



# Town of Oak Island Brunswick County, NC

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*The Town of Oak Island will preserve, protect, and enhance the quality of the natural and cultural environment of the community. In order to achieve this goal, the Town will improve the quality of its waterways, natural environment, beaches, dunes, water access and residential areas. The Town will maintain a unique scale and character that fosters a sense of community to make the Town a desirable place to live, work and call home, and a family vacation destination. The Town will also develop efficient sidewalks, bikeways, and roadway systems to protect its attractiveness in the future. The Town will also expand its recreational opportunities for residents of all ages and abilities. The Town will balance social and commercial needs and objectives for economic vitality.*

## **Planning Board Meeting Agenda March 21, 2019 • 10:30 AM Town Hall • Council Chambers**

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### **I. START-UP**

- 1. Call to Order:**
- 2. Additions or corrections to the agenda**
- 3. Approval of the Minutes: (3-21-2019)**
- 4. Public Comment:** Please state your name and address for the record.

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### **II. OLD BUSINESS**

- 1. Airport District Signage - Text Amendment**

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### **III. NEW BUSINESS**

- 1. Golf Cart business - Text Amendment**
- 2. Review Timeline - Text Amendment**

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### **2. REPORTS/UPDATES**

- 1. Board Member Reports**
- 2. Staff Reports - (Temp. Housing, Rezoning, Stormwater, Tower Heights)**

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### **3. OTHER**

**Future Meetings: 4-18-19  
Adjournment**



MINUTES  
PLANNING BOARD  
FEBRUARY 21, 2019 – 10:30 A.M.  
COUNCIL CHAMBERS – TOWN HALL

Present: Chairman Denise Pacula, members Cathy Bowes, Clay Carpenter, Mike Defeo, Clay Jenkins and Willie Williams, Planning and Zoning Administrator Jake Vares, and Assistant Manager/Town Clerk Lisa P. Stites, MMC. Board member Lynn McDowell was not able to be present.

Chairman Pacula called the meeting to order at 10:30 a.m. and led the Pledge of Allegiance to the flag.

The agenda was rearranged to move Old Business to the end. The agenda item for built-upon area will be removed until the Town's new stormwater administrator comes on board. Ms. Bowes added a Discussion of Meeting Time to New Business.

**Mr. Williams made a motion to approve the agenda as amended. Ms. Bowes seconded the motion and it passed unanimously.**

**Mr. Carpenter made a motion to approve the January 17, 2019 Minutes as amended (correcting the vote on the tower text amendment to reflect that Mr. Defeo voted in favor and Mr. Carpenter opposed). Mr. Williams seconded the motion and it passed unanimously.**

New Business 1, Airport Signage text amendment: Mr. Vares said that the Airport staff is requesting an amendment to the Town's Airport District rules as there are not signage standards specific to the Airport District. Mr. Vares explained the details of the proposed text amendment. **Mr. Williams made a motion to approve the proposed text amendment and to adopt the associated plan consistency statement. Ms. Bowes seconded the motion.** Mr. Defeo asked if there were reasons behind the standards set when zones were created; Mr. Vares said that was correct. Mr. Defeo said that he was concerned that what was being requested didn't match the standards in other zones. Mr. Vares said that in reviewing the sign permit application, he had to use what he thought was closest, which in this case was industrial. He said that in his opinion, there are things about the Airport District that makes it different from other zones. Answering a question from Mr. Defeo, Mr. Vares said that he thought what was being requested was appropriate. Mr. Defeo said that he wanted to avoid the appearance that they were drafting a district to match what they want to do at the airport. Mr. Carpenter asked where industrial districts were located in town. Mr. Vares said they only exist in concept on paper and someone would have to request a rezoning for industrial. Mr. Carpenter said that he would prefer to use standards from the commercial district rather than industrial; Mr. Vares said that he used both. Chairman Pacula said that really the only difference between what was proposed for the Airport District compared to Industrial was height for a monument signs and the wall sign number (1.5 square foot versus one square foot); she asked if the Board would be more comfortable with keeping it at 6 feet as it is in commercial. Mr. Carpenter said he would as that would make it more consistent with what is already on Long Beach Road as far as sign height; he did not have an issue with the other measurement as hangars are longer than other buildings.

