

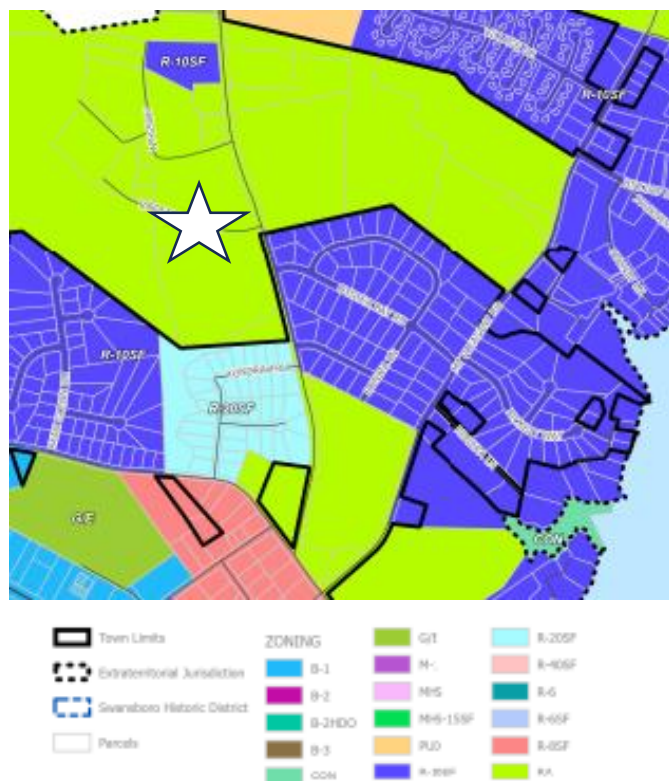
## Staff Analysis

### **Expanded Overview:**

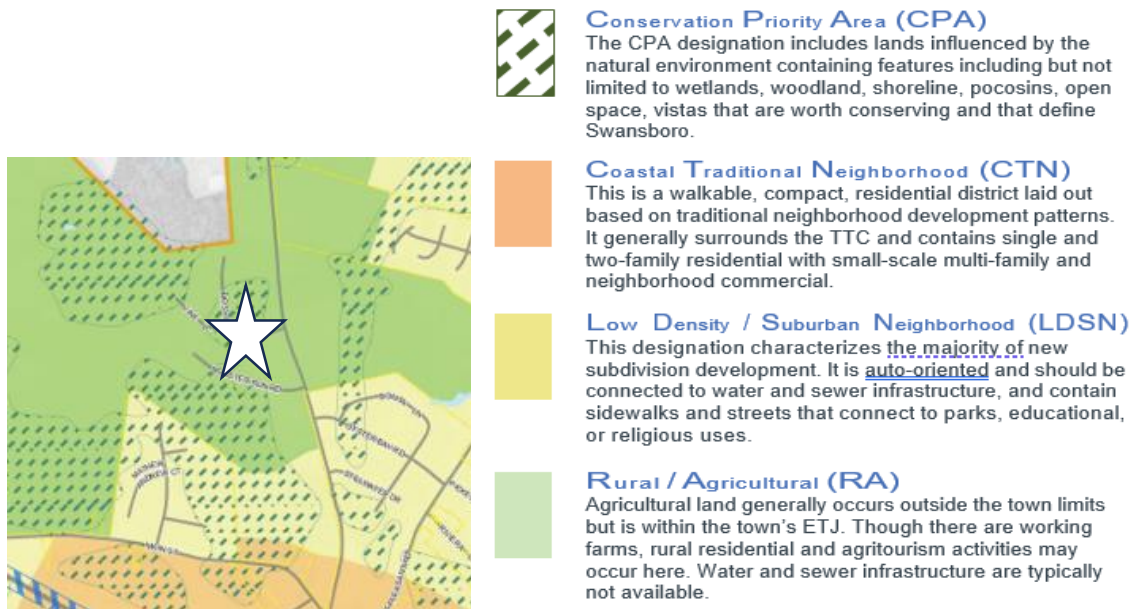
The requested conditional rezoning by Sand Dollar Homes contains a +/- 27.287-acre parcel of land currently zoned RA (Residential Agricultural to R-20SF see **(Figure 1)**). The rezoning request is consistent with the R-20 SF cluster development and is consistent with all Unified Development Ordinance requirements. The requested rezoning is consistent with the Swansgate subdivision zoned R-20 Cluster, the Oyster Bay subdivision across Swansboro Loop Road zoned R-10 and the other R-10 subdivisions in the area.

