

Planning Board Agenda

## Town of Swansboro

Tuesday, December 03, 2024

### I. Call to Order

#### II. Approval of Minutes

a. October 3, 2024 Special Meeting Minutes

#### **III. Business**

a. UDO Text Amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls Presenter: Rebecca Brehmer, CFM, CZO, Town Planner

The Historic Preservation Commission has recommended an amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls to make clarifications on fence guidelines.

Recommended Action: Motion to recommend approval of the UDO text amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls with the comprehensive Plan Consistency Statement to the Board of Commissioners.

### b. Re-zoning Request- 1149 Hammocks Beach Road Presenter: Rebecca Brehmer, CFM, CZO, Town Planner

Shannon Weaver, PE, on behalf of property owners David and Linda Camp has submitted a rezoning request for 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business). The property is further identified as tax parcel ID 1319-66 and the total acreage requested for rezoning is +/-0.77 acres.

Recommended Action: Motion to recommend approval or denial of rezoning 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business) with the Comprehensive Plan Consistency Statement to the Board of Commissioners.

### IV. Chairman/Board Thoughts/Staff Comments

V. Public Comments

### VI. Adjournment

## Town of Swansboro Planning Board Special Meeting Minutes October 3, 2024

#### **Call to Order**

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

#### **Approval of Minutes**

On a motion by Mr. Vannoy, seconded by Mr. Seddon, the September 3, 2024, Regular Meeting Minutes were approved unanimously.

#### **Business**

Brezza Lofts **Special** Use Permit-Lot 8 Ward Farm Town Center Town Planner Brehmer reviewed that ProForma Ward Farm Lot 8 LLC had submitted an application for special use. She shared that Lot 8 of the Ward Farm Town Center was a 1.22acre parcel and was zoned B-3, Traditional Business. The applicant was asking to construct Townhome Dwellings which were allowed in the B-3 zone with a Special Use Permit. Prior to the Special Use Permit request, the applicant completed the process for the text amendments to the UDO to make the project comply within the requirements needed for the Special Use Permit process and development guidelines outlined in the UDO. Brezza Lofts Site Plan also went through the Technical Review Committee which consists of department heads and staff as well as representatives from ONWASA and they made all necessary changes requested to comply with zoning, building code, and fire code.

The proposed townhomes would consist of 16 units, 4 parking spaces per unit, and a private community pool and would be consistent with the Town Ordinance Section 152.210 Procedure for Special Use Permits and appeared to be consistent with the Future Land Use Map found in the CAMA Land Use Plan Update which labels Ward Farm as a Traditional Town Center.

In response to inquiries from the board, the following was clarified by the Town Planner Brehmer and the applicant Mr. John Plageman from ProForma Ward Farm Lot 8 LLC:

- There would be a homeowner's association.
- The developer indicated that the site plans had a swimming pool, however they are weighing the built upon area, which is a stormwater requirement, but any amenity may be placed in that location. As a neighborhood amenity, the pool would be available to residents only, and there were no parking concerns.
- The civil engineer that had worked on all of Ward Farm had stated that there were no stormwater issues with the stormwater pond capacity and that lot 8 was part of the allocated stormwater that the pond was designed for.
- Residents would be required to park their golf carts in their designated driveways.

On a motion by Mr. Vannoy, seconded by Mr. Seddon the ProForma Ward Farm Lot 8 LLC Special Use Permit was unanimously recommended for approval to the Board of Commissioners and was found consistent with the Comprehensive Plan.

#### **Chairman/Board Thoughts/Staff Comments**

None

## **Adjournment**

On a motion by Mr. Vannoy, seconded by Mr. Seddon, the meeting adjourned at 5:49 pm.



## Planning Board Meeting Agenda Item Submittal

### Item To Be Considered: UDO Text Amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls

Board Meeting Date: December 3, 2024

## Prepared By: Rebecca Brehmer, CFM, CZO, Town Planner

**Overview:** The Historic Preservation Commission has recommended an amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls to make clarifications on fence guidelines.

