

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
July 8, 2024

Commissioners Chambers
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Joy Easley, Vice Chair
Ron Medlin
Clifton Cheek
Richard Leary
Harry Richard Ishler, Alternate
Allen Brittain, At-Large

MEMBERS ABSENT

William Bittenbender, At-Large
Jason Gaver

STAFF PRESENT

Kirstie Dixon, Planning Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Deputy Planning Director
Jeff Walton, Planner II
Dennis Rabon, Zoning Administrator
Tyler Connor, Planner I
Phillip Coates, Planner I
Ryan King, Asst. County Attorney

OTHERS PRESENT

Terry Alston
Cameron Moore
Jeffrey Kelly
David Summerlin
Barbara Williams McQuery
Raymond Harvell
Dr. Jennifer Darrow
Dylan Phillips, Brunswick Beacon

Tyler Newman, BASE
Sammy Varnam
Sidney Rhodes
David Purser
Keith Smith
Barry Poole
Jamey Cross, Star News

I. CALL TO ORDER.

Ms. Easley called the meeting to order at 6:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Ms. Easley said a prayer. She asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Mr. William Bittenbender and Mr. Jason Gaver were absent.

IV. CONSIDERATION OF THE MINUTES FROM THE 10-JUN-24 MEETING.

Mr. Leary made a motion to approve the 10-Jun-24 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Pages addressed the Board. He asked that an Item C (2 Board members volunteer to serve on a development stakeholders committee for the Transportation Overlay Zone (TOZ) and Tree and Landscaping Text Amendments) and Item D (Southport ETJ Relinquishment) be added under Other Business for discussion. Mr. Pages announced that PD-129 (Hankins Tract) has been delayed until the 12-Aug-24 Planning Board meeting due to an error in the mailed notices to adjacent property owners.

VI. PUBLIC COMMENTS.

Ms. Terry Alston, 1215 Fletcher Hewett Road SW, addressed the Board. Ms. Alston felt that the cart is sometimes placed before the horse with regards to new construction in the County. She was concerned with the displacement of wildlife and the potential negative impact this will pose on farmers when wild animals end up on their property. Ms. Alston said there are concerns about water shortage and the potential negative impact of excessive development on the existing homeowners in the County.

VII. OLD BUSINESS.

A. Proposed Traffic Impact Analysis (TIA) Text Amendment.

Ms. Dixon addressed the Board. She stated that the Board of Commissioners directed staff to require a Traffic Impact Analysis (TIA) to be submitted prior to the Planning Board meeting. Ms. Dixon said staff looked at different options (TIA or transportation information such as primary access roads, or engineer's report) regarding what information can be submitted to the Board for approval of a development project. Ms. Dixon provided the Board with a TIA (attached), comments from the Wilmington Cape Fear Home Builders Association (WCFHBA) and a Traffic Report.

Ms. Dixon said staff recommends approval of the Traffic Impact Analysis Text Amendment (attached) and adopt the consistency and reasonableness determination statement (attached).

Mr. Brittain asked why a TIA is not always required for residential development? Ms. Dixon said a TIA is required based on the number of vehicle trips. Mr. Brittain asked if the changes are based on the transportation engineers trip generation manual? Ms. Dixon replied, yes.

Mr. Cheek asked what the document was that was presented to the Board regarding transportation? Ms. Dixon said that document is a staff report included in the New Hanover County information to their Board that identifies primary and secondary access roads as well as affected roadways. Mr. Cheek clarified that this will be 1 type of report and the engineer's report would be another document for the Board's review or the TIA as a third option and Ms. Dixon replied, yes. Mr. Cheek and Ms. Easley felt that it is difficult to make a decision without viewing an engineers' report.

