



City of Boiling Spring Lakes
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Boiling Spring Lakes, NC 28461

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Planning Board
February 8, 2016
7:00 P.M. ~ City Hall

CALL TO ORDER:

The regular monthly Planning Board meeting was held at City Hall on February 8, 2016
Chairman Bill Clark called the meeting to order at 7:00 p.m.

ATTENDANCE:

Members Present ~

Bill Clark, Chairman Jeremy Sexton Gene Fioravante Nancy Crawford Bill Sraver

Members Absent ~ None

Staff Present ~

Jim Nicholas ~ Building Inspector

Maggie Della Badia ~ Administrative Assistant

Bill Murphy ~ City Engineer ~ Excused

Guest ~

Cape Fear Council of Governments:

Wes MacLeod

AGENDA ~

Bill Clark asked to add discussion of mixed-use/multi-use in a Subdivision - Chapter 8 to number two under other business.

A motion was made by Gene Fiorvante and seconded by Jeremy Sexton to approve the agenda with the addition.

Motion Carried 5-0

APPROVAL OF MINUTES ~ Minutes of the January 12, 2016, Meeting.

A motion was made by Bill Sraver and seconded by Jeremy Sexton to approve the minutes as published.

Motion Carried 5-0

PUBLIC COMMENT ~ No Public Comment

Chairman Bill Clark acknowledged Commissioner David Putnam was present at the meeting.

OLD BUSINESS ~

1. Continuation of Multi use and Multi-Family Residential Development

A. Staff Report

The Planning Board reviewed a draft text amendment prepared by the Cape Fear Council of Governments for C-2 Zoning.

CFCG draft text amendment is hereby incorporated by reference and made a part of these minutes. Attachment ~ A

B. Mixed Use and MFR Text Amendment

Bill Clark asked Wes MacLeod what area of the city would be zoned C-2. Wes MacLeod explained it would not be a particular area of the city; it would require an individual property be rezoned into the C-2 district. The future land use plan has commercial zoning on NC Highway 87. This does not have to be compatible with your future land use map but you generally want it to be and also in an area where sewer service is available. The rezoning request would come before the Planning Board and the decision will be made by the Board of Commissioners. Bill Clark explained the C-2 Zoning District will not appear on a map, an applicant would request a rezoning amendment. Wes MacLeod stated that is correct.

Bill Clark asked Wes MacLeod if he feels this is the best way for BSL to proceed and Wes MacLeod agreed it is. There are other options that have been used in other places. Boiling Spring Lakes had a planned residential development district; that would also require rezoning. That is something that can be addressed in the future. This text amendment allows an individual in C-1 to rezone and have additional options to make better use of their property. If the land is not viable for commercial use maybe multi family would be viable. This is not allowing multi family as a permitted use in your existing zoning districts like in C-1.

Wes MacLeod explained the text amendment allows for the following three items: Establishment of the C-2 Zoning district; Supplemental Regulation for mixed use development; and Supplemental Regulations for multi family residential.

Mixed use would be allowed in the C-1 district and the new C-2 district. Multi family would only be allowed in the new C-2 district.

Bill Clark explained ground floors will be only commercial/civic use; the second or third floor can be residential or commercial/civic. These are two different items. Mixed use in C-1 and creation of a new zoning district that will be C-2 by a text amendment change. He gave an example of someone requesting to put three or four unit condos or town houses on a five acre

parcel they would request a rezoning amendment to C-2.

Wes MacLeod explained C-2 mirrors C-1 zoning, it has all of the same uses with a multi family use. Bill Clark explained C-1 will allow mixed use with certain restrictions such as residential uses are not permitted on the ground floor.

Nancy Crawford asked if senior living or assisted living would fall under C-2 zoning. Wes MacLeod explained this will be included in C-2 and it may be something we decide needs a set of regulations.

Nancy Crawford inquired why the minimum square footage of a dwelling unit being seven hundred and fifty and not eight hundred.

Bill Sraver inquired why common ownership would be required for town houses and not individual ownership of the land and the building, referring to section 6.50 letter (a). Wes MacLeod suggested changing or to and/or in the last sentence making it read: The development shall have a unified or coordinated design of buildings and a coordinated organization of service areas and/or common open space.

6.50 Multi family Regulations

Bill Clark asked for better clarification of this section.

Wes MacLeod explained in article 6 of the UDO there is a set of supplemental regulations that go with some uses requiring specialized items. Section 6.50 starts the supplemental regulations associated with multi family residential. In the permitted use table there would be "PS" for multi family residential in the C-2 district and all of these items would apply.

Wes MacLeod explained for a subdivision you want to set requirements such as minimum acreage and have a planned residential development district. The intent of C-2 zoning is to allow some flexibility along what has historically been a commercial corridor. If the board would like to create a planned residential district that can be done as well. Multi family residential would need to be a use with supplemental regulations, there also needs to be regulations for minor and major subdivisions.

Bill Clark inquired about allowing multi family in C-1 but establishing a minimum acreage to allow someone to meet the requirements and not have to go through rezoning. Jeremy Sexton explained they can go through C-2 to get approval. Bill Clark said if someone is looking to buy a larger tract and wanted to put in a subdivision they would not have to take a chance that they may or may not be able to subdivide it. It would be for large tracts of land of at least ten acres.

C. Planning Board Consistency Statement

Wes MacLeod explained the Planning Board is required to submit a consistency statement when making a recommendation to the Board of Commissioners. You need to comment on the consistency of that recommendation or item being put forward to the Board of Commissioners.

In this case it is a text amendment. A is stating the recommendation is consistent and why. B is stating you recommend rejection of the proposed amendment and reasons why.