After direction and review by the Swansboro Historic Preservation Board, the purpose of the proposed text amendment to Section 14: Fences and Walls is to keep the historic integrity of our district by requiring new fences visible to the public to be picket in style, not just wood in material as previously required. Section 14 Fences and Walls, bullet 4 is recommended to read: "Design new fences that are compatible with the associated building site, streetscape in height, proportion, scale, color, texture, material, and design. <u>New wooden fences that are within the public view must be wooden picket in style and meet height requirements (see example photo below).</u> Synthetic fence materials, such as vinyl, are not appropriate in the historic district." A photo example of picket fences is also recommended to be added after this bullet as well.

### **Background Attachment(s):**

- 1. Draft Ordinance
- 2. Comprehensive Plan Consistency Statement
- 3. Section 14: Fences and Walls

**Recommended Action:** Motion to recommend approval of the UDO text amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls with the comprehensive Plan Consistency Statement to the Board of Commissioners.

Action:

#### **DRAFT ORDINANCE**

WHEREAS North Carolina General Statute 160D-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendment to the Unified Development Ordinance regarding a revision to Section 14: Fences and Walls to be consistent with the Town of Swansboro CAMA LAND USE Plan updated January 22, 2019, and amended August 28, 2023.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Unified Development Ordinance be amended.

Appendix III HISTORIC DISTRICT DESIGN STANDARDS SECTION 14 Fences and Walls 14.1 Fences and Walls – Standards

4) Design new fences that are compatible with the associated building, site, and streetscape in height, proportion, scale, color, texture, material, and design. <u>New wooden fences that are within</u> the public view must be picket in style and meet height requirements (see example photo below). Synthetic fence materials, such as vinyl, are not appropriate in the historic district.

Figure Appendix III Section 14.1.1 depicts an example of an appropriate wooden picket fence



14.1.1 Wooden picket fence

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, \_\_\_\_, 2024.

Attest:

Alissa Fender, Town Clerk

John Davis, Mayor

# TOWN OF SWANSBORO PLANNING AND ZONING BOARD STATEMENT OF CONSISTENCY

On December 3, 2024, the Planning Board heard the requested text amendment and recommended unanimous approval of the text amendments to the Town Unified Development Ordinance as followed: Appendix III Historic District Design Standards, Section 14: Fences and Walls.

The Town's Planning Board finds that the proposed text amendments are consistent with the current Comprehensive Plan and other applicable plans and policies and considers the action taken to be reasonable and in the public interest because it provides the structure, for Town staff to proactively address issues related to impacts caused by development in order to protect the health, safety, and welfare of the Town's residents.

Planning Board Chair

Town Planner

#### SECTION 14 FENCES AND WALLS.

#### 14.1 Fences and Walls - Standards

1) Preserve and maintain historic fences and walls.

2) Preserve and maintain all historic features and details of fences and walls, including gates, decorative pickets, posts, pillars, steps, and other elements that contribute to the character of historic fences and walls.

3) Retain and preserve historic fence and wall material wherever possible. If replacement is necessary, use new material that matches the historic material in composition, size, shape, color, pattern, and texture.

4) Design new fences that are compatible with the associated building, site, and streetscape in height, proportion, scale, color, texture, material, and design. Synthetic fence materials, such as vinyl, are not appropriate in the historic district.

5) Fences shall not exceed a height of four feet in front yards and other areas of primary visual concern. Fences at rear yards and other areas not readily seen from the public view may be up to six feet high. The transition between low front fences and higher rear fences should be made as far to the rear of the enclosed structure or yard as possible, and no more than half the depth of the yard forward of the principal structure. Any fence that meets a structure should join the building at an architectural feature on the structure, such as a cornerboard, break, or other appropriate junction point.

6) Historic retaining walls should be preserved. New low walls are appropriate only where a sharp change in grade exists, and shall not exceed a height of two feet. Such walls should be constructed of brick or concrete block covered with a true sand-finish stucco.

7) The use of false historical details or other non-original architectural embellishments on existing fences is not appropriate.