Mr. Leary asked if there was a discussion at the previous meeting to form a committee to discuss the matter further and Mr. Cheek agreed. Ms. Dixon said the discussion was to form a UDO Committee and 3 Board members agreed to serve on that committee. Ms. Easley expressed concern about not having an engineers' report to view. Ms. Dixon said staff was unable to obtain an engineers' report for the Board to view.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Cameron Moore, Executive Officer with the Wilmington Cape Fear Home Builders Association (WCFHBA), addressed the Board. He stated that WCFHBA met with staff after the previous meeting and the engineer's report is not a standardized report. Mr. Moore said a transportation analysis is prepared as a staff report at New Hanover County. He felt that the Board needs more transportation data to make a decision and not require a TIA before Board approval because a project cannot move forward when a TIA is required by the North Carolina Department of Transportation (NCDOT), which is based on the number of vehicle trips per day or at peak hours. Mr. Moore further stated that an approved TIA has to be submitted prior to the release of building permits for any lots in the project and Mr. Pages concurred. Mr. Moore outlined the process of project submittal including NCDOT's involvement with regards to an approved TIA. He concluded that the challenge with an approved TIA is cost, expense, geographic constraints, and the potential of the Board making changes to the submitted plan. He reiterated that the Board probably needs more transportation data to make a decision other than an approved TIA.

Mr. Tyler Newman, Business Alliance for a Sound Economy [BASE], addressed the Board. Mr. Newman concurred with Mr. Moore's comments. He felt that an engineer's report and/or a staff report would be sufficient for the Board to make a decision without requiring a TIA submittal prior to the Board meeting.

Ms. Easley clarified that a final plat cannot be recorded or building permits issued until the TIA has been approved by NCDOT and submitted to staff and Mr. Pages concurred.

With no further comments, Mr. Cheek made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek felt that a subcommittee should be created to work with staff before the Board can make a decision on this text amendment. He felt that it would be premature to approve the proposed text amendment without seeing an engineer's report. Ms. Easley pointed out that there is not a committee set-up to discuss the TIA. Mr. Cheek felt that this matter could be

covered in the UDO discussion that he, Mr. Leary and Mr. Gaver previously volunteered to serve on the UDO committee.

Mr. Cheek made a motion to table the TIA Text Amendment and the discussion be continued at the UDO committee meeting and the motion was unanimously carried.

VIII. NEW BUSINESS.

A. Rezoning Z-885CZ – Dr. Jennifer A. Darrow.

Request rezoning of approximately 2.81 acres located at 5813 and 5825 Washington Road SW (SR 1720) near Shallotte, NC from C-LD (Commercial Low Density) to RR-CZ (Rural Low Density Residential-Conditional Zoning) for Tax Parcel 1970007602. This conditional zoning request proposes an outdoor recreation use consisting of an 800 square-foot building, 6 outdoor pickleball courts and an associated parking facility.

Mr. Jeff Walton addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Walton read the consistency and reasonableness determination statement (attached).

Mr. Walton said staff recommends approval from C-LD (Commercial Low Density) to RR-CZ (Rural Low Density Residential-Conditional Zoning) for Tax Parcel 1970007602 located at 5813 and 5825 Washington Road SW (SR 1720) near Shallotte, NC based on the permitted use(s) and conditions outlined in the Staff Report and adopt the consistency and reasonableness determination statement.

Mr. Leary made a motion to open the Public Hearing and the motion was unanimously carried.

Dr. Jennifer Darrow, applicant, addressed the Board. Dr. Darrow said she concurs with staff's recommendation.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Leary made a motion to approve Tax Parcel 1970007602 to RR-CZ (Rural Low Density Residential-Conditional Zoning) located at 5813 and 5825 Washington Road SW (SR 1720) near Shallotte, NC based on the permitted use(s) and conditions outlined in the Staff Report and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - HW-2 – Ensure equitable access to healthcare and healthy environments, by increasing access to gathering places as a way of fostering social connections.
 - NR-2 – Maintain the “green” of Brunswick County as development continues, by encouraging tree preservation within site development.
- The Commercial Suitability Maps identifies the subject parcel as more suitable for commercial development.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

B. Rezoning Z-895 – Sammy Varnam and Theresa Rhodes.

Request rezoning of approximately 12.07 acres located at 1886 and 1917 Boones Neck Road SW (SR 1137) near Supply, NC from R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 23100041 and a portion of 2310004103.

