

RIVER BEND PLANNING BOARD

Agenda – November 04, 2021 at 6:00pm

I. CALL TO ORDER – *Egon Lippert*

We welcome our visitors. A copy of the agenda is available. If you want to address the board with general comments you have the opportunity after the approval of the minutes. For comments or questions regarding a specific agenda item, please address the board as the item comes up.

II. APPROVAL OF LAST MEETING MINUTES – *Allison McCollum*

III. GENERAL VISITOR COMMENTS

IV. REPORTS

- a. Summary of permits issued – *Allison McCollum*
- b. Town Council Update – *Buddy Sheffield*

V. OLD BUSINESS – *All*

- a. None at this time

VI. NEW BUSINESS – *All*

- a. Review proposed changes to the ‘Fence Ordinance’.
- b. Review minor text update, to comply with statute, in ‘Minimum Building size’ requirements.
- c. Elect Vice Chairperson.

VII. OTHER – *All*

- a. Next meeting is scheduled for **December 02, 2021 at 6:00pm**– *All*

VIII. CALL FOR ADJOURNMENT - *All*

Town of River Bend Planning Board

Minutes for Regular Meeting – 2 September 2021 – River Bend Municipal Building

Board Members present: Chairman Egon Lippert, Keith Boulware, Linda Cummings, Kathleen Fleming, Bob Kohn, Kelly Latimer

Board Members absent: Kelly Forrest

Others present: Councilman Buddy Sheffield, Town Manager Delane Jackson, Assistant Zoning Administrator Allison McCollum, ETJ Property Owners Mr. Tom Norville and Mrs. Jean Norville

Call to Order

The regularly scheduled Planning Board meeting was called to Order at 6:02 PM on Thursday, 2 September 2021, in the River Bend Municipal Building meeting room with a quorum present.

1. Approval of 6 May 2021 Regular Meeting Minutes

The Board reviewed the Minutes of the 6 May 2021 Regular Meeting. **Motion** was made by Board Member Keith Boulware to accept the Minutes as presented. Motion was **seconded** by Board Member Bob Kohn. **Motion carried unanimously.**

2. General Visitor Comments

Mr. Tom Norville addressed the Board regarding the fence on his property (4940 US Hwy 17 S, located in the River Bend ETJ) and his dissatisfaction with the Town's current fence ordinance. He asked the Board to consider revising the ordinance to differentiate between commercial and residential properties.

Several Planning Board members and Councilman Buddy Sheffield asked Mr. Norville follow-up questions. Chairman Lippert thanked Mr. Norville for his comments and said the Planning Board would review the ordinance and address his comments at the next regular meeting in October.

3. Reports

a. Zoning Report

AZA Allison McCollum presented the Board with a typed report summarizing the number of permits issued, the type of permit issued, and the total of all permit fees for the months of May, June, July, and August 2021. The members of the Board reviewed the report and asked questions as needed.

b. Council Report

Councilman Buddy Sheffield addressed the Board and verbally reviewed the most recent actions of the Town Council. The members of the Planning Board asked questions as needed.

4. Old Business

a. NC General Statues Chapter 160D

The Planning Board was given a draft copy of further proposed updates to Chapter 15 prior to the meeting. The Board reviewed the draft and asked questions as necessary. No changes were made to the draft. **Motion** was made by Board Member Keith Boulware to recommend to the Town Council the revisions of Chapter 15: Land Usage to incorporate the required language prescribed by the North Carolina General Assembly. Motion was **seconded** by Board Member Bob Kohn. **Motion carried unanimously.** The consistency statement was signed by Chairman Egon Lippert and witnessed by Secretary Allison McCollum.

