

**April 12, 2005 Agenda
April 12, 2005 Minutes**

**Action Agenda
REGULAR MEETING OF
THE EMERALD ISLE BOARD OF COMMISSIONERS
TUESDAY, APRIL 12, 2005
6:00 PM - EMERALD ISLE TOWN HALL**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Adoption of Agenda
(Agenda adopted by 5-0 vote as amended - adding Additional Agenda Item 7.5 - Resolution Authorizing a Two-Year Extension from the NC Parks and Recreation Trust Fund (PARTF) for the Development of Emerald Isle Woods Park, and including replacement information for Agenda Item 10, and Agenda Item 15 Withdrawn)
5. Proclamations / Public Announcements
 - a. Emerald Isle National Day of Prayer – May 5
 - b. Recognizing Small Business Week in Emerald Isle – April 25-30, 2005
 - c. See America Week / National Tourism Week – May 7-15, 2005
6. Consent Agenda
 - a. Minutes – March 8, 2005 Regular Meeting
 - b. Tax Refunds / Releases
 - c. Resolution Authorizing Wellness Grant Application
 - d. Resolution Authorizing Revised FEMA / NCEM Grant Application
 - e. Resolution Accepting Water Resources Development Grant
 - f. Resolution Accepting NCDOT Sidewalk Grant
 - g. Resolution Authorizing Contribution to NC School Start Coalition
 - h. Budget Amendment – Special Drug Fund
(Consent Agenda Items approved 5-0 vote)
7. Public Comment

Added Item 7.5 - Resolution Authorizing a Two-Year Extension from the NC Parks and Recreation Trust Fund (PARTF) for the Development of Emerald Isle Woods Park
(Approved 5-0 vote)

8. Resolution Supporting Improvements at White Oak Elementary School
(Approved 5-0 vote)
9. Ordinance Amending Town Charter to Change the Length of the Mayor's Term from 2 Years to 4 Years
 - a. Public Hearing
 - b. Discussion
(Board directed staff to schedule this ordinance for formal consideration at the May 10, 2005 meeting)
10. Ordinance Amending Chapter 19 – Zoning – Regarding Exterior Color Schemes

- a. **Public Hearing**
- b. **Consideration of Ordinance Amendment**
(Approved 5-0 vote)
11. **Proposed Rezonings – Residential Motel Hotel (RMH) to Residential-2 (R-2) – Western Emerald Isle**
 - a. **Public Hearing**
 - b. **Wyndtree / West End Subdivisions**
 - c. **Lands End Subdivision**
(Approved 5-0 vote)
12. **Resolution Approving Official Town Street Map & Street Plan**
(Approved 5-0 vote)
13. **Discussion – Recommended Rezonings in 2004 CAMA Land Use Plan**
(Board recommended this item be sent to the Planning Board for review)
14. **Discussion – Vacation Rental Signs**
(Board recommended this item be sent to the Planning Board for review)
15. **Contract Amendment with Coastal Planning & Engineering for Construction Administration Services for the Bogue Inlet Channel / Western Phase Beach Nourishment Project**
 - a. **Resolution Authorizing Contract Amendment**
 - b. **Budget Amendment – General Fund**
 - c. **Capital Project Budget Ordinance Amendment**
(Item Withdrawn from Agenda)
16. **Appointments – Board of Adjustment – 3 Vacancies**
(Appointed by 5-0 vote Mike Johnson and Mark Brennesholtz to terms as regular members of the Board of Adjustment expiring in May 2008. Appointed by 5-0 vote John Kilgore to term as an alternate 1 on the Board of Adjustment expiring in May 2007)
17. **Comments from Town Clerk, Town Attorney, and Town Manager**
18. **Comments from Board of Commissioners and Mayor**
19. **Adjourn**

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE EMERALD ISLE BOARD OF COMMISSIONERS TUESDAY, APRIL 12, 2005 – 6:00 P.M. – TOWN HALL

The regular monthly meeting of the Emerald Isle Board of Commissioners was called to order by Mayor Art Schools at 6:00 P.M.

Present for the meeting: Mayor Art Schools, Commissioners Pete Allen, Nita Hedreen, Robe Isenhour, Floyd Messer, and John Wootten.

Others present: Town Attorney Richard Stanley, Town Manager Frank Rush, Town Clerk Rhonda Ferebee, Fire Chief Bill Walker, and Planning Director Kevin Reed.

After roll call all who were present recited the Pledge of Allegiance.

