

City Update Volume 1, Number 5

Mayor and Commissioners

1. Hotel Parking (May 8 Workshop Meeting). Proposals from the Planning Commission were discussed that would have increased the parking requirements for new hotels. Proposed changes included requiring 1.2 parking spaces per hotel room, 1.0 parking spaces per 250 square feet of meeting/event space, and 1.0 parking spaces per 250 square feet of office space. Following discussion, the Board of Commissioners declined to move forward with the recommendations of the Planning Commission. The Board of Commissioners will consider amending current hotel parking code requirements to clarify that the two parking spaces currently required for a residential manager/family will continue but be simplified as an outright requirement for two spaces in addition to the existing 1.0 formula for guest rooms.
2. Tree Code Revision (May 8 Workshop Meeting; June 5 Workshop Meeting). The link below will take you to the agenda for the June 5 Workshop Meeting Agenda with embedded links to the drafts and support materials for the proposed Tree Code revision. The Board of Commissioners will vote on the draft Tree Code during the regular Board of Commissioners meeting scheduled for June 16, 2023. While some parts of the Code appear to have been simplified or made less challenging for homeowners, such as replacing or mitigating trees removed, other parts have become more complex, including requirements for Tree Plan submissions and the appeals process for decisions made by the Parks and Shade Tree Commission.
3. Rezoning Requests Pending (May 19 Regular Meeting). One commercial property on Coastal Highway has requested a change of one lot from C-3 to C-1. Two homeowners have each requested their respective lots be changed from C-3 to R-1, reflecting the actual use of the two properties. After discussion, it was determined to schedule public hearings for all three requests on June 16, 2023, during the regular meeting of the Board of Commissioners. The business request to move from C-3 to C-1 will be heard first, followed in turn and separately by the two individual requests for a change from C-3 to R-1.

4. Basements (May 19 Regular Meeting). The Assistant Building Inspector made a fourth presentation to the Board on the topic of basements, with a focus on clarifying specific City Code language related to the definitions of Basement and Crawlspace, as well as dimensions that would or would not qualify for the 1,000 square foot FAR basement exemption for non-habitable space. In summary:
 - a. Basements up to but not exceeding 6'8" and not habitable space will not be counted in FAR calculations.
 - b. Basements exceeding 6'8", even marginally, will be included in FAR calculations.
 - c. Basements that have a minimum height of 7'0" and do not exceed 7'6" will qualify for the 1,000 square foot exemption available for non-habitable basement space.
 - d. Crawlspaces must not exceed 48" in height.
 - e. Crawlspaces may be required to have emergency access and egress as well as smoke detectors as otherwise required in living spaces. This will be a future discussion.
 - f. All the above are proposals for continued discussion and potential action at a future meeting.
 - g. A draft ordinance is to be provided for discussion at the workshop meeting on July 10, 2023.
5. Preparing for the new state laws regarding cannabis (June 5 Workshop Meeting). City Manager Christian introduced a conversation about preparing for the arrival of legal cannabis. The focus was on use in public spaces, particularly through vape or smoke. The consensus of the Board is to consider a revision of the Smoking Code that will align with the requirements of the new state law. State law prohibits the public consumption of cannabis through smoke or vape in all public spaces as well as certain areas leading to public space. Dispensaries were not discussed. A draft Code revision will be prepared for the consideration of the board at the July Workshop meeting.

Planning Commission

1. Bellhaven Hotel (May 5 Regular Meeting). The Preliminary Site Plan Review process continued. Planning Commission members cited multiple concerns with the current proposal especially whether one

loading dock on Wilmington Avenue was sufficient for the needs of both the hotel and retail spaces on the property. Public comments included ongoing concerns about effects on abutting neighbors including noise and trash containment. The proposal does include a trash containment area that is fully enclosed within the building. The developer believes that Code is ambiguous regarding requirements for loading docks and feels that one dock is sufficient for the total needs across the various functions of the property. The Preliminary Site Plan Review was not completed and will be continued at a future meeting.