

**TOWN OF EMERALD ISLE  
PLANNING BOARD MEETING  
MONDAY, SEPTEMBER 28, 2009**

Chairman Jim Craig called the meeting to order at 6:00 pm. Members present were: Jim Craig, Ken Sullivan, Linda Hughs, Bob Smith, and Tom Kelly, Pete Wachter and Eddie Barber. Also present was Kevin Reed, Planning and Inspections Director, Peggy Grammer, Permit Technician.

A motion was made by Bob Smith to approve the minutes of the Planning Board Meeting held on August 24, 2009. The motion was seconded by Linda Hughs and passed unanimously (6 to 0).

Mr. Reed advised that for the month of August the planning and Inspections Department had issued two permits for new homes and a total estimated value for all permits in excess of \$1,255,416. This brings the fiscal year total to over \$1.5 million in construction value and the department has collected approximately \$19,519.90 in permit fees.

**Consider a possible amendment to Chapter 6, “Development Standards”, Section 6.6.3 of the Town’s Unified Development Ordinances (UDO) regarding the regulations of LED-LCD and Electronic Message Signage.**

Mr. Reed explained that this issue was discussed at the Planning Board’s August meeting and at that time, the Board directed him to prepare an amendment to the UDO. Mr. Reed indicated that the amendment to Chapter 6, “Development Standards”, Section 6.6.3 of the Town’s Unified Development Ordinances (UDO) would prohibit any LED-LCD and Electronic Message Signs whose alphabetic, pictographic or symbolic content can be changed or altered on a fixed display screen composed of electronically illuminated segments. This prohibition shall not apply to any such sign erected by the Town. This prohibition shall also not apply to any such sign erected by any state, federal or other local government provided the Town has authorized the establishment of such a sign. Any LED-LCD and Electronic Message Sign existing at the time of this amendment shall be grandfathered and normal maintenance and repairs to such signs shall be allowed provided that any such sign may not be re-established after being damaged or destroyed by more than 50%. Mr. Reed indicated at this time only one Electronic Message sign exist, located at the BP Station on Emerald Drive.

A motion was made by Pete Wachter to recommend to the Board of Commissioners that the amendment be approved. The motion was seconded by Linda Hughs and passed unanimously (6 to 0).

**Consider a request by Greg Dennis for preliminary and final plat approval for the proposed Sunspray Properties, LLC, Subdivision located on the north side of Canal Drive.**

Mr. Reed advised the Planning Board that Mr. Dennis desires to re-configure three existing Lots (62, 63 and 64) in order to create a fourth lot (65). No new streets will be constructed; therefore, a comprehensive stormwater plan would not be required and each lot will be required to submit the required stormwater information as part of the building permit review process.

The Bogue Banks Water Corporation and the Carteret-Craven Electric Cooperative have both indicated they can serve the proposed development. The applicant has provided information from the Carteret County Health Department (CCHD) that lots 62, 63, and 64 are suitable for on site septic systems and have been issued an improvement permit for these three lots. The CCHD has issued a letter that Lot 65 is provisionally suitable for an on site septic disposal system. Mr. Reed explained that the Town's Technical Review Committee had reviewed the request and found it to be consistent with the Town's regulations.

A motion was made by Pete Wachter to recommend to the Board of Commissioners that the preliminary and final plat be approved with the following condition:

1. The developer must provide proof from the CCHD that Lot 65 is suitable for a septic disposal system.

The motion was seconded by Linda Hughs and passed unanimously (6 to 0).

**Consider possible amendments to Chapter 5, "Density, Intensity and Dimensional Standards", Table 5.1, "Table of Dimensional Standards" and Chapter 6, "Development Standards" Section 6.1.3 of the Town's Unified Development Ordinance (UDO) regarding the roof pitch requirements and roof design standards for dry stack boat storage facilities.**

Mr. Reed indicated that the Planning Board had previously recommended to the Board of Commissioners that the Unified Development Ordinance (UDO) be amended to allow for the roof of a dry stack boat storage in the Marina Village (MV) Zoning District to have a roof pitch of a .5:12 rather than the required 4:12 pitch. The Board of Commissioners took no action on the amendment. Town staff has had several discussions with the owners of the marina and their representatives on how the town could potential amend the UDO to assist with their redevelopment efforts. Following several informal meeting among Town staff, members of the Board of Commissioners and Planning Board members; Town staff developed two proposed amendments to the UDO.

