

TOWN OF PINE KNOLL SHORES

Planning Board
Regular Monthly Meeting
May 27, 2025 — 5:00PM



AGENDA

- | | | |
|--------------|--|--------------------------|
| I. | CALL TO ORDER AND PLEDGE OF ALLEGIANCE | VICE CHAIR POWERS |
| II. | APPROVAL OF THE AGENDA
(Motion to add or delete an item will be entertained prior to approval.) | VICE CHAIR POWERS |
| III. | VOTE OF ABSENCES | VICE CHAIR POWERS |
| IV. | CONSENT AGENDA | VICE CHAIR POWERS |
| | a. April 22, 2025, Meeting Minutes | |
| V. | PUBLIC COMMENT
Citizens are allowed to voice Town-related concerns and opinions during this time. Before speaking, each participant must sign in on the speaker roster list at the Clerk's Desk before speaking. Speakers will be heard on a first-come, first-served basis. Each speaker will be given up to three (3) minutes. | |
| VI. | NEW BUSINESS | VICE CHAIR POWERS |
| | a. 112 Salter Path Road Major Landscape Permit Application | |
| VII. | UNFINISHED BUSINESS | VICE CHAIR POWERS |
| | a. Fence Height Ordinance | |
| VIII. | REPORTS | |
| | a. Planning | PLANNING ADMIN |
| | b. Inspections | PLANNING ADMIN |
| | c. Board of Commissioners | COMMISSIONER |
| IX. | PLANNING BOARD ANNUAL AGENDA | VICE CHAIR POWERS |
| | a. Cama Land Use Plan Sub Committee | |
| | b. Pedestrian Master Plan Sub Committee | |
| | e. UDO Sub Committee | |
| X. | ANNOUNCEMENTS AND PLANNING BOARD MEMBERS' FORUM | VICE CHAIR POWERS |
| XI. | ADJOURNMENT | VICE CHAIR POWERS |

PLANNING BOARD
TOWN OF PINE KNOLL SHORES BOARD ROOM

April 22, 2025

MEETING MINUTES

Call to Order and Pledge of Allegiance

Planning Board Chair David Triplett called the April 22, 2025, meeting to order at 5:00 PM in the Betty Carr Board Room. Members present were Michelle Powers, Jeanne Biddle (online), Ken Rozewski (online), Simone Pate, Tom Atz, Cindy Berry and David Chapman (online). Also present were Planning Administrator Charles Rocci, Commissioner Durham and Commissioner Cox.

Approval of the Agenda,

Member Berry made a motion to approve the agenda as amended with a second by Vice Chair Powers and passed unanimously.

Approval of Absences

Vice Chair Powers made a motion to approve the absence of David Chapman and Jeanne Biddle with a second from Member Berry and passed unanimously.

Consent Agenda

- a. Minutes from March 25, 2025

Member Atz motioned to approve March 25, 2025, meeting minutes as presented with a second from Member Pate and passed unanimously.

Public Comment – No Public Comment

New Business

Fence Ordinance Discussion

Planning Administrator Charlie Rocci presented a draft amendment to Article 2 of the UDO that would allow fences up to 6 feet in height in rear yards while maintaining the 5-foot restriction in front yards. The amendment would also restrict chain link fences to rear yards. Rocci explained that this change was prompted by concerns from residents about the lack of availability of 5-foot fences and the desire for more privacy in backyards.

Tom Atz shared that he had contacted three fence companies to inquire about the availability of 5-foot fences. Two companies stated they could provide fences of various heights, including 5 feet. One company raised concerns about the depth of footings for taller fences.

The committee discussed several aspects of the proposed amendment, including:

1. The need for potential regulations on footing depth for taller fences
2. Concerns about wind resistance for 6-foot solid fences
3. The applicability of the 4-foot height requirement for pool enclosures
4. Potential impacts on coastal flood areas and drainage
5. The process for initiating ordinance changes based on resident requests

After discussion, the committee decided more research was needed before making a recommendation.

Member Atz made a motion for a 30-day inquiry period to gather more information on the fence ordinance amendment with a second by Member Pate. The motion passed unanimously.

Charlie Rocci agreed to research the following points:

- Confirmation on anchoring post requirements for 6-foot fences
- Language specifying that the unfinished side of fences must face the interior of the property
- Clarification that fences "cannot exceed" 6 feet, rather than "shall be" 6 feet
- Best practices for fence installation from industry sources
- Any state building codes related to fence construction

Planning Update

Planner Rocci reported on the following items:

1. He is applying for a Division of Coastal Management Public Access Grant to rebuild the Memorial Park beach access walkway. The estimated cost is \$150,000.
2. The Pamlico Sound Hazard Mitigation Plan draft is available for review on the town website.
3. Bulk pickup is scheduled for April 29th.
4. An update on the Roosevelt Reserve project was provided, noting that the project engineer is working with the town's public services department on water line compliance.

Inspection Report

Planner Rocci provided the following inspection report for March:

- 17 building permits issued (total value \$518,900)
- 12 electrical permits
- 15 mechanical permits
- 4 plumbing permits
- 29 trade permits
- Total of 77 permits (total value \$709,034)
- 185 inspections performed by Jim Taylor

Planner Rocci mentioned that the town is looking to bring in additional help for inspections as part of the next budget proposal.