4. ADOPTION OF AGENDA

Town Manager Frank Rush noted that the request under Item 15 – Contract Amendment with CPE for Construction Administration Services for the Bogue Inlet Channel / Western Phase Beach Nourishment Project has been withdrawn. Mr. Rush also noted the addition of an agenda item labeled as Item 7.5 – Resolution Authorizing a Two-Year Extension from the NC Parks and Recreation Trust Fund (PARTF) for the Development of Emerald Isle Woods Park. Mr. Rush provided a replacement agenda item for Item 10 – Ordinance Amending Chapter 11 Zoning – Regarding Exterior Color Schemes.

Motion was made by Commissioner Isenhour to adopt the Agenda as amended. The Board voted unanimously 5-0 in favor. Motion carried.

5. PROCLAMATIONS / PUBLIC ANNOUNCEMENTS

Mayor Schools noted the following proclamations and announcements for the public:

- **Proclamation – Emerald Isle National Day of Prayer – May 5, 2005**

(05-04-12/P1)

- **Proclamation – Recognizing Small Business Week in Emerald Isle – April 25-30, 2005 (05-12/P2)**
- **Proclamation – See America Week / National Tourism Week – May 7-15, 2005 (05-04-12/P3)**
- **Bicycle and Pedestrian Advisory Committee Meeting – Monday, April 18 – 6:00 pm at Community Center**
- **Planning Board Meeting – Monday, April 25 – 6:00 pm at Town Hall**
- **Board of Commissioners Meeting – Tuesday, May 10 – 6:00 pm at Town Hall**

(Note: A copy of Proclamations 05-04-12/P1, 05-04-12/P2, and 05-04-12/P3 are incorporated herein by reference and hereby made a part of these minutes.)

Mayor Schools stated that Western Carteret Public Library would be having their annual Horror Tour on April 23 from 10-4.

Commissioner Hedreen mentioned a Letter to the Editor in the Carteret County News-Times and requested that Town Manager Rush clarify for the record the FEMA funding process.

Town Manager Rush stated that FEMA has a long standing policy whereby if a beach is an engineered beach, designed by coastal engineers, and has been nourished, as was the case with the eastern phase project in the spring of 2003, which qualified as an engineered and nourished beach, and as such it is eligible for FEMA assistance in a declared storm event, just like for any damages to roads or buildings. This comes out of a program called the Public Assistance Program. This program is a completely different program than the Individual Assistance Program. Mr. Rush stated that individual assistance is a pot of money that is available for individual homeowners when homes are destroyed and they have uninsured losses during a storm event. The Town has, through all of the hurricanes experienced, taken advantage of public assistance money and has appreciated that public assistance money to repair the public damages here. Mr. Rush said the beach is considered just like any other public infrastructure in FEMA's eyes. The Town received approximately \$1.9 million after Hurricane Isabel in 2003 to replace about 128,000 yards of sand lost from our nourishment

project completed earlier in that year. That is money the Town is completely eligible for, more than other communities who have done beach nourishment projects have been eligible for, and have received, and is a completely separate pot of money from individual assistance. He said fortunately we didn't have many folks in Emerald Isle that needed those funds, although there were those in other parts of the county that took advantage of that program. Mr. Rush reiterates that these are two separate and distinct programs.

Commissioner Hedreen thanked Town Manager Rush for this explanation, adding that the letter in the newspaper was troubling the way it was presented and she wanted it to be clarified because the fact that sand put on our beach did not mean that people who had suffered home loss weren't able to have a roof over their heads. Commissioner Hedreen also felt people may not realize the many contributions made in time and personal funds from people in Emerald Isle to assist those people who suffered losses.

Town Manager Rush added that the Town of Emerald Isle had also donated a surplus fire engine to Sea Level.

6. CONSENT AGENDA

- **Minutes – March 8, 2005 Regular Meeting**
- **Tax Refunds / Releases**
- **Resolution Authorizing Wellness Grant Application (05-04-12/R1)**
- **Resolution Authorizing Revised FEMA / NCEM Grant Application**

(05-04-12/R2)

- **Resolution Accepting Water Resources Development Grant**

(05-04-12/R3)

- **Resolution Accepting NC DOT Sidewalk Grant (05-04-12/R4)**
- **Resolution Authorizing Contribution to NC School Start Coalition**

(05-04-12/R5)

- **Budget Amendment – Special Drug Fund**

Motion was made by Commissioner Hedreen to approve the items on the Consent Agenda. The Board voted unanimously 5-0 in favor. Motion carried.