LAND USE PLAN MAP AMENDMENT (LUM-895):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from MDR (Medium Density Residential) Place Type to MDR-M (Medium Density Residential-Mixed) Place Type for Tax Parcels 23100041 and a portion of 2310004103 located at 1886 and 1917 Boones Neck Road SW (SR 1137) near Supply, NC. This Land Use Plan Amendment totals approximately 12.07 acres.

Mr. Marc Pages addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages proceeded to staff’s recommendation and the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 23100041 and a portion of 2310004103 located at

1886 and 1917 Boones Neck Road SW (SR 1137) near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed) Place Type for Tax Parcels 23100041 and a portion of 2310004103.

Mr. Cheek asked if the land classification is C-LD and Mr. Pages explained that the zoning designation will be C-LD (Commercial Low Density) and the land classification will be MDR-M (Medium Density Residential-Mixed) Place Type if the Board approves the zoning change.

Mr. Leary made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Sammy Varnam addressed the Board. Mr. Varnam said he wants to make the subject property to be consistent with his adjoining property that is currently C-LD.

Mr. Jeffrey Kelly, owner of Tax Parcel 2310004108, addressed the Board. Mr. Kelly said neither he nor another property owner in the area received a public hearing notification letter. He said he has a family of 5 that he is trying to raise in the area and the Theresa Rhodes Family Revocable Living Trust tract (Tax Parcel 2310004103) is currently conducting commercial activities on the site. He provided photos (attached) of potential commercial activity (dump trucks and 18-wheelers) on the subject property. Mr. Kelly felt that rezoning the property to C-LD is will make the situation worse. He said the commercial vehicles come and go on the subject property at different times during the night and he is trying to raise his family adjacent to the subject property (Tax Parcel 2310004103).

Mr. Pages interjected that the Brunswick County Tax Office (Tax Office) has Mr. Kelly's mailing address as 1900 Healing Water Lane SW. Mr. Kelly said his mailing address is 1885 Boones Neck Road SW (SR 1137). Mr. Kelly further stated that he moved to his current address 2 years ago. Mr. Pages reiterated that the Tax Office has Mr. Kelly's previous address of 1900 Healing Water Lane SW and that is where his public hearing notice was sent.

Mr. Cheek asked Mr. Varnam if he knew the intended use of the property (a portion of Tax Parcel 2310004103) being discussed? Mr. Varnam said his property is Tax Parcel 23100041 and he was uncertain of the property owner's intended use of their property (a portion of Tax Parcel 2310004013) if it is rezoned to C-LD. Mr. Cheek asked if Tax Parcel 2310004109 is developed? Mr. Varnam said he has never met the property owners, but he said there is a manufactured home on that parcel.

Mr. Sidney Rhodes addressed the Board. Mr. Rhodes said there are approximately 5 campgrounds in the area and they intend to park boats on their property (Tax Parcel 2310004103). He stated that Mr. Kelly's children are grown and not young children that will be harmed by commercial uses on his parcel. Ms. Easley asked Mr. Rhodes if the property is being used for commercial purposes? Mr. Rhodes said he has 2 acres that he is trying to utilize for commercial purposes. He further stated that he has friends that visit on the weekend and they park their vehicles (18-wheeler vehicles) on his property. Mr. Rhodes said the commercial activity is no longer occurring on the site since he received notification from the County to cease and desist all commercial activity on the property.

With no further comments, Mr. Medlin made a motion to close the Public Hearing and the motion was unanimously carried.

Ms. Easley said the property will be split-zoned. Mr. Pages said staff provided the Board (in the agenda packet) with a survey plat (attached) to potentially subdivide 2 acres of the subject parcel for commercial purposes. Mr. Cheek asked staff the buffer requirements for this parcel if it is rezoned to C-LD and Mr. Pages proceeded to explain the buffer requirements for commercial uses adjacent to a residentially zoned property (vacant) or residential use.

Mr. Leary felt that the southern parcel (a portion of Tax Parcel 2310004103) is not compatible for C-LD in the R-6000 zoning district and Ms. Easley agreed. She asked if the Board could rezone 1 of the requested parcels and Ms. Dixon said the Board could approve 1 of the 2 parcels requested for a zoning change.