Mr. Jenkins asked about the free-standing sign at 25 feet and said it seemed high to him for that area. He also asked if these new regulations would make anything existing at the airport non-conforming. Mr. Vares said that he did not know as he didn't know the dimensions of the existing signs. Mr. Jenkins said that he was concerned that passing this would affect what is already there as far as the number of signs, particularly on the Long Beach Road sign.

Howie Franklin, Airport Director, said that whatever the signs are on Long Beach Road, he would make sure they would conform to the Town's zoning rules. He said he applauded staff's efforts to enforce zoning regulations. Mr. Jenkins said that his issue was with the 25-foot freestanding sign allowance, not with the sign that is proposed to be affixed to the building. Chairman Pacula explained the concerns the Board had with the ordinance amendments being too restrictive for the Airport by limiting it to two pole signs on Long Beach Road. Mr. Jenkins said that he knew the Airport was likely to grow in the future and that new businesses there would also want signs. The Board discussed what current businesses were on the property.

Mr. Carpenter suggested asking staff to review what would be in compliance. Chairman Pacula asked if 10-40 could be incorporated. Mr. Williams suggested changing "maximum number" to "maximum number per business," add Note 5 under freestanding sign limit to one, and keep the six-foot height limit on the monument sign. Ms. Bowes said that she would be concerned with seeing eight signs on Long Beach Road.

Mr. Defeo said it seemed there was a need to see what was there and to see what is in compliance. Mr. Franklin said time was an issue. Chairman Pacula said that she was concerned that this amendment would not suit the Airport in the future. She said that somehow the Table should be included into the amendments. Mr. Jenkins said that he didn't mind incorporating the Table but that he agreed with Ms. Bowes in that he didn't want to see 50 pole signs; there should be a way to allow for enough advertising without making it look gaudy.

Mr. Franklin said that he hoped the east side of the Airport would be for businesses and the west side for aircraft. Mr. Vares said that there were not existing businesses on Long Beach Road that would be impacted with the new sign regulations; Mr. Jenkins clarified that he was talking about the businesses on the Airport property. Chairman Pacula said she was concerned about limiting the temporary signs. Mr. Vares confirmed that a C/O could be issued for the new terminal without the sign ordinance amendment being in effect. Mr. Vares asked if allowing one per structure would work; Mr. Jenkins said they would need to cap the total amount allowed. Mr. Carpenter asked if they could regulate the number of signs related to the entrances. Mr. Williams said that was why he suggested one per business.

**Mr. Williams withdrew his motion.** Mr. Williams suggested that Mr. Vares bring back a better table for the Airport District signs that will meet all of the concerns discussed today. **Ms. Bowes withdrew her second. Mr. Carpenter made a motion to table the item until Mr. Vares brings back more information. Ms. Bowes seconded the motion and it passed unanimously.**

Rezoning request: Mr. Vares explained that the applicant was asking to rezone a property on SE 72<sup>nd</sup> Street from Councilor Blalock to R-7. It is currently split-zoned with both of those zones. The property is not developed. Mr. Vares asked any Board members to say something if there was a conflict of interest in considering the rezoning request. **Mr. Williams made a motion to approve the rezoning request and to adopt the associated plan consistency statement. Mr. Defeo seconded the motion and it passed unanimously.**

Temporary Housing: Mr. Vares reviewed the changes that had been made according to the Board's discussion at the last meeting. Mr. Vares said that he was concerned about the time being allowed. The Board agreed that it should be a year, plus a 6-month addition; the last sentence in "b" will be removed. Chairman Pacula asked about the number of units allowed per acre and asked if that would be enough. Mr. Jenkins noted that in section "a," it said it was to be allowed as the Manager sees fit. Ms. Bowes was concerned about how close the trailers would be allowed, saying she was thinking about refugee camps.

Ms. Stites noted that if the Town were allowing temporary housing on Town property, it would be for FEMA or other Federal or State agencies.