(Note: A copy of Resolutions 05-04-12/R1, 05-04-12/R2, 05-04-12/R3, 05-04-12/R4, and 05-04-12/R5 are incorporated herein by reference and hereby made a part of these minutes.)

7. PUBLIC COMMENT

Elizabeth Thomas stated that she owned an oceanfront condominium, and she didn't understand how the condominiums were accessed for the nourishment project. She stated

while she is oceanfront, the building behind them separated by a only a narrow parking lot, us the same amenities, but she is taxed more than 7 times what they are taxed.

Town Manager Rush explained that the financing plan was recommended by a beach nourishment committee put in place by the Board of Commissioners, and that recommendation was made in July 2001, recommending the 48 cent oceanfront and the 3 cent non-oceanfront district. The committee was comprised of a diverse group of individuals, the rationale being that oceanfront property owners benefited more than the non-oceanfront property owners. He noted that the oceanfront property owners are paying approximately 70% of the total cost of our nourishment projects, and other sources including the 3 cent district are paying the remaining 30%. Mr. Rush said this plan was approved by the voters in a referendum.

Joanne Garner McGraw, 7313 Archers Creek Drive, voiced her support for asking the Town to support a Resolution that County Commissioners fund the capital improvement needs for White Oak Elementary. She said right now the children receive a wonderful education but they don't have a wonderful place to learn with roofing leaks, trailers, small cafeteria, and asked the Board for their support.

7.5 RESOLUTION AUTHORIZING A TWO-YEAR EXTENSION FROM THE NC PARKS AND RECREATION TRUST FUND (PART F) FOR THE DEVELOPMENT OF EMERALD ISLE WOODS PARK (05-04-12/R6)

Town Manager Frank Rush said during the March 18, 2005 general planning workshop, and following additional conversation with Board members since that time, his understanding was that there was a desire to request a two-year extension to our Parks and Recreation Trust Fund Grant of \$250,000. Mr. Rush said the initial agreement was to complete the park by June 30, 2005, if the Board approves this resolution we would seek a two-year extension which would provide a June 30, 2007 completion date, and also as part of this resolution we would begin the process to select a park design consultant, and start moving forward with the design work on the project. The plan would be to spend grant funds first and appropriate the local match of town funds in the FY 06-07 budget to complete the park before the deadline.

Commissioner Wootten said that when they looked at this last year they collectively decided that the Stormwater Phase I funding was of more importance than the park. Commissioner Wootten felt that as the Phase I stormwater is now reaching completion, and based on discussions with Mr. Rush as to how this would fit into the budget, he felt there was no reason now that they could go ahead and authorize this.

Commissioner Isenhour agreed, noting his change of heart as after talking with several residents, it was pointed out to him that it would be very nice to have something in the town other than just the beach, and it would be appreciated by residents as well as visitors.

Commissioner Hedreen voiced her support of this project. She felt this was what the Town wanted and was the natural next step, noting the success of the bike paths.

Doje Marks, 134 Sandcastle Drive, wished to reiterate her support for this park. She urged the Board to get the extension and start as soon as possible to put in the road to the sound front. She felt the residents would like to see the park and a continuation of the bike paths and

sidewalks, and asked they find a way to get people safely across Emerald Drive.

Toni Winchester, 221 Windjammer East, spoke in support of the park for the benefit of kayakers.

Motion was made by Commissioner Wootten to approve the Resolution Authorizing a Two-Year Extension from the NC Parks and Recreation Trust Fund (PARTF) for the Development of Emerald Isle Woods Park. The Board voted unanimously 5-0 in favor. Motion carried.

(Note: A copy of Resolution is 05-04-12/R6 is incorporated herein by reference and hereby made a part of these minutes.)

8. RESOLUTION SUPPORTING IMPROVEMENTS AT WHITE OAK ELEMENTARY SCHOOL (05-04-12/R7)

Toni Winchester, 221 Windjammer East, Chairman of the Parent Advisory Council at White C Elementary School, spoke to the Board concerning the request for the Board's support for capital improvements for White Oak Elementary School. Ms. Winchester noted that White Oak's Principal, Ms. Wanda Fowler, in attendance tonight, is Carteret County Principal of the Year, and she along with all of the wonderful folks at White Oak were a part, and their success shows. Ms. Winchester stated that Emerald Isle's children make up 29% of White Oak's enrollment. Ms. Winchester provided an overhead presentation for the Board which provided detailed evidence of the specific needs and critical safety concerns of the school. Ms. Winchester stated that this past fall the County Commissioners hired the firm Institutional Resources, LLC (InRe) to evaluate the structures of the county buildings and schools; the request cost Carteret County taxpayers \$318,000, and according to Ms. Winchester based on InRe's evaluating criteria their report put White Oak Elementary at the top of the priority list. Ms. Winchester said they respectfully request the Board adopt and approve a Resolution support White Oak Elementary School and whatever necessary action the County Commissioners may take to obtain the funding to have the school needs addressed this year. Ms. Winchester noted that the towns of Cape Carteret and Cedar Point have done so already.