Mr. Leary made a motion to approve Tax Parcel 23100041 to C-LD (Commercial Low Density) located at 1886 Boones Neck Road SW (SR 1137) near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential-Mixed) for Tax Parcel 23100041 and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is NOT CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - ED-1 – Maintain and expand job opportunities in the County.
 - The Commercial Suitability Map identifies the subject parcel as generally suitable for commercial development.
 - Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 5 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

C. Rezoning Z-896 –Peggy Evans (%David Summerlin – South Brunswick Development LLC).

Request rezoning of approximately 3.38 acres located off Green Swamp Road (NC 211) near Supply, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1680006509 and 1680006510.

Mr. Tyler Connor addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Connor proceeded to staff's recommendation and the consistency and reasonableness determination statement (attached).

Mr. Connor said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1680006509 and 1680006510 located off Green Swamp Road (NC 211) near Supply, NC.

Mr. Leary made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. David Summerlin, South Brunswick Development LLC, addressed the Board on behalf of the property owner. Mr. Summerlin stated that the subject property is just north of the planned interchange at US 17 (Ocean Hwy) and NC 211 (Southport-Supply Road SE) and it is consistent with the Blueprint Brunswick 2040 Plan.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek made a motion to approve Tax Parcels 1680006509 and 1680006510 to C-LD (Commercial Low Density) located off Green Swamp Road (NC 211) near Supply, NC and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:

- Consistent with the following Goals and Objectives
 - LU-2 – Support development in areas that are best suited for future development.
 - LU-3 – Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
 - ED-1 – Maintain and expand job opportunities in the County.
- The Commercial and Residential Suitability Map identifies the subject parcels as more suitable for residential and commercial development.
- Identified as a Community Center.
- Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and the previous rezonings to similar districts within the immediate vicinity.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

D. Rezoning Z-897 – David Purser (%LPM Group Inc.).

Request rezoning of approximately 26.15 acres located off Midway Road SE (NC 906) near Bolivia, NC from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1870000101 and 1870002502.

LAND USE PLAN MAP AMENDMENT (LUM-897):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from LDR (Low Density Residential) Place Type to Commercial Place Type for Tax Parcel 187000010 and 1870002502 located off Midway Road SE (NC 906) near Bolivia, NC. This Land Use Plan Amendment totals approximately 26.15 acres.

Mr. Marc Pages addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages proceeded to staff's recommendation and the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 1870000101 and 1870002502 located off Midway Road SE (NC 906) near Bolivia, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial Place Type for Tax Parcels 1870000101 and 1870002502.

Mr. Cheek made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. David Purser addressed the Board. Mr. Purser said the entire lot was clear cut by the previous owner. He stated that he is the owner of Midway Storage that is adjacent to subject property. He further stated that that parcel is heavily landscaped with upgraded buffers, landscape lighting and irrigation and they intend to develop the subject property in a similar way.

Ms. Barbara Williams McQuery addressed the Board. Ms. McQuery said she and her brother own the property (Tax Parcel 1870000208) just north of the subject properties being requested for a zoning change to C-LD (Commercial Low Density). She was concerned with the potential for additional clear-cutting and her property being flooded because there is a branch at the border of the subject properties. Ms. McQuery also expressed concern with the migration of commercial activity down Midway Road (NC 906), which will be an intrusion to the residential properties in the area.

With no further comments, Mr. Leary made a motion to close the public hearing and motion was unanimously carried. Mr. Brittain asked Ms. McQuery if the branch is on her property? Mr. Cheek made a motion to re-open the public hearing and the motion was unanimously carried. Ms. Williams McQuery said the branch is probably on both properties. Mr. Brittain made a motion to close the public hearing and the motion was unanimously carried. Mr. Cheek felt that the commercial zoning will require a greater buffer that will be beneficial to the adjacent properties.