Commissioner's Report

Commissioner Durham reported that the Board of Commissioners is currently working on the budget.

Commissioner Cox raised a discussion about the use of the term "uniqueness" in town documents and budgeting. He suggested that the Planning Board and other committees should work on defining what makes Pine Knoll Shores unique, as this concept is frequently referenced but may lack a clear, agreed-upon definition. The committee agreed to discuss this further in upcoming subcommittee meetings.

Planning Board Annual Agenda

CAMA Land Use Plan Subcommittee

Vice Chair Powers reported that the subcommittee met last week and is working to define what needs to be included in the land use plan. They are aiming to have a draft ready for the next off-site meeting with the commissioners.

Pedestrian Planning Subcommittee

Member Atz reported that the subcommittee is addressing new challenges such as golf carts, electric scooters, and bikes that weren't issues when the last pedestrian plan was created 15 years ago. They are working on a vision statement and mission statement and will soon be identifying key issues. The committee is also considering the different needs of various parts of town and how to balance safety concerns with the town's unique character.

UDO Subcommittee

Planner Rocci reported that the subcommittee met last week to discuss the fence ordinance and issues with the critical root zone regulations in the UDO. They are working on language to address challenges with applying these standards to unique lots.

Announcements and Planning Board Members' Forum

The following announcements were made:

- Bulk pickup is scheduled for next Tuesday
- A volunteer appreciation event is scheduled for the 30th
- The next Pedestrian Master Plan subcommittee meeting is on May 21st
- Kayak for the Warrior events are coming up in June

Adjournment

A motion was made by Vice Chair Powers to adjourn with a second by Member Berry and passed unanimously.

Missy B. Shine, Town Clerk

Minutes created by Town Clerk Missy Shine with the use of HeyGov ClerkMinutes

TOWN OF PINE KNOLL SHORES

Planning Board



112 Salter Path Road Major Landscape Permit

ORIGINATING DEPARTMENT/INDIVIDUAL:

Planning and Inspections/Charles W. Rocci

Background:

Jordan Smith, the owner of 112 Salter Path Road, has submitted engineered design plans for a triplex at 112 Salter Path Road. This is a permitted use as the property was rezoned from Commercial to Mixed Use-2 back in October of 2024. As part of the Major Landscape review process, the planning board must review the town planner's determinations for code compliance and send a recommendation to the Board of Commissioners on if the plan should be approved or not. Denials must be submitted with a letter indicating the specific determinations which the planning board does not agree with the town planner.

Determinations:

Mixed Use -2 Restrictions:

Density Limit:

(A8) Single Family Attached: 12 units per acre - This project is 3 units on .46 acre, meeting the density requirement.

Impervious Coverage and Height:

(A8) Maximum 25% for buildings – Proposed impervious for building is **24.5%**

(A8) Maximum 40% for parking – Proposed Impervious for parking is **15.9%**

(A8) The Height of Buildings shall not exceed 50' – Proposed building Height is **48'**

Setbacks:

(A8) 50' from Salter Path Road Right of Way – **50' Proposed**

(A8) 10% Side – **10' Proposed**

(A8) 20' Rear – **20' Proposed**

(A8) HVAC and generators must be setback at least 6' from a side property line – **HVAC location is measured 6' offset from side property line.**

Stormwater Management:

(A19) 2" inch containment requirement for a 24 hour storm – **Proposed cumulative retainment volume of 1,440 CF of 1350.33 required.**

(A19) Applicant may use either natural or engineered stormwater solution certified by a North Carolina State Professional – **Applicant is proposing two retention basins on the sides of property and plan has been certified by a licensed North Carolina Engineer.**

TOWN OF PINE KNOLL SHORES

Planning Board



112 Salter Path Road Major Landscape Permit

(A19) Grade changes must not change the existing drainage patterns and move water onto adjacent properties more than what existed predevelopment – **The proposed development does not raise grade above the critical 3:1 slope which would trigger the requirement for retaining walls.**

Landscape Requirements:

(A11) Applicant must provide a vegetation planting plan which provides for a minimum of 3 trees per 1,000 square feet of pervious area on the property – **Applicant has proposed the planting of 34 trees to reach a total post construction density of 3.08 trees per 1,000 square feet of pervious area. Appearance Commission recommends spacing proposed trees in parking islands.**

Septic:

(A8) Septic System must be compliant with Carteret County Health Department regulations – **Applicant has received Carteret County Authorization to Construct.**

Recommendation:

Review my code determinations and verify that my interpretation of the regulations meet the requirements set in the Pine Knoll Shores development ordinance and other applicable codes. Recommend the proposed development be approved or denied by the Board of Commissioners at their June 11 meeting. If denied, please provide a letter to the Board of Commissioners with a list of potential code violations identified.