**Mr. Defeo made a motion to approve the proposed amendments as modified and to adopt the associated plan consistency statement, Mr. Williams seconded and it passed unanimously.**

Stormwater Text Amendment: Mr. Vares said that this amendment came as a result of changes made at the State level. Chairman Pacula asked if this would affect a new addition to a home, but not the home itself. Mr. Vares said that was correct. Mr. Jenkins asked if his house burned down and he rebuilds, would he be able to follow the old stormwater rules. Mr. Vares said that was correct. Mr. Carpenter asked if they should wait until they could ask Mr. Edwards. Mr. Vares said what was proposed was copied and pasted from what the State sent and was Mr. Carpenter saying that whomever wrote this for the State didn't mean to write it that way, because he didn't think that was the case. Mr. Carpenter said that he wondered if it would be beneficial to have Mr. Edwards' interpretation. Mr. Jenkins said he didn't think that was necessary. Mr. Jenkins said his concern was about a house being built back as the State standards allow but not the Town's standards. Mr. Vares said in that case, the more restrictive ordinance would apply.

**Mr. Carpenter made a motion to adopt the ordinance amendments along with the associated plan consistency statement. Ms. Bowes seconded the motion and it passed unanimously.**

Meeting time: Ms. Bowes asked the Board to consider moving the meeting to reconsider moving the meeting back to 10 a.m. Following a discussion, consensus was to keep the same meeting time (10:30 a.m.)

Staff report:

Mr. Vares said that the next meeting was March 21<sup>st</sup>. Council took action on the towers text amendment but modified it further and will consider additional modifications. Mr. Vares asked Planning Board members to review the Land Use Plan periodically so they can bring it into the discussions.

**Mr. Carpenter made motion to adjourn at 11:46 p.m., Ms. Bowes seconded and the motion passed unanimously.**

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Denise Pacula, Chairman

Attested: \_\_\_\_\_

Lisa P. Stites, MMC  
Assistant Town Manager/Town Clerk



**TOWN OF OAK ISLAND  
PLANNING BOARD  
AGENDA ITEM MEMO**

Agenda Item: Old Business No. 1

Date: 3/14/2019



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**Issue:** Airport Signage – Text Amendment

**Department:** Planning & Zoning Administrator

**Presented by:** Jake Vares

**Presentation:** None

**Estimated Time for Discussion:** 30 Minutes

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**Subject Summary:**

The Cape Fear Jetport Executive Director, Howie Franklin, is requesting a revision to the Oak Island UDO (Unified Development Ordinance) signage ordinance. The airport desires to install new signage for the new terminal under construction. The previous sign permit that was denied has been revised to be compliant with the signage ordinance and has been approved. The Executive Director of the Cape Fear Jetport still wants to pursue the signage text amend to prevent any issues with future signs because it anticipates other companies coming in that will need signage.

Two options are shown in this staff report. The first option is to not regulate airport signage. Staff decided to propose this option while doing research into what signage regulations other towns and county's do. From the findings, or lack thereof it appears jurisdictions do not regulate and dictate to airports their signage standards. Staff recommends option one and realizes that is often difficult for a board tasked with regulatory oversight to vote to minimize regulations. The proposed wording is specific to airport related uses, so a private non-airport related business such as Dutchman Creek will still be subject to the signage standards within the udo the same as any other business would be.

Option 2 is a carry-over from the previous planning board's meeting that details the specifics of the type, sign, number and location of signage that is permitted. This option is much more complex given the nature of the airport and all of its diverse existing and future signage needs. The proposed text amendment details the permissible amount of square footage, height, and other sign details permitted in the newly created table 10.26.4.1. The way the ordinance is worded, there is no cap of wall signage so long as the square footage is compliant. The benefit of doing wall sign this way is that it doesn't restrict it to a number of signs based on the number of businesses or street frontages, but rather on whether or not the square footage is met or not and the owner can design wall signage accordingly as their needs dictate.

A freestanding sign is an all-encompassing definition for both monument and column/pole signs which are sub-classifications of the overall encompassing freestanding sign type style. A 10ft height limit of 10 feet is set for monument signs and a 20 foot maximum height is established pole/column signs.

