



City of Boiling Spring Lakes

Planning Board

February 13, 2024

City Hall – 6:30 P.M.

AGENDA

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Agenda
- Potential Conflict of Interest/Association Disclosure
If any Board member knows of any conflict of interest or association with any item on this agenda, please so state at this time
- Approval of Minutes
 - December 19, 2023
- Public Comment
- Old Business
 - None
- New Business
 - Text Amendment – Driveway Requirements
 - Staff Report & Plan Consistency
 - Text Amendment – Model Homes
 - Staff Report & Plan Consistency
- Other Business
- Announcements
- Adjourn



City of Boiling Spring Lakes
9 East Boiling Spring Road
Southport, NC 28461

STAFF REPORT

Agenda Date:

February 13, 2024

Title:

Text Amendment – Driveway Requirements

Department:

Administration/Assistant City Manager
Planning & Zoning
Public Works

Background Information:

This is a citizen request to amend Article 7, Section 7.9.4 of the City's Unified Development Ordinance (UDO) to reduce the minimum culvert diameter requirement from fifteen (15) inches to twelve (12) inches, if approved by the Public Works Department. The required application and all applicable fees have been paid as part of this citizen-initiated request.

Financial Impact:

None.

Recommendation:

City staff recommends approval of the proposed amendment to allow for twelve (12) inch culverts when, upon inspection, the City's Public Works Department determines that a fifteen (15) inch culvert would not be warranted.

Attachments:

Proposed Text Amendment: Article 7, Section 7.9.4
Plan Consistency & Reasonableness

Proposed Text Amendment:

The following text amendment to the Unified Development Ordinance (UDO) is proposed to Article 7, Section 7.9.4. Stricken text is to be deleted. Underlined text is to be added.

Article 7, Section 7.9.4 Driveway Connections to City Streets

(B) Driveway culverts without abutments shall be either metal pipe (fully galvanized), or plastic high density polyethylene pipe with a diameter of at least ~~fifteen (15)~~ twelve (12) inches and a length of twenty (20) feet, as determined by the Public Works Department, prior to the issuance of a permit. Plastic culvert pipe (HDPE) must be smooth core with a rib outer wall forming a double wall type of construction.

PLAN CONSISTENCY & REASONABLENESS DETERMINATION

In accordance with NCGS, zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare. Prior to adopting or rejecting any zoning amendment, a statement regarding plan consistency shall be adopted.

This request is (**X**) CONSISTENT () NOT CONSISTENT with the goals, recommendations, and policies of the following plans adopted by the City of Boiling Spring Lakes and is (**X**) REASONABLE () NOT REASONABLE and appropriate based upon the following findings:

- Land Use Compatibility Statement 6 in the City's Land Use Plan states the City shall update the Unified Development Ordinance to address site plan review standards, subdivision regulations, and dimensional standards.
- City Infrastructure Goal 4 in the City's Land Use Plan states the City shall maintain an adequate and effective stormwater management system and program.



City of Boiling Spring Lakes
9 East Boiling Spring Road
Southport, NC 28461

STAFF REPORT

Agenda Date:

February 13, 2024

Title:

Text Amendment – Model Homes

Department:

Nicole Morgan, Assistant City Manager
Planning & Zoning

Background Information:

The City has initiated a request to amend Article 5, Section 5.5, Table of Permitted/Special Uses, to allow Model Homes within the R-1, R-2, R-3, R-3A, R-4, R-5, R-6, and PRD zoning districts, subject to supplemental regulations.

Financial Impact:

Cost to advertise for required public hearing.

Recommendation:

Staff recommends approval of the proposed amendments based upon research, current uses, surrounding area, the City of Boiling Spring Lakes Comprehensive Land Use Plan (LUP), and other adopted plans and policies.

Attachments:

Proposed Text Amendments: Article 5, Article 6, Appendix A: Definitions
Plan Consistency & Reasonableness

Proposed Text Amendments:

The following text amendments to the Unified Development Ordinance (UDO) are proposed to Article 5, Section 5.5, Table of Permitted/Special Uses, Article 6, Supplemental Regulations, and Appendix A, Definitions. Stricken text is to be deleted. Underlined text is to be added.

Article 5, Section 5.5 Table of Permitted/Special Uses

Uses	R-1	R-2	R-3	R-3A	R-4	R-5	R-6	PRD	C-1	C-1A	C-C	I-1	CON	REC	Supplemental Regulations
Model Home	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>							<u>Section 6.59</u>

Article 6. Supplemental Regulations

Section 6.59 Model Home (temporary)

Where permitted, temporary model homes shall meet the following:

- (A) A zoning permit is required for all model homes.
- (B) All residential dwelling requirements shall be met per the zoning district in which it is located.
- (C) The residential character of the surrounding neighborhood must be maintained.
- (D) Commercial office space for real estate sales and transactions shall be limited to 30% of the total square footage (heated & unheated) of the home.
- (E) There shall be no events or large gatherings held within the dwelling, or on-site, other than showings, tours, or open houses.
- (F) Hours shall be limited to 9:00 am till 8:00 pm daily.
- (G) Parking shall be provided at the rate of two (2) spaces for the first 400 square feet of commercial floor area, plus one (1) space per 400 square feet of commercial floor area above that.
- (H) Handicapped accessible parking shall be constructed in accordance with applicable NC State Building Codes and ADA standards.
- (I) Signage shall be permitted in accordance with the following:
 - a. The site is limited to one temporary yard sign not to exceed eight (8) square feet. Signage shall not be placed within the right-of-way, shall not be illuminated, and shall have a maximum height limit of four (4) feet.
- (J) Zoning permits shall be issued for all temporary model homes/sales offices and shall expire three (3) years from date of issuance. Upon expiration, all commercial activity must cease. The UDO Administrator may grant a maximum of two (2) extensions.

Appendix A. Definitions

Model Home

A dwelling typically located within a new area of development that is completed, furnished, landscaped and decorated with the purpose of temporarily displaying living spaces and providing limited commercial office space for real estate sales and transactions. A model home may commonly be referred to as a sales model or sales home.

PLAN CONSISTENCY & REASONABLENESS DETERMINATION

In accordance with NCGS, zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare. Prior to adopting or rejecting any zoning amendment, a statement regarding plan consistency shall be adopted.

This request is (**X**) CONSISTENT () NOT CONSISTENT with the goals, recommendations, and policies of the following plans adopted by the City of Boiling Spring Lakes and is (**X**) REASONABLE () NOT REASONABLE and appropriate based upon the following findings:

- Land Use Compatibility Statement 6 states the City shall update the Unified Development Ordinance to address site plan review standards, subdivision regulations, and dimensional standards.
- Land Use Compatibility Statement 13(a) states the City shall maintain areas exclusively for conventional single-family dwellings for the growing population.
- Clarifies the Unified Development Ordinance by addressing an unpermitted use.