The first amendment would be to Chapter 5, "Density, Intensity and Dimensional Standards" Table 5.1, "Table of Dimensional Standards". This amendment would allow for the roof pitch of a dry stack boat storage building to be reduced from its current requirement of 4:12 to as low as .5:12, as a condition of rezoning property from Marina Village (MV) to Marina Village Condition (MV-C) Zoning Overlay District. The alteration of the roof pitch from 4:12 to a lesser standard would only be allowed as a condition of rezoning to the MV-C District and would not be allowed in the MV District. The second amendment would be to Chapter 6, "Development Standards" Section 6.1.3 and would require that the roof and facade design for the dry stack boat storage structures, whose roof pitch had been altered as a condition of rezoning to the MV-C District, be required to incorporate design standards and building finishes that make the roof appear less like a flat roof structure. This requirement can be met through the use of mansard-style roofs, decorative peaks or other similar architectural/roof feature and fenestrations. The final design of the roof would be approved by the Board of Commissioners as part of the commercial review process.

There was some discussion among the Board members and those in attendance that the amendment presented tonight should be altered to allow for the roof height of dry stack boat storage facility which has a roof with a pitch of .5:12 to be measured to eave height rather than

mean roof height. After discussion by the Board members, Ken Sullivan made a motion to recommend that Chapter 5 of the UDO be amended with the change noted about how roof height will be measured. The motion also included the removal of the ability for any structure in the MV-C District to be increased to a height of 60-feet as a condition of rezoning to the MV-C District. Eddie Barber indicated that he would be in favor of Mr. Sullivan's motion if it did not include the removal of the ability to go to 60-feet as part of rezoning to MV-C. Mr. Barber indicated that if Mr. Sullivan's motion was seconded, then he would offer his suggestions as a friendly amendment. Pete Wachter seconded the motion of Mr. Sullivan. After some discussion, Mr. Sullivan agreed to the amendment to his motion and it passed unanimously (6 to 0).

The Board then discussed the second part of the proposed amendment which would require that any roof design of a dry stack building that has its roof pitch altered to less than 4:12, be required to incorporate design features so that the building appeared to be a high sloped roof structure. These designs would be approved by the Board of Commissioners as part of the commercial review process. Mr. Andy Harris indicated that they had no problems with the amendment as proposed. A motion was made by Linda Hughs to recommend to the Board of Commissioners that the amendment to Chapter 6.1.3. be approved. The motion was seconded by Bob Smith and passed unanimously (6 to 0).

**Consider a possible amendment to Chapter 6, “development Standard”, Section 6.1.3(4)(B) of the Town’s Unified Development Ordinance (UDO) regarding the design standards for the outside wall facing of commercial structures.**

Mr. Reed indicated that during the recently conducted informal meetings among Town staff, members of the Board of Commissioners and Planning Board members to discuss roof pitch requirements for dry stack boat storage buildings in the Marina Village and Marina Village Conditional Zoning Overlay Districts that those in attendance also discussed whether or not a commercial structure has to meet the offset and design requirements for the sides of the building that are viewable from the water. Currently, commercial structures are required to incorporate design features along all exterior walls of a building that are “...viewable from any street or road...”. This requirement is intended to make the structures more aesthetically pleasing so that they do not have a “box like” appearance. Again, several of those in attendance at these aforementioned meetings were concerned that sides of commercial structures that are viewable from the water do not have to meet these design standards. Based on these concerns, Town staff developed a proposed amendment to the Unified Development Ordinance (UDO). The amendment would be to Chapter 6, “Development Standards”, Section 6.1.3(4)(B) and would require that all sides of a commercial building meet the current design standards set forth in the UDO. After a brief discussion a motion was made by Linda Hughs to recommend to the Board of Commissioners that the amendment be approved. The motion was seconded by Tom Kelly and passed unanimously (6 to 0).

**COMMENTS:**

Chairman Craig gave a brief report on behalf of the Emerald Isle Sea Turtle Protection Program.

There being no further business to come before the Board, a motion was made by Eddie Barber to adjourn. The motion was seconded by Linda Hughs and passed unanimously (6 to 0). The meeting was adjourned at 7:05 PM.

Respectfully submitted by:

Peggy Grammer, Secretary  
Town of Emerald Isle Planning Board