The CAMA Land Use Plan Future Land Use Map depicts this parcel as Rural/Agricultural and CPA (Conservation Priority Area). The Conservation Priority Area is because of the wetlands located on the site. Please see **(Figure 2)**. On August 28, 2023, an amendment to the CAMA Land Use Plan Update changed the analysis on pages A-29 and A-30 from protection of only isolated wetlands to protection of all environmentally sensitive areas. Further, the amendment included isolated wetlands in the definition of environmentally sensitive areas and protects wetlands when development is proposed with zoning incentives such as cluster development. Find the link below:

<https://storage.googleapis.com/proudcity/swansboronc/uploads/2022/10/Swansboro-CAMA-LUP-Updated10.2023.pdf>



**Figure 1- Town of Swansboro Zoning Map**



**Figure 2- Future Land Use Map**

**To support the request, the applicant refers to Chapter 5, page 49 of the CAMA LUP under the Rural/Agricultural Appropriate Density section:**

- Up to 4 dwellings per acre of any type of residential within a 1/2-mile walking distance of any Town Center area or within **1/4-mile walking distance of a Coastal Traditional Neighborhood area**, whichever is greater (i.e.- allows increased densities to more property).

**The staff has reviewed Residential Cluster Standards provided in the Unified Development Ordinance and the proposal meets the standards found in Sections 152.225-152.228.**

Please note that the other regulations in the Unified Development Ordinance, which the proposal will be required to meet, have been reviewed by staff for consistency. The subdivision will have to be heard again by the Planning Board and the Board of Commissioners for the preliminary plat (construction drawing phase) as well as for the final plat, if the platting is greater than seven lots. Seven lots or less are reviewed by staff.

The Sand Dollar subdivision is proposed for fifty lots in two phases. There is a sewer lift station proposed behind lot 41 serving both phases, as well as a mailbox kiosk serving both phases near lot 8.

**Traffic and Infrastructure Comments:**

On November 27<sup>th</sup>, the sealed engineering letter was received that a Traffic Impact Analysis was not required based on his calculations. This letter was reviewed by the Town's Traffic engineer on December 8<sup>th</sup>, and he calculated differently following appropriate NCDOT methodology that 50 single family units would generate 533 vehicles/day which would meet the Town's standard requiring a Traffic Impact Analysis for subdivision generating 400 trips or more in a 24-hour period. The design

team chose to split the neighborhood into two phases, during the conditional rezoning to get the traffic count in the twenty-four-hour period below that standard. **This issue will have to be addressed at the preliminary plat (construction drawing phase) when both phases are combined, and the required threshold is met.** The developer will be required to submit the required Traffic Impact Analysis to the Town's traffic engineer for review. Please note NC GS 160D enables development to occur in phases. As a Town, we have to follow both State and Local law.

The Swansboro Unified Development Ordinance Section **152.180 Notes to the Table of Permitted/Special Uses. (A) Note 1.** *Conditional zoning district in which the development and use of the property is subject to site specific conditions imposed as part of the legislative decision creating the zoning district.*

The Town Board is considering the Subdivision drawing and conditions recommended as part of your conditional rezoning decision. Please find below the recommended conditions forwarded by the Planning Board and accepted by Sand Dollar Homes.

### **Recommended Conditions**

1. A Traffic Impact Analysis meeting the Town's requirements must be completed and approved prior to the preliminary plat (construction drawings) and before the development is heard at the Planning Board.
2. Required stormwater for Phase I and II must be located within the development not impacting the wetlands to assure stormwater is not routed to Swansboro Loop Road.
3. The twenty-five-foot required exterior buffer where there is a natural screen that cannot be seen through the vegetation will remain. Where there is an open field or no vegetation the area will be planted to screen the adjoining neighbors using the type A buffer standard.
4. An additional ten-foot-wide buffer will be required between the proposed 20-foot-wide fire road on the west side of the development adjacent to tax parcels 056584 and 002598. If there is natural screening that cannot be seen through the vegetation will remain, otherwise the type A buffer standard will be used.
5. Construct a 4-foot wooden privacy fence with gates surrounding the lift station with hardy fast-growing shrubs outside the fence to form a hedge meeting ONWASA requirements.
6. Any claim of a 3<sup>rd</sup> party regarding the applicant's title to the subject property, or the effect of such a claim, if any, on the requested rezoning, is a civil matter between private parties. This would include title conflicts between any existing easements and proposed public streets. The Planning Board's recommendation of approval has no bearing on claims of title to the property, such being outside the authority and jurisdiction of the Planning Board. The Board's recommendation should not be construed as having any effect on title to the property, claims against the property, or the validity of any such claims.