Staff has taken an inventory of all the existing airport signage. The goal is to give the airport flexibility now and in the future with their signage needs. The applicable sign definitions are included for reference and edification. Please remember to adopt the plan consistency statement with your motion.

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**Attachments:** Proposed Ordinance Amendment, Text Amendment Application,

**Recommendation/Action Needed:**

**Suggested Motion:** I make a motion to approve or deny the proposed text amendment and to adopt the associated plan consistency statement.

**Planning Board Recommendation:** TBD

**Funds Needed:** \$0.00

**Follow Up Action Needed:** Forward recommendation to Town Council

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## Attachments

### Option 1

#### 10.24.5. Miscellaneous Exemptions.

**10.24.5.11.** ID plaques of no more than four (4) square feet per business or tenant in non-residential zoning districts and signs of no more than two (2) square feet in area in residential zoning districts, including signs bearing only property identification numbers and names, post office/mail box numbers of occupants of the premises, or other identification of premises so that public safety agencies can easily identify the property from a public street. In cases where the building is not located within view of the public street, the identifier shall be located on a mail box or other suitable device visible from the street. Such signs shall not be illuminated. The size and location of the identifying numerals and letters (if any) must be proportional to the size of the building and the distance from the street to the building but no less than required by the NC State Fire Code.

**10.24.5.12.** Signage within the airport zoning district for airport related purposes.

## Option 2

### 10.26.4.1 Airport District Signs (AD).

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
<b>BUILDING MOUNTED</b>				
Wall <sup>1</sup>	Front facades	1.5 sq. ft. for each linear foot of wall frontage or 5% of wall whichever is greater	N/A	N/A
Wall <sup>1</sup>	Secondary to primary signage	1 sq. ft. for each linear foot of building facing side street	N/A	N/A
Projecting <sup>2</sup>	Airport Facility	24 sq. ft. per side	8 ft.	1 per individual business
Canopy or Awning <sup>2</sup>	Airport Facility	Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself.	N/A	N/A
<b>FREESTANDING</b>				
Monument or Ground Mounted <sup>3</sup>	Nonresidential	100 sq. ft.	10 ft.	N/A
Column/Pole <sup>3</sup>	Nonresidential	100 sq. ft. each	20 ft.	N/A
Temporary		32 sq. ft.	???	

<sup>1</sup>Wall signs may project a maximum of 12" from the wall to which it is mounted. The bottom of the sign must be a minimum of 8 feet above the ground level. Wall signage includes the wall of all structures within the Airport District, including hangars. Sign may not protrude above soffit, parapet, or eave line of the building to which it is attached.

<sup>2</sup>Sign may not protrude above soffit, parapet, or eave line of the building to which it is attached.

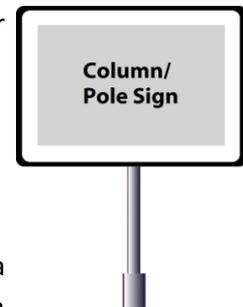
<sup>3</sup>In the AD district, one may provide the following freestanding signs: Freestanding signage along public right-of-way frontage that displays the name of the entity. Such signs shall not exceed 20 feet in total height. All total combined freestanding signage cannot exceed 350 square feet per sign. Signs must be placed no closer than 10'

from property line along public and state roads. In the event of a double-sided sign, only one side shall be used to figure the square footage.

## Appendix A - Definitions

### *Sign Regulations Definitions*

- (9) **Sign, awning** means any non-illuminated sign painted on or applied to a structure made of cloth, canvas, metal, or similar material that is affixed to a building and projects therefrom. Such signs may or may not be fixed or equipped with a mechanism for raising and holding an awning in a retracted position against the building.
- (10) **Sign, business identification** means any sign which advertises an establishment, a service, commodity, or activity conducted upon the premises where such sign is located.
- (11) **Sign, column/pole** means a freestanding sign supported by one or more columns or poles or other similar support.
- (12) **Sign, commercial accessory** means a freestanding sign on a commercial parcel relating to the products sold thereon in addition to the principal use sign.
- (16) **Sign, freestanding** means sign that (i) is not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but (ii) is instead attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of a building or other structure having a principal function other than the support of a sign.
- (17) **Sign, ground-mounted** means freestanding sign, supported by a contiguous structural base or planter box that is permanently affixed to the ground.
- (21) **Sign, monument** means any sign permanently attached to the ground and not attached to any building advertising multiple tenants, multiple uses, multiple buildings or multiple parcels. The design of the monument sign is to advertise multiple offerings in the building, group of buildings, or development area. Individual business within multi-



tenant facilities are not permitted freestanding signs and shall have their signage located on a monument sign.

