



**Minutes  
Town of Atlantic Beach  
Planning Board Meeting  
January 7, 2020**

**Planning Board Members  
Present**

Neil Chamblee  
Llewellyn Ramsey  
Mark Ferrell  
Doug McCullough  
Curt Winbourne  
Fred Dean  
Sharron Wilson

**Planning Board Members  
Absent**

**Staff Present**

Michelle Eitner, Planning Director  
Betty Odham, Planning Board Secretary

**Others Present**

Mike Shutak, Carteret County News Times

**CALL TO ORDER**

Chair Chamblee called the meeting to order at 6:00pm.

**EXCUSE ABSENT PLANNING BOARD MEMBER(S)**

There were no members absent.

**APPROVAL OF DECEMBER 3, 2019 MINUTES**

Ramsey made a motion *to approve* the December 3, 2019 minutes. Seconded by Dean. Vote was unanimous, 7-0. Motion carried.

**ANNUAL CHAIR AND VICE CHAIR ELECTIONS**

McCullough made a motion *to nominate* Neil Chamblee to continue serving a Chairman of the Planning Board for 2020. Seconded by Ramsey. Vote was unanimous, 7-0. Motion Carried

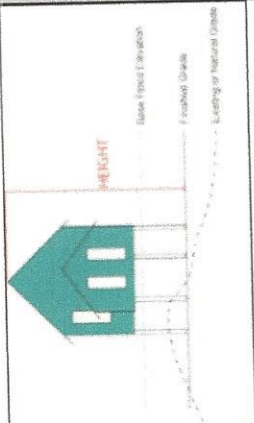
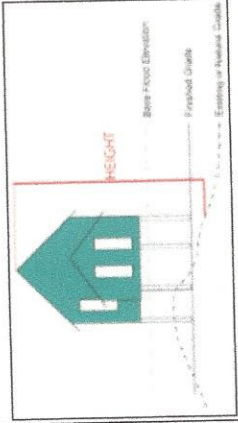
McCullough made a motion *to nominate* Curt Winbourne as Vice Chairman for 2020. Seconded by Ramsey. Vote was unanimous, 7-0. Motion carried

**WINTER BATCH OF UDO AMENDMENTS**



**Staff Presentation**

Michelle presented each of the nine amendments to the board with the proposed changes.

#	UDO Section	Description	Current Language	Proposed Language
1	Section 18.2.4.P.8	Amendments to Major Site Plans must be reviewed in accordance with the procedure for its original approval. There are no allowances for small amendments that don't propose to change the concept. This ordinance revision adds a provision that minor amendments to major site plans (with the same thresholds as 18.2.P.4.f.iii) will be reviewed as the same concept and therefore will begin review at the second phase of the major site plan review procedure.	Amendment. Amendment of a site plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval. When a site plan amendment is considered in any case, the unaffected components of the site plan shall not be considered for re-approval.	Amendment. Amendment of a site plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval, <u>unless it is a minor amendment to a major site plan. A minor amendment to a major site plan only differs in one or more of the following ways:</u> a). <u>Reduction in density</u> b). <u>Reduction in impervious coverage</u> c). <u>Reduction in number of buildings</u> d). <u>Increase in active or passive open space</u> e). <u>Increase in width, depth, height, or square feet of one or more buildings or site features such as paving by no more than 10%</u> A minor amendment to an existing approved major site plan may be applied for in accordance with this article, but will begin review under the second phase of the procedure as it is considered to be the same concept. When a site plan amendment is considered in any case, the unaffected components of the site plan shall not be considered for re-approval.
2	Section 18.5.10.F.4.b.	This subsection describes an allowable size for a temporary sign that's on lots zoned for mixed-use or business uses. The ordinance typically uses the term "commercial" instead of business, and more consistently points to the commercial zones.	Temporary signage on lots zoned for mixed-use or business uses shall not exceed 32 square feet of sign area per sign;	Temporary signage on lots zoned for mixed-use or <u>business commercial</u> uses shall not exceed 32 square feet of sign area per sign;

#	UDO Section	Description	Current Language	Proposed Language
3	Figure 18.10.2.J	The section regarding measurement of height states and shows that height of a structure is measured from natural grade (existing prior to development) to the peak of the roof. The section for determining grade shows a diagram that is contrary to this requirement. When there's conflict like this, the section controlling the standard applies – height is correct. This ordinance revision corrects the figure in the grade determination section for continuity.		
4	Section 18.10.2.M.1.b.	This section describes how the area of a sign is determined, but subsection b is in conflict with Table 18.5.10.K Sign Standards in Commercial Districts. This ordinance revision removes the conflict between the standards and rules of measurement sections.	In the case of signs mounted back-to-back, only one side of the sign is to be included in the area. Otherwise, the surface area of each sign is to be separately computed.	In the case of signs mounted back-to-back, <u>only one side of the sign is to be included in the area. Otherwise,</u> the surface area of each sign <u>face</u> is to be separately computed.
5	Section 18.3.3.B.2 Notes	This note reduces the rear setback for corner lots in the RSC district to 7'. Typically, rear setbacks on corner lots are the same as side setbacks in the district. Side and rear setbacks are 20' in the RSC district, so reducing the setback is unnecessary.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. [2] Corner lots may reduce the rear setback to seven (7) feet. [3] Developments subject to a State stormwater permit are exempted from these standards.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. <del>[2] Corner lots reduce the rear setback to seven (7) feet.</del> <del>[3]</del> [2] Developments subject to a State stormwater permit are exempted from these standards.