THE TOWN OF PINE KNOLL SHORES

100 Municipal Circle
Pine Knoll Shores, NC 28512
Telephone (252) 247-4353

MAJOR LANDSCAPE PERMIT APPLICATION

A Major Landscape Permit Application applies when there is a significant change in the topography of a lot that affects drainage, tree removal, and/or vistas of adjacent properties. This type permit shall be issued in conjunction with a Building Permit. Any proposed development shall make effective use of existing terrain and environment, preserve to the extent possible the maritime forest and shrubbery indigenous to the town and employ designs and materials that harmonize with the natural environment. Representatives of the Community Appearance Commission shall review a completed major landscape permit application and accompanying building permit application within 30 days of receipt by the town and either approve, approve with conditions, or disapprove. An approved or approved with conditions permit application shall be acted upon by the Planning Board following a site inspection and quasi-judicial hearing at its next scheduled meeting after all adjacent property owners have been given at least 14 days prior written notice sent registered mail return receipt. Approval of the application requires a Planning Board finding that:

- (1) No drainage adverse to adjacent properties (including streets) will result from altering the natural grade;
- (2) Vegetation will not be unduly destroyed;
- (3) Erosion will not result;
- (4) The vistas from other properties will not be unduly blocked by grade changes that may permit a taller structure to be constructed than on natural grade;
- (5) The resulting height of structures that will be permitted on the lot or tract as a result of grade changes will be compatible with the neighborhood; and
- (6) All requirements and standards of Chapter 74 of the Town's ordinances have been met.

A major landscape permit shall expire 90 days after issuance unless work authorized by the permit has started. If after commencement of work there is a work discontinuance for a period of twelve months, the major landscape permit and building permit shall immediately expire. No work authorized by any permit that has expired shall thereafter be performed until new permits are secured. The Town Manager may require, at the owner's expense, restoration of the property to its appearance before re-issuance of the now-expired permits. Removal of unauthorized trees may result in town fines and/or tree replacement requirements by owner.

Owner Applicant: Seaside Development Partners LLC, C/O Jordan Smith Phone: 252-367-1832

Address: 135 Hoop Pole Creek Dr, Atlantic Beach, NC 28512

E-mail: SmithRealtyNC@gmail.com

Authorized Agent: _____ Phone _____

Address: _____

E-mail: _____

Address of Project Location: 112 Salter Path Rd

Oceanfront Property _____ **Sound Front Property** _____ **Canal Front Property** _____

Description of Project (List all proposed construction and land disturbance): _____

Construct 3 unit townhouse, install septic system, driveways, pool and surround, stormwater basins (including necessary retaining walls <4' tall), grading, landscaping

Entity performing work:

Blue Sky Construction of Morehead City

Anticipated date of completion: Approx 12-16 months from start

NOTIFICATION OF ADJACENT PROPERTY OWNERS:

I furthermore certify that the following persons are owners of properties adjoining this property.

(Name)	(Address)	(Date of Notification)
(1) <u>Oak Level Properties LLC</u>	<u>114 Salter Path Rd</u>	_____
(2) <u>Sears PKS LLC</u>	<u>110 Salter Path Rd</u>	_____
(3) _____	_____	_____
(4) _____	_____	_____

Signature of Owner: *Jordan Smith* Date 05/13/2025

APPLICATION CHECKLIST

_____ Site Plan drawn to a scale of one inch = 20 feet to include:

- _____ Physical dimensions of lot
- _____ Current structures to include any building or anything constructed or erected requiring location on land including fences, swimming pools, driveways, and septic fields
- _____ Existing and proposed topography, clearly representing the extent of any grading, excavation, and fill
- _____ Proposed structures including driveways, swimming pools, and septic fields
- _____ The impervious surface area calculation after the improvements are made
- _____ Inventory of specimen trees, heritage trees, and other trees or groups of trees having trunks of six inches or greater, measured 3.5 feet above grade
- _____ Existing trees, shrubs, and other native plants proposed to be removed
- _____ Tree Preservation Plan to include:
 - _____ Trees to be disturbed
 - _____ Location of protective barriers (fencing three feet high, clearly marked with tape)
 - _____ Tunneling locations
- _____ The location and design of proposed landscape areas and varieties and sizes of plant materials to be planted, including the sizes and quantities of trees and shrubs
- _____ The tree density per 1,000 sq. ft. of pervious area, excluding septic field area, prior to development and the resulting tree density after development

_____ Engineered stormwater plan including certification from a professional engineer that normal and natural drainage patterns on adjacent properties (including streets) will not be changed and that the amount of stormwater runoff on or over adjacent properties (including streets) will not be increased.

_____ Building Permit Application

N/A _____ For Oceanfront Properties

- _____ Areas where existing dunes, swales, berms, maritime cover shall remain undisturbed
- _____ Plans for re-stabilizing and re-vegetating disturbed areas

APPROVALS

Community Appearance Commission (CAC) Site Inspection: _____ Date

CAC Site Photographs: _____ Date

CAC Action: _____ Approved _____ Disapproved _____ Approved with Conditions:

Date of CAC Action: _____ Signatures: 1. _____

2. _____

Planning Board Site (PB) Inspection: _____ Date

PB Action: _____ Approved _____ Disapproved _____ Approved with Conditions:

Date of PB Action: _____ Signatures: 1. _____

2. _____

Signature of Building Inspector: _____ Date: _____

ACTIONS UPON COMPLETION OF WORK REQUESTED IN MINOR LANDSCAPE PERMIT APPLICATION

CAC Site Photographs: _____ (Date)