Mr. Cheek made a motion to approve Tax Parcels 1870000101 and 1870002502 to C-LD (Commercial Low Density) located off Midway Road SE (NC 906) near Bolivia, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial Place Type for Tax Parcel 1870000101 and 1870002502 and adopt the consistency and reasonableness determination statement and the motion was unanimously carried.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is NOT CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives supports the rezoning:
 - Consistent with the following Goals and Objectives

- LU-2 – Support development in areas that are best suited for future development.
- ED-1 – Maintain and expand job opportunities in the County.
- The Commercial Suitability Map identifies the subject parcel as more suitable for commercial development.
- Not in a significant heritage natural area.
- Consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment score of 0 out of 10.

<input type="checkbox"/> <i>Agricultural Development Plan</i> <input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> <input type="checkbox"/> <i>Brunswick County Trail Plan</i> <input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i> <input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i> <input type="checkbox"/> <i>Airport Height Control Ordinance</i> <input type="checkbox"/> <i>Other: _____</i>
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Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

E. Rezoning Z-893 – Donald Keith Smith.

Request rezoning of approximately 15 acres located at 5740 Ocean Highway East (US 17) near Winnabow, NC from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 09800047 and 0980004705.

LAND USE PLAN MAP AMENDMENT (LUM-893):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from Rural/Agricultural and OSC-1 (Open Space Conservation-1) Place Types to Commercial Place Type for Tax Parcels 09800047 and 0980004705 located at 5740 Ocean Highway East (US 17) near Winnabow, NC. This Land Use Plan Amendment totals approximately 15 acres.

Mr. Marc Pages addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages proceeded to staff's recommendation and the consistency and reasonableness determination statement (attached).

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 09800047 and 0980004705 located at 5740 Ocean Highway East (US 17) near Winnabow, NC in conjunction with an amendment to the Blueprint

Brunswick 2040 CAMA Land Use Plan Map to Commercial Place Type for Tax Parcels 09800047 and 0980004705.

Ms. Easley asked about other commercial zoning in the area and Mr. Pages said there is an Exxon Convenience Store at the intersection of Hwy 87 and US 17 as well as other commercial property (Dollar General) approximately 1/4 of a mile from the subject property.

Mr. Cheek made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Keith Smith addressed the Board. Mr. Smith said he is a pastor and plumber by trade. He said they want a meeting facility for the church as well as homes for foster children. Mr. Pages interjected that the Board has to consider all uses in the C-LD and not any specific use. Mr. Smith said the proposed zoning is a better fit for the property.

Mr. Raymond Harvell, owner of Tax Parcel 09800040, addressed the Board. Mr. Harvell was concerned with the property being rezoned to C-LD because the property is surrounded by Rural Low Density Residential (RR) zoning. He was opposed to the zoning change.

With no further comments, Mr. Ishler made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Ishler made a motion to approve Tax Parcels 09800047 and 0980004705 to C-LD (Commercial Low Density) located at 5740 Ocean Highway East near Winnabow, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to Commercial for Tax Parcels 09800047 and 0980004705 and adopt the consistency and reasonableness determination statement. The motion died for lack of a second.

Mr. Cheek felt that there was not enough commercial in the area to support the zoning change to C-LD and he made a motion to deny the zoning change because the zoning change is not consistent with the Blueprint Brunswick 2040 Plan and not in the public's interest and the motion carried with Mr. Ishler voting no.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i>
<input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	<input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i>
<input type="checkbox"/> <i>Brunswick County Trail Plan</i>	<input type="checkbox"/> <i>Airport Height Control Ordinance</i>
<input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Other: _____</i>

Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

F. Outdoor RV Resort – Casitas Text Amendments.

Mr. Dennis Rabon addressed the Board. Mr. Rabon said staff received a text amendment request on 10-Jun-24 from CCMR, LLC (%Barry Poole) to allow casitas (approximately 850 square feet in size) as an accessory use to an RV/Travel Trailer on the same lot within an Outdoor RV Resort. He proceeded to read the proposed text amendment (attached) and stated that the term casita is being added as an accessory use and clearly defined in the definition section of the UDO. He further stated that the RV or casita will not be rented. Mr. Rabon said staff recommends approval and adopt the consistency and reasonableness determination statement (attached).