(26) **Sign, projecting** means any sign, other than a wall, awning, canopy or marquee sign, which is affixed to a building and is supported only by the wall on which the sign is mounted.

(29) **Sign, temporary** means any sign that advertises or directs attention to a product, event, election, activity, meeting, exhibition, or performance of any kind where such a sign is not permanently affixed, placed, or erected and is allowed for a limited timeframe.

(30) **Sign, wall** means any sign attached to, painted on, or erected against any wall of a building or structure so that the exposed face of the sign is on a plane parallel to the plane of said wall and which does not extend more than



eighteen (18) inches

(32) **Sign, window** means any sign appearing in, on or through a window of a structure and visible from outside. The term window sign shall not be used to define a window display.





**TOWN OF OAK ISLAND  
PLANNING BOARD  
AGENDA ITEM MEMO**

Agenda Item: New Business No. 1

Date: 3/12/2019



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**Issue:** Golf Cart Business in CB zoning district – Text Amendment

**Department:** Planning & Zoning Administrator

**Presented by:** Jake Vares

**Estimated Time for Discussion:** 40 Minutes

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**Subject Summary:**

The proposed text amendment is citizen initiated and attached below. The applicant desires to open a golf cart sales and rental business in the CB (Community Business) zoning district. That land use is not permitted within the Oak Island Unified Development Ordinance (UDO) so their applicant for a business license would be denied at the zoning level. This is reason for the text amendment. The Table of Uses in Article 6 is proposed to be amended to allow a business such as this in the CB zoning district. Currently, a row in the table of uses that specifies “golf cart sales and rentals” does not exist. Staff had to review the business license description and apply the most applicable use within the tables of uses. Rather than having that row in the table of uses modified to permit that land use in the CB zoning district, and new land use row description is proposed that more specifically defines the proposed land use/business.

Additionally, staff has drafted some proposed standards that would be applicable to the permit requirements if the text amendment were to be adopted. The standards are highlighted in Section 7.55. The Town of Oak Island zoning map can be found online at [https://www.oakislandnc.com/wp-content/uploads/2018/12/Zoning\\_Map\\_Final11by17\\_12\\_12\\_2018.pdf](https://www.oakislandnc.com/wp-content/uploads/2018/12/Zoning_Map_Final11by17_12_12_2018.pdf) The applicant is present to answer any questions. Please remember to adopt the plan consistency statement with your motion.

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**Attachments:** Proposed Ordinance Amendment

**Recommendation/Action Needed:**

**Suggested Motion:** I make a motion to approve or deny the proposed text amendment and to adopt the associated plan consistency statement.

**Planning Board Recommendation:** TBD

**Funds Needed:** \$0.00

**Follow Up Action Needed:** Forward recommendation to Town Council

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**Attachment**

## ARTICLE 7. SUPPLEMENTAL REGULATIONS

### **SECTION 7.55 GOLF CART SALES & RENTALS**

**7.55.1.** Storage areas for golf carts shall be screened (in accordance with Article 10, Part I) from view of the public right-of-way and any adjacent residentially used or zoned property.

**7.55.2.** A buffer meeting the requirements of Article 10, Part I, must be installed along any property line adjoining residentially zoned or used property.

**7.55.3.** No vehicle may be stored on the public right-of-way.

**7.55.4.** Lighting installed on the property must comply with the provisions for town lighting in Article 10, Part V, and shall be installed in a manner that prevents trespass onto adjoining properties and controls glare on the public right-of-way.

