

**CITY OF NEW BERN
BOARD OF ALDERMEN MEETING
NOVEMBER 27, 2018 – 6:00 P.M.
CITY HALL COURTROOM
300 POLLOCK STREET**

1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Kinsey. Pledge of Allegiance.
2. Roll Call.

Consent Agenda

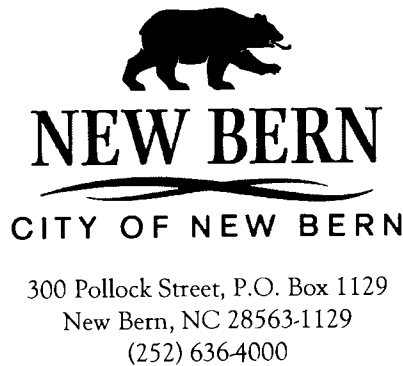
3. Consider Adopting a Resolution Calling for a Public Hearing to Rezone Three Tracts Identified as Tax Parcels 7-105-17001, 7-105-15000 and 7-105-15001 from A-5 Agricultural District to R-8 Residential.
4. Consider Adopting a Resolution Closing Specific Streets for the City's First Annual New Year's Eve Celebration.
5. Consider Approving a Proclamation for Veterans Stand Down.
6. Approve Minutes.

7. Conduct a Public Hearing and Consider Adopting an Ordinance Amending Article II "Definitions", Article X "Permissible Uses" and Article XVIII "Parking" of Appendix A of the City of New Bern Land Use Ordinance.
8. Conduct a Public Hearing and Consider Adopting an Ordinance Amending Article II: Section 15-15 – Basic Definitions and Interpretations of the City of New Bern Land Use Ordinance.
9. Presentation on Hazard Mitigation Assistance and the Hazard Mitigation Grant Program.
10. Appointment(s).
11. Attorney's Report.
12. City Manager's Report.
13. New Business.
14. Closed Session.
15. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL
639-7501 NO LATER THAN 3 P.M. THE DATE OF THE MEETING

Aldermen

Sabrina Bengel
Jameesha Harris
Robert V. Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham



Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo to: Mayor and Board of Aldermen

From: Mark A. Stephens, City Manager

Date: November 21, 2018

Re: November 27, 2018 Agenda Explanations

1. **Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Kinsey. Pledge of Allegiance.**

2. **Roll Call.**

Consent Agenda

3. **Consider Adopting a Resolution Calling for a Public Hearing to Rezone Three Tracts Identified as Tax Parcels 7-105-17001, 7-105-15000 and 7-105-15001 from A-5 Agricultural District to R-8 Residential.**

(Ward 3) Thomas Engineering, agent for Nolan Commercial Contractors, LLC, has requested to have three tracts of property identified as tax parcels 7-105-17001, 7-105-15000 and 7-105-15001 rezoned from A-5 Agricultural District to R-8 Residential. The property is located to the west of Old Airport Road and to the south of Bettye Gresham Road and jointly consist of approximately 72.23 acres. The Planning and Zoning Board voted unanimously 7-0 on November 13, 2018 to approve the request. State statute and local ordinance require the Governing Board to hold a public hearing to receive comments on rezoning requests. The proposed resolution calls for the hearing to be conducted on December 11, 2018. A memo from Morgan Potts, City Planner, is attached along with a map of the subject property.

4. **Consider Adopting a Resolution Closing Specific Streets for the City's First Annual New Year's Eve Celebration.**

(Ward 1) The City of New Bern plans to hold its first annual New Year's Eve Celebration on December 31, 2018. As a result, it is requested the 200 block of Pollock Street from the entrance of the Dunn Building parking lot to Craven Street be closed to vehicular traffic from 8 a.m. on December 31, 2018 to 8 a.m. on January 1, 2019. It is also requested the 300 block of Pollock Street, a portion of

the 300 block of Craven Street, and a portion of the 200 block of Craven Street beginning at Morgan's Tavern be closed from 3 p.m. on December 31, 2018 until 3 a.m. on January 1, 2019. All businesses located within the affected area have been contacted and are aware of the closures, and signage will be posted in those areas. A memo from Foster Hughes, Director of Parks and Recreation, is attached along with a map of the area.

5. Consider Approving a Proclamation for Veterans Stand Down.

Lovay Wallace-Singleton, Program Director of the Veterans Employment Base Camp and Organic Garden, has requested a proclamation in relation to the upcoming Veterans Stand Down on February 22, 2019.

6. Approve Minutes.

Minutes from the November 13, 2018 regular meeting are provided for review and approval.

7. Conduct a Public Hearing and Consider Adopting an Ordinance Amending Article II "Definitions", Article X "Permissible Uses" and Article XVIII "Parking" of Appendix A of the City of New Bern Land Use Ordinance.

At its last meeting, the Board called for this public hearing to consider proposed amendments to Sections 15-15, 15-146 and 15-342 of the Land Use Ordinance. A notice of public hearing has been duly advertised. The proposed amendments will create standards for marinas in the City of New Bern. At their September 4, 2018 meeting, the Planning and Zoning Board voted 5-1 to recommend approval of the proposed amendments. A memo from Bradleigh Sceviour, Planner II, is attached.

8. Conduct a Public Hearing and Consider Adopting an Ordinance Amending Article II: Section 15-15 – Basic Definitions and Interpretations of the City of New Bern Land Use Ordinance.

