

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, NOVEMBER 20, 2017**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Jim Osika, Malcolm Boartfield, Mark Taylor, Susan Monette, Paul Schwartz and Ty Cannon. Also present was Town Planner Josh Edmondson, and members of the public.

A motion was made by Mark Taylor to approve the minutes as submitted. The motion was seconded by Malcolm Boartfield and carried unanimously 6-0.

SUBJECT: REVISIONS TO PROPOSED AMENDMENTS TO CHAPTER 5 AND REVIEW OF AMENDMENT TO CHAPTER 6 BUFFERS

Mr. Edmondson stated the Commissioners reviewed the proposed amendments to the Business and other Districts at their November meeting. They were very appreciative and supportive of the Planning Boards hard work with the proposed amendments. All the amendments were approved except for those concerning the setbacks, for which the Commissioners requested some minor tweaks. Mr. Edmondson said they also requested the Planning Board to review the buffer requirements between Business and Governmental zoned properties and residential properties. Mr. Edmondson then walked the Board through the suggested changes to address the concerns by the Commissioners as noted below.

Chapter 5

Section 5.1 - Density, Intensity, Dimensional Table
Front, Side and Through Street Setback

Current Setback - 10'

Note 4. In the B, G, C, VE, VW, VE-C, VW-C, MV and MV-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall also be set back an additional ten (10) feet from NC 58 (Emerald Drive) for each additional story over two (2) stories.

Proposed Setback - 0' in Business, Government and Village East and West Districts

Note 4. In the C, MV and MV-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall also be set back an additional ten (10) feet from NC 58 (Emerald Drive) for each additional story over two (2) stories. **In the G,B, VE, VW, VE-C and VW-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall have a zero (0) feet set back if parking is located on the side or rear of the building and has a primary building entrance located along NC 58 (Emerald Drive). Carteret Craven Electric Membership Cooperative (CEMC) and Bogue Banks Water Corporation (BBWC) may require additional setbacks.**

Revision to Setback amendment - 5' in Business, Government, Village and West Districts

Note 4. In the C, MV and MV-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall also be set back an additional ten (10) feet from NC 58 (Emerald Drive) for each additional story over two (2) stories. **In the G,B, VE, VW, VE-C and VW-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall have a five (5) feet set back if parking is located on the side or rear of the building and has a primary building entrance located along NC 58 (Emerald Drive). Carteret Craven Electric Membership Cooperative (CEMC) and Bogue Banks Water Corporation (BBWC) may require additional setbacks.**

Mr. Edmondson said the Commissioners were supportive of a setback reduction however felt the 0' setback could lead to situations where developers/owners may build over the property lines. This then may lead to variance requests. The Commissioners recommended a 5' minimum. The Planning Board was supportive of this revision.

Section 5.1 - Density, Intensity, Dimensional Table
Side and Rear Setbacks

Current Setback - 0'

Note 5. In the Business and Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of fifteen (15) feet for the first and second story of commercial building and ten (10) feet yard width for each additional story.

Proposed Setback - 0' in Business district

Note 5. **In the Business and Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of ten (10) feet for the first and second story of commercial building and five (5) feet for each additional story.**

Revision to Setback amendment - 0' in Business district

Note 5. **In the Business and Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of twenty (20) feet.**

Again, the Commissioners were supportive of change to this requirement, but wanted to provide that separation between commercial uses and adjacent residential properties Mr. Edmondson said. As a part of this, the Commissioners requested the Planning Board adjust the height standards to the vegetative buffering requirements when commercial, mixed use or governmental development abut residential lots as well.

After discussion the planning board revised this standard as follows, **Note 5. In the Business and Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of fifteen (15) feet for the first and second story and 20 feet for all additional stories.**

The Planning Board was supportive of this revision.

Chapter 6

6.1.2 - Business and Mixed Use Districts

Current Buffer Requirement

(1) Buffers

A buffer shall be required if commercial, mixed use or governmental development abuts a residential or multi-family residential lot. The buffer shall consist of one (1) of the following: (1) a vegetative opaque screen six (6) feet in height; or, (2) an opaque fence six (6) feet in height. The buffer must be located along the perimeter of the project where it abuts the residential or multi-family residential lot and the methods and materials of construction must be approved as part of the commercial development review process. The buffer must be maintained as constructed and replaced or repaired if destroyed or damaged by any means.