**7.55.5.** No golf cart repairs are permissible.

**SECTION 6.5 TABLE OF USES AND ACTIVITIES.**

P - Permitted Use

PS - Permitted Use with Supplemental Regulations

Blank - Not Permitted

S - Special Use

SS - Special Use with Supplemental Regulations

Uses	Primary Zoning Districts																Overlay District	Supplemental Regulations
	R-20	R-9	R-7	R-6	R-6MF	R-6MH	O&I	R-MU	C-MU	CB	CR	C-LD	OS	AD	ID	PUD		
<b>ACCESSORY USES/BUILDINGS</b>																		
General contractors (no open storage)										P		P						
General contractors (open storage allowed)												PS			PS			Section 7.21
Gift shops								S	S	P	P	P						
Golf Cart Sales & Rentals										P								Section 7.55
Grocery/food store								S	S	P	P	P						
Hardware store										P		P						



# TEXT AMENDMENT APPLICATION

TOWN OF OAK ISLAND  
Planning Department  
4601 E. Oak Island Drive  
Oak Island, NC 28465



Date: 3-5-19

Fee: \$300.00 paid

Project Name (if applicable): Oak Island Golf Cart Rentals, LLC

Any application for an amendment shall be filed with the department of development services at least 45 days prior to the date on which it is to be introduced to the planning board. Each application shall be signed by the property owner or the property owner's agent and be in triplicate. (Sec. 18-335).

## PROCESS

This is a legislative decision, anyone can appeal since a text amendment applies to the whole town. A council member cannot vote on a text amendment if there is a conflict of interest. A public hearing is required, notice of hearing and Planning Board review is mandatory, governing board cannot act on an amendment without written recommendation from Planning Board or on a text amendment. Can appeal for up to 6 months to a year afterward. The application first goes to the Planning Board for recommendation and then to Council for final approval. A written statement by Council or the Board of Commissioners is required for adoption or rejection of all zoning text amendments.

The Planning Board and Town Council may consider consistency with the Land Use Plan as well as any unintended consequences while deciding.

## SECTION 1: APPLICANT INFORMATION

Petitioner Name: Joan Tolson + Steven Kindley

Mailing Address: 230 NE 39th St  
Oak Island, N.C. 28465

Phone: 910-533-0545 Email: joantolson13@yahoo.com

**SECTION 2: PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)**

Owner Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SECTION 3: STATEMENT OF JUSTIFICATION (APPROX. 1 PAGE)**

Is the proposed zoning consistent with the Land Use Plan? (Please Check One): Yes  No

Please describe why the Board should vote in your favor. As well as why this change would be advantageous for the Town of Oak Island.

(Attach separate sheet if necessary). \*Note: The Oak Island Land Use Plan and all maps can be found online at <http://www.oakislandnc.com/General-Info.aspx>

Oak Island Golf Cart Rentals is a small, family owned business which fits right along into the flow of our town. We are a mother and son operation that is looking to plug in and become more part of the community. The people of Oak Island need a place where they can rent and buy carts, have them serviced, get their new tires, etc. As of now, most are having to go off the Island for these services, but we would like to bring those services to them! We live and work in this town and would love to see the revenue stay in our little town. Tourists are renting and will continue to rent, but they are sending their money elsewhere and having carts delivered in. Why not change that? Also, we would be renovating a broken down building on our main road and seen by everyone. This is a win/win for us and the town of Oak Island.

**SECTION 4: APPLICANT/OWNER SIGNATURE**

In filing this text amendment application, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Signature: Joan Lee

Date: 3-6-19

**TOWN OF OAK ISLAND  
PLANNING BOARD  
AGENDA ITEM MEMO**

Agenda Item: New Business No. 2

Date: 3/14/2019



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**Issue:** Review Period– Text Amendment

**Department:** Planning & Zoning Administrator

**Presented by:** Jake Vares

**Presentation:** None

**Estimated Time for Discussion:** 20 Minutes

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**Subject Summary:**

Multiple sections within the UDO (Unified Development Ordinance) dictate the timeframe the UDO Administrator has to complete plan reviews. Major subdivision reviews mandate a 15 to 21 day turn-around time. The time to review a sketch plan is proposed to be extended to 21 days instead of 15 days. The time to review a preliminary plat is proposed to be extended to 30 days instead of 21 days. Additionally, the time period for an applicant to submit a major subdivision application packet to go before a board is proposed to be extended from 21 days to 30 days. Section 10.18 also extends the review time period from 15 to 21 days.