8) Contemporary or utilitarian fence materials are not appropriate for fences in the public view. Inappropriate materials include: plastic, vinyl, chain link, wire, and all other modern materials. The use of modern fencing is permitted for rear yards only, in areas not seen from the public view, using vinyl-coated chain link (dark green or black), standard chain link, or heavy wire ("hog wire"). Use plantings such as ivy, climbing roses, jasmine, or other vines to hide wire fences.

9) Use a combination of fences and plantings to screen parking lots. To provide adequate visibility for drivers entering and leaving, the fence should not exceed a height of three (3) feet at the street/sidewalk edge. (See the Off-Street Parking guidelines for more details, § 152.296(H), Swansboro Unified Development Ordinance.)

(Ord. 2005-O3, passed 3-15-2005; Am. Ord. 2021-O3, passed 5-24-2021)



## Planning Board Meeting Agenda Item Submittal

Item To Be Considered: Re-zoning Request- 1149 Hammocks Beach Road

Board Meeting Date: December 3, 2024

## Prepared By: Rebecca Brehmer, CFM, CZO, Town Planner

Overview: Shannon Weaver, PE, on behalf of property owners David and Linda Camp has submitted a rezoning request for 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business). The property is further identified as tax parcel ID 1319-66 and the total acreage requested for rezoning is +/-0.77 acres.

As explained in the application package, Shannon Weaver is under contract to buy the property contingent on if the re-zoning is granted. She plans to use the existing home on the property and turn it into office space for her engineering firm. With its current zoning, this use is not permitted. Additionally, the CAMA Future Land Use Plan labels this property as Low Density/Suburban Neighborhood (LDSN) which typically is used for residential neighborhoods, but it also mentions small scale non-residential may occur at key intersections or significant public resources. Given the properties proximity to Walmart (a significant public resource), this request appears to be consistent with the future land use plan. It is important to note that while it is not in the current plan to develop the property, if re-zoned to B-1, any uses permitted in the B-1 Zoning District would be applicable at any point in the future.

### **Background Attachment(s):**

- **1.** Application
- 2. Draft Ordinance
- 3. Comprehensive Plan Consistency Statement

**Recommended Action:** Motion to recommend approval or denial of rezoning 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business) with the Comprehensive Plan Consistency Statement to the Board of Commissioners.

Action:

### Town of Swansboro 601 W. Corbett Avenue Swansboro, NC 28584 Phone (910) 326-4428 - Fax (910) 326-3101

#### **APPLICATION FOR ZONING & ORDINANCE AMENDMENTS**

Check the Appropriate Blank	Application No.
Add a Use to a Zoning District	Amend Code of Ordinances
Remove a Use from a Zoning District	Amend Unified Development Ordinance
Create a New Zoning District	X Zoning District Designation Change
Future Land Use Map Amendment A complete application must be received with the fee I	by the third Friday prior to the month of review
A complete application must be received with the ree	
Property Owner Name_DAVID AND LINDA CAMP	Linda Camp 910-340-6424
Address of Zoning Request <u>1149 HAMMOCKS BEACH RD, SW</u>	ANSBORO NC 28584
Mailing Address 1149 HAMMOCKS BEACH RD, SWANSBORO NO	28584
Zoning Amendments Attach a copy of the legal description of the property (in zoning change (i.e. metes and bounds). The application are received.	
Provide a list names and mailing address of adjacent pro The application will not be scheduled for review until	
Present Zoning RA De	sired Zoning B1
Probable Use of Property PROFESSIONAL OFFICE SPACE 2-4 EMI	
Reason for Zoning Change Request CONVERSION OF OLDER HO	OME TO OFFICE SPACE CURRENTLY UNDER CONTRACT
Ordinance Amendments Code Section to be amended	
Print clearly the code section wordage to be amended	
Print clearly the code section wordage as suggested	
Reason for requested amendment	
Signature Aug Alany	Date 10/31 2024
Future Land Use Map Amendment Present Future Land Use Category Desired Fut	ure Land Use Category
Use of Property	
Reason for Future Land Use Map Change Request	
Fee Paid <u>\$1400</u> Date Received <u>103124</u> Date sche Recommendation from Planning & Zoning Board	
Public Hearing Run Dates	Date of Public Hearing
Effective Date of Change	Ordinance Number