5. New Business

a. Planning Board Ordinance - §3.05.035 - §3.05.039

Councilman Buddy Sheffield presented the proposed amendment and asked if the Planning Board had any comments or suggestions. The members of the Planning Board asked questions as needed; no changes were suggested. **Motion** was made by Board Member Keith Boulware to accept the revised ordinance as presented by the Town Council. Motion was **seconded** by Board Member Kathleen Fleming. **Motion carried unanimously.**

6. Other

The Planning Board briefly discussed the fence ordinance issue that was presented during the General Visitor Comment section of the meeting. Town Manager Delane Jackson answered general questions about the ordinance. The Planning Board asked that Town Manager Delane Jackson and AZA Allison McCollum prepare options for the Board to consider at next month's meeting.

The next regular meeting is scheduled for Thursday, 7 October 2021 at 6pm.

7. Adjournment

Motion was made by Board Member Keith Boulware to adjourn the meeting. Motion was **seconded** by Board Member Bob Kohn. **Motion carried unanimously** and the meeting adjourned at 6:50 PM.



TOWN OF RIVER BEND

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September 2021

Permit Type	Total Issued	Total Project Cost
Res. Zoning	4	\$63,295.35
Flood	2	\$314,520.00

The total amount of permit fees collected for September 2021 is **\$693.20**

October 2021

Permit Type	Total Issued	Total Project Cost
CAMA	1	\$4,365.00
Res. Zoning	10	\$117,950.00
Flood	7	\$139,950.00

The total amount of permit fees collected for October 2021 is **\$838.40**

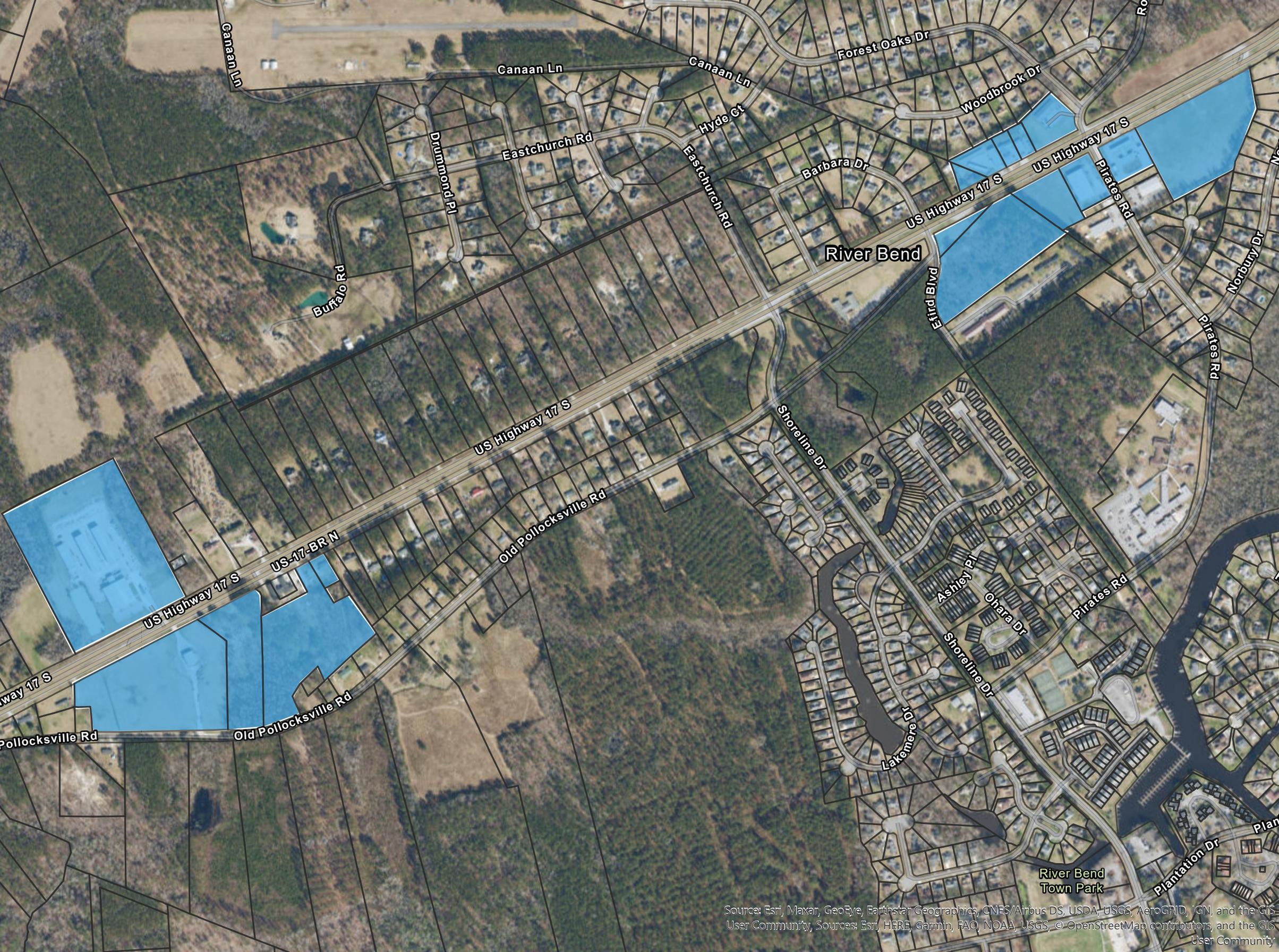
§ 15.02.062 FENCES AND WALLS.