The previous time period to review staff deadline in the past ordinance was 45 days. Oftentimes submittals are incomplete, require additional review by other agencies, people, and may be stalled for various reasons. This ordinance revisions provides more of a cushion to account for these potential issues. The content of this text amendment is not complex, it is merely a proposed logistical administrative process procedure timing change. Please adopt the plan consistency statement in your motion.

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**Attachments:** Proposed Ordinance Amendment, Text Amendment Application,

**Recommendation/Action Needed:** Approve

**Suggested Motion:** I make a motion to approve or deny the proposed text amendment and to adopt the associated plan consistency statement.

**Planning Board Recommendation:** TBD

**Funds Needed:** \$0.00

**Follow Up Action Needed:** Forward recommendation to Town Council

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**Attachments**

## **SECTION 5.2 PRE-APPLICATION MEETING AND SKETCH PLAN.**

5.2.1. The applicant shall schedule a pre-application meeting with the UDO Administrator to review a Sketch Plan of the proposed development, including minor and major subdivisions and minor and major site plans. The Sketch Plan shall meet the requirements of Section 5.2.3. The UDO Administrator will advise the applicant of all applicable Town regulations and policies, suggest development alternatives, and will discuss application procedures and fees (see Section 2.8). The pre-application meeting is a non-binding and informal review of a development proposal intended to provide information to the applicant on the procedures and policies of the Town of Oak Island, and does not confer upon the applicant any development rights. The UDO Administrator may submit the Sketch Plan to other departments or agencies for input and recommendations. Within ~~fifteen (15)~~ **twenty-one (21)** days of receipt of the sketch plan, the UDO Administrator shall forward all appropriate comments to the applicant. This timeframe may be extended if comments are requested from other agencies.

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5.4.3. Major Site Plan, Major Subdivision Preliminary Plat, or Construction Drawings Submitted for Review.

All major site plans and major subdivision preliminary plats shall be submitted in accordance with Sections 5.5 through 5.7, as applicable, and shall be accompanied by the completed application and payment of a fee as adopted by the Town Council (see Section 2.8). All major site plans and major subdivision preliminary plats shall be submitted ~~twenty-one (21)~~ **thirty (30)** days in advance of the Planning Board meeting at which they are to be reviewed.

5.7.4. Review Procedure for Major Subdivisions.

5.7.4.1. Preliminary Plat.

5.7.4.1.1. At the time of submission of the preliminary plat, the subdivider shall pay to the Town an application fee as established by the Town Council in accordance with Section 2.8. Refer to Section 10.49 for plat requirements.

5.7.4.1.2. The subdivider or his or her authorized agent shall submit five (5) hard copies and one (1) electronic copy, including all data layers, of the preliminary plat to the UDO Administrator at least ~~twenty-one (21)~~ **thirty (30)** days prior to a regular meeting of the Planning Board. During this period, the UDO Administrator shall evaluate the plan to determine whether or not it meets the requirements of this Ordinance. The UDO Administrator may receive comments from other persons or agencies before making its final recommendations.

5.7.4.1.3. After the UDO Administrator determines that the preliminary plat meets the requirements of this Ordinance, it shall be submitted to the Planning Board for review and recommendation to the Town Council. The Planning Board shall forward its recommendation to the Town Council within forty-five (45) days after first consideration by the Planning Board. If the Planning Board fails to act within the 45-day period, the subdivider may appeal directly to the Town Council. The Town Council shall consider the

preliminary plat as presented to or reviewed and revised by the Planning Board at its next regularly scheduled meeting and approve, approve with conditions, or disapprove the plan.

**SECTION 10.18 APPROVAL/APPEAL.**

The building facade design shall be approved or denied by the UDO Administrator within ~~fifteen (15)~~ **twenty-one (21)** days of submittal to the UDO Administrator. Appeal of the UDO Administrator's facade design decisions shall be made to the Board of Adjustment by application submitted within forty-five (45) days of the UDO Administrator's decision. The Board of Adjustment shall act on the appeal at its next regularly scheduled meeting.