## CERTIFICATE OF SURVEY AND ACCURACY

I. Charles A. Rawls. Registered Land Surveyor. hereby certify that this map was drawn under my supervision from an actual survey made under my supervision. That the ratio of precision as calculated by latitudes and departures is 1/10,000+, that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_\_ Page \_ that this map was prepared in accordance with G.S. 47-30. as amended. Witness my original signature. registration number and seal this \_21st\_ day of \_July 1998

H CAR Charles A. Rawls. R.L.S. L-2491

SECOND SURVEYORS CERTIFICATION

I. Charles A. Rawls. Registered Land Surveyor No. L-2491. certify to one or more of the following as indicated thus:

- A. That this plat is of a survey that creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
- D B. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land,
- I C. That this plat is of a survey of an existing parcel or parcels of land,
- D. That this plat is of a survey of another category. such as the recombination of existing parcels. a court ordered survey or other exception to the definition of subdivision;
- DE. That the information available to this surveyor is such that I am unable to make a determination to the best of my professional ability as to provisions contained in (A) through (D) above.

cara es L-2491 Charles A. Rawls. R.L.S.

3.4

## CERTIFICATE OF OWNERSHIP & DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property described hereon, which is located in the subdivision jurisdiction of Swansboro Township and that I hereby adopt this subdivision plan with my free consent. establish minimum building setback lines and dedicate all streets. alleys. walks, parks, and other sites and easements to public or private use as noted.

Date

State of North Carolina, County of Onslow

I, <u><u>GAYE GILETTE</u>, Review Officer of Onslow Co certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.</u> , Review Officer of Onslow County,

Alat exempt from reenew Spice 7-27-98 Review Office Date

GRID NORTH - NAD 83

## Planning Board Statement

This action requires no approval by the Swansboro Planning Board.

