

MINUTES
PLANNING BOARD WORKSHOP
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
March 16, 2021

Commissioners Chambers
David R. Sandifer Administration Bldg.
County Government Center
Old U.S 17 East

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Ron Medlin
Brett Riggs, Alternate
Eileene Shake, via Virtual Video
Christopher Wood

MEMBERS ABSENT

Richard Leary
William Bittenbender

STAFF PRESENT

Kirstie Dixon, Director
Helen Bunch, Zoning Admin.
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Brandon Hackney, Project Planner
Justin Brantley, Project Planner
Miranda Garmenn, Zoning Tech.
Bryan Batton, Asst. County Attorney
Kimberlie Smith, CIS Coordinator

OTHERS PRESENT

Brigit Flora, Brunswick County Stormwater Eng.

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 5:37 p.m.

II. ROLL CALL.

Mr. Richard Leary and Mr. William Bittenbender were absent.

III. INTRODUCTION.

Ms. Dixon provided an overview of the proposed changes related to Chapter 160D and refinements to the Brunswick County Unified Development Ordinance (UDO). She introduced all staff members present for the meeting and their roles in the day-to-day operation of the Planning Department.

IV. STORMWATER REGULATIONS REPORT – BRIGIT FLORA, STORMWATER ENGINEER

Ms. Brigit Flora, County Stormwater Engineer, addressed the Board. Ms. Flora provided a PowerPoint presentation (attached) outlining stormwater regulations on the County and State levels.

Mr. Dunham and the other Board members thanked Ms. Flora for her presentation regarding stormwater regulations.

V. UNIFIED DEVELOPMENT ORDINANCE 2021 REFINEMENTS

A. Proposed Unified Development Ordinance and North Carolina Chapter 160D Refinements.

Mr. Justin Brantley addressed the Board. Mr. Brantley discussed in detail North Carolina Chapter 160D (Chapter 160D) changes, which are mandated by the State and they must be adopted by July 2021. Mr. Pages addressed the Board. He discussed the rezoning and conditional zoning revisions as it relates to Chapter 160D changes.

B. Proposed Unified Development Ordinance Refinements

Mr. Brantley addressed the Board. He discussed a PowerPoint presentation addressing refinements to the Brunswick County Unified Development Ordinance (UDO). Mr. Brantley discussed setback certification requirements, breweries, distilleries and wineries as proposed by staff in the PowerPoint.

Mr. Dunham clarified that in the definition of a brewery the word “gallons” was changed to “barrels” and Mr. Brantley concurred.

Ms. Helen Bunch addressed the Board. Ms. Bunch provided an overview of RV and Travel Trailer Storage; Vehicle Repair Location; Junk Vehicles and Junkyard definition; Required Parking Table; Outdoor Display and Storage; and Outdated Business License Reference as proposed in the PowerPoint.

Mr. Wood asked if a camper can be stored on a vacant lot and Ms. Bunch replied, no. She stated that a home has to be on the property if a camper is stored on a site. Mr. Wood expressed concern with not being allowed to store a camper on his lot if he owns multiple lots that are contiguous to each other. Ms. Kimberlie Smith interjected that campers are illegally located throughout the County. There were discussions of allowing campers on vacant lots if an owner had lots contiguous to each other with a residential dwelling unit on 1 of the lots. Mr. Dunham suggested that staff review the matter further to better address storage of campers as it relates to the size of vacant lots and/or vacant lots owned by the same owner that are contiguous to a lot with a residential dwelling.

Mr. Hackney addressed the Board. He discussed Home Occupations; Home Occupations in Accessory Uses; Change of Use Approval; Outdoor Display and Storage Surfacing Requirement Clarification; Permitted Use of Buffer Area; Lighting Plan; Criteria for Qualification Voluntary; Agricultural Tourism in Districts other than RR (Rural Low Density Residential); Separation for Accessory Structures; Utility, Dumpster, Recycling and Trash Handling Facilities.

