

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, DECEMBER 19, 2016**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Jim Osika, Mark Taylor, Steve Leroy, and Paul Schwartz. Also present Town Planner Josh Edmondson, and Mike Stanley.

A motion was made by Paul Schwartz to approve the minutes. The motion was seconded by Jim Osika and carried unanimously 4-0.

SUBJECT Review of Exterior Paint Color of Bogue Inlet Pier and Restaurant

Mr. Edmondson went over the request with the Board. He stated the original intent was to match the paint of the new Pier House to the original paint color of the Pier House and remaining Restaurant. It is now desired to repaint both a new color. Mr. Edmondson had a sample of the color for the Board to review. Mr. Edmondson stated the owner is requesting the new color of the exterior of the Pier House and Restaurant to be banana pepper green. Mr. Edmondson had sample pictures of this color on an existing feature by the condo suites to the west of the Pier House and the parking fee booth at the entrance of the Pier.

Mr. Edmondson stated the UDO requires the following:

Permitted Exterior Colors

The proposed exterior structure colors for facades and walls shall be of low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors as approved by the Planning Director. Colors for new construction will be approved by the Board of Commissioners as part of the commercial review process. For existing buildings, exterior commercial colors must be approved by the Town prior to the painting or repainting of any commercial structure. The colors to be used for the repainting of existing structures may be approved by the Planning Director based on the criteria and intent stated in this [section 6.1.3](#). The Planning Director may request review of the colors by the Planning Board and approval by the Board of Commissioners if doing so is in the interest of maintaining a family beach image.

(a)

A request can be made for an exterior color that is not of low reflectance, subtle, neutral or earth tone. A request should meet one of the following two criteria: the business in that structure is a national chain or franchise that requires a certain color, or the name, product or service of the business denotes something other than low reflectance, subtle, neutral or earth tone color. Applicant shall have the burden of proving to the reasonable satisfaction of the Town that the exterior color falls under or meets one of the two criteria, and that granting approval is necessary or furthers a legitimate business interest of the applicant. A request for a color other than a one of low reflectance, subtle, neutral or earth tone, without meeting one of the two criteria shall result in denial.

(b)

The applicant may be requested to create a panel of desired color or colors for the Planning Director, Planning Board, and Board of Commissioners to better visualize the ordinance compatibility.

After Mr. Edmondson gave the Board presentation, Mike Stanley, owner of Bogue Inlet Pier spoke on the color change. After discussion by the Board, Mark Taylor made a motion to approved the request. The motion was

seconded by Jim Osika and carried 3-1. Paul Schwartz abstained which count as an affirmative vote to the majority. Steve Leroy voted against the request.

Subject: Review of Site & Commercial Plan, Subdivision & Special Use Checklist

Mr. Edmondson went over the new site & commercial plan, subdivision and special use checklist. Mr. Edmondson informed the Board that this checklist will be used by the applicant, staff, planning board and commissioners when reviewing these type of plans. He stated it will act as a guide to ensure these applications and plans meet the requirements of the Unified Development Ordinance. He also said it should aid in the completion and ease of reviewing the applications and plans. The planning board suggested a few improvements and advised once those were made to make available for use. No formal action was needed on this item.

Subject: Review of Site & Commercial Plan, Subdivision & Special Use Checklist

Mr. Edmondson stated over the last several months, there has been an increase of property owners constructing parking areas within the Town right-of-way. The UDO is very specific about driveways and parking areas in residentially zoned districts. Mr. Edmondson included the following Sections 6.1.6 and 6.7.1(5) for the Board to review:

6.1.6 - Sidewalks and Driveways

(1)

Sidewalk Standard

No sidewalk shall be without a written permit from the Town.

(2)

Driveway Standard

All persons engaging in driveway construction, reconstruction, repair, and alteration must secure a permit and must meet the following specifications:

(A)

The plans for the proposed operation must be approved by the building official.

(B)

The work shall be done according to the standard specifications of the Town. All driveways shall be constructed to prevent storm water from running off from the driveway to the pavement of the existing public or private street. All driveways shall have a minimum width of ten (10) feet at the intersection with the public or private street.

(C)

The operation will not reasonably interfere with vehicular and pedestrian traffic, the demand and necessity for parking spaces, and the means of egress to and from the property affected and adjacent properties, and

(D)

The health, welfare, and safety of the public will not be unreasonably impaired.

(3)

In the R2, RMF, and MH District

In addition to the standards in subsections (1) and (2) above, single-family, duplex and mobile home structures in the R2, RMF and MH districts shall be limited to two (2) driveways on the Town right-of-way, not to exceed a width of sixteen (16) feet each.

6.7.1

(5)

Width and Length of Residential Driveway

The width of a residential driveway shall be not less than ten (10) feet nor greater than sixteen (16) feet and, if used as part of the parking area, shall be of sufficient length to keep two (2) cars off the street right-of-way. Each residentially zoned lot is limited to not more than two (2) driveways.

Mr. Edmondson stated in order to construct parking in the right of way the above standards have to be met. This means a driveway has to be installed 10-16 ft. in width with a sufficient length for 2 cars to be parked out of the right of way. In order to provide visual aid to these scenarios, Mr. Edmondson included a couple of illustrations in the Board packets showing the correct and incorrect application of this ordinance. The first showed a typical driveway installation and the second showed the improper construction standard we are discussing.

Mr. Edmondson stated he is bringing this to the Boards attention to discuss ways we can address this issue. Mr. Edmondson said staff has been dealing with this issue on a case by case basis, and realizes that the problem cannot be solved entirely. Mr. Edmondson and staff has focused on ways to alleviate the number of these situations. Mr. Edmondson told the Board he sees this issue arise more frequently on corner and double frontage lots. Limiting every property to 2 driveways is an excellent regulation that he stated should not change. Staff does believe allowing 1 additional driveway for corner and double frontage lots because of that extra frontage would help the illegal parking areas that have been and continue to pop up. All other development requirements would be applicable (width of drive, stormwater etc.).

The Board had discussion on this topic and directed staff to study further and come back with a recommendation and illustration on this topic. No formal action was needed on this item

Subject: Report from Town Planner

Mr. Edmondson went over his report to the Board including the Commissioners approval of the Bogue Banks Water Corp. rezoning's, approval of the setback reduction in the Business District, approval of the revised Egret Landing Site plan and approval of rescinding the Crew Drive closure. Mr. Edmondson also went over the December 2016 Building Report. He also stated that the next Commissioners meeting would be January 10, 2017 and the next Planning Board meeting would be January 23, 2017.

Subject: Comments from Planning Board

No comments from the Board

There being no other business a motion was made by Jim Osika and seconded by Paul Schwartz to dismiss the meeting which carried unanimously 4-0.

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board