Proposed Buffer Requirement

(1) Buffers

A buffer shall be required if commercial, mixed use or governmental development abuts a residential or multi-family residential lot. The buffer shall consist of one (1) of the following: (1) a vegetative opaque screen **ten (10) feet in height**; or, (2) an opaque fence six (6) feet in height **with a vegetative opaque screen ten (10) feet in height**. The buffer must be located along the perimeter of the project where it abuts the residential or multi-family residential lot and the methods and materials of construction must be approved as part of the commercial development review process. The buffer must be maintained as constructed and replaced or repaired if destroyed or damaged by any means.

After discussion the planning board revised this standard as follows,

(1) Buffers

A buffer shall be required if commercial, mixed use or governmental development abuts a residential or multi-family residential lot. The buffer shall consist of one (1) of the following: (1) a vegetative opaque screen **ten (8) feet in height**; or, (2) an opaque fence six (6) feet in height **with a vegetative opaque screen ten (8) feet in height**. The buffer must be located along the perimeter of the project where it abuts the residential or multi-family residential lot and the methods and materials of construction must be approved as part of the commercial development review process. The buffer must be maintained as constructed and replaced or repaired if destroyed or damaged by any means.

The Planning Board was supportive of this revision.

A motion was made by Mark Taylor and seconded by Ty Cannon to approved the amendments with the revisions as discussed. The motion carried unanimously 6-0.

SUBJECT: DISCUSSION OF FINDINGS FROM DRIVEWAY AND PARKING AREA STUDY IN RESIDENTIAL DISTRICT

Ove the last year+, there appears to be an increase of illegal parking areas in the Residential Zoning District Mr. Edmondson said. This topic was discussed last December at the Planning Board meeting. This summer, Mr. Edmondson said he was fortunate to have an intern, Ryan Staebler, a rising senior at Appalachian State University complete this study. He spent the bulk of his 12 weeks with the Town working on this project. Ryan used field investigation and aerial imagery to find all noncompliant parking areas and since he was looking at each property, driveways as well. Using his GIS background, he was able to take this data and create several shapefiles and attributes that he then used to create several maps. The results of the study are directly attributed to this tedious process that Ryan worked very hard to accomplish Mr. Edmondson said.

Mr. Edmondson reminded the Board of the driveway standards before the results of the study were discussed.

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 said, while Ryan was looking for illegal parking areas, he also measured every residential driveway in Emerald Isle for compliance as well. The findings of the study are below. No driveways were found to be less than 10' but were non-compliant for being wider than 16'.

- Total Number of Non-compliant Driveways – 2,846
- Total Number of Illegal Parking Areas – 181

The results of the study were somewhat eye opening for a couple of reasons Mr. Edmondson said. First, the higher than expected number of non-compliant driveways found. This number was larger than expected. With that, 1,334 of these were non-compliant because of the flare; meaning the driveway was 16' wide but the flare, which is a very common feature of a driveway, made it larger Mr. Edmondson stated. Second, the number of parking areas found were lower than staff expected. While this number is lower than originally thought, they still appear to be popping up from time to time stated Mr. Edmondson.

The Planning Board had discussion on this issue. They directed staff to speak with contractors about the typical size flare in an effort to create language to address this issue. Mr. Edmondson said he would have this discussion and come back to the Board at a later date.

SUBJECT: REPORT FROM TOWN PLANNER

Mr. Edmondson informed the Board of the Commissioners approval of the amendments To Chapter 3, 4 and 6 of the Unified Development Ordinance. Mr. Edmondson went over the October Building Report for 2017 along with the October 2016 report for comparison purposes. He also stated that the next Commissioners meeting would be December 12, 2017 at 6PM and the next Planning Board meeting would be December 18, 2017 at 6PM.

Subject: Comments from Planning Board

No comments from the Board

There being no other business a motion was made by Ty Cannon and seconded by Jim Osika to dismiss the meeting, which carried unanimously 6-0.

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board