Ms. Dixon provided an instance where a home occupation was in an accessory structure. Mr. Pages said this has occurred more frequently since the COVID-19 pandemic. Ms. Bunch reminded the Board that an accessory structure can be larger than a residential dwelling, which means the business becomes the primary use in a residential neighborhood. Mr. Hackney asked if the Board is amenable to the accessory structure being larger than the primary structure? He felt that aesthetics would be the major concern rather than the actual use within the building. Ms. Easley felt that accessory structures will not be larger than the primary use in subdivisions. Mr. Wood said there are several people in the rural areas that have accessory buildings larger than their home. Ms. Dixon interjected that staff is looking for direction on how to proceed with accessory buildings being used for a home occupation. Mr. Wood said home businesses will need storage space to accommodate the home occupation. He further stated that COVID-19 has forced several businesses to operate from their home and operation of the business should not be limited to 50% of the home. Attorney Batton interjected that the issue is the use of the property; in that, it is no longer an accessory structure because it becomes a commercial business in a residential neighborhood if the use is allowed outside the residential dwelling. Mr. Dunham suggested staff review this matter further and find a happy medium.

With regards to Outdoor Display and Storage Surfacing Requirements, Ms. Bunch felt that grass should be included as appropriate material for surfacing requirements and Mr. Hackney agreed.

With regards to the Lighting Plan, Ms. Easley expressed concern with requiring a lighting plan if an inspection is not conducted to ensure the site is in compliance with minimum requirements. Ms. Bunch said, in the past, staff did site inspections if there was a visual problem and/or a complaint was received regarding brightness of lighting on a particular site. Ms. Bunch further stated that staff usually follow-up with the utility company to ensure the lighting is adjusted to meet the minimum requirements outlined in the UDO. Mr. Hackney said the utility companies provide lighting plans at no cost and they verify illumination levels if asked to do so. Ms. Easley felt that requiring a lighting plan is another hurdle for approval of a project and it is pointless if no inspection is done except via complaint driven. Mr. Hackney said lighting compliance also impacts the applicant's insurance regarding safety being in place on the site. Ms. Bunch added that dark sky lighting is a major component with requiring a lighting plan. Mr. Hackney said there are 2 issues involved in this proposed revision. The first is whether or not lighting should be required for non-residential parking lots and secondly, should the lighting plan be required. Mr. Brantley interjected if the inspection has to be done in the dead of night? Mr. Hackney said the measurement would have to be taken after dark to get an accurate reading. After further discussion, Mr. Dunham suggested staff review the matter further to address lighting plans for non-residential parking lots and the minimum requirements for a lighting plan.

Mr. Pages addressed the Board. Mr. Pages discussed the Alternative Buffer Table; Amounts of Open Space and Recreation Area to be Provided; and Notices and Public Hearings.

Ms. Dixon addressed the Board. Ms. Dixon discussed Food Trucks. She stated that this item will probably not be included in the proposed revisions to the UDO. Ms. Dixon said staff will reach out to food truck owners to gather input on the necessity for such uses. She asked the Board where food trucks should be allowed? Mr. Dunham said they allow food trucks in his residential

neighborhood. Mr. Wood stated that food trucks should not be required to obtain a permit because they move to different locations based on demand for their services. Mr. Brantley felt that food trucks can be restricted from being in close proximity to other established eateries. Mr. Wood felt that food trucks should not be allowed to impede on an established eatery unless a prior agreement has been made between the 2 parties. After further discussion, staff was directed to gather more information and present this matter back to the Board at a later date.

C. Timeline and Next Steps

Ms. Dixon addressed the Board. She stated that staff will move forward with a Public Hearing on 12-Apr-21 for Chapter 160D as well as those UDO Refinements that the Board made no suggestive revisions.

VI. ADJOURNMENT.

With no further business, Mr. Wood made a motion to adjourn and the motion was unanimously carried.