

**TOWN OF OCEAN ISLE BEACH
PLANNING BOARD MEETING
MAY 20, 2014
MINUTES**

MEMBERS PRESENT

Carol Grantham, Chairperson
Don Kauffman, Vice Chairperson
Larry Cheek
George "Robbie" Smith
Terry Stephens
Frank Williamson

MEMBERS ABSENT

Becky Noble

STAFF PRESENT

Daisy Ivey, Town Administrator
Justin Whiteside, Planning Director
Kitty Coley, Secretary

MEETING CALLED TO ORDER

Chairperson Carol Grantham called the meeting to order.

ADOPTION OF AGENDA

Chairperson Grantham stated an amendment to the agenda had been presented for the addition of a New Business item regarding expansion of the extra-territorial jurisdiction. A motion was made by Mr. Don Kauffman with a second by Mr. Frank Williamson to amend the agenda. Adoption of the agenda as amended was unanimously approved with a motion from Mr. Williamson and a second by Mr. Robbie Smith.

APPROVAL OF MINUTES

The minutes of the April 15, 2014 meeting were unanimously approved upon a motion by Mr. Smith with a second by Mr. Kauffman.

SUMMARY OF BOARD OF COMMISSIONERS' ACTIONS

1. Held a public hearing and approved amendments to Section 66-133 regarding the number of parking spaces.
2. Tabled a discussion regarding amendments to Section 50-95 and 66-51 regarding street lighting.
3. Approved a Group Activity for the Brunswick Christian Center to conduct "Run Ocean Isle Beach – Running for Recovery" on November 15, 2014.
4. Appointed Mr. Bo Tate to fill an unexpired term on the Board of Adjustment.
5. Took no action regarding a proposed amendment to Section 66-61(j) regarding Design Standards Requirement for Bicycle and Pedestrian Traffic.
6. Approved the Final Master Land Use Plan for The Retreat at Ocean Isle Beach – Phase 3A.

OLD BUSINESS

DISCUSSION REGARDING AMENDING SECTION 66-45 PARKING REQUIREMENTS

Chairperson Grantham stated the item of Old Business was discussion regarding an amendment to Section 66-45 to allow commercial parking. Mr. Whiteside expressed the Board of Commissioners had directed staff to develop language to allow commercial parking areas in residentially zoned areas. Mr. Whiteside noted changes made would allow commercial parking areas to have a minimum lot area of 5,000 square feet, fifty feet in width, with front, side and rear setbacks of five feet. Mr. Whiteside stated that Commercial parking located within the R-1 Zoning District shall only be permitted if the parking was directly adjacent to a commercially zoned lot where a commercial business was being operated. Mr. Whiteside noted that directly adjacent shall mean either the parcel abuts directly to the commercial zoning district or is separated from the commercial zoning district by a street or street right-of-way.

Mr. Whiteside stated that if the property proposed to be used as parking space is not owned by the adjacent business owner, the owner must submit a lease between him and the lessor in a form that can be properly recorded, said lease terms shall be reviewed and approved by the Town prior to recordation. Mrs. Ivey noted that commercial parking located in the R-1 Zoning District shall not be used to meet the minimum number of spaces required for parking as set out in Chapter 66, Article IV for newly constructed businesses. Parking shall only be used for expansion or overflow purposes for existing businesses or commercial accommodations. Mr. Whiteside expressed that all parking must meet the minimum requirements set out in the parking standards, Section 66-135 and 66-136. Mr. Whiteside stated that commercial parking on residential lots shall be exempt from the paving requirement in Section 66-135(d)(5). If an impervious material is used an engineered storm water drainage plan must be submitted prior to approval. Mr. Whiteside noted the five foot minimum setback shall be used as a vegetative screening from adjacent residential properties and a landscaping plan must be submitted to the Town for approval prior to any improvements being installed on the property.

After a brief discussion, a motion was made by Mr. Larry Cheek with a second by Mr. Smith to approve the proposed amendment to Section 66-45 to include Commercial Parking Requirements. The motion was unanimously approved.

~~Deletions are in strikethrough~~ and **additions are in bold and underlined.**

Sec. 66-45. R-1 single-family residential district.

The R-1 district is intended primarily for single-family dwellings. Certain nonresidential uses are permitted. Regulations for this district are designed to maintain a suitable environment for family living. Two-family dwellings were deleted as a permitted use in R-1 zoned areas effective February 9, 1999.

- (1) *Permitted uses.* Single-family for short-term or long-term occupancy, accessory use structures, clubhouses¹, commercial parking, municipal

or public utility stations and substations are permitted. Clubhouses are not permitted in the R-1 district.