Wanda Fowler, White Oak Elementary School Principal thanked the Board for entertaining the possibility of supporting the school in this way.

Motion was made by Commissioner Isenhour to adopt the Resolution Supporting Improvements at White Oak Elementary School. The Board voted unanimously 5-0 in favor. Motion carried.

(Note: A copy of Resolution is 05-04-12/R7 is incorporated herein by reference and hereby made a part of these minutes.)

9. ORDINANCE AMENDING TOWN CHARTER TO CHANGE THE LENGTH OF THE MAYOR'S TERM FROM 2 YEARS TO 4 YEARS

Town Manager Frank Rush spoke to the Board concerning this proposed ordinance amendment. The following excerpt from Mr. Rush's memo to the Board is provided for background:

The Board of Commissioners is scheduled to conduct a public hearing and discuss the attached Ordinance Amending the Town Charter to Change the Length of the Mayor's Term from 2 Years to 4 Years at the April 12 meeting.

As you know, the Board of Commissioners approved a Resolution of Intent to Amend the Town Charter to Change the Length of the Mayor's Term from 2 Years to 4 Years at its March 8 meeting, and scheduled the required public hearing for April 12. The April 12 public hearing is the 2nd action in a series of 3 required actions for the Board to make this change. If the Board wishes to continue this process, the attached ordinance will be placed on the Board's May 10 agenda for formal consideration and possible adoption. If the Board approves the attached ordinance at the May 10 meeting, it will not be effective until a public notice is published, which must occur within 10 days of Board adoption.

The Board should note that any change to the Mayor's term must occur at least 90 days prior to the first election for Mayor to which the 4-year term would apply. Thus, if the Board makes this change by ordinance amending the Town Charter as proposed, this change must occur no later than the July 12 regular meeting in order for this change to be effective for the winner of the November 2005 Mayor's election. If the Board follows the schedule outlined above, this would obviously be well before the July 12 meeting. If the Board is delayed in making a decision until after July, then any change in the length of the Mayor's term could not be effective until the winner of the 2007 Mayor's election.

I have once again attached a copy of an excerpt from the NC General Statutes that addresses changes in the Mayor's term, as well as other changes to the form and structure of municipal government. I have also again attached an email from David Lawrence at the UNC Institute of Government that includes information regarding how many municipal governments' Mayors serve 2-year, 4-year, and "other" terms. In 2002, there were 333 Mayors serving 2-year terms, 192 Mayors serving 4-year terms, and 16 Mayors serving "other" terms in North Carolina municipalities. Of the 83 cities in Emerald Isle's population range (2,500 – 5,000 people), 39 Mayors were serving 2-year terms, 39 were serving 4-year terms, and 5 were serving "other" terms.

Motion was made by Commissioner Allen to open the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

There were no comments from the public.

Motion was made by Commissioner Wootten to close the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

The Board directed Town staff to schedule this ordinance for formal consideration at the May 10 meeting.

10. ORDINANCE AMENDING CHAPTER 19 – ZONING – REGARDING EXTERIOR COLOR SCHEMES (05-04-12/O1)

Planning Director Kevin Reed stated this proposed amendment to the zoning ordinance would accomplish two things; 1) require all commercial structures no matter when constructed to adhere to the Town's color chart requirements, and 2) eliminate the use of a color chart and use a more flexible approach to controlling exterior colors with a text based description of what those colors might be. Mr. Reed said for existing buildings this would mean that the Planning Director would have the opportunity to review and approve changes to exterior commercial colors, for new construction this would still follow the commercial review process. Mr. Reed noted that these amendments were reviewed by the Planning Board and they recommended unanimously that the amendments be approved. Mr. Reed pointed out that the agenda item replacement before the Board simply added two sentences which did not change the

substantive nature but just clarified the issue with regard that existing commercial structures have to have approval prior to repainting.

Motion was made by Commissioner Messer to open the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

There were no comments from the public.