Date of CAC Inspection: _____ Signatures: 1. _____

2. _____

Comments: _____

Date of PB Inspection: _____ Signatures: 1. _____

2. _____

Comments: _____

Certificate of Occupancy Issued: _____(Date)

TOWN OF PINE KNOLL SHORES SITE CALCULATIONS		
TOTAL LOT AREA =	20,085	SF
ZONE =	MF-2	
ALLOWABLE PERCENTAGE OF IMPERVIOUS AREA		
BUILDING =	25.00%	
PARKING/OTHER =	40.00%	
ALLOWABLE IMPERVIOUS AREA		
BUILDING =	5,021	SF
PARKING/OTHER =	8,034	SF
PROPOSED IMPERVIOUS AREAS		
BUILDING =	4,914	SF
CONCRETE DRIVEWAY/WALKWAYS =	3,188	SF
POOL =	592	SF
TOTAL =	8,694	SF
PERCENTAGE OF IMPERVIOUS AREA		
BUILDING =	24.47%	
PARKING/OTHER =	18.82%	
TOTAL =	43.29%	

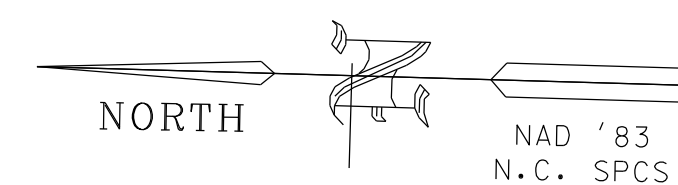
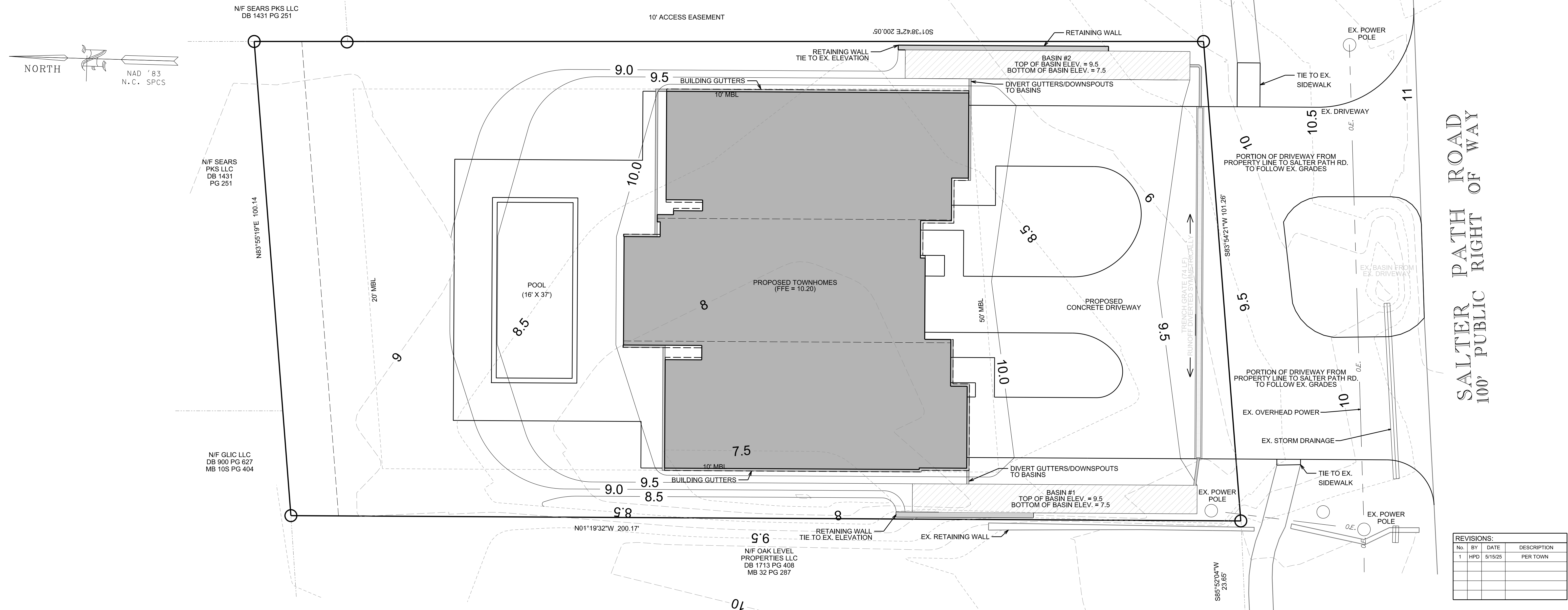
RETENTION BASIN		
PROPOSED AREAS DIVERTED TO BASIN		
BUILDING/DRIVEWAY =	8,102	SF
RUNOFF CONTAINMENT REQ. =	2.00	IN.
RUNOFF FROM PROPOSED AREA CONTAINMENT REQ. =	1,350.33	CF

STORAGE VOLUME CALCULATION TABLE - BASIN #1			
DEPTH (FT.)	WIDTH (FT.)	LENGTH (FT.)	CUMULATIVE VOLUME (CF)
2.00	6.00	60.00	720.00

STORAGE VOLUME CALCULATION TABLE - BASIN #2			
DEPTH (FT.)	WIDTH (FT.)	LENGTH (FT.)	CUMULATIVE VOLUME (CF)
2.00	6.00	60.00	720.00

TOTAL STORAGE VOLUME (CF)	1,440.00
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N/F SEARS PKS LLC
DB 1431 PG 251



NOTES

STORMWATER RUNOFF FROM THE PROPOSED BUILDING, DRIVEWAY, AND OTHER IMPERVIOUS AREAS IS TO BE DIVERTED EVENLY TO EACH BASIN.