(2) *Special uses.* The following uses shall be permitted if approved as a special use: Tennis courts, parks or playgrounds, churches, public or private schools, museums, municipally owned recreational facilities and fire stations. Nonconforming special uses will be allowed to continue as long as they are not structurally altered to increase the size or servitude of the structure and they uphold the requirements of their original special use permit.

(3) *Lots.* Minimum lot area, width and yard requirements are as follows:

Use	Lot in Square Feet	Lot Width in Feet	Front Yard in Feet	Side Yard in Feet	Rear Yard in Feet	Max. Bldg. Height
Commercial Accommodations	10,000	100	25	7	25	31
Multifamily	10,000	100	25	7	25	31
Single-Family	5,000	50	25	7	25	31
Two-Family	7,500	75	25	7	25	31
Clubhouses ¹	5,000	50	25	10 *	25	31
<u>Commercial Parking</u>	<u>5,000</u>	<u>50</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>--</u>

All structures that meet the definition of "clubhouse" shall only be allowed to be constructed or operated in commercial zones (C-1, C-2, C-2M, and C-3). An exception to this limitation would permit planned unit developments or residential subdivisions yet to be developed within residential zones to have a community building or clubhouse that will be open to those who purchase property within the subdivision provided that any clubhouse constructed within this proposed exception shall be located within the boundaries of the subdivision or planned unit development. For the purpose of this exception, subdivisions and planned unit developments must contain a minimum of 10 contiguous acres and 45 lot[s] or residential units.

- (a) The maximum height of structures for other than utility purposes shall be measured such as to allow for the construction of two floors, limited to 31 feet measured from the bottom of the lowest horizontal structural member to the highest point of the structure.

Planning Board Meeting (Cont.)

May 20, 2014

Page 4.

(b) The respective flood zone shall determine the lower flood joist height of the structure which must be three feet above the base flood elevation line with a maximum piling height allowed of nine feet unless a greater height is required by the FEMA base flood elevation.

(c) All new or substantially improved structures shall comply with the National Flood Insurance Program (NFIP) requirements, flood insurance rate maps (FIRM) and any subsequent regulations contained in chapter 30 of the Ocean Isle Beach Code of Ordinances.

(d) The town takes notice of the fact that there are several lots within residential subdivisions that when originally platted or modified are only 47 feet in width. Since these lots were platted prior to 2005, the town will not deny the issuance of a permit for construction. However, all other requirements of the zoning ordinance must be met.

(4) *Height limitation.* All buildings shall be limited to two stories of living area.

(5) *Rear yard setback for lots adjacent to water bodies* shall be subject to current CAMA requirements affecting such lots.

(6) *Gross floor area.* The gross floor areas above flood level shall be no more than 50 percent of the total deeded lot area. Impervious surfaces shall not exceed 50 percent of the total deeded lot area.

(7) *Exterior walls.* Exterior walls of all dwellings shall be located no closer than seven feet from the side lines.

(8) *Lockout rooms.* The use of lockout rooms is prohibited for multi-tenant or multifamily occupancy within the R-1 single-family residential district.

(9) *[Limits on platted lots.]* Platted lots containing an area of 5,000 square feet shall be limited such that the construction of a house thereon shall contain five or fewer bedrooms. Platted lots containing an area of more than 5,000 square feet with a 60-foot or less frontage on the road are limited such that the construction of a house thereon shall contain six or fewer bedrooms. Platted lots containing an area of more than 5,000 square

Planning Board Meeting (Cont.)

May 20, 2014

Page 5.

feet, with a frontage of more than 60 feet are limited such that the construction of a house thereon shall contain eight or fewer bedrooms.

(10) *[Calculating square footage of lot.]* For purposes of calculating the square footage of a lot, the dimensions of the lot shall be controlled by the dimensions on the original subdivision plat or the original metes and bounds description contained within the deed, if there was not a recorded plat of said property and provided said deed was recorded prior to November 9, 2004. If a property owner is conveyed additional property contiguous to his original lot, the additional area may not be included for purposes of determining the square footage of the lots unless:

- a. A deed of recombination is prepared and filed; and
- b. The additional property is entirely outside/landward of the mean high water, the 404 line, any designated wetlands and the first line of stable natural vegetation as defined by CAMA.

NOTE: Permits for development and construction on property located on the concrete canals will be required to use the property line that was established by the dimensions on the original subdivision plat or contained in the metes and bounds description within the deed for the property within the chain of title that was recorded prior to November 9, 2004. No additional property conveyed on the concrete canals after November 9, 2004, can be used in determining the rear yard setback line.