Also at its last meeting, the Board called for this public hearing to consider proposed amendments to Section 15-15 "Basic Definitions and Interpretations" of the Land Use Ordinance. Notice of the public hearing has been duly advertised. The proposed amendments will clean up the residential definitions found in the basic definitions and interpretations section. The last overhaul of the Land Use Ordinance created errors in formatting that lead to the retention of some older, now redundant, definitions for residential uses. Adopting the proposed changes will make sure there is no confusion in how different residential uses are defined. At their June 5, 2018 meeting, the Planning and Zoning Board voted unanimously to recommend approval of the proposed amendments. A memo from Mr. Sceviour is attached.

9. Presentation on Hazard Mitigation Assistance and the Hazard Mitigation Grant Program.

As announced at the November 13, 2018 meeting, there are critical dates quickly approaching with respect to hazard mitigation. Ryan Cox, a State Mitigation Officer with the North Carolina Emergency Management, will be in attendance to provide a brief answer-and-question session about Hazard Mitigation Assistance and the Hazard Mitigation Grant Program ("HMGP"). The HMGP provides funding for long-term hazard mitigation measures following major disaster declarations. The City of New Bern is collecting information from residents who may be interested in a FEMA buyout or elevation program because of damage sustained to their home from hurricane flooding. A form of interest has been made available on the City's website, at City Hall and Development Services, and through direct distribution by groups and/or elected officials. The application deadline is December 7, 2018, and those wishing to be considered must fill out the form and return it to Development Services at 303 First Street or to City Hall at 300 Pollock Street. A memo from Amanda Ohlensehlen, Economic and Community Development Manager, is attached.

10. Appointment(s).

11. Attorney's Report.

12. City Manager's Report.

13. New Business.

14. Closed Session.

15. Adjourn.

AGENDA ITEM COVER SHEET

Agenda Item Title:

To hold a Public Hearing to consider adoption of the proposed amendment to Section 15-463 of the Land Use Ordinance.

Date of Meeting 11/27/2018

Ward # if applicable Ward 3 ☒

Department Development Services ☒

Person Submitting Item: Morgan Potts

Call for Public Hearing ☒ Yes ☐ No

Date of Public Hearing 12/11/2018

Explanation of Item:

State statute and local ordinance requires the governing body to hold a public hearing prior to amending the Land Use Ordinance.

City staff is requesting the Board of Aldermen consider amending the Land Use Map to rezone 3 parcels, consisting of 72.23 +/- acres from A-5 Agricultural District to R-8 Residential, located to the west of Old Airport Road and to the south of Bettye Gresham Road. The properties are further identified as Craven County parcel ID #'s 7-105-17001, 7-105-15000, and 7-105-15001.

Actions Needed by Board:

Adoption of a resolution calling for a public hearing to be held on December 11, 2018, to consider rezoning 3 parcels, consisting of 72.23 +/- acres from A-5 Agricultural District to R-8 Residential, located to the west of Old Airport Road and to the south of Bettye Gresham Road. The properties are further identified as Craven County parcel ID #'s 7-105-17001, 7-105-15000, and 7-105-15001.

Is item time sensitive? ☒ Yes ☐ No

Will there be advocates/opponents at the meeting? ☒ Yes ☐ No

Backup Attached:

Memo, site map of zoning surrounding the parcel, resolution to call for a public hearing.

Cost of Agenda Item: 0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☐ No

Additional notes:

The applicant has requested an R-8 Residential zoning for the purpose of the creation of a Single Family Residential Planned Unit Development.



MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP
City Planner

DATE: November 15, 2018

SUBJECT: Call for a Public Hearing to consider a rezoning request for Craven County Parcel ID's 7-105-17001, 7-105-15000, and 7-105-15001 from A-5 Agricultural District to R-8 Residential District

Background

The Board of Aldermen is requested to hold a call for a public hearing to be held on December 11, 2018 at 6:00 p.m., or as soon thereafter as possible, to consider a request by Thomas Engineering, agent for Nolan Commercial Contractors, LLC, to rezone approximately 72.23 +/- acres from A-5 Agricultural District to R-8 Residential District. The parcels are located to the west of Old Airport Road and to the south of Bettye Gresham Road.

Recommendation

To hold a call for a public hearing to be held on December 11, 2018 at 6:00 p.m., to consider a request by Thomas Engineering, agent for Nolan Commercial Contractors, LLC, to rezone approximately 72.23 +/- acres from A-5 Agricultural District to R-8 Residential District. The parcels are located to the west of Old Airport Road and to the south of Bettye Gresham Road.

Please contact me at 639-7583 should you have questions or need additional information.

RESOLUTION

THAT WHEREAS, the City of New Bern desires to hold a public hearing to receive public comments on a request to rezone three parcels consisting of 72.23 +/- acres from A-5 Agricultural District to R-8 Residential, located to the west of Old Airport Road and to the south of Bettye Gresham Road. The properties are further identified as Craven County parcel ID numbers 7-105-17001, 7-105-15000, and 7-105-15001.