Addicen U. Ranper

MB. 34. PG. 119

THIS PORTION TO BE DEEDED TO PRESCOTT MANAGEMENT PARTNERSHIP

Chairman, Swansboro Planning Board

PRESCOTT MANAGEMENT PARTNERSHIP

PROPERTY LINE IS CENTER OF

20

-N 04\*39'45" W 22.71

EAGLE POND BRANCH

241.83 Sq. Ft. 0.006 ACRES

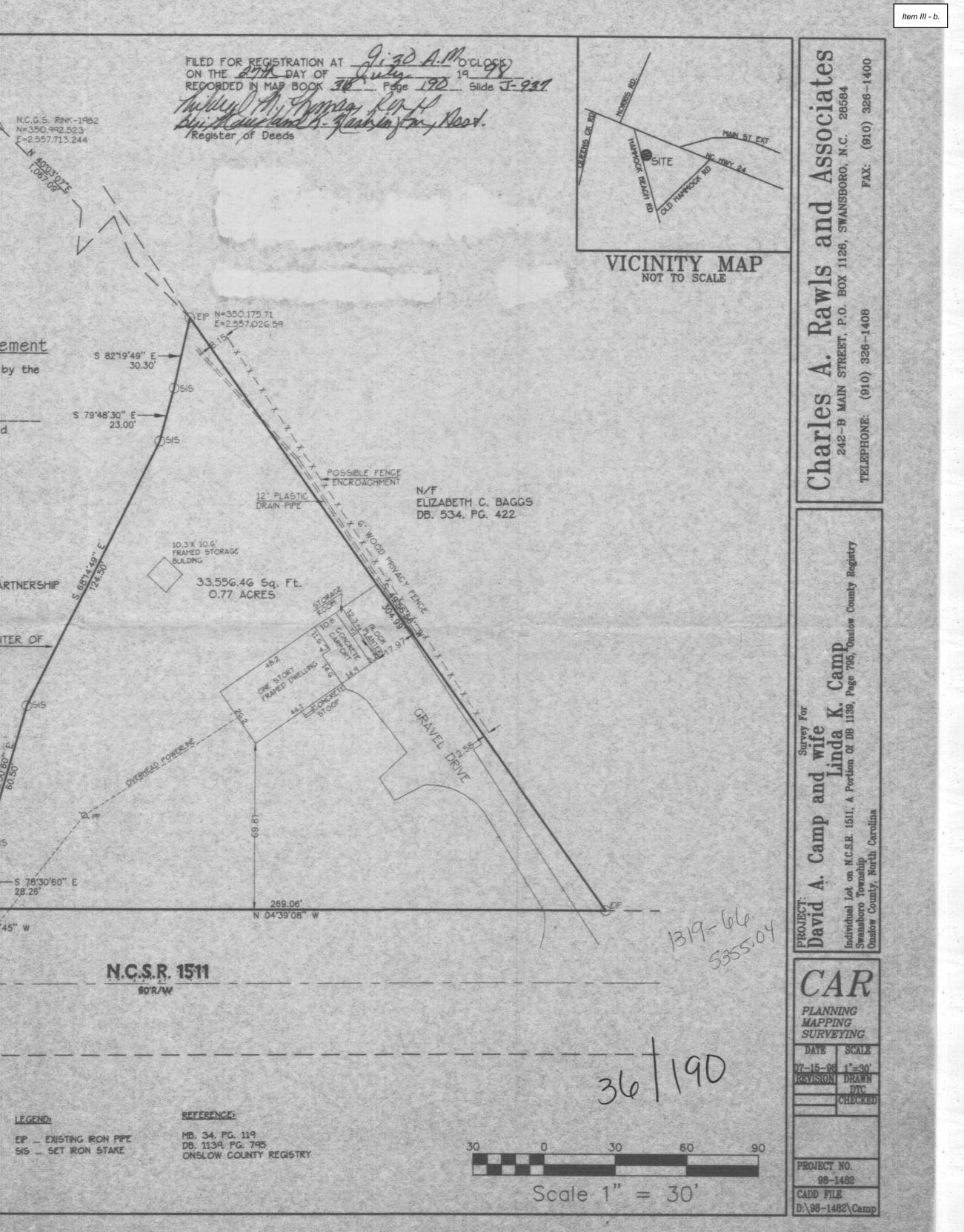
S 52'25'46" E-----

S 29'03'40'' E-

73.92<sup>°</sup> N 06'05'18'' W

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Mail after record	ing to Mr. and ]	Mrs. David A. Camp		
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ELNE	TA COLE, WIDOW		DAVID A. CAN LINDA K. CAN	· · ·
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Enter in appropriat	e block for each party: name, ad	dress, and, if appropriate, ch	aracter of entity, e.q. c	orporation or partnership.
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#### 1149 HAMMOCKS BEACH RD