Mr. Leary made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Barry Poole addressed the Board. Mr. Poole said his family has been in the motor coach business for the last 25 years that allows for a guest to be on the same site as an RV. Mr. Leary asked how this will be addressed for a stick-built structure? Ms. Dixon said this is a trend in Arizona and Florida. Mr. Cheek asked staff if this would pose a problem and he suggested there be a size limit on the casitas as part of the proposed language for approval. Ms. Dixon said a size limit can be placed on casitas if the Board desires to do so. Mr. Poole said they will have to get building permits for casitas and they will have to meet State Building Codes for residential purposes. Mr. Cheek asked if casitas would have to be on public sewer? Mr. Pages said the Board can require such a condition. Mr. Pages added that RV Resort sites can be subdivided and sold. Mr. Poole explained that the size of casitas that were approved in Florida were a maximum of 1,000 square feet including under roof and open-air.

With no further comments, Mr. Cheek made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek made a motion to recommend to the Board of Commissioners to approve the proposed text amendment with the following revisions: amend the definition section of the UDO to clearly define a casita as, “a small self-contained dwelling no larger than 1,200 square feet, typically unattached from a main home, but on the same property”; and item xii should say, “Both a recreational vehicle and casita may be located on a campsite. On any such campsite, neither the casita nor the recreational vehicle may be rented separately from 1 another and must be used together as a single rental. Any site cannot be subdivided. Any RV/Casita site must be connected to public water and sewer and adopt the consistency and reasonableness determination statement and the motion was unanimously approved.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the goals, recommendations, and policies of the following plans adopted by Brunswick County and is REASONABLE and appropriate based upon the following findings:

- Enhance economic development and tourism opportunities.
- Clarifies that casitas can be utilized in Outdoor RV Resorts.

<input type="checkbox"/> <i>Agricultural Development Plan</i>	<input type="checkbox"/> <i>Unified Development Ordinance</i>
<input type="checkbox"/> <i>Brunswick County Comprehensive Transportation Plan (CTP)</i>	<input type="checkbox"/> <i>Southeastern North Carolina Hazard Mitigation Plan</i>
<input type="checkbox"/> <i>Brunswick County Trail Plan</i>	<input type="checkbox"/> <i>Airport Height Control Ordinance</i>
<input checked="" type="checkbox"/> <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i>	<input type="checkbox"/> <i>Other: _____</i>

Ms. Easley stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. She further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

IX. OTHER BUSINESS.

- Wellhead Protection Area Overlay District Community Meeting – July 16, 2024 at 6:00 p.m.

Ms. Dixon addressed the Board. She stated that there will be a community meeting at 6p at the St. James Community Center, Room A at 4136 Southport-Supply Road SE, on 16-Jul-24 to discuss the Wellhead Protection Area Overlay District to potentially add performance standards. Ms. Dixon extended an invitation for up to 3 Board members to attend the meeting.

- Tree and Landscape and the Transportation Overlay Zone (TOZ) Text Amendments.

Ms. Dixon said the Tree and Landscape and TOZ Text Amendments were discussed at the Board of Commissioners meeting earlier today and they suggested that a meeting be held with development stakeholders. It was suggested that 2 Planning Board members be a part of the discussion with the developers. Mr. Cheek and Mr. Leary volunteered to be a part of that discussion.

- Planning Board Case Update.

Ms. Dixon addressed the Board. She stated that there were no appeals submitted for the previously approved rezoning cases (Z-889, Z-890, Z-891, Z-892, Z-893 and Z-894) at the 10-Jun-24 Planning Board meeting, so the Board’s decision stands.

- Southport ETJ

Ms. Dixon said the NC General Assembly relinquished all of Southport’s ETJ and staff has 60 days to rezone the areas. She said staff has met with the City of Southport regarding pending projects that will likely have to be submitted to the County for consideration. Ms. Dixon said any previously approved projects in the ETJ will be honored as approved by the Town. She further stated that there will be 2 meetings with the property owners in Southport’s ETJ at 5:30 p.m. and

7:00 p.m. on 25-Jul-24 at the Southport Senior Center. Ms. Dixon said this matter will be presented to the Board at their 19-Aug-24 meeting.

IX. ADJOURNMENT.

With no further business, Mr. Medlin made a motion to adjourn and the motion was unanimously carried.