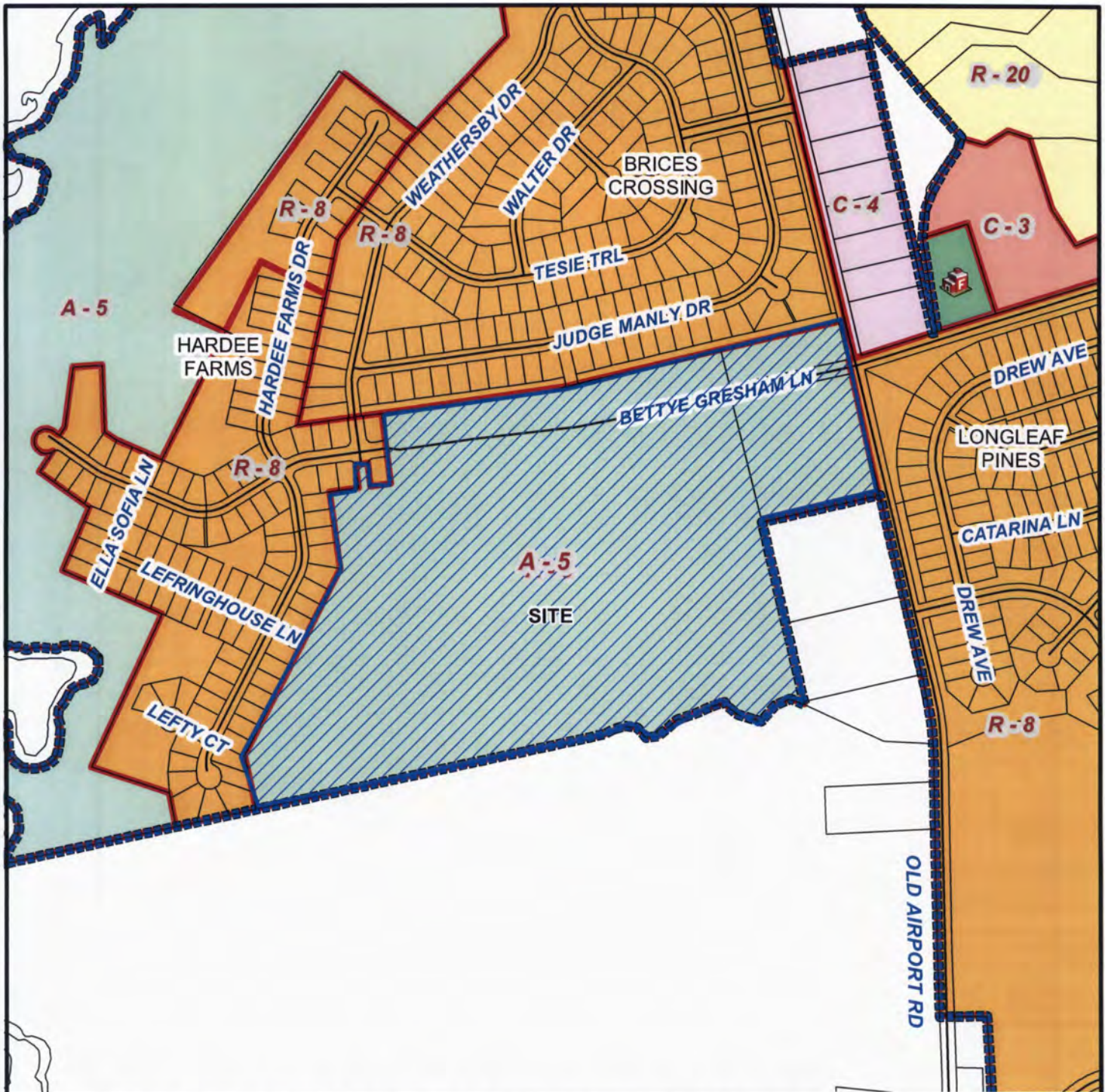
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 p.m., or as soon thereafter as the matter may be reached, on December 11, 2018 in the City Hall Courtroom in the City of New Bern for public discussion on a request to rezone three parcels consisting of 72.23 +/- acres from A-5 Agricultural District to R-8 Residential, located to the west of Old Airport Road and to the south of Bettye Gresham Road. The properties are further identified as Craven County parcel ID numbers 7-105-17001, 7-105-15000, and 7-105-15001.

ADOPTED THIS 27th DAY OF NOVEMBER, 2018.

MAYOR DANA OUTLAW

BRENDA E. BLANCO, CITY CLERK

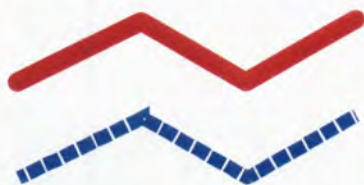


REZONING ZONING CASE: HARDEES FARM PID: 7-105-15000, 15001, 17001

LOCATION: West side Old Airport Rd, south of Bettye Gresham Ln



**Existing Zone: A-5
Proposed Zone: R-8**



**Zoning
Boundaries**

**New Bern
City Limits**

**N CITY of NEW BERN
Development
Services**

Scale: 1 = 600 ft



AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting Resolution to close 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street be closed to vehicle traffic from 8:00 a.m. Monday, December 31, 2018 until 8:00 a.m. on Tuesday, January 1, 2019. The 300 block of Pollock Street; a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill and a portion of the 300 block of Craven Street be closed from 3:00 p.m. on Monday, December 31, 2018 until 3:00 a.m. Tuesday, January 1, 2019 for the City of New Bern First Annual New Year's Eve Celebration

Date of Meeting **Ward # if applicable** Ward 1**If multiple, list:****Department** Parks & Recreation**Person Submitting Item:** **Call for Public Hearing** No**Date of Public Hearing** **Explanation of Item:**

The City of New Bern and the Parks and Recreation Director has requested to close specific streets to vehicle traffic for City of New Bern First Annual New Year's Eve Celebration.