#### ADJACENT PROPERTY OWNER ADDRESSES

1: PARCEL: 034411

SEASIDE MEMORIAL PARK

1161 HAMMOCKS BEACH RD

CITADEL SEASIDE MEMORIAL PK LL

C/O EVERSTORY PARTNERS

PO BOX 207

FSTRVL TRVOSE, PA 19053-0207

2: PARCEL: 071060

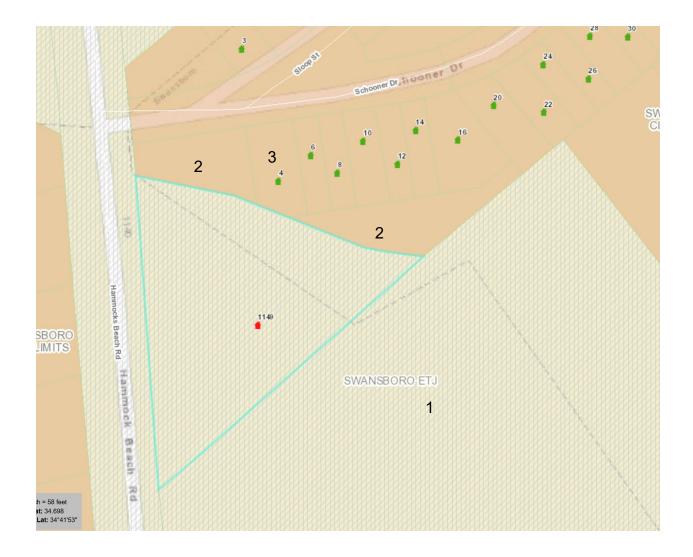
THE HAMMOCKS AT PORT SWANSBORO

**OWNERS ASSOCIATION INC** 

**18 SCHOONER DR** 

SWANSBORO, NC 28584-8666

3: PARCEL: 071061
FAVATA MICHAEL ANTHONY
4 SCHOONER DR
SWANSBORO, NC 28584-8666







#### 1149 HAMMOCKS BEACH RD - LAND USE

Larion PLLC (Larion) is solely owned by Shannon Weaver, PE. Larion is a local, woman owned, structural engineering firm formed in Swansboro in 2012. Larion is interested in purchasing the property as an office for their 2 employees. Larion has had up to 4 employees in the past and does not anticipate needing more than that in the future.

The home is currently under contract contingent on the approval of zoning amendment. It is an older home built in 1959 and is currently zoned RA. Potential use as a professional services office is in alignment with the Swansboro CAMA Land Use Plan Update (2019) for a small scale non-residential use at a key intersection near a significant public resource (shopping center). Professional engineering service is considered a low nuisance activity.

As per the Swansboro CAMA Land Use Plan Update (2019), the property is identified as <u>Low Density</u> / <u>Suburban Neighborhood (LDSN)</u>.

"This residential neighborhood type generally reflects recent development in Swansboro. Lots are a little larger and although the neighborhood is walkable, most people move into and out of the neighborhood by car. *Although some small scale non-residential* or multi-family residential may occur at key intersections or near significant public resources (like parks), this area is primarily single family detached residential homes."

Requested Land Use is B1. Land use B1 is currently located across the street from this property.

#### § 152.170 ESTABLISHMENT OF ZONING DISTRICTS, AND THE PURPOSE THEREOF.

(P) *B1 - Highway Business*. The purpose of this district shall be to provide for the proper grouping and development of roadside business uses, and for uses not basically related to central or neighborhood business areas.

Owner is open to B2, or O/I designation if the Town deems it more appropriate.

Thank you for your consideration.

## FUTURE LAND USE DESIGNATIONS

### TRADITIONAL TOWN CENTER (TTC)

This designation is characterized by a mix of residential, commercial, and civic uses in the historic downtown central business district or TTC node. Redevelopment or new development should be compatible with and embody the desired heart of "Swansboro" character.

### SUBURBAN TOWN CENTER (STC)

The highway commercial designation contains medium to high intensity uses on the NC 24 corridor. A mix of uses including multi-family with managed access is encouraged.

### EMPLOYMENT / LIGHT INDUSTRIAL (ELI)

This designation includes office, light industrial or assembly, and flex-tenant spaces. Site layout should allow for truck circulation, buffers between dissimilar uses, and quality architecture adjacent to the highway.

## GATEWAY CORRIDOR (GC)

State-owned NC 24 and the adjacent development make the first impression of the town. Signage, lighting, sidewalks, landscaping, architectural design along the roadway should reflect the unique features and values of Swansboro.



## CONSERVATION PRIORITY AREA (CPA)

The CPA designation includes lands influenced by the natural environment containing features including but not limited to wetlands, woodland, shoreline, pocosins, open space, vistas that are worth conserving and that define Swansboro.

#### COASTAL TRADITIONAL NEIGHBORHOOD (CTN)

This is a walkable, compact, residential district laid out based on traditional neighborhood development patterns. It generally surrounds the TTC and contains single and two-family residential with small-scale multi-family and neighborhood commercial.