The purpose and intent of this section is to recognize that fences and/or walls serve legitimate private and public uses including but not limited to security and creating visual buffers between properties. These regulations are intended to establish standards that maximize the effectiveness of the fencing while preserving the views and safety of motorists, adjacent property owners and the public in general.

- A. A fence or wall, unless otherwise stated, hereinafter referred to as fence, is defined as a freestanding, vertical structure, constructed of man-made or natural materials, or a combination thereof. While it may accomplish the same objective as a man-made fence, living vegetative materials such as trees and shrubs are not considered a fence that requires a permit.
- B. A fence may provide any or all of the following: indicate a boundary; provide a barrier, ~~(either physical or visual)~~; protect property; provide privacy; serve as an enclosure; control erosion or provide stability, ~~(such as is accomplished with a retaining wall)~~; create a landscaping or ornamental effect.
- C. Fences are a permitted use in all zoning districts, provided that:
 1. No fences shall be allowed in any front yard, except where specifically authorized herein.
 2. Fences shall be limited to six (~~6~~7) feet in height within any side or rear yard.
 3. Fences shall be constructed of wood, brick, vinyl, ornamental iron or metal railing, chain link or stone. The exposed framing of each section of fence shall face the interior yard or property, e.g. the finished side shall face out.
 4. The owner of the property on which the fence is located is required to maintain the fence in a safe condition and plumb (vertical) to the ground. For fences erected close to a property line, fence owners are advised to consider future access to the exterior side of the fence for maintenance.
 5. Retaining walls over five (5) feet in height shall be designed and constructed under the responsible charge of a NC registered professional engineer.
 6. Fences built in conjunction with electric or gas substations, public works facilities, public recreation facilities or other similar uses shall not exceed ten (10) feet in height without specific approval of the Town Manager. Fences of this type may be located within front yards with approval of the Town Manager.
 7. No fence shall be constructed within or upon any street right-of-way. In addition, no fence shall be constructed within ten (10) feet of any street pavement.
 8. No fence or wall shall alter or impede the natural flow of water in any stream, creek, drainage swale, ditch or similar drainage feature.
 9. ~~The exposed framing of each section of fence shall face the interior yard or property, e.g. the finished side shall face out.~~ Fences made of mesh-type material, which may be easily trimmed/cut with scissors and used as a means to protect vegetation from animals may be located within front yards, provided it does not exceed six (6) feet in height or encompass more than 225 square feet (cumulatively) of the front yard.
 10. In residential zoning districts, fences shall not be constructed of material which may be dangerous or hazardous to the public, such as barbed or razor wire or other similar materials except in association with those uses permitted as a special use.