Actions Needed by Board:

Adopt the Resolution

Is item time sensitive? No**Will there be advocates/opponents at the meeting?** Select...**Backup Attached:**

Resolution
Memo
Map

Cost of Agenda Item:

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : Select...

Additional notes:



Aldermen

Sabrina Bengel
Jameesha Harris
Bobby Aster
Johnnie Ray Kinsey
Barbara J. Best
Jeffrey T. Odham

Foster Hughes, CPRE
Director of Parks & Recreation



Dana E. Outlaw
Mayor

Mark A. Stephens
City Manager

Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE Director of Parks and Recreation

711

Re: Adopt the Resolution to close a specific street to vehicle traffic, the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street be closed to vehicle traffic from 8:00 a.m. Monday, December 31, 2018 until 8:00 a.m. on Tuesday, January 1, 2019. The 300 block of Pollock Street; a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill and a portion of the 300 block of Craven Street be closed from 3:00 p.m. on Monday, December 31, 2018 until 3:00 a.m. Tuesday, January 1, 2019 for the City of New Bern First Annual New Year's Eve Celebration.

Background Information:

The City of New Bern and the Parks and Recreation Director has requested the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street be closed to vehicle traffic from 8:00 a.m. Monday, December 31, 2018 until 8:00 a.m. on Tuesday, January 1, 2019. The 300 block of Pollock Street; a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill and a portion of the 300 block of Craven Street be closed from 3:00 p.m. on Monday, December 31, 2018 until 3:00 a.m. Tuesday, January 1, 2019. This new family friendly event will have activities to be offer to include live entertainment, food trucks, games and activities for the entire family.

Recommendation:

The Parks and Recreation Department recommends approval and request the Board adopt a Resolution approving the request.

If you have any questions concerning this matter, please call.

1307 Country Club Rd
New Bern, NC 28562
Office 252 639-2901
Fax 252 636-4138

RESOLUTION

THAT WHEREAS, the City of New Bern has scheduled its first annual New Year's Eve Celebration and requests that specific streets be closed to vehicular traffic as follows:

- December 31, 2018 from 8 a.m. until January 1, 2019 at 8 a.m.: the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street; and
- December 31, 2018 from 3 p.m. until January 1, 2019 at 3 a.m.: the 300 block of Pollock Street, a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill, and a portion of the 300 block of Craven Street; and

WHEREAS, signage will be posted at all affected areas, and the Director of Parks and Recreation recommends the streets be closed as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

1. That the following streets shall be closed as indicated for the City's first annual New Year's Eve Celebration:

- a) the 200 block of Pollock Street from the parking lot entrance at the Dunn Building to Craven Street shall be closed to vehicular traffic from 8 a.m. on Monday, December 31, 2018 until 8 a.m. on Tuesday, January 1, 2019; and
- b) the 300 block of Pollock Street; a partial blockage of the 200 block of Craven Street beginning at Morgan's Tavern & Grill, and a portion of the 300 block of Craven Street shall be closed to vehicular traffic from 3:00 p.m. on Monday, December 31, 2018 until 3:00 a.m. on Tuesday, January 1, 2019; and

2. Signage shall be posted in all affected areas.

ADOPTED THIS 27TH DAY OF NOVEMBER 2018.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

NEW YEAR'S EVE DOWNTOWN COUNTDOWN BLOCK PARTY - EVENT LAYOUT - DECEMBER 31, 2018



A portion of Pollock Street adjacent to the Dunn Building will close at 8am and will re-open at 8am on January 1.

All other streets within the Event zone will close at 3pm and re-open at 3am.

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Approving a Proclamation for the Upcoming Veterans Stand Down

Date of Meeting 11/27/18

Ward # if applicable N/A

Department City Clerk



Person Submitting Item: Brenda Blanco

Call for Public Hearing ☐ Yes ☒ No

Date of Public Hearing

Explanation of Item:

Lovay Wallace-Singleton, Director, of the Veterans Employment Base Camp and Organic Garden, has requested a proclamation for the upcoming Veterans Stand Down on February 22, 2019.

Actions Needed by Board:

Consider approving proclamation.

Is item time sensitive? ☐ Yes ☒ No

Will there be advocates/opponents at the meeting? ☐ Yes ☒ No

Backup Attached:

Proclamation

Cost of Agenda Item: \$0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☐ No

Additional notes:



MAYOR'S OFFICE PROCLAMATION

WHEREAS, service to others is a hallmark of the American veteran, and central to how the military meets its challenges; and

WHEREAS, the nation's veterans are increasingly turning to veteran service and non-profit organization as a beneficial strategy to meet benefits, medical and needs; and

WHEREAS, Veterans Employment Base Camp and Organic Garden has addressed the most pressing challenges facing our veterans for the past 5 years, from education to healthcare and supporting veterans and military families; and

WHEREAS, Veterans Employment Base Camp and Organic Garden expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, Veterans Employment Base Camp and Organic Garden serves by bolstering veterans, active duty military, and veteran family members as they transition from the military to civilian life; and

WHEREAS, Veterans Employment Base Camp and Organic Garden represents a unique public-private partnership that invests in veteran solutions and leverages federal and non-federal resources to strengthen the veteran impact and increase the return on taxpayer dollars; and

WHEREAS, veterans demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, Veterans Employment Base Camp and Organic Garden is joining with military veterans to recognize the impact of service on the 5th Annual Craven County Veterans Stand-down on February 22, 2019.

