

R-15, to be exclusively zoned as B-2 (General Business) to allow for a proposed over 200-unit multi-family development in total. The lower portion of the property was rezoned to B-2 in October 2024 and since acquiring the rest of the property, Southwood Realty has requested to make the B-2 zoning consistent across entire property. The zoning district R-15 only permits single-family homes and accessory dwellings/apartments, while permitted uses in B-2 would allow multi-family.

Matt Duchan read the Consistency Statement for the record. Chairperson McCarl requested to amend statement by striking the word **states** in second sentence before the word maintains.

The future land use map identifies the subject property as mixed-use, and is surrounded by medium-density residential and existing low-density residential. The 2045 Comprehensive Plan states maintains that multi-family developments are overall appropriate and grades out at the highest level of appropriateness. The mixed-use district also recommends nine or more dwelling units per acre, and the area where this development will occur will exceed that. By changing the zoning designation from R-15 and B-7 to solely B-2, this area would have greater flexibility to achieve these policy concepts and potentially expand beyond just a residential development. Staff finds the proposed re-zoning to be consistent with the goals of the Comprehensive Plan. The change is reasonable and in the public interest because it accommodates future residential development in a convenient and centralized location, which can be better served by city infrastructure when expanded.

Board Member Case, made a motion to approve the rezoning request and amended consistency statement as presented and call for a Public Hearing for City Council to consider the request on November 4, 2025. Board Member Parson seconded the motion, which was voted upon and passed unanimously.

2. ZOA 2-25 Setback Reduction

Applicant: Richard Meadlock

Owners: N/A

Location: Citywide

The applicant is requesting a text amendment to allow non-conforming lots created prior to Lenoir Zoning Ordinance (1979) to have rear and side yard setbacks proportionate to the size of the lot.

Recommended Action: *Approval of the request, and call for a public hearing at City Council November 4, 2025.*

Planner Matt Duchan presented the text amendment case. The applicant is requesting a text amendment to allow non-conforming lots created prior to Lenoir Zoning Ordinance (1979) to have rear and side yard setbacks proportionate to the size of the lot. Meeting side setbacks is challenging on historic lots due to narrow lot width. There are 1,268 lots below minimum lot size within Lenoir's city limits. Many lots were established prior to the passing of the 1979 Lenoir

Zoning Ordinance, which created many legally nonconforming lots statue due to lot size and setback encroachments. Proposed amendment would allow for a reduction in side and rear yard setbacks proportionate to the size of the lot. For example, where a 10,000 square foot lot is required and the lot contains 7,500 square feet, a 25 percent reduction to side and rear setbacks is allowed.

Matt Duchan read the Consistency Statement for the record.

The proposed zoning amendment is consistent with the housing policy concepts in the 2045 Comprehensive Plan, encouraging equity and a well-rounded approach to housing where property owners are able to develop and restore the older housing stock in Lenoir. The 2045 plan recommends that Staff updates zoning regulations to allow for detached housing on smaller lots while maintaining balance with larger lots on the periphery. This zoning amendment is compatible with the goal of establishing neighborhood compatibility. Some neighborhoods with non-conforming lots have distinct neighborhood character, scale, and form. Updating the ordinance with this amendment would promote the maintenance of these neighborhoods and improve upon the character of other neighborhoods with lots that would be otherwise limited in improvement efforts.

Chairperson McCarl questioned what the significance of using 1979 Zoning Ordinance. Planning Director Hannah Williams explains that the zoning ordinance that is currently followed was established in its entirety affecting all jurisdictions to her understanding in 1979. Planning staff thinks by the using this year it captures the majority of the historic, legally non-conforming lots of record. Variances would still be needed in some cases as this is a city-wide ordinance and each would be reviewed by planning department for determination.

Board Member Case made a motion to approve the text amendment and consistency statement as presented and call for a Public Hearing for City Council to consider the request on November 4, 2025. Board Member Parson seconded the motion, which was voted upon and passed unanimously.