11. Fences constructed on or over utility easements are subject to be removed at the owner's expense subject to the terms of the easement.
12. Nothing in this section shall prevent the installation of temporary fences related to construction sites or sediment and erosion control. Temporary fences shall be removed within ten (10) days of the issuance of a certificate of zoning compliance for the project. ~~For projects that do not require a zoning permit, temporary~~ Temporary fences must be removed within (90) days of their installation. A temporary permit may be extended for thirty (30) days.
13. It is the responsibility of the fence owner to insure that the fence is installed on their property.
- ~~13.~~14. Non-opaque fences may be located in the front yard of a lot zoned Business (BD), provided that the lot has a minimum of 100 feet of uninterrupted road frontage with a road maintained by the North Carolina Department of Transportation.
- ~~14.~~15. A zoning permit is required for the installation of any fence, except for the mesh-type fences described in Item 9, above.

Amended 09/21/17



Canaan Ln

Canaan Ln

Canaan Ln

Forest Oaks Dr

Woodbrook Dr

Drummond Pl

Eastchurch Rd

Hyde Ct

Eastchurch Rd

Barbara Dr

US Highway 17 S

US Highway 17 S

Pirates Rd

Buffalo Rd

River Bend

E 17th Blvd

Norbury Dr

Pirates Rd

US Highway 17 S

Shoreline Dr

US Highway 17 S

US-17-BR N

Old Pollocksville Rd

way 17 S

Pollocksville Rd

Old Pollocksville Rd

Ashley Pl

Ohara Dr

Pirates Rd

Lakemere Dr

Shoreline Dr

River Bend
Town Park

Plantation Dr

§ 15.02.047 DISTRICT REQUIREMENTS.

For convenience in the administration of this chapter, there is hereby established and made a part of this chapter the following schedule for the several districts setting forth minimum limitations and requirements. The requirements listed for each district as designated are subject to all provisions of this chapter and, unless otherwise indicated, shall be deemed to be the minimum requirements in every instance of their application.

<i>Schedule of District Requirements</i>										
	R-20	R-20A	R-15	PDR-MF	PDR-SF	ID	BD	WP	AGR	PD-BD
Min. Lot Area (SF)	20,000	20,000	15,000	-	6,500	20,000	20,000	-	-	20,000
District Size	-	-	-	5 acres	10 acres	-	-	-	-	4 acres
Density	-	-	-	*	†	-	‡	-	-	‡
Min. Front Lot Line (FT)	90**	90**	85**	50††	50††	-	100	-	-	100
Min. Bldg. Set Back (FT)	30	30	30	25	25	40	40	-	-	40
Min. Side Yard (FT)										
Main Building	10	10	10	10	10	10	10	-	-	10
Accessory Building	5	5	5	5	5	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Min. Rear Yard (FT)										
Main Building	15	15	15	15	15	10	20	-	-	20
Accessory Building	10	10	10	10	10	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Floor Area (SF)										

Schedule of District Requirements										
	R-20	R-20A	R-15	PDR-MF	PDR-SF	ID	BD	WP	AGR	PD-BD
Main Building (Min. Heated)	1,800	1,450	1,250	-	1,150	1,500	1,500	-	-	2,150
Individual Unit	-	-	-	1,075	-	-	-	-	-	1,500
Accessory Building	PLEASE REFERENCE CHART IN §15.02.061									
Max. Lot Coverage by Bldg. (%)	24	24	24	24	30	24	24	-	-	24
Max. Height (FT)										
Main Building	34	34	34	34	34	34	34	-	-	34
Accessory Building	The lesser of 18 FT or one (1) story									
CAMA and FEMA setbacks, if applicable, take priority to Town designated setbacks.										
*Density – PDR-MF – No more than 6.5 dwelling units per acre. †Density – PDR-SF – No more than 4 dwelling units per acre. ‡Density – BD, PD-BD – Nor more than 4 business units per acre. **Min. Front Lot Line – R-20, R-20A, R-15 – 40 FT on cul-de-sac. ††Min. Front Lot Line – PDR-MF, PDR-SF – 25 FT on cul-de-sac.										

Penalty, see § 1.01.999

Amended 11/15/2018