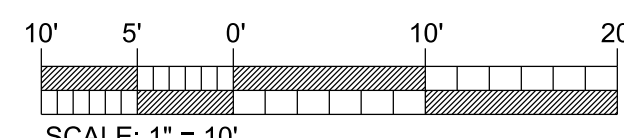
POOL DECKING MUST BE PERVIOUS AND IN ACCORDANCE WITH THE TOWN OF PINE KNOLL SHORES ORDINANCE.

ACTUAL POOL SURFACE IS ACCOUNTED FOR IN OVERALL SITE IMPERVIOUS AREA CALCULATIONS, BUT NOT IN STORMWATER RETENTION CALCULATIONS.

RETENTION BASINS ARE DESIGNED FOR ALL IMPERVIOUS AREAS WITHIN THE SITE, TOTAL STORAGE VOLUME (1,440 CF) EXCEEDS REQUIRED VOLUME (1,350 CF).

LEGEND

PROPOSED BUILDING	
PROPOSED DECKING	
PROPOSED CONCRETE	



REVISIONS:

No.	BY	DATE	DESCRIPTION
1	HPD	5/15/25	PER TOWN

GRADING/STORMWATER PLAN

112 SALTER PATH ROAD

PINE KNOLL SHORES TWP., CARTERET COUNTY, NORTH CAROLINA

CLIENT: SEASIDE DEVELOPMENT PARTNERS LLC
ADDRESS: 135 HOOP POLE CREEK DRIVE ATLANTIC BEACH, NC 28512
PHONE: (252) 367-1832