NOW, THEREFORE, I, Dana E. Outlaw, Mayor of the City of New Bern, on behalf of the New Bern Board of Aldermen, do hereby proclaim February 22, 2019, as

VETERAN SERVICE RECOGNITION DAY

and encourage residents to recognize the positive impact of veterans in our city, to thank those who serve, and to find ways to give back to their communities.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of New Bern this 27th day of November in the Year of Our Lord Two Thousand and Eighteen.

Dana E. Outlaw, Mayor



AGENDA ITEM COVER SHEET

Agenda Item Title:

To Conduct a Public Hearing and Consider Adopting an Ordinance Amending Article II "Definitions", Article X "Permissible Uses" and Article XVIII "Parking" of Appendix A of the City of New Bern Land Use Ordinance

Date of Meeting November 27th, 2018 **Ward # if applicable** N/A

Department Development Services **Person Submitting Item:** Bradleigh Sceviour

Call for Public Hearing ☒ Yes ☐ No **Date of Public Hearing** 11/27/2018

Explanation of Item:

The Board of Aldermen is requested to hold a public hearing on November 27, 2018, to consider amending Article II: Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations", Article X: Section 15-146 of the City of New Bern Land Use Ordinance "Table of permissible uses." and Article XVIII: Section 15-342 of the City of New Bern Land Use Ordinance; "Number of parking spaces required". The purpose of the amendments is to create standards for Marinas in the city Land Use Ordinance.

Actions Needed by Board:

To hold a public hearing on November 27, 2018 for the purpose of considering a land use amendment requested by City of New Bern Development Services.

Is item time sensitive? ☒ Yes ☐ No

Will there be advocates/opponents at the meeting? ☒ Yes ☐ No

Backup Attached:

Staff memo, Proposed edits, Ordinance and Legal notice

Cost of Agenda Item: 0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☐ No

Additional notes:

The Planning & Zoning Board reviewed these requests at its September 4th, 2018 regular meeting and voted 5-1 in favor of recommending approval for the proposed amendment.



MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Bradleigh Sceviour
Interim Land and Community Development Coordinator

DATE: November 15th, 2018

SUBJECT: Conduct a Public Hearing to consider adoption of the proposed amendments to Sections 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations." 15-146 "table of permissible uses." And 15-342 "Number of parking spaces required."

Background

The Board of Aldermen is requested to conduct a public hearing on November 27th, 2018 at 6:00 p.m., or as soon thereafter as possible, to consider a request by the City of New Bern to consider adoption of proposed amendments to Sections 15-15, 15-146 and 15-342 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations." "Table of permissible uses." and "Number of parking spaces required."

The reason for these amendments is to create standards for marinas in the City of New Bern.

At their September 4th, 2018 regular meeting the Planning and Zoning Board voted 5-1 to recommend approval to the Board of Aldermen.

Recommendation

To conduct a public hearing on November 27th, 2018 at 6:00 p.m., to consider adoption of proposed amendments to Sections 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations." 15-146 "table of permissible uses." and 15-342 "Number of parking spaces required." Staff recommends that the amendments be approved as presented.

Please contact me at 639-7582 should you have questions or need additional information.

AN ORDINANCE TO AMEND APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City’s planning staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 15-15. “Definitions.” of Article I. “General provisions” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern be and the same is hereby amended by adding the following definitions and renumbering the remaining definitions accordingly:

“Section 15-15. Definitions.

(9) *Boat slip*: A berthing place for watercraft on a body of water where the watercraft can be securely moored to cleats, pilings or other devices, or secured to floats or a lift.

(32) *Dock, commercial*: A structure extending alongshore or out from the shore into a body of water from a parcel of real property on which commercial activity is permitted, provided that the structure does not accommodate more than four (4) boat slips, and does not allow overnight dockage.

(33) *Dock, residential*: A structure extending alongshore or out from the shore into a body of water from a parcel of real property used for residential purposes, provided that the structure does not accommodate more than four (4) boat slips. Residential docks are accessory to a residential use, and may not be used for any commercial purpose.

...

(68) *Marina, commercial*: Any publicly or privately owned dock, basin, or wet storage facility constructed to accommodate more than four (4) boat slips, and that offers one or more of the following services: fueling facilities, haul out facilities, boat repair services, or lease of dockage for less than thirty (30) days.

(69) *Marina, private:* Any publicly or privately owned dock, basin, or wet storage facility constructed to accommodate more than four (4) boat slips, and that does not offer any of the services that would constitute a commercial marina.

(70) *Marine facility:* Any facility used for the purpose of boat manufacturing, maintenance, construction or storage of watercraft, including but not limited to boat yards, dry docks, dry stacks, & and storage facilities.”

SECTION 2. That Section 15-146. “Table of permissible uses.” of Article X. “Permissible Uses” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern be and the same is hereby by adding the following uses:

“Section 15-146. Table of permissible uses.

...

