



**KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ Tuesday, September 3, 2013**

A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on Tuesday, September 3, 2013. A quorum of the Commission was present.

P&Z MEMBERS IN ATTENDANCE

Joe Whitley, Vice Chair
Member Tom Theisen
Member Alan Votta

Liaison Emilie Swearingen
Attorney Holt Moore

STAFF PRESENT

John Batson, Bldg. Insp. absent
Josie Fitzgerald, Administrative Assistant

ABSENT

Chairman Craig Galbraith
Member John Ellen

I. CALL TO ORDER:

Vice Chair Whitley called the P&Z meeting to order at 7:02 p.m.

II. APPROVAL OF AGENDA:

MOTION: Member Theisen moved to adopt the Agenda

SECOND: Member Votta

VOTE: Unanimous

III. APPROVAL OF MINUTES:

MOTION: Member Votta moved to approve the P&Z minutes of August 6, 2013

SECOND: Member Theisen

VOTE: Unanimous

IV. OLD BUSINESS:

K Avenue mixed-use District

1. Review drafts of elements of criteria

SIGNS: (submitted by Chair Galbraith)

- Draft of proposed language for signage submitted
- Signs in the Mixed Use area should be small, relatively unobtrusive and compatible with the neighborhood. The following applies to the Mixed Use Zone

- 1) All regulations described in Sections 19-370 to 19-383 apply to the mixed use zone.
- 2) In addition, the following regulations apply:
 - a. Commercial signs may only be used in conjunction with an actual commercial activity occurring on the premises
 - b. A commercial sign may only be attached to the first floor of the building. Attachment can either be flush or projecting.
 - c. Only one commercial sign is allowed for each building
 - d. The commercial sign can only be externally lit. No internally lit signs are allowed in this district. Lighting is only allowed during the hours of operation for the business. Lighting for exterior sign must only illuminate the sign, and cannot "spill over" to neighboring residences.
 - e. The total area of the commercial sign shall not exceed 6 square feet
 - f. It is encouraged that any commercial sign be attractive, and artistic, such as a carved wooden sign.
 - g. As defined in Sec. 19-374, no exposed neon conduit or tubing, interior or exterior neon window signs, interior or exterior LED signs, or lighting displays inside or outside the building so as to be visible from streets, parking areas or site boundaries are allowed. This includes tube lighting, strong lighting, LED lighting, or typical holiday lighting. The exception to this is that typical holiday lighting and decorations are allowed for the period December 17 to December 31.
 - h. Temporary "A" frame signs, or menu boards must be approved by the Town of Kure Beach P&Z.

LANDSCAPING: (presented by Member Theisen)

Landscaping or hardscaping of property between the street curb and buildings promotes and enhances a comfortable pedestrian scale and orientation. It encourages pedestrian use of the area. The following design standards shall apply to development in the K Avenue Mixed Use District

1. Landscaping

- a. All usable open space, such as pedestrian walkways, separations between buildings, yard areas and common recreation areas should be landscaped and provided with an underground irrigation system, or an alternative equivalent system.
- b. Trees and plants indigenous to southeastern North Carolina are recommended

2. Walls and Fences

- a. A four-foot high solid wall or fence should be constructed along the property line of any lot where construction of any residential/commercial mixed-use development is adjacent to property zone and /or used for residential purposes.
- b. Chain-link, barbed wire, razor-wire and spikes are prohibited

3. On-site Tree Preservation

- a. All species of mature oak trees should be preserved and integrated into the project design unless it is shown to be infeasible. Mature trees are defined as trees having a diameter of 30 inches or greater at a height of 4.5 feet above adjacent ground
- b. Removal of mature trees must be approved by the Building Inspector

BUFFERING: (presented by Member Whitley)

• Shielding AC:

In order to keep harmonious look, AC should be in the back or side and concealed with landscaping or lattice

