Neve asked if there were any changes to the Agenda. Hearing none he asked for a motion to approve the Agenda as presented. Board Member LoPiccolo made the motion to approve the Agenda, Board Member Meelheim made the second and the motion carried unanimously.

Minutes Approval

Minutes Approval from the June 15, 2020 Meeting

Chairman Neve asked if there were any changes to the Minutes from the June 15, 2020 meeting. Hearing no changes he asked for a motion to approve the Minutes as presented. Board Member Meelheim made a motion to approve the Minutes as presented, Board Member Gillikin made the second and the motion carried unanimously.

Old Business

Case 20-07 - Text Amendment Modifying Section 4 Definitions: Building Height

Chairman Neve opened Case 20-07, Text Amendment that was tabled from the June 15, 2020 meeting.

Kate Allen, presented updated information to the Board that they had requested through a power point presentation. Ms. Allen showed the current standards versus what is being proposed. Ms. Allen stated that she created a new scenario based off of an actual property at 423 West Beaufort Road. She said the structure had recently been demolished. Ms. Allen stated that she was able to obtain the ground elevation through Carteret County's GIS website. Ms. Allen

explained that the difference in the ground elevation versus the Regulatory Flood Protection Elevation (BFE) would be about a foot and a half difference. Ground Elevation would put the height of the home right at 40' and BFE would put it at about 41.5'. Ms. Allen brought up the existing and proposed definition and stated she would be happy to entertain any questions. She also brought up the rules for Public Hearings and Remote Meetings.

Chairman Neve thanked Ms. Allen for her presentation and opened it to the board for questions. Board Member LoPiccolo had the question that North Carolina had recommended 2' of freeboard in some areas and he wanted to know how 1' was adopted for Beaufort. Ms. Allen stated that it was in 2003 when the current flood maps were adopted and that was the recommended freeboard at that point. Mr. Garner stated that when the time comes to adopt new flood maps the Planning Board will have an opportunity to go through the whole ordinance again. Mr. Garner stated that points are given based on freeboard for the flood insurance rating. Board Member LoPiccolo wanted to know if adopting an additional foot would raise the height and Ms. Allen stated yes. Board Member Willis wanted to know how often changing the freeboard was assessed. Ms. Allen stated that no changes were usually made until new flood maps are received. She stated the last ones were 2003 and we are still waiting on new ones. Mr. Garner stated about every 20 to 25 years. Chairman Neve stated he went through some of the higher AE numbers and in most cases it seemed like it was 2 to 3 feet for water front property. Board Member LoPiccolo asked if the rules applied to the ETJ as well and Ms. Allen stated yes. Chairman Neve stated that most of the AE9's were in the ETJ. Board Member Gillikin stated she was doing some basic analysis and she stated she backed off of that and stated that she kept going back to needing to be very careful developing the flood plain. She stated that she felt changing the definition could possibly make it more enticing to develop in the flood plain. She felt it should be more difficult to develop in the flood plains to protect our future. Board Member Vreugdenhill asked how long the definition was. Ms Allen stated it was 3 or 4 sentence and he asked her to read it for him due to the fact he was driving. Ms. Allen read the existing and proposed. Board Member Vreugdenhill wanted clarification on what the proposed height could be and used the example of AE7, pilings 7' and house 40' for overall 47' and Ms. Allen confirmed yes, from BFE. Board Member LoPiccolo also stated that would also depend on the Zone, whether the structure could be 35' or 40'. Chairman Neve stated that he agreed with Board Member Gillikin, that it would put buildings in the most vulnerable areas to build higher and larger than they can now. He stated he didn't see a high motivation to allow bigger structures to go in the most vulnerable areas. Chairman Neve stated that he didn't see this as being a positive for the town. Board Member Vreugdenhill stated that he agreed. He feels that it may be offensive to someone who had already built and then a new one come in taller than what they were held to. Board Member Willis asked about the affect on current structures, what would happen to them. Ms. Allen explained that if a structure that was built before the current rules, then they could be raised to be in compliance, even if it put them above the height allowed now. Board Member Gillikin stated that is different because they are trying to prevent future loss. Vice Chair Merrill said the subject was originally brought up within the last year and the main motivation was older houses that needed protection. Ms. Allen stated that was correct but some people were losing a whole story to meet within the current height requirements. Vice Chair Merrill stated those that want to go above could always ask for a Variance and it could be reviewed on a case by case basis. Board Member Vreugdenhill asked Mr. Garner if he felt that a Variance would be granted for this type of situation. Mr. Garner stated that the current rules allow for that to be done without a Variance because we want them to be compliant. Mr. Garner also stated to keep in mind that if the freeboard is changed from 1' to 3' it could make flood insurance rates go higher for people because more people would be out of compliance. Board Member Willis asked if there was a distinction between the Historic District, the Town of Beaufort and the ETJ when it came to this matter. Ms. Allen stated no, but Mr. Garner stated that since the Historic District is Quasi-Judicial, they HPC can require that a structure is built a lower height to fit in with those requirements regardless of what the zoning says. Board Member LoPiccolo had one more question, concerning what spurred this on, he wanted to know if other towns were doing. Ms. Allen stated that the discussion started after Florence to promote going above and beyond the minimum and to help keep structures in compliance if and when the freeboard could increase. Board Member LoPiccolo asked what the overall would be. Ms. Allen pulled up a slide showing the Finished Floor Elevation (FFE), Lowest Adjacent Grade (LAG) and Highest Adjacent Grade (HAG) and gave the members clarification. Board Member Gillikin stated she understands but she is weary of this. Board

Member LoPiccolo stated that you can still have development in these areas. Vice Chair Merrill asked if the freeboard change would come through Planning Board. Mr. Garner stated it comes before the Planning Board but the Commissioners make the decision because it is an ordinance.