#	UDO Section	Description	Current Language	Proposed Language
6	Section 18.3.3.F.2 Notes	Corner lots are typically allowed a reduced rear setback, but there is no note allowing reduced rear setbacks in the RSD district. Rear setbacks are typically reduced to be equal to the side setbacks within a district, which are 5' in the RSD district. Adding this note will allow corner lots to have a reduced rear setback of 5' in the RSD district.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. [2] In cases where a duplex is on two (2) separate lots, the frontage standard applies to the entire development. [3] Developments subject to a State stormwater permit are exempted from these standards.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. [2] In cases where a duplex is on two (2) separate lots, the frontage standard applies to the entire development. [3] Developments subject to a State stormwater permit are exempted from these standards. <u>[4] Corner lots may reduce the rear setback to five (5) feet.</u>
7	Section 18.3.4.B.2 Notes	Corner lots are typically allowed a reduced rear setback, but there is no note allowing reduced rear setbacks in the MUN district. Rear setbacks are typically reduced to be equal to the side setbacks within a district, which are 5' (or 10' for multi-family with 3 or more units) in the MUN district. Adding this note will allow corner lots to have a reduced rear setback of 5' (or 10' for multi-family with 3 or more units) in the MUN district.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. [2] In cases where a multi-family development is on two (2) or more separate lots, the frontage standard applies to the entire development. [3] Side setbacks shall be increased to ten (10) feet for multi-family development of three (3) or more units. [4] Rear setbacks shall be increased to twenty (20) feet for multi-family development of three (3) or more units. [5] Developments subject to a State stormwater permit are exempted from these standards.	[1] Portions of lots within or abutting AEC or Ocean Hazard areas shall be subject to applicable CAMA setbacks. [2] In cases where a multi-family development is on two (2) or more separate lots, the frontage standard applies to the entire development. [3] Side setbacks shall be increased to ten (10) feet for multi-family development of three (3) or more units. [4] Rear setbacks shall be increased to twenty (20) feet for multi-family development of three (3) or more units. [5] Developments subject to a State stormwater permit are exempted from these standards. <u>[6] Corner lots with single-family and duplex development may reduce the rear setback to five (5) feet; Corner lots with multi-family development of 3 or more units may reduce the rear setback to ten (10) feet.</u>
8	Section 18.3.4.C.2	The current language is unclear in allowing for a reduced rear setback on corner lots with single-family and duplex dwellings. This change makes it clear that the 5' standard is applicable to single-family detached and duplex dwellings only.	[5] Corner lots shall have a rear setback of ten (10) feet; five (5) feet for single-family detached and duplex dwellings.	[5] Corner lots shall have a rear setback of ten (10) feet; <del>five (5) feet for single-family detached and duplex dwellings.</del> <u>Single-family detached and duplex dwellings on corner lots shall have a rear setback of five (5) feet.</u>
9	Section 18.3.5.D.2 Ref# H	As recommended during the Public Hearing on November 12 <sup>th</sup> and approved by Planning Board, this amendment proposes to reduce the side setback from residential uses from 10ft to 5ft in the Commercial Corridor (COR) zoning district.	<div> <div>  </div> <div> Minimum Side Setback from Residential (feet) </div> <div> 10 </div> </div>	<div> <div>  </div> <div> Minimum Side Setback from Residential (feet) </div> <div> <del>10</del> 5 </div> </div>

## Public Hearing

Winbourne made a motion *to open* the public hearing. Seconded by Ferrell. Vote was unanimous, 7-0. Motion carried.

Ron Cullipher-Engineer with Cullipher Group-151A, NC 24 Morehead City, NC-Ron stated he believed the changes proposed for UDO Section 18.2.4.P.8 were a good starting point. Beginning review at the second phase for the minor changes proposed makes sense. He would like even more flexibility to allow staff to approve other minor changes without going through the entire review process again as well. Ron also addressed Figure 18.10.2.J. He would like to request the height be changed to the average of the 4 corners of the building instead of being measured from the lowest elevation. Ron also encouraged the board to recommend the 5 foot setback change in Section 18.3.5.D.2 Ref#H.

Bill Downey-4604 Grammercy Court, Raleigh,-One of the partner owners in the Channel Marker Property-Bill stated he just wanted to protect the request of the lot size change in the COR district going from 60 foot to 50 foot. Chamblee clarified the recommendation had already been made to Council to approve the request. It would be up to Council to make a final ruling.

Ramsey made a motion *to close* the public hearing. Seconded by Winbourne. Vote was unanimous, 7-0. Motion carried.

## Planning Board Discussion and Recommendation

After some discussion by the board, a motion was made by McCullough and seconded by Ferrell *to recommend* amendments numbered 1,2,4,5,6,7,8,9 as presented in the "Winter 2019 Suggested Amendments" document in the agenda packet to Council. Staff was directed *to create* the Consistency Statements based on tonight's discussion and the Chairman will sign this week. In the same motion, the decision was made *to continue* Amendment # 3-Section 18.10.2.J, to the next Planning Board meeting on February 4, 2020, in order for staff *to revise* the recommendation with new

language to include all necessary sections of the UDO to change the height definition to average of the 4 corners of the building instead of lowest elevation on the lot. Vote was unanimous, 7-0. Motion Carried.

#### **OTHER BUSINESS**

None.

#### **ADJOURNMENT**

There being no further business Chairman Chamblee adjourned the meeting. The time was 7:03pm.

These minutes were approved at the February 4, 2019 Planning Board meeting.

ATTEST:

TOWN OF ATLANTIC BEACH



Neil Chamblee, Chairman

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Betty Odham, Planning Board Secretary