3. ZOA 3-25 Downtown Sidewalk Use Ordinance

Applicant: City of Lenoir

Owners: N/A

Location: Municipal Service District

The Sidewalk Subcommittee and Planning Staff have drafted an ordinance and supplementary guidebook for limited commercial use of the public sidewalk in the Municipal Service District. This ordinance expands on the existing sidewalk café ordinance and allows for permitted outdoor displays for other uses beyond eating and drinking establishments.

Recommended Action: Approval of the request, and call for a public hearing at City Council November 4, 2025.

Planning Director Hannah Williams before presenting Downtown Sidewalk Use Ordinance, made edits as follows to Ordinance. On page 1 under definition temporary display, in the last sentence remove “and merchant storefronts”. Also, on page 1 under Eligibility in the last sentence remove “/or areas” after the word District. On page 4, under Sidewalk Café Operation Section A, remove second to last sentence “Non-sturdy furniture and other items shall be removed at the end of the business day” as it is covered in other areas. Also, under Section A the following sentence needs to be added, “Umbrellas must be secured with a minimal base weight of at least 60lbs”.

Planning Director Hannah Williams presented Downtown Sidewalk Use Ordinance. The Sidewalk Use Subcommittee formed back in June to look at what degree commercial business in the municipal service district can use the sidewalk for business use. Currently the Sidewalk Ordinance in Chapter 13, Sec. 13-3 does not allow for display of merchandise or sale of goods. The committee looked at updating this ordinance by request of some downtown businesses. Under the existing ordinances, the only outdoor sidewalk display that is allowed is a single A-frame sign, which does not require a permit. The sidewalk café ordinance was not updated when the Social District Ordinance was passed, leading to some confusing situations regarding consuming alcoholic beverages. The subcommittee held two listening sessions in June, one with City Staff and one with Downtown business owners. The Sidewalk Use Ordinance purpose and goals are to establish clear standards for sidewalk café and outdoor displays, and require businesses to obtain liability insurance for using the City’s sidewalk.

Planning Director Williams opened floor for discussion or questions.

Chairperson McCarl asked about businesses that were already violating these advertising guidelines on umbrellas. Director Williams stated that since the new ordinance was being reviewed, the Planning Department was holding off on addressing current violations. Once new ordinance is in place, businesses will have a grace period to comply at which time Planning Department can also do audit of current violations. Board Member Bryant asked if businesses would be allowed to label their chairs for identification purposes. Director Williams agreed with Board Member Case that this ultimately would be the responsibility of the business owner to keep up with their property as businesses can’t use chairs as signage. Board Member Case asked if decision has been made on city planters already in place. Director Williams stated that the city planter issue was not included in the sidewalk use ordinance, but could be included as a general recommendation.

Local Business owner Michael D. Correll of Correll Law Firm request to speak. Mr. Correll recommends that businesses having one A-frame sign be listed as an exception to permit process. Director Williams addressed stating that this process is to help make all downtown businesses comply with ADA regulations and make a pedestrian friendly downtown. The new permit process will help regulate and make planning department aware of all signs.

Board Member Bryant made a motion to approve the Downtown Sidewalk Use Ordinance as presented with edits and call for a Public Hearing for City Council to consider the request on November 4, 2025. Board Member Case seconded the motion, which was voted

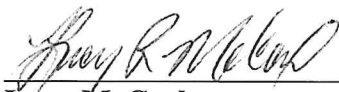
upon and passed unanimously.

OTHER BUSINESS

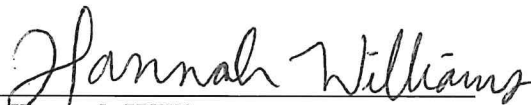
1. Staff provided an updated list of issued zoning permits to the board, as general information.
2. Planning Director Williams introduced new staff member Kim Staines. Kim will serve as Planning Technician and Board Secretary.

ADJOURNMENT:

Having no other matters to bring before the Board, Chairperson McCarl adjourned the Planning Board meeting at 6:50 p.m.



Lucy McCarl
Chairperson



Hannah Williams
Planning Director