Vice Chair Merrill stated that he would make a motion to not approve this. Chairman Neve asked for a second, Board Member Gillikin made the second and after a roll call vote there were 6 members who voted yes, not to adopt the new definition and one member who voted against.

Commission / Board Comments

Chairman Neve opened Commission/Board comments. Board Member LoPiccolo stated he felt it was good that they were going to be looking at resiliency. He stated that he felt there were going to be issues to address with flooding moving forward and also with homeowners and how protect them. Board Member Gillikin thanked staff for the great data that was put together and for answering the questions from the last meeting. She also stated that it would be good to have strategic visions/goals for updating the Land Development Ordinance (LDO) and Ordinances. Vice Chair Merrill stated that he appreciated the updated information that was provided. He stated that most of the members are new and he said it takes some time to become familiar with the LDO and other things that are used as guidance. He referred to the May 2020 meeting and he suggested going back and reading to see what the intent of the overlay district is. Board Member Willis stated he was looking forward to hearing more about the freeboard change as well as the definition change and how they will interact with one another. Chairman Neve thanked Commissioners Hagle and Hollinshed for joining and he thanked staff for the presentation. He said this will be interesting conversation on freeboard and it needs to be balanced to see what is best for everyone and the Town at large.

Staff Comments

Mr. Garner stated that he would "tag on" to Board Member Willis and then he had another topic. Mr. Garner stated that they have asked when the update to the flood maps are gong to take place. He said it could be 2025 before this even comes back from the State. They have gone through changes. When the maps first came out, Ms. Allen and I went through them and found errors and they had to start all over. Morehead City and Jacksonville also appealed.

Mr. Garner stated that an ad for proposals to update the CAMA Land Use Plan or what we are calling the UDO has been sent out for consultant proposals. The goal is to have those bids back the first of August, have a selection and then begin in September. With the CAMA the Planning Board will be looking at the land use and will be the steering committee on this. This will be a busy year for the Board. He stated that the CAMA Land Use is the "steering document" for the Board to go by that gives recommendations and maybe it can be expanded upon going into the Unified Development Ordinance (UDO). Both projects will be done at one time and this will allow you all to become real familiar with both documents.

Adjourn

Chairman Neve asked for a motion to adjourn the meeting. Board Member Vreugdenhill made the motio
to adjourn, Vice Chair Merrill made the second and the motion carried unanimously.

Ryan Neve, Chairman	
Denice Winn, Secretary to the Board	



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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, August 17, 2020 – Virtual Meeting via Zoom

AGENDA CATEGORY: New Business

SUBJECT: Preliminary Plat for Live Oak Commons

BRIEF SUMMARY:

The applicant wishes to Subdivide a 1.279 Acre Tract into 8 Single-Family Lots. In addition to Planning Staff the Town Engineer and applicants Engineer will also be available to answer questions regarding the proposed infrastructure.

REQUESTED ACTION:

Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

20 Minutes

SUBMITTED BY:

Kyle Garner, AICP

Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

PLANNING BOARD STAFF REPORT

To: Beaufort Planning Board Members

From: Kyle Garner, AICP, Town Planner

Date: August 10, 2020

Project Live Oak Commons – Preliminary Plat

THE QUESTION: Subdivide a 1.279 Acre Tract into 8 Single-Family Lots

BACKGROUND:

Location: Live Oak Street & Loftin Lane

Owners: New Vision Trust

Requested Action: Subdivide a 1.279 acre tract into 8 lots

Existing Zoning RS-5

Size: 1.279 Acres Existing Land Use: Vacant-Cleared

Adjoining Land Use & North – By Single-Family Homes, Zoned R-8

Zoning: South – Across Live Oak Street By Single-Family Homes, Zoned R-8 &

RS-5

East – By Single-Family Homes, Zoned R-8 West – By Single-Family Homes, Zoned R-8

SPECIAL INFORMATION: This preliminary plat is in concert with the recent rezoning to RS-5 which

took place in July 2019. This plan is also consistent with the adopted Small Area Plan developed by Stantec and will contains a 5 foot sidewalk along Live Oak Street. It should be noted that the street is to be private and not dedicated to the Town. The attached set of plans is also from our Town Engineer recommending approval with conditions noted on the

plans.

Public Utilities & Works:

Water: Town Water Sanitary Sewer: Town Sewer

OPTIONS:

- 1. Approve the request as presented.
- 2. Deny the request.
- 3. Table the request.

ATTACHMENTS:

Vicinity Map

Zoning Map

Construction Drawings