Motion was made by Commissioner Messer to close the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

There followed general discussion by the Board concerning the judgment factor, and procedural processes in the event of decision appeals. Mr. Reed, in response to a question posed by Commissioner Hedreen concerning business owners, stated that he may be able to speak to Business Association to let business owners know and be aware of the requirement that the Town approve of every painting scheme and the color combinations.

Motion was made by Commissioner Wootten to adopt the Ordinance Amending Chapter 19 – Zoning – Regarding Exterior Color Schemes. The Board voted unanimously 5-0 in favor. Motion carried.

(Note: A copy of Ordinance Amendment 05-04-12/O1 is incorporated herein by reference and hereby made a part of these minutes.)

11. PROPOSED REZONINGS – RESIDENTIAL MOTEL-HOTEL (RMH) TO RESIDENTIAL (R-2) – WESTERN EMERALD ISLE

Planning Director Kevin Reed provided an overhead presentation of the zoning maps indicating those areas included in this proposed rezoning. Mr. Reed said they are continuing the process of the RMH to R-2 rezoning as recommended in the CAMA Land Use Plan. The two areas being considered tonight as part of that process include the Wyndtree Subdivision and the West End Subdivision, and secondly all of Lands End Subdivision. Mr. Reed said the process is completed on the east end of Town; this is the first foray into the western portion of Town. Mr. Reed said the Planning Board considered these two areas at their February 28, and March 2 meetings and recommended unanimously that the rezoning be approved in conformance with the requirements set forth in the CAMA Land Use Plan.

Motion was made by Commissioner Wootten to open the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

There were no comments from the public.

Motion was made by Commissioner Isenhour to close the public hearing. The Board voted unanimously 5-0 in favor. Motion carried.

Motion was made by Commissioner Allen to rezone the properties in West End, Wyndtree, and Lands End Subdivision from RMH to R-2, as depicted on the maps presented. The Board voted unanimously 5-0 in favor. Motion carried.

12. RESOLUTION APPROVING OFFICIAL TOWN STREET MAP & STREET PLAN (05-04-12/R8)

Town Manager Frank Rush spoke to the Board concerning this agenda item. The following excerpt from Mr. Rush's memo to the Board is provided for background:

The Board of Commissioners is asked to approve the attached resolution approving the Official Town Street Map & Street Plan at the April 12 meeting. The attached map was prepared by John McLean, PE, after additional research and with input from various Town staff knowledgeable about the street system in Emerald Isle. The attached map is intended to represent the formally platted public and private streets in Emerald Isle, and include both improved street segments and unimproved street segments that may be improved in the future. The attached map also includes the official street names for all public and private streets.

This map is presented 1) to create an officially recognized record of all public and private platted streets (only Emerald Isle), 2) to create an officially recognized record of the official street names, and 3) to adopt an official street plan that can be used to show dedicated road right-of-ways for potential future Town streets that have not been improved. The adoption of an official street plan should enable the Town to avoid the possibility of unimproved street right-of-ways from being withdrawn by the original dedicating parties as was the case with a segment of Yaupon Drive in February 2005. The Board should note that this map intentionally excludes named unofficial streets and lanes in various mobile home parks, campgrounds, and condominium complexes. These were intentionally excluded, as these unofficial streets and lanes are technically considered driveways and park lots, and are not formally platted.

The official Town Street Map & Street Plan, if approved, will be maintained and updated by the Planning and Inspections Department. The map will be shared with other Town departments for regular use, and will also be available to the public if requested. The map will also be forwarded to NC DOT for their records and for planning purposes. The Board should note that all improved public streets and unimproved public street segments that may be improved in the future are a part of the Town-maintained street system, with the exception of NC 58 which is part of the NC DOT-maintained highway system. The various private streets are the responsibility of the homeowners' associations in those subdivisions.

For the past several months, Town staff have been working to resolve several problems associated with addresses in Emerald Isle. The goals of this project are to 1) identify and address deficiencies that could potentially result in slowed emergency response times and that result in confusion for Town staff, other public service providers, and the general public, 2) insure consistency in addressing databases (County Tax Office, GIS, Sprint, E-911, etc.), 3) recommend changes in street names and addresses to resolve these deficiencies, 4) improve future addressing procedures, and 5) improve the ability to identify the addresses on physical structures in Emerald Isle. Unfortunately, this project has proven to be a monumental task, and has been very frustrating for Town staff due to the complexity and enormity of this issue. We are, however, making some progress, and the adoption of the official Town Street Map & Street Plan intentionally includes the recognition of the Town's official street names as the fulfillment of the larger project.