- **Shielding trash:**
 - Minimum distance requirement from adjoining property lines
 - Minimum visibility from the street
 - Criteria for the type of screening to be used
 - Amount and size of receptacles appropriate to the occupancy of the building
 - If enclosed, screening material should be similar to the building
 - Recycling should be controlled
 - Dumpsters should be on a concrete pad so it can be washed and should be screened from neighbors

LIGHTING: (presented by Member Votta)

- A detailed lighting plan shall be submitted with preliminary drawings
 - Parking lot lights shall be shielded down, lights not more than ten feet high
 - Commercial entrance lights shall be shielded down and directed at entrance
 - Flood and security lights shall be shielded and aimed as to not glare on adjoining properties
 - Accent lighting shall be low voltage and aimed at objects to be accented only
 - All lighting shall be installed and aimed to minimize light trespassing across property lines.
- Restrictions:
- No lighting shall be aimed toward public streets causing public safety hazards
 - No laser lights are allowed
 - No search lights for advertising are allowed

2. Attorney Moore: Comparison of existing “special use” and proposed K Ave. “special use:

- Special use provisions exist in Ordinance.
- The existing special use is found in Sec. 19-82 and would work fine to provide for an overlay district.
- Application for a special use permit can be processed according to the procedure described in Sec. 19-82.
- Landscape, etc. can be specific to the overlay and then go to “special use” language, so it (the process) will not be different than any other special use district.
- There is no reason to be different than what we already have.

V. NEW BUSINESS

Council woman Emilie Swearingen

A. Recent Beach restriction issues:

- Update on recent issue of beach changes
- Much of the information turned out to be inaccurate.
- The proposal is to control beaches where federal money is spent, i.e. beach re-nourishment, dredging, etc.
- If there is a storm and need cleanup it will be up to FEMA and Wildlife .
- There will be no tearing down of the pier
- Determination of where to have restrictions is based on how many turtles we have.
- We had 19 turtles this year which is more than previous 14 years.
- Georgia had 2,500

- Question: Why is Kure Beach included since we have small number of turtles and yet we are lumped in with other areas. Can this determination be reversed?
- Home Builders in Brunswick brought up Sunny Point area which was waived because it is a military installation and already have a protected area because of a specific woodpecker and the turtles will be included in the existing plan
- All is subject to change with a new administration.
- People who have been complaining could take it back to court again, so it is up in the air.
- There is a possibility that coastal areas would be required to develop a plan to address issues (12 points) i.e. lights on back of houses, lights on the beach, keeping animals off beaches
- Town Council may have to develop a plan and they may want P&Z to help with a plan

B. Flood Insurance:

- At the next Council meeting Mr. Rogers will come to give a presentation regarding what is happening and what will be effective October 1st and what will be effective in the next six to 12 months
- Hoping the changes will not affect Kure Beach as much as Wrightsville Beach which may go up \$18,000 to \$30,000 a year.
- Attendance at the next Council meeting is encouraged especially for the Planning Board
- New maps will be coming out

VI. MEMBER ITEMS:

1. NC Div. of Community Assistance and Investment (submitted by Nancy Avery)

- Training is always a benefit
- Acquire additional information regarding this program for next meeting

2. Land Use Plan

- Is the Plan due to be revised?
- Council feels considering the cost, did not feel as though updating the Plan at this time was necessary

3. Neon Lighting around windows and buildings – place on agenda for next meeting.

4. November 5 is Election Day – meeting date needs to be changed.

Options: 11/6, 11/7, 11/13, 11/14.

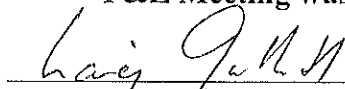
VII. ADJOURNMENT:

MOTION: Member Votta moved to adjourn the meeting.

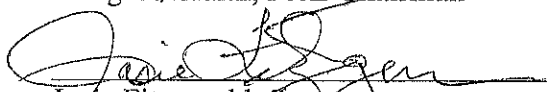
SECOND: Member Whitley

VOTE: Unanimous

P&Z Meeting was adjourned at 7:26 p.m.



 Craig Galbraith, P&Z Chairman



 Josie Fitzgerald, Secretary