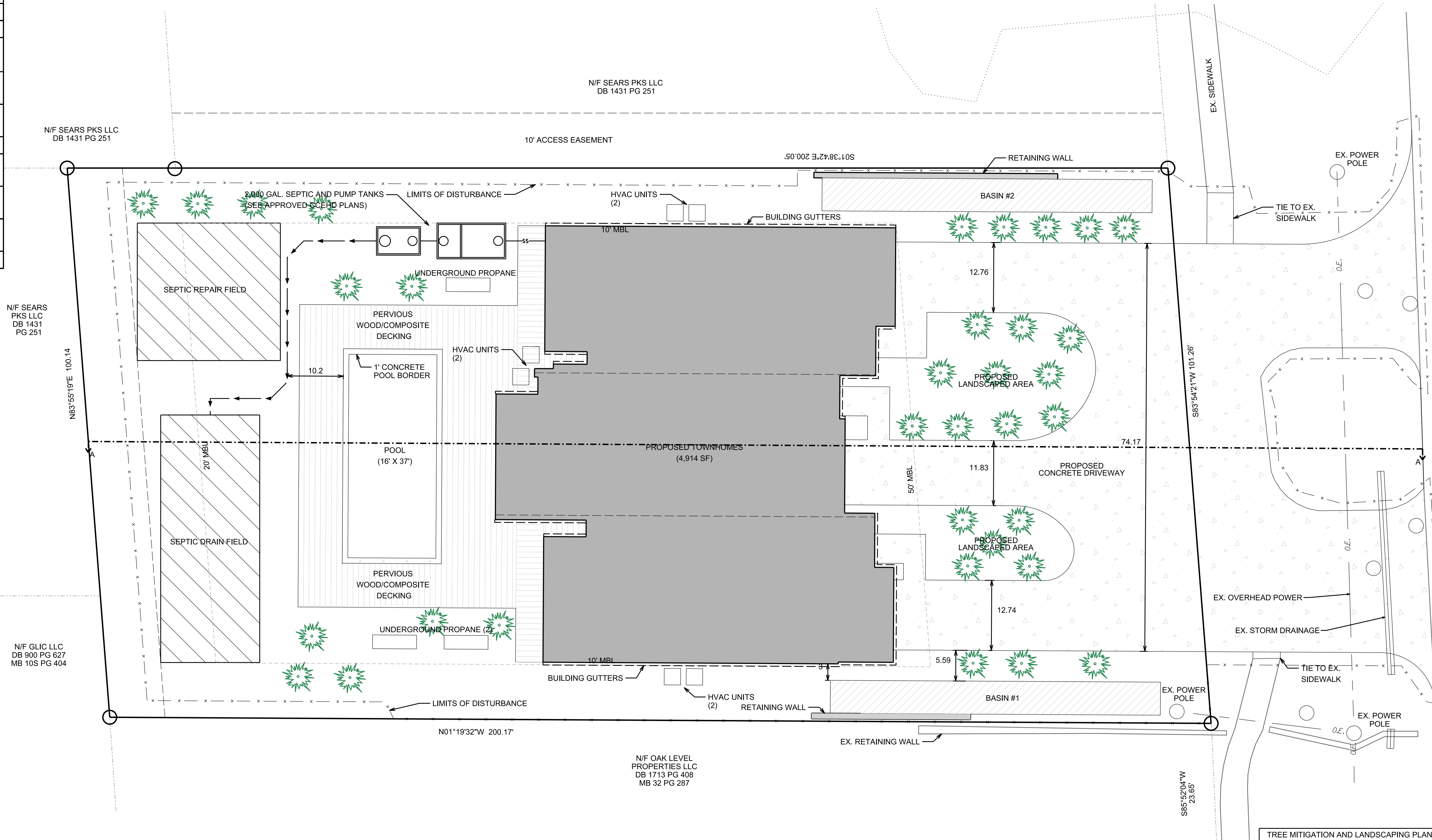
DESIGNED: HPD
DRAWN: HPD
CHECKED: CMC
APPROVED: CMC

THE CULLIPHER GROUP, P.A.
ENGINEERING & SURVEYING SERVICES
151A HIGHWAY 24
MOREHEAD CITY, N.C. 28557
(252) 773-0090 LICENSE NO. C-4482

PRELIMINARY: NOT FOR CONSTRUCTION
CHARLES M. CULLIPHER, P.E.

DATE: 5/12/2025
SCALE: 1" = 10'

TREE DENSITY CALCULATIONS		
LOT AREA =	20085	SF
PROPOSED AREAS		
HOUSE =	4,914	SF
DRIVEWAY =	3,188	SF
SEPTIC FIELD =	810	SF
SEPTIC TANKS =	122	SF
TOTAL TREE REMOVAL AREA =	9,034	SF
TOTAL EX. TREES =	0	
TREES TO BE REMOVED		
IN PROPOSED AREAS =	0	
IN YARD AREA =	0	
TREES TO REMAIN =	0	
TOWN OF PKS REQUIRES 3 TREES PER 1,000 SF OF PERVIOUS AREA		
TOTAL IMPERVIOUS AREA =	9,034	
TOTAL PERVIOUS AREA =	11,051	
REQUIRED TREES =	33.15	
NEW TREES TO BE PLANTED =	34	
TOTAL POST-DEV. TREE COUNT =	34	
TOTAL POST-DEV. TREE DENSITY =	3.08	
PER 1,000 SF OF PERVIOUS AREA		



SALTER PATH ROAD
100' PUBLIC RIGHT OF WAY

REVISIONS:			
No.	BY	DATE	DESCRIPTION
1	HPD	5/15/25	PER TOWN

LEGEND	
PROPOSED BUILDING	
PROPOSED DECKING	
PROPOSED CONCRETE	
PROPOSED LIMITS OF DISTURBANCE AREA = 0.51 AC	
DELINEATE IN THE FIELD WITH ORANGE SNOW FENCING	
PROPOSED NEW TREE - SPECIES TBD BY TOWN APPEARANCE COMMITTEE	

LANDSCAPING NOTES

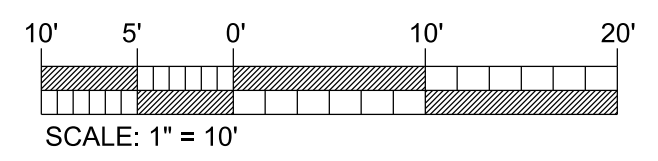
THERE ARE CURRENTLY NO EXISTING TREES PRESENT ON SITE.

SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH TOWN OF PINE KNOLL SHORES ORDINANCE.

SEE TOWN OF PINE KNOLL SHORES UNIFIED DEVELOPMENT ORDINANCE ARTICLE 11 SECTION 6 (J) FOR TREE MITIGATION REQUIREMENTS

PROPOSED TREE LOCATIONS ON PLAN ARE PRELIMINARY AND MAY CHANGE BEFORE INSTALLATION.

PROPOSED TREE LOCATION IS UP TO OWNER'S DISCRETION, AS LONG AS NUMBER OF TREES MEETS THE REQUIREMENTS IN THE TABLE ABOVE.



SHEET # 4.0 OF 5.0
PROJECT #: PM2245-021
DESIGN FILE #: 112 Salter Path Road.dgn

TREE MITIGATION AND LANDSCAPING PLAN

112 SALTER PATH ROAD

PINE KNOLL SHORES TWP., CARTERET COUNTY, NORTH CAROLINA

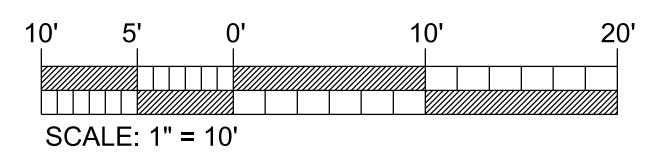
CLIENT: SEASIDE DEVELOPMENT PARTNERS LLC	DESIGNED: HPD
ADDRESS: 135 HOOP POLE CREEK DRIVE ATLANTIC BEACH, NC 28512	DRAWN: HPD
PHONE: (252) 367-1832	CHECKED: CMC
THE CULLIPHER GROUP, P.A. ENGINEERING & SURVEYING SERVICES 151A HIGHWAY 24 MOREHEAD CITY, N.C. 28557 (252) 773-0090 LICENSE NO. C-4482	APPROVED: CMC
PRELIMINARY: NOT FOR CONSTRUCTION CHARLES M. CULLIPHER, P.E.	DATE: 5/12/2025
	SCALE: 1" = 10'