The recommended official street names are included on the attached map, and if adopted, we will attempt to apply these names in a consistent fashion to all databases, future maps, and street name signs on the ground in Emerald Isle. The Board should note that we have not recommended any radical changes in street names at this time as part of this official map, however, there are many streets in Emerald Isle that have very similar names that have the potential to cause confusion. A list of the similar street names is attached for your information. You will note that some of these similar names simply distinguish between a street and a nearby or connected court or cul-de-sac and this may ultimately be judged as acceptable. An example of this situation is Green Glen Road and Green Glen Court in the Dolphin Ridge Subdivision.

Green Glen Court is simply the western side of Green Glen Road at its intersection with Dolphin Ridge Drive, and is a cul-de-sac. The close proximity and logical extension of the road does not cause significant confusion. You will note, however, that some of these similar names are in distinct and different locations in Emerald Isle, and these cause the greatest confusion. An example of this situation is Beach View Lane, running east to west in the 5700 block, and Beach View Road, running north to south in the 5900 block. Another example is East Seaview, located

just west of Merchants Park, and Eastview Drive, located near the Emerald Isle Post Office. Another example is the use of the names East Landing Drive, Landing Court, and East Landing

Court all in close proximity to one another in the 5800 block. Each of these examples has caused confusion in the past, and has great potential to cause confusion in the future. Ideally, I would like to have Town staff recommend completely new and distinct street names for the most similarly named streets in Emerald Isle, and return to the Board at a future meeting with these recommendations. This is likely to cause irritation for some property owners who would be forced to change stationery, vacation rental information, etc., and therefore I am seeking the Board's direction on this issue before proceeding any further.

After street names are finalized, the next big challenge is to improve the consistency and standardization of addresses. Common issues include inconsistent sequencing of numbers, inconsistent numbers and streets in various databases, and numbers assigned sometimes based on the front face of the house and sometimes based on where the driveway intersects (the Town's new policy is to assign addresses based on where the driveway intersects). This step in the process is also likely to cause irritation for some property owners for the same reasons cited above.

Finally, we also plan to recommend improvements in the Town's ordinance regarding the placement of address identifiers at the physical locations throughout the Town. There are many structures that either don't have address identifiers, or these identifiers are located in areas that are difficult to see, and these situations obviously cause problems for emergency responders.

I expect to present additional recommendations to the Board in the coming months as we make more progress on these issues.

Mr. Rush stated that tonight he would like for the Board to approve the official street map and street plan, and also to receive direction from the Board if they would like for staff to proceed with making more specific recommendations on changing street names. Mr. Rush noted that this has been identified at the staff level as a concern, and again the bottom line goal is to make sure that emergency service personnel are able to get where they need to go. Mr. Rush said he would plan to come back to the Board at a future meeting with recommended street name changes and at an even later meeting come back with changes in addresses.

Doje Marks, 134 Sandcastle Drive, said she felt this situation was critical. She stated how frustrating it is to not be able to find a house number. She said if you have a street name and sign giving the house number you can find it. She spoke of concerns as an ambulance driver going out and finding no visible house numbers with patients waiting for their arrival. She recommended that people buy a sign that is reflective, put on a post and place by their driveway. She agreed with the problem with the street names. She felt it may help solve confusion problems if the dispatchers could also give the subdivision names.

Fire Chief Bill Walker discussed the time spent on this issue, and the work being put into getting the street names correct as a first step. He said this will take time to sort through going step by step to resolve.

Cliff Owens, a new driver with EMS, also voiced his support of this change.

Motion was made by Commissioner Allen to adopt the Resolution Approving the Official Town Street Map & Street Plan, and authorized Mr. Rush to continue working with staff on the potential changes to similar street names and addressing problems. The Board voted unanimously 5-0 in favor. Motion carried.

Commissioner Hedreen suggested that Mr. Rush prepare a feature article in the Emerald Tidings newsletter in the Island Review regarding this situation.

(Note: A copy of Resolution 05-04-12/R8 is incorporated herein by reference and hereby made a part of these minutes.)

13. DISCUSSION – RECOMMENDED REZONINGS IN 2004 CAMA LAND USE PLAN

Planning Director Kevin Reed brought the Board up-to-date on the progress of the RMH to R rezoning process. Mr. Reed said he would envision another six months worth of rezonings related to this process since they are doing sections of the Town in manageable pieces. Mr. Reed stated that when this process is concluded, they will have opportunity to look at the other rezonings indicated in the Land Use Plan, one of the more significant being the mixed residential classification. Mr. Reed said two other major areas of potential rezonings would be ultimately creating the vision for the Village West and Village East commercial corridors with potential of a new zoning district in one or both of those areas to implement that vision.