Uses	Description	A-5	A-5F	R-20	R-15	R-10S	R-10	R-10A	R-8	R-8S	R-6	R-6S	C-5	C-5A	C-1	C-2	C-3 /C-3H	C-4	I-1	I-2	C-6
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4.110	Mechanical hi-tech shops and cabinet shops, no greater than 25 employees																Z		Z	Z	
4.200	Operations conducted within or outside fully enclosed building																S		Z	Z	
4.210	Marine Facilities																S		Z	Z	
5.000	Education, cultural, religious, philanthropic, social, fraternal uses																				
5.100	Schools																				
5.110	Elementary and secondary (including associated grounds and athletic and other facilities)	S	S	S	S	S	S	S	S	S	S	S	S	S				S			
5.120	Trade or vocational schools												S				S		S	S	

Uses	Description	A-5	A-5F	R-20	R-15	R-10S	R-10	R-10A	R-8	R-8S	R-6	R-6S	C-5	C-5A	C-1	C-2	C-3 /C-3H	C-4	I-1	I-2	C-6
6.250	Automobile and motorcycle racing tracks																S		S		
6.260	Drive-in movie theaters	S	S														Z		S		
6.270	Marinas	S	S	S	S	S	S	S	S	S	S	S	S	S	Z	Z	Z	S	Z	Z	S
6.300	Special events (see section 15-15(102))	Z	Z										Z	Z	Z	Z	Z	Z			Z
7.000	Institutional residences or care of [or] confinement facilities																				
7.100	Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area												S				Z				
7.200	Nursing care institutions, intermediate care institutions, handicapped or infirm institutions, child care institutions	S	S	S				S	S		S		S				S				

SECTION 3. That subsection (g) of Section 15-342. "Number of parking spaces required." of Article XVIII. "General provisions" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern be and the same is hereby amended by adding the following uses:

"Section 15-342. Number of parking spaces required.

....

(g) Table of parking requirements.

Use	Parking Requirement
6.270	1 space per 4 slips.

SECTION 4. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 27TH DAY OF NOVEMBER, 2018.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

AN ORDINANCE TO AMEND APPENDIX A "LAND USE" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A "Land Use" of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City's planning staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Appendix A "Land Use" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 15-15. "Definitions." of Article I. "General provisions" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern be and the same is hereby amended by adding the following definitions and renumbering the remaining definitions accordingly:

"Section 15-15. Definitions.

(9) Boat slip: A berthing place for watercraft on a body of water where the watercraft can be securely moored to cleats, pilings or other devices, or secured to floats or a lift.

(32) Dock, commercial: A structure extending alongshore or out from the shore into a body of water from a parcel of real property on which commercial activity is permitted, provided that the structure does not accommodate more than four (4) boat slips, and does not allow overnight dockage.

(33) Dock, residential: A structure extending alongshore or out from the shore into a body of water from a parcel of real property used for residential purposes, provided that the structure does not accommodate more than four (4) boat slips. Residential docks are accessory to a residential use, and may not be used for any commercial purpose.

(68) Marina, commercial: Any publicly or privately owned dock, basin, or wet storage facility constructed to accommodate more than four (4) boat slips, and that offers one or more of the following services: fueling facilities, haul out facilities, boat repair services, or lease of dockage for less than thirty (30) days.

(69) Marina, private: Any publicly or privately owned dock, basin, or wet storage facility constructed to accommodate more than four (4) boat slips, and that does not offer any of the services that would constitute a commercial marina.

(70) Marine facility: Any facility used for the purpose of boat manufacturing, maintenance, construction or storage of watercraft, including but not limited to boat yards, dry docks, dry stacks, & and storage facilities."

SECTION 2. That Section 15-146. "Table of permissible uses." of Article X. "Permissible Uses" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern be and the same is hereby by adding the following uses:

"Section 15-146. Table of permissible uses.

...

Uses	Description	A-5	A-5F	R-20	R-15	R-10S	R-10	R-10A	R-8	R-8S	R-6	R-6S	C-5	C-5A	C-1	C-2	C-3 / C-3H	I-1	I-2	C-6
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4.110	Mechanical hi-tech shops and cabinet shops, no greater than 25 employees																Z	Z	Z	
4.200	Operations conducted within or outside fully enclosed building																S	Z	Z	
4.210	<u>Marine Facilities</u>																S	Z	Z	
5.000	Education, cultural, religious, philanthropic, social, fraternal uses																			
5.100	Schools																			
5.110	Elementary and secondary (including associated grounds and athletic and other facilities)	S	S	S	S	S	S	S	S	S	S	S	S	S				S		
5.120	Trade or vocational schools												S				S	S	S	
5.130	Colleges, universities, community colleges (including associated facilities such as												S				S	S	S	

Uses	Description	A-5	A-5F	R-20	R-15	R-10S	R-10	R-10A	R-8	R-8S	R-6	R-6S	C-5	C-5A	C-1	C-2	C-3 / C-3H	C-4	I-1	I-2	C-6
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6.250	Automobile and motorcycle racing tracks																S		S		
6.260	Drive-in movie theaters	S	S														Z		S		
6.270	<u>Marinas</u>			S	S	S	S	S	S	S	S	S	S	S	Z	Z	Z	S	Z	S	S
6.300	Special events (see section 15-15(102))	Z	Z										Z	Z	Z	Z	Z	Z			Z
7.000	Institutional residences or care of [or] confinement facilities																				
7.100	Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area													S			Z				
7.200	Nursing care institutions, intermediate care institutions, handicapped or infirm institutions, child care institutions	S	S	S				S	S		S		S				S				

SECTION 3. That subsection (g) of Section 15-342. "Number of parking spaces required." of Article XVIII. "General provisions" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern be and the same is hereby amended by adding the following uses:

"Section 15-342. Number of parking spaces required.

....