#### LOW DENSITY / SUBURBAN NEIGHBORHOOD (LDSN)

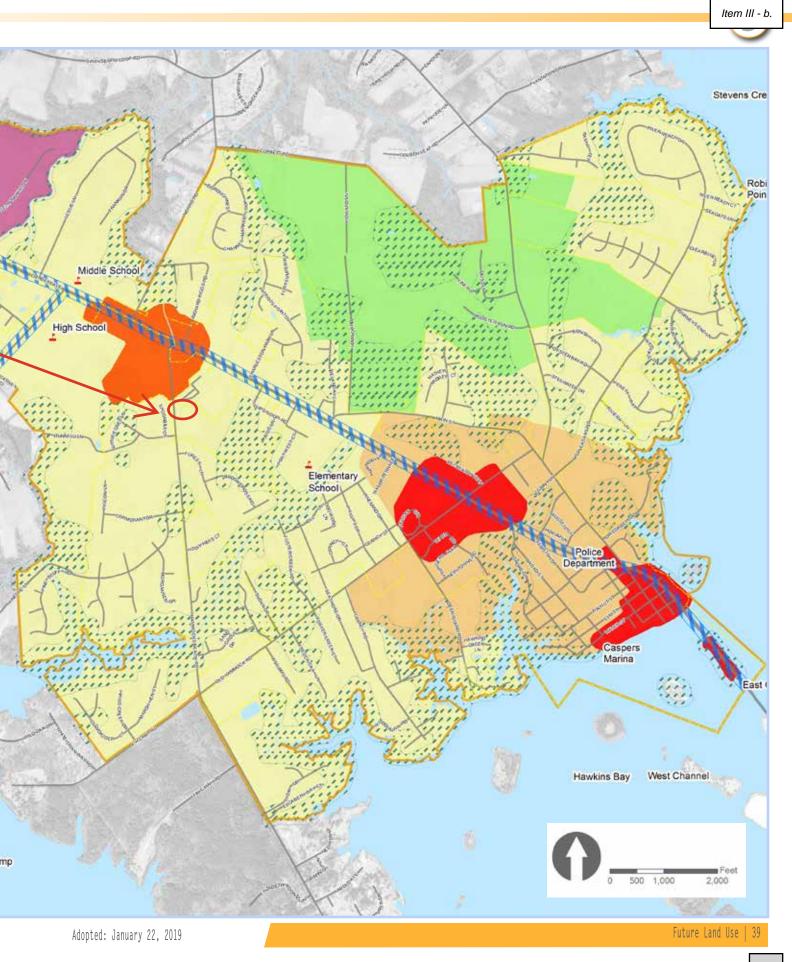
This designation characterizes the majority of new subdivision development. It is auto-oriented and should be connected to water and sewer infrastructure, and contain sidewalks and streets that connect to parks, educational, or religious uses.

### RURAL / AGRICULTURAL (RA)

Agricultural land generally occurs outside the town limits but is within the town's ETJ. Though there are working farms, rural residential and agritourism activities may occur here. Water and sewer infrastructure are typically not available.

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#### **DRAFT ORDINANCE**

WHEREAS North Carolina General Statute 160d-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-604 also states that when adopting or rejecting any zoning amendment, the governing board shall approve a statement describing whether its action is consistent with an adopted Comprehensive Plan and any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest; and

WHEREAS the Board of Commissioners finds that the proposed re-zoning of PARID Number: 004632 located off Hammocks Beach Road, is reasonable and in the public interest because the conversion of approximately 0.77 acres from RA (Rural/Agricultural) designation to B-1(Business) zoning designation is consistent with the Comprehensive Plan, specifically the Land Use Plan, and the property is identified as appropriate for business land use.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Zoning Map be amended by converting PARID Number: 004632 from RA (Rural/Agricultural) zoning designation to B-1(Business) zoning designation.

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, \_\_\_\_, 2024.

Attest:

Alissa Fender, Town Clerk

John Davis, Mayor

# TOWN OF SWANSBORO PLANNING AND ZONING BOARD STATEMENT OF CONSISTENCY

On December 3, 2024, the Planning Board heard the requested rezoning of one parcel located on Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business). The area is further identified as 1149 Hammocks Beach Road containing 0.77 acres (tax parcel ID 1319-66). The proposed change from RA (Rural/Agricultural) to B-1 (Business) is consistent with the Comprehensive Plan, specifically the Future Land Use Map, and has been recommended for approval by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board, the 3<sup>rd</sup> day of December 2024.

Planning Board Chair

Town Planner