The following excerpt from Mr. Rush's memo to the Board is also provided for background:

This issue was placed on the agenda as a result of a request from Commissioner John Wooten, who specifically inquired about the vacant parcels on NC 58 across from Town Hall. These parcels are currently zoned Resider Motel-Hotel (RMH). The 2004 CAMA Land Use Plan projects that these parcels will ultimately be used for commercial purposes, and specifically includes these parcels in the Village East area as the easternmost extent of the "Town Center" area. Because we are nearing the completion of the ongoing RMH to Residential-2 (R-2) rezonings throughout Town, and we will soon begin the process to rezone other parcels as recommended in the Land Use Plan, I thought it would also be helpful to review the other parcels identified for rezoning (to zoning districts other than R-2) with the Board at the April 12 meeting in anticipation of beginning the rezoning of these parcels within the next 6 months.

I have attached a memo and maps from Kevin Reed that identify all of the RMH and Mobile Home-1 (MH-1) parcels recommended for rezoning in the 2004 CAMA Land Use Plan. As you will see, all of these parcels are projected to be rezoned to Residential Multi-Family (RMF), and these parcels were specifically targeted as "mixed residential" in the Land Use Plan. These parcels are as follows:

<u>Parcel</u>	<u>Current Zoning</u>	<u>Future Land Use Map</u>	<u>Projected Rezoning</u>
Point Emerald Villas	RMH	Mixed Residential	RMF
Vacant tract north of Osprey Ridge	RMH	Mixed Residential	RMF
Pebble Beach	RMH	Mixed Residential	RMF
Forest Hills MHP	MH-1	Mixed Residential	RMF
Queens Court	RMH	Mixed Residential	RMF
Daisywood Townhomes	RMH	Mixed Residential	RMF
Sound of the Sea	RMH	Mixed Residential	RMF

Coon Crossing MHP	MH-1	Mixed Residential	RMF
Woodpecker MHP	MH-1	Mixed Residential	RMF
Island Harbor Marina MHP	MH-1	Mixed Residential	RMF
McCabe II MHP	MH-1	Mixed Residential	RMF
Vacant tract north of Town Hall	RMH	Mixed Residential	RMF
Vacant tract west of Chapel By The Sea	RMH	Mixed Residential	RMF
Waters Edge MHP	MH-1	Mixed Residential	RMF
Sea Mist MHP	MH-1	Mixed Residential	RMF
Emerald Bay Villas	RMH	Mixed Residential	RMF

I have also attached a map from Kevin Reed that identifies the properties to be rezoned to a future, yet-to-be-developed Village East zoning district. These parcels include the McCabe I mobile home park, Camp Ocean Forest, Bogue Inlet Pier, Beachview RV Park, the residential properties along Bogue Inlet Drive, the properties along Eastview Drive, and the main commercial center along NC 58 from the Eagles Store east to the Town Hall complex, including the vacant parcel across from Town Hall that Commissioner Wooten expressed interest in discussing with the Board.

I have also attached a map from Kevin Reed that identifies the properties to be rezoned to a future, yet-to-be-developed Village West zoning district. These parcels include the Islander Drive area, the Boardwalk RV Park, Holiday Trav-L-Park, the new Bell Cove Village retail shops, and the large, vacant oceanfront tract just east of Ocean Crest subdivision.

In anticipation of the Board discussing the vacant parcels across from Town Hall at the April 12 meeting, Kevin Reed and I recently met with the owners of these parcels to inform them of the recommended rezoning in the Land Use Plan and receive their feedback on the potential rezoning of these parcels. The owners are very receptive to rezoning to the Business-3 (B-3) zoning classification and / or a rezoning to the yet-to-be-developed Village East zoning district (depending on the final design of this new zoning district). The owners are not receptive to a rezoning to the Business-2 (B-2) zoning classification, as they believe that designation would reduce the value of these parcels from the current value as RMH or the projected value as B-3 or Village East. The range of permitted commercial uses in the B-3 district is much more comprehensive than those allowed in B-2.

I understand that some of the property owners abutting these parcels are concerned about the potential for a motel or hotel to be constructed on these parcels, given the current RMH zoning.