(g) Table of parking requirements.

Use	Parking Requirement
<u>6.270</u>	<u>1 space per 4 slips.</u>

SECTION 4. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS ____ DAY OF _____, 2018.

MAYOR

CITY CLERK

Page : 1 of 1 11/14/2018 09:22:51

Order Number : 15496865
PO Number :
Customer : 89029 CITY OF NEW BERN
Contact : ACCOUNTS PAYABLE
Address1 : PO BOX 1129
Address2 :
City St Zip : NEW BERN NC 28563
Phone : (252) 639-2717
Fax : (252) 636-4108
Printed By : Sharon Williams
Entered By : Sharon Williams
Keywords : LAND USE ORDINANCES (3)
Notes : 11/13/18 Proof/price to Bradleigh. ssw
Zones :

Ad Number : 16965571
Ad Key :
Salesperson : SW - Sharon Williams
Publication : New Bern Sun Journal
Section : Classifieds
Sub Section : Classifieds
Category : 015 Legal Notices
Dates Run : 11/17/2018-11/24/2018
Days : 2
Size : 2 x 2.78, 25 lines
Words : 195
Ad Rate : L1
Ad Price : 245.11
Amount Paid : 0.00
Amount Due : 245.11

PUBLIC NOTICE

The Board of Aldermen of the City of New Bern will meet at 6:00 PM on Tuesday, November 27th, 2018 in the City Hall Courtroom, located at 300 Pollock Street, New Bern, NC 28560, for a public hearing to consider amending the following Article of the City of New Bern Land Use Ordinance:

Article II: Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations"

Article X: Section 15-146 of the City of New Bern Land Use Ordinance; "Table of permissible uses"

Article XVIII: Section 15-342 of the City of New Bern Land Use Ordinance; "Number of Parking Spaces required."

The purpose of these amendments are to create new land use standards for marinas. The city currently does not have any marina specific regulations.

All interested parties will be given an opportunity to be heard. Copies of the proposed amendments are available for public review at 303 First Street, New Bern, NC 28560, or in the Office of the City Clerk at 300 Pollock Street, New Bern, NC 28560, during regular business hours or by contacting the development services Department at (252) 639-7581.

November 17, 24, 2018 (adv)

AGENDA ITEM COVER SHEET

Agenda Item Title:

To Conduct a Public Hearing to consider amending Article II: Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations."

Date of Meeting November 27th, 2018 **Ward # if applicable** N/A

Department Development Services **Person Submitting Item:** Bradleigh Sceviour

Call for Public Hearing ☒ Yes ☐ No **Date of Public Hearing** 11/27/2018

Explanation of Item:

State statute and local ordinance requires the governing body to hold a public hearing prior to amending the Land Use Ordinance.

City staff is requesting the Board of Aldermen to consider amending Article II: Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations".

Actions Needed by Board:

To conduct a public hearing on November 27th, 2018 for the purpose of considering approval or denial of the requested Land Use Ordinance Amendment.

Is item time sensitive? ☒ Yes ☐ No

Will there be advocates/opponents at the meeting? ☒ Yes ☐ No

Backup Attached:

Staff memo, ordinance and legal ad.

Cost of Agenda Item: 0

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☐ No

Additional notes:

The Planning & Zoning Board reviewed these requests at its June 5th regular meeting and voted unanimously (8-0) in favor of recommending approval for the proposed amendment.



MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Bradleigh Sceviour
Interim Land and Community Development Coordinator

DATE: November 15th, 2018

SUBJECT: Call for a Public Hearing to consider adoption of the proposed amendments to Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations".

Background

The Board of Aldermen is requested to conduct a public hearing on November 27th th, 2018 at 6:00 p.m., or as soon thereafter as possible, to consider a request by the City of New Bern to consider adoption of proposed amendments to Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations".

The proposed edits will clean up the residential definitions found in our basic definitions and interpretations section of the Land Use Ordinance. With the last major overhaul of the Land Use Ordinance some errors in formatting lead to the retention of some older, now redundant, definitions for residential uses. Adopting the proposed changes will make sure there is no confusion in how different residential uses are defined within the Land Use Ordinance.

At their June 5th, 2018 regular meeting the Planning and Zoning Board voted unanimously (8-0) to recommend approval to the Board of Aldermen.

Recommendation

To conduct a public hearing on November 27th, 2018 at 6:00 p.m., to consider adoption of proposed amendments to Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations". Staff recommends that the amendments be approved as presented.

Please contact me at 639-7582 should you have questions or need additional information.

AN ORDINANCE TO AMEND APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City’s development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 15-15. “Basic definitions and interpretations.” of Article II. “DEFINITIONS” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 15-15(87) in its entirety, and renumbering subsequent subsections of 15-15 accordingly.

SECTION 2. That Section 15-15. “Basic definitions and interpretations.” of Article II. “DEFINITIONS” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 15-15(88) in its entirety, and renumbering subsequent subsections of 15-15 accordingly.

SECTION 3. That Section 15-15. “Basic definitions and interpretations.” of Article II. “DEFINITIONS” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 15-15(90) in its entirety, and renumbering subsequent subsections of 15-15 accordingly.

SECTION 4. That Section 15-15. “Basic definitions and interpretations.” of Article II. “DEFINITIONS” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 15-15(91) in its entirety, and renumbering subsequent subsections of 15-15 accordingly.