NOTES
 HIGHEST POINT OF SITE ELEVATION = 10.20'
 LOWEST POINT OF SITE ELEVATION = 8.50'
 AVERAGE SITE ELEVATION = 9.35'
 MAX. ALLOWABLE BUILDING HEIGHT FROM AVG. ELEVATION = 50.00'
 MAX. ALLOWABLE TOP OF BUILDING ELEVATION = 59.35'
 BUILDING HEIGHT = 48.19'
 BUILDING HEIGHT FROM AVG. GRADE ELEVATION = 49.04'
 TOP OF BUILDING ELEVATION = 58.39'



REVISIONS:			
No.	BY	DATE	DESCRIPTION
1	HPD	5/15/25	PER TOWN

SHEET # 5.0 OF 5.0
 PROJECT #: PM2245-021
 DESIGN FILE #: 112 Salter Path Road.dgn



SECTION A-A

112 SALTER PATH ROAD

PINE KNOLL SHORES TWP., CARTERET COUNTY, NORTH CAROLINA

CLIENT: SEASIDE DEVELOPMENT PARTNERS LLC	DESIGNED: HPD
ADDRESS: 135 HOOP POLE CREEK DRIVE ATLANTIC BEACH, NC 28512	DRAWN: HPD
PHONE: (252) 367-1832	CHECKED: CMC
THE CULLIPHER GROUP, P.A. ENGINEERING & SURVEYING SERVICES 151A HIGHWAY 24 MOREHEAD CITY, N.C. 28557 (252) 773-0090	APPROVED: CMC
PRELIMINARY: NOT FOR CONSTRUCTION CHARLES M. CULLIPHER, P.E.	DATE: 5/12/2025 SCALE: 1" = 10'

TOWN OF PINE KNOLL SHORES

To: Chairman Tripplett and members of the Pine Knoll Shores Planning Board

From: Charles W. Rocci

Memo on Fence Height Ordinance Amendment

ORIGINATING DEPARTMENT/INDIVIDUAL:

Planning and Inspections/Charles W. Rocci

TOPIC OF DISCUSSION:

UDO Fence Height Ordinance Amendment

BRIEF SUMMARY:

At the April 22nd Planning Board Meeting, I presented an ordinance amendment to allow fences 6' in height above adjacent grade differing from the current 5' requirement. The amendment was sent back for further review to consider additional building code restrictions for pile supported fences, concerns relating to the flood ordinance, the availability of 5' versus 6' fences, clarify in the language that fences are not required to be 6', and to modify the language to require the unfinished side to be on the interior of the fence. This memo will address each of those points.

Building Code Restrictions

North Carolina state building code exempts all fences from any building code requirements. This was verified by Jim Taylor, the town's building inspector.

Flooding Concerns

A 2020 NFIP Technical Bulletin provided guidance that fences could potentially cause flooding concerns if installed without openings (attached). However, fences in the floodplain do not require floodplain development permits and fences can be easily modified if an issue is identified. I did not find evidence to suggest that raising the fence height would have any impact on flooding but would monitor it on a case-by-case basis.

Fence Availability

I decided to look towards home improvement stores instead of fencing contractors to address this question since Lowes Home Improvement would likely be the biggest supplier for fences in Pine Knoll Shores. I've attached a screenshot from their website which shows that they only provide fences in 4' and 6' increments.

Language Amended

The amended language clarifies that fences can be up to 6' in the rear yard and that the unfinished side shall be on the interior.

TOWN OF PINE KNOLL SHORES

To: Chairman Tripplett and members of the Pine Knoll Shores Planning Board

From: Charles W. Rocci

Memo on Fence Height Ordinance Amendment

Recommendation:

Please review the attached draft ordinance amendment, and Land Use Plan/Strategic Plan consistency statement prior to the May 27th Planning Board meeting. Be prepared to bring comments on the text and reasoning for consideration before the ordinance is sent to the Board of Commissioners for public hearing.

Attachments

Draft Fence Ordinance Amendment

CAMA Land Use Plan and Strategic Consistency Statement

Lowes Home Improvement Website Printout

NFIP Technical Bulletin on Fences

TOWN OF PINE KNOLL SHORES

An Ordinance to Revise the Residential Fence height restrictions

WHEREAS, N.C.G.S. § 160D-702 authorizes local governments to adopt zoning regulations which regulate the development standards for properties for the purpose of promoting the health, safety, morals, or general welfare of the community, and

WHEREAS, N.C.G.S. § 160D-702 authorizes those zoning regulations to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lots that may be occupied; the size of yards, courts, and other open spaces; the density of population; the location and use of buildings, structures, and land, and

WHEREAS, The Town's Strategic Area "Managing Growth" states the objective to emphasize the uniqueness of Pine Knoll Shores in development, redevelopment, and regional government forums, and

WHEREAS, the Town's CAMA Land Use Plan policy objective 1 states that the town supports recreational-related developments that protect and preserve the natural environment while promoting the Town as a vacation destination while consistent with the residential nature of the town, and

WHEREAS, the Board of Commissioners has conducted a public hearing; and

WHEREAS, as a consistency statement required by G.S. 160D-605, the Board of Commissioners has been adopted; and

WHEREAS, the Board of Commissioners finds the provisions of this ordinance to be in the public interest.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Pine Shores as follows:

Part 2

The Town Clerk is authorized to insert the applicable provisions of Parts 1 through 5 hereof into the Town Code and re-number or re-letter such provisions as necessary to conform the same to the standards of the code.