Wes MacLeod explained this is all one text amendment that you are voting on. If there is something you would like to change or take out you would need to state that in the motion.

A motion was made by Gene Fioravante and seconded by Jeremy Sexton to accept changing 750 to 800 and changing "or" to "and/or" in 6.50 (letter A).

Bill Clark stated there was a motion and a second to approve the draft text amendment to be presented to the Board of Commissioners including change of and/or on page 3 (section 6.50 letter A) and changing to 800 sq feet.

Motion carried 5-0

2. Review of chapters 1-3 of the land use plan

Bill Sraver explained he had an objection to figure 2.1 City of Boiling Spring Lakes population by age. Silent Generation, Wes MacLeod explained they will look at changing this.

The Board discussed chapters 1-3 and made corrections.

Review of Chapter 2 ~

Nancy Crawford explained Progress Energy should be listed as Duke Energy.

Bill Clark explained the statement “The development of infrastructure, services and retail entities is contingent on population” is very important.

Bill Clark asked about the data indicating Boiling Spring Lakes may lack affordable housing options. Wes MacLeod explained based on page 27 and 2-8 the number in particular that stood out was nearly half of renters are spending more 35 percent of their income on rent. A lot of times affordable housing units are rental units. Combined between the 47 percent and 20 percent nearly 70 percent of renters are spending more than 30 percent of their income on housing cost. Nationwide that statistic has gone up in the last ten years. Affordable housing is not just an issue in Boiling Spring Lakes.

Nancy Crawford questioned the commute time listed on page 2-8 40 percent of the population commutes 30 minutes or more.

Wes MacLeod explained the 2014 Planning Board Long Range Plan was not adopted by the Board of Commissioners. It does not have to be but it is something to consider if there are certain things in there that would support text amendments or changes to an ordinance then you may want to consider adopting it but that is up to the Planning Board.

Chapter 3 ~

Chapter 3 covers physical environment, there are certain requirements that have to be included according to CAMA. This information typically does not change.

Nancy Crawford explained in the 1987 Land Use Plan there were 13 types of different soil. This current plan says there are 17 different types of soil. Wes MacLeod explained it is a refinement of the soil survey. Soil information is from National Resources Conservation website.

Nancy Crawford stated 23.3 square miles does not equate to thirty one thousand acres of soil. Wes MacLeod explained that was an error and it will be fixed to show the correct numbers.

Wes MacLeod explained the board will not need to vote on each chapter or section. The board will vote to forward the completed plan to the Board of Commissioners.

Wes MacLeod distributed Chapter 4 for review and discussion for the next meeting.

NEW BUSINESS ~

1. Elect Co-Chair

Bill Clark opened up nominations for the Planning Board Vice Chair Position.

Jeremy Sexton nominated Gene Fioravante. There were no other nominations. Bill Clark closed nominations and asked Gene Fioravante if he will accept the position. Gene Fioravante accepted the position.

Nomination Carried 5-0

OTHER BUSINESS ~

1. Additional Planning Board Meetings

Bill Clark explained the Code of Ordinances states the Planning Board must meet monthly. There currently is not anything in the ordinance that states what the procedure is if the Planning Board would like to hold a meeting in addition to their regular meeting.

The board discussed the new guidelines for additional meetings.

New ~ Guidelines for Additional Meetings:

Must be posted at least 72 hours in advance.

Posted on the website.

Posted on the announcement board outside of the entrance to city hall.

Posted on the city hall electronic marquee.

A motion was made by Bill Sraver and seconded by Gene Fioravante for the publication of an additional Planning Board meeting with 72 hours notice posted on the board outside of city hall entrance, the website and the city hall marquee.

Motion Carried 5-0

- 2. Mixed use / Multi use in a Sub Division (added agenda item)
~ Tabled until next meeting.**

NEXT MEETING AGENDA ITEM'S:

- 1. Review of Land Use Plan Chapter 4**
- 2. Mixed / Multi use in Sub Division**
- 3. Items submitted by Wes MacLeod for the Land Use Plan**
- 4. Mr. Otis Johnson - Green Houses (Environmental)**

A motion was made by Gene Fioravante and seconded by Bill Sraver to adjourn the meeting at 8:22 p.m.

Motion Carried 5-0

**Respectfully Submitted by,
Maggie Della Badia ~ Administrative Assistant**

MEMO

TO: Boiling Spring Lakes Planning Board
CC: Maggie Della Badia, Administrative Assistant; Jeff Repp, City Manager; Jane McMinn, City Clerk
FROM: Cape Fear Council of Governments
DATE: March 1, 2016
SUBJECT: Multi-Family Residential Text Amendment Considerations Discussed at Special Meeting (February 18, 2016)

SUMMARY:

Report

Staff at the Cape Fear Council of Governments was tasked with drafting language to allow for Multi-Family residential within the Boiling Spring Lakes Unified Development Ordinance.

At the Planning Board meeting held February 18, 2016, the Planning Board drafted additional changes to the multi-family residential text amendment. In partnership with the Planning Board, our staff is happy to accommodate these additional considerations as part of the existing amendment.

Based on our understanding of the February 18, 2016 Planning Board meeting, the following changes were recommended:

1. Allow multi-family residential development in the C-1 district with a ten (10) acre threshold.
2. Increase the density from 14 units to 20 units per acre.
3. Reduce the parking ratio from 2.0 spaces per unit to 1.5 spaces per unit.
4. For townhouses, require no more than six (6) units per structure.
5. Allow for duplexes in the C-1 district.

Staff with Cape Fear Council of Governments will be in attendance during the March 8, 2016 Planning Board meeting to discuss these additional changes to the proposed text amendment.