SECTION 5. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 27TH DAY OF NOVEMBER 2018.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Page : 1 of 1 11/14/2018 09:23:15

Order Number : 15496864
PO Number :
Customer : 89029 CITY OF NEW BERN
Contact : ACCOUNTS PAYABLE
Address1 : PO BOX 1129
Address2 :
City St Zip : NEW BERN NC 28563
Phone : (252) 639-2717
Fax : (252) 636-4108
:
Printed By : Sharon Williams
Entered By : Sharon Williams
Keywords : LAND USE ORDINANCE (1)
Notes : 11/13/18 Proof/price to Bradleigh. ssw
Zones :

Ad Number : 16965569
Ad Key :
Salesperson : SW - Sharon Williams
Publication : New Bern Sun Journal
Section : Classifieds
Sub Section : Classifieds
Category : 015 Legal Notices
Dates Run : 11/17/2018-11/24/2018
Days : 2
Size : 2 x 2.22, 20 lines
Words : 152
Ad Rate : L1
Ad Price : 202.87
Amount Paid : 0.00
Amount Due : 202.87

PUBLIC NOTICE

The Board of Aldermen of the City of New Bern will meet at 6:00 PM on Tuesday, November 27th, 2018 in the City Hall Courtroom, located at 300 Pollock Street, New Bern, NC 28560, for a public hearing to consider amending the following Article of the City of New Bern Land Use Ordinance:

Article II: Section 15-15 of the City of New Bern Land Use Ordinance; "Basic definitions and interpretations" to consider removing duplicate residential definitions that had erroneously been included during a previous ordinance update.

All interested parties will be given an opportunity to be heard. Copies of the proposed amendments are available for public review at 303 First Street, New Bern, NC 28560, or in the Office of the City Clerk at 300 Pollock Street, New Bern, NC 28560, during regular business hours or by contacting the development services Department at (252) 639-7581.

November 17, 24, 2018 (adv)

AGENDA ITEM COVER SHEET

Agenda Item Title:

Hazard Mitigation Assistance and Hazard Mitigation Grant Program (HMGP) Information

Date of Meeting 11/27/18

Ward # if applicable N/A

Department Development Services ☒

Person Submitting Item: Amanda Ohlensehlen

Call for Public Hearing ☐ Yes ☐ No

Date of Public Hearing

Explanation of Item:

A representative from the North Carolina Emergency Management, Ryan Cox, Hazard Mitigation Officer, will be in attendance to provide a brief and answer questions about Hazard Mitigation Assistance and the Hazard Mitigation Grant Program (HMGP). The HMGP provides funding for long-term hazard mitigation measures following major disaster declarations. The City of New Bern is collecting information from residents whose homes have been flooded by hurricanes and who may be interested in a FEMA buyout or elevation program. A form is available on the City's website for residents to fill out and return to Development Services, 303 First Street, or to City Hall, 300 Pollock Street, or call 252-639-7581. The application deadline is December 7, 2018.

Actions Needed by Board:

Informational

Is item time sensitive? ☒ Yes ☐ No

Will there be advocates/opponents at the meeting? ☐ Yes ☒ No

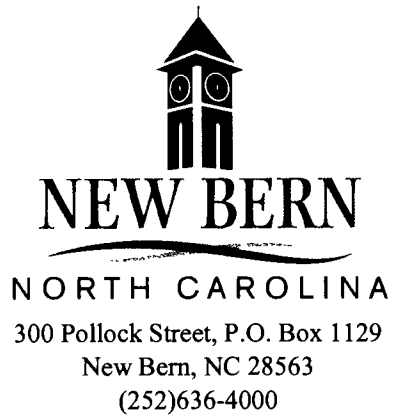
Backup Attached:

Memorandum and Interested Applicant Form

Cost of Agenda Item:

If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : ☐ Yes ☐ No

Additional notes:



MEMORANDUM

TO: Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM: Amanda Ohlensehlen, Economic and Community Development Manager

DATE: 11/19/18

SUBJECT: Hazard Mitigation Assistance and Hazard Mitigation Grant Program (HMGP) Information

A representative from the North Carolina Emergency Management, Ryan Cox, State Hazard Mitigation Officer, will be in attendance to provide a brief and answer questions about Hazard Mitigation Assistance and the Hazard Mitigation Grant Program (HMGP). The HMGP provides funding for long-term hazard mitigation measures following major disaster declarations. The City of New Bern is collecting information from residents whose homes have been flooded by hurricanes and who may be interested in a FEMA buyout or elevation program. A form is available on the City's website for residents to fill out and return to Development Services, 303 First Street, or to City Hall, 300 Pollock Street, or call 252-639-7581. The application deadline is December 7, 2018.

Interested in a FEMA buyout or elevation grant for your flooded home?

The City of New Bern is collecting information from residents whose homes have been flooded by hurricanes and who may be interested in a FEMA buyout or elevation program. Complete the form below and return it to Development Services, 303 First Street, or to City Hall, 300 Pollock Street, or call (252)639-7581. Deadline for submission is December 7th.

Name: _____

Address: _____

Phone: _____

Interested in a FEMA buyout? ☐

Interested in elevation? ☐

Was your home damaged during:

Florence ☐ Estimated structural damage, if avail: \$ _____

Matthew ☐ Estimated structural damage, if avail: \$ _____

Irene ☐ Estimated structural damage, if avail: \$ _____

Are you currently displaced from your home because it has been deemed unsafe by your insurance company or by the City of New Bern? ☐