(11) *[Motor homes, campers and travel trailers.]* Motor homes, campers and travel trailers shall be parked entirely on property that the owner of said vehicle owns or leases. Motor homes, campers and travel trailers shall maintain a required five-foot setback from the front, side and rear property lines. At no time shall these ever be used as sleeping quarters on the premises. (See Traffic and Vehicle Ordinance Chapter 54-73)

(12) *Clubhouses.* * Clubhouses and associated parking areas shall meet the following criteria:

- a. Provide an opaque vegetative screening which shall be ten feet tall at the time of planting and a ten (10) foot natural vegetative buffer zone between the property line and any building, structure or surface associated with the clubhouse.

Planning Board Meeting (Cont.)

May 20, 2014

Page 6.

b. Clubhouse signage shall be limited to nonilluminated wall signage with a six (6) square foot maximum size.

c. Associated parking areas shall have a five (5) foot natural vegetative buffer around the property line which shall contain plantings at least ten (10) feet in height at the time of planting

(13) Commercial parking. Commercial parking located within the R-1 Zoning District shall only be permitted if the parking is directly adjacent to a commercially zoned lot where a commercial business is being operated. For the purposes of this section, directly adjacent shall mean either the parcel abuts directly to the commercial zoning district or is separated from the commercial zoning district by a street or street right-of-way.

a. If the property proposed to be used as parking space is not owned by the adjacent business owner, the owner must submit a lease between him and the lessor in a form that can be properly recorded, said lease terms shall be reviewed and approved by the Town prior to recordation.

b. Commercial parking located in the R-1 Zoning District shall not be used to meet the minimum number of spaces required for parking as set out in Chapter 66, Article IV for newly constructed businesses. Parking shall only be used for expansion or overflow purposes for existing businesses or commercial accommodations.

c. All parking must meet the minimum requirements set out in Section 66-135 and 66-136. However, commercial parking on residential lots shall be exempt from the paving requirement in Section 66-135(d)(5). If an impervious material is used an engineered stormwater drainage plan must be submitted prior to approval.

d. The 5 foot minimum setback shall be used as a vegetative screening from adjacent residential properties. A landscaping plan must be submitted to the Town for approval prior to any improvements being installed on the property. All landscaping shall be maintained for the duration of the parking lease.

(14) Density. The density limitation within this district shall be six units per acre.

(Ord. of 4-10-2007; Res. of 10-30-2007; Res. No. 2012-09, § 1, 8-14-2012)

NEW BUSINESS

DISCUSSION REGARDING EXTRA TERRITORIAL JURISDICTION

Mr. Whiteside stated that Brunswick County Planning Department has a large Extra Territorial Jurisdiction (ETJ) expansion policy which requires approval from the Board to move forward with expansion of the Town's ETJ. Mr. Whiteside noted this is not consistent with the Town's Land Use Plan as it stands and it would be necessary to amend the plan with the new areas. Mr. Whiteside expressed that parcels 2290000101 and 2290000104 were only partially in the Town's ETJ. The Town's wishes are to expand the ETJ along the parcel lines to make it easier for the Town from a mapping and development standpoint. If development occurs, the Town would have authority over the development rather than it being jointly controlled between the Town and Brunswick County. Mrs. Ivey noted this would help control the airport runway protection zone. Mrs. Ivey stated in order for the Town to continue receiving grant money it would be necessary for the Town to purchase these areas designated as the runway protection zone. Mr. Cheek asked if this property could be developed. Mrs. Ivey replied if the Town purchased the property it would not be developed, however if the property was purchased by an developer it could be developed with FAA restrictions.

Upon a brief discussion, a motion was made by Mr. Williamson to move forward with Brunswick County procedures for the expansion of the Town's ETJ to include parcels 2290000101 and 2290000104. A second was made by Mr. Smith and the motion was approved unanimously.

COMMENTS

Mr. Whiteside asked that commercial parking be added as a permitted use. Mr. Williamson made a motion with a second by Mr. Smith to add commercial parking as a permitted use to Section 66-45 R-1 (1) single-family residential district. The vote was unanimous.

Mrs. Ivey extended gratitude on behalf of staff, Mayor and Board of Commissioners a thank you to Mr. Stephens for his years of service to the Planning Board. Mr. Stephens expressed it had been his pleasure to serve on the Planning Board for the past six years.

ADJOURN

Being no additional business or comment was heard, the Planning Board meeting was unanimously adjourned upon a motion by Mr. Williamson with a second by Mr. Smith.

7/15/14

Carol Grantham
Carol Grantham, Chairperson



Kitty Coley
Kitty Coley, Secretary