2.12-2 Fences and Walls. Fences and walls meeting the requirements of Section 2.9 are permitted in all districts in accordance with the following specifications:

(A.) A zoning permit issued by the *Planning Administrator* shall be required for all fences and walls. The process for obtaining a zoning permit is set forth in

Article 7 of this Ordinance.

(B.) In all districts a fence or wall in the established ~~front yard, side yard, and rear yard~~ of a building abutting a street shall ~~be a maximum of not be higher than 5 6~~ feet in height in measured from adjacent grade, unless otherwise regulated by the building or lot type standards. ~~Fences along interior side property lines in all districts shall not exceed 5 feet in height in front of a line parallel to the front of the principal structure on the lot. Fences between the street right of way and principal structure shall not be higher than 5' measured from adjacent grade. Fences shall be installed so that the more finished side faces adjacent properties or rights-of-way, with the structural or less finished side oriented toward the interior of the lot. Decorative caps or spires that extend above the highest horizontal member of the fence shall not be included in the measurement of height.~~ Chain link, welded wire, or similar fencing materials, if used, shall not be placed between the street right of way and principal structure. ~~shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood or vinyl fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability. (For example, a 4' high welded wire fence attached to the interior of a decorative split rail fence or board farm fence of equal height or greater would perform to the standards of this section).~~

(C.) Fences shall not be erected over easements such as, but not limited to, access easements, utility easements, drainage easements, or any other public easement, without the explicit approval of the Town. If fences or other barriers are allowed to cross such easements, the *Planning Administrator* may require the installer or landowner to install gates or other access points per standards and specifications set by the Town to ensure access to such easements in the future as necessary and to minimize damage to private property.

Part3

This ordinance is effective upon adoption.

Adopted on motion of commissioner _____, seconded by commissioner _____, and carried on a vote of _____ in favor and _____ against.

This the _____ day of _____, 2025.

[3]

By: _____
Mayor

ATTEST: _____
Town Clerk

Fence Height Ordinance Plan Consistency & Reasonableness Statement

Motion:

Move that the amendment to Article 2 of the Pine Knoll Shores Unified Development Ordinance pertaining to fence height without conflicting zoning designations are in the public's interest. The Town's 2015 CAMA Land Use Plan and Strategic Plan has the following polices:

“LUC 7. The Town will rely on its existing land use and development ordinances to regulate development.”

“LUC 7.1. “The Town will review its existing ordinances periodically to ensure consistency with this and other adopted plans.”

“Strategic Plan: Managing Growth - Objective 3, Emphasize the uniqueness of PKS in development, redevelopment, and regional government forums.”

“Strategic Plan: Managing Growth - Objective 4, Implement and enforce the town's Unified Development Ordinance by ensuring adequate fiscal and personnel resources.”.

“Strategic Plan: Sense of Community - Objective 5: Improve the awareness of the community's uniqueness and opportunities for engagement and volunteerism.

The proposed ordinance amendment represents a change to the current practice of enforcing 5' fence height measured at adjacent grade except for conflicting uses such as screening dumpsters. All other current development regulations and standards will remain in effect and will not be changed by the amendment. Therefore, the amendment is consistent with the spirit and intent of the Land Use Plan since it furthers the above noted policies found in the Plan and is in the public's interest. Additionally, the amendments are consistent with the Town's Strategic Plan as noted above and are in the public's interest.

TOWN OF PINE KNOLL SHORES

Planning Board



Department Activity for the Month of May 2025

ORIGINATING DEPARTMENT/INDIVIDUAL:

Planning and Inspections/Charles W. Rocci

PLANNING TOPICS:

- Pine Knoll Shores will host a Carteret County Comprehensive Transportation Plan workshop at town hall on Thursday, May 15 at 5:30pm in the Betty Carr Board Room.
- I have submitted a grant application to the Division of Coastal Management to replace the Memorial Park Beach Access. Given the extent of the project, the Clamdigger repair was removed from the application to make the application more competitive. The proposed grant value is \$103,000. With a total estimated project cost of \$130,000.
- Planning Board has been moving forward with CAMA Land Use Plan, Pedestrian Planning, and UDO Review subcommittees.
- Arendall Engineers have submitted their waterline plan to connect to the town's water system. They will wait for state approval before moving forward with construction.
- The Planning Board will review the proposed fence ordinance amendment with comments that they've raised at their April meeting. The Board of Commissioners should expect to hold a public hearing at their June meeting.
- I will take the Certified Floodplain Manager Exam at the September 12, North Carolina Association of Floodplain Managers Conference in Cherokee, North Carolina.

BUILDING INSPECTOR REPORT:

14 Building Permits	\$518,900
14 Electrical Permits	\$11,032
18 Mechanical Permits	\$175,740
1 Plumbing Permit	\$1,200
19 Tree Removal Permits	\$0
59 Total Permits	\$593,460

Jim Taylor performed 173 Inspections.