The Board should note that motels and hotels are permitted in the B-3 zone, and are permitted as a special use in the B-2 zone. The current owners of these parcels do not appear to have any intentions of constructing a motel or hotel on these parcels, nor do they believe that it will be cost-effective for anyone to construct a motel or hotel on this site. The Board should keep in mind, however, that the property is currently offered for sale, and the owner could easily change in the future.

I have attached a copy of the Town's Table of Permitted and Special Uses, as well as an excerpt from the 2004 CAMA Land Use Plan that describes the various land use categories for your information.

Following much discussion by the Board regarding the future recommended rezonings in the 2004 CAMA Land Use Plan, and the Village East and Village West concept, direction was given to staff to schedule for the next Planning Board meeting discussion which would include the properties across from Town Hall, as well as making motels and hotels a special use in B-3 zones.

14. DISCUSSION – VACATION RENTAL SIGNS

Town Manager Frank Rush said that concerns had been expressed over the past few weeks about the recent proliferation of vacation rental signs in the front yards of rental units in Emerald Isle. Mr. Rush stated that our ordinance allows this through an exemption in the ordinance as follows:

Sec. 19-134. Exemptions.

The following types of signs are exempt from all regulations of this article with the exception of those defined in section 19-133(d).

- 6) Real estate signs advertising the sale, **rental**, or lease of the premises on which the signs are located provided such signs:
 - a. Do not exceed one (1) sign per lot, or two (2) signs if the property for sale, rent, or lease is a duplex with each unit offered by separate real estate agencies.
 - b. Are not located on the beach side of any oceanfront property.
 - c. Do not exceed four (4) square feet in area per display surface for property zoned residential or sixteen (16) square feet per display surface for property zoned nonresidential.
 - d. The signs are removed within thirty (30) days after the sale or lease of the premises. Open house signs are permitted on the premises only while the real estate agent is on the premises and shall be removed when the agent leaves the premises.

Because these vacation rentals are offered for rent in perpetuity, the 30 day rule in subsection d. above does not apply.

Mr. Rush said he didn't feel this was the intent of the Town when the sign ordinance was amended, and based on comments received from the vacation rental managers there was some interest in eliminating those signs currently placed in yards. Mr. Rush noted that he and Mayor Schools met this morning with five of the major rental companies attending to discuss a lot of issues in preparation for this year's summer season but with most of the time spent discussing this issue. Mr. Rush said the joint recommendation from that group, as well as staff was to come up with a guideline where vacation rental units could utilize one sign per unit, but that it would be required to be affixed to the structure, the side of the house, walkway, or deck; the recommendation being to do away with any signs placed in the yards.

Mr. Rush stated if the Board concurs he would like to run this through the Planning Board at their April meeting and bring an ordinance amendment back to the Board of Commissioners :

the May meeting. Mr. Rush said if the Board supports this recommendation, he would communicate this to the rental companies, asking that they voluntarily proceed with that process of making sure their signs are in compliance. The Board agreed that Mr. Rush should proceed as stated, and commended the rental companies for their support and cooperation.

Commissioner Messer expressed his thanks to the rental companies for being proactive on this issue.

15. CONTRACT AMENDMENT WITH CPE FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE BOGUE INLET CHANNEL / WESTERN PHASE BEACH NOURISHMENT PROJECT

This item was withdrawn from the Agenda.

16. APPOINTMENTS – BOARD OF ADJUSTMENT – 3 VACANCIES

Motion was made by Commissioner Wootten to appoint Mike Johnson and Mark Brennesholtz to terms as regular members of the Board of Adjustment that expire in May 2008. The Board voted unanimously 5-0 in favor. Motion carried.

Motion was made by Commissioner Wootten to appoint John Kilgore to a term as an alternate 1 on the Board of Adjustment that expires in May 2007. The Board voted unanimously 5-0 in favor. Motion carried.

17. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN MANAGER

There were no comments from the Town Clerk or Town Attorney.

Town Manager Frank Rush updated the Board on the status of the Bogue Inlet Channel / Western Phase Beach Nourishment Project, and the current status of the Coast Guard Road Stormwater Project.

18. COMMENTS FROM THE BOARD OF COMMISSIONERS AND MAYOR

There were no further comments from the Board of Commissioners or Mayor.

19. ADJOURN

Motion was made by Commissioner Messer to adjourn the meeting. The Board voted unanimously 5-0 in favor. Motion carried.

The meeting adjourned at 7:45 pm.

Respectfully submitted,

Rhonda C. Ferebee
Town Clerk