



Town of Oak Island

Brunswick County, NC

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 December 14, 2017 • 10:30 AM Town Hall • Council Chambers

I. START-UP

1. **Call to Order:**
2. **Additions or corrections to the agenda**
3. **Approval of the Minutes:** (11-16-17)
4. **Public Comment:** Please state your name and address for the record.

II. OLD BUSINESS

III. NEW BUSINESS

1. **The Palms – Conditional Use Permit**
2. **Commercial Driveways - Text Amendment**

IV. REPORTS/UPDATES

1. **Board Member Reports**
2. **Staff Reports** – Yearly report
3. **Updates from Council Meeting** – Fences and Secondary Dune Text Amendment

V. OTHER

Future Meetings: January 18, 2018
Adjournment

4601 E. Oak Island Drive • Oak Island, North Carolina 28465
Phone: (910) 278-5011 • Fax: (910) 278-1711 • Website: www.oakislandnc.com

MINUTES
PLANNING BOARD
NOVEMBER 16, 2017 – 10:30 A.M.
COUNCIL CHAMBERS – TOWN HALL

Present: Chairman Denise Pacula, Vice-chairman Bob Carpenter, members Cathy Bowes, Bob Germaine, Mike Defeo, Clay Jenkins, and Willie Williams, Planning and Zoning Coordinator Jake Vares and Assistant Manager/Town Clerk Lisa P. Stites.

There were no changes to the agenda. **Mr. Jenkins made a motion to approve the October 19, 2017 Minutes. Mr. Germaine seconded the motion and it passed unanimously.**

Public Comments: none

Old Business: none

New Business:

Fences Text Amendment: Mr. Vares explained the issue, saying that for corner lots, fences can only be 4-feet high on the long side, which is the side yard. What is proposed is to allow that length of fence to be 6 feet high. Ms. Bowes said she was concerned about safety, and questioned the effect on the sight lines and the ability of people to see around it. Mr. Jenkins said that it would be 20 feet from the pavement, as the property lines does not go to the pavement. Mr. Vares explained the rules for sight lines and drew an example lot. Ms. Bowes and Mr. Carpenter discussed the speed of vehicles and the potential safety problems of allowing a taller fence. Mr. Vares said that if the Board members think this is bad idea, they can vote against it. Ms. Bowes and Mr. Carpenter said they were concerned about safety and that this amendment would affect so many lots. Chairman Pacula said she was concerned because the lot used for an example in the packet was actually four separate lots, and if the lots were later sold, there would be a 6-foot fence on the front of the lot. Mr. Vares said that if it was allowed when it was permitted, it would become a non-conforming use. Mr. Jenkins said he was in favor of this amendment but that now he agreed the potential non-conforming use issue was a concern. Mr. Williams said that he was not in favor of creating “compounds.”

Mr. Carpenter made a motion to not recommend this text amendment and that it was not consistent with the CAMA Land Use Plan. Ms. Bowes seconded and the motion passed unanimously.

Secondary Dunes: Mr. Vares explained that the primary purpose of the text amendment was to add some clarification and to establish some standards. He reviewed the proposed changes. He also highlighted proposed amendments to Sec. 14-147, though he said he would now recommend not including the words “via a variance.”

Chairman Pacula said that she owned property that could be affected by this action and that she thought she should be recused. **Mr. Williams made a motion to recuse Chairman Pacula. Mr. Defeo seconded the motion and it passed unanimously.**

Mr. Germaine said there were not really dunes on sections of the beach.

Mr. Carpenter asked what the text amendment would actually do. Mr. Vares said that it would remove some ambiguous language, and would provide an option for working around the secondary dune as long as certain conditions were met. Ms. Bowes suggested adding “Private” before “access” in 14-145. The word “Mitigation” will be removed from the paragraph in 14-147. The phrase “via a variance” will also

be removed from 14-129(h). There is a typo in 18-82(r) which Mr. Vares will fix. In 14-121, the word “or” needs to be removed in the second line of the definition for Secondary dune. Mr. Jenkins asked about what happens after beach nourishment, and wondered if these rules would actually discourage people from having secondary dunes. Mr. Vares said that he thought it would depend on the circumstances. Someone selling a house may want the secondary dune as it could help the value, whereas someone who wants to install a pool may not want a secondary dune.

Mr. Edwards clarified that the 5-foot requirement refers to the adjacent grade. Mr. Jenkins asked if setting a specific height would hinder staff. Mr. Edwards said that the CAMA definition for frontal dune is the first mound of sand with vegetation on it. For the secondary dune, there have to be parameters to work with. He said if the goal is offering protection, then what we define as a secondary dune should offer some protection. Mr. Edwards and the Board had additional discussion about what dune height would be appropriate. Mr. Jenkins said that he would support 5 feet if that’s the number staff felt could be enforced. Mr. Germaine said that he thinks it should be more restrictive to allow for more protection. The Board and Ms. Royal had additional discussion about the level of protection various height dunes could offer.

Ms. Bowes made a motion to adopt the proposed amendment, setting the height of the secondary dune at 2 feet. The motion died for a lack of second.

Mr. Jenkins made a motion to adopt the proposed amendments, including the changes discussed today (adding “Private” before “access” in 14-145, removing the word “Mitigation” from the paragraph in 14-147, removing the phrase “via a variance” from 14-129(h), fixing a typo in 18-82(r), and removing the word “or” in the second line of the definition for Secondary dune in 14-121) and that we reduce the number to 3 for height in 14-121). Mr. Defeo seconded the motion and it passed unanimously. Mr. Vares clarified that the motion also includes measuring from “adjacent grade.”

Staff Reports:

The December Planning Board meeting will be the 14th instead of the 21st.

There will be a workshop scheduled for Council to begin review of the draft UDO.

Mr. Germaine made a motion to adjourn at 11:28 a.m. Mr. Jenkins seconded the motion and the motion passed unanimously.

Denise Pacula, Chairman

Attested: _____

Lisa P. Stites, CMC
Assistant Manager/Town Clerk

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

Agenda Item: New Business Number 2

Date: November 29, 2017



Issue: Conditional Use Permit Application

Department: Planning & Zoning Administrator

Presented by: Jake Vares

Presentation: None

Estimated Time for Discussion: 35 Minutes

Subject Summary:

The applicant is applying for a Conditional Use Permit (CUP) in order to have a modification approved to the existing unfinished development known as The Palms located by SE 58th Street; PIN number 207505192307 and 207505193287. Additionally the applicant is also applying to have an existing standard be waived that requires 15 unassigned common parking spaces for visitors be provided. The CUP is being applied for by the property owner. The applicant currently has condominiums at the site and wishes to have single family residential built at the unfinished portion of the project, see attached site-plan survey and general site map. The site is within the CR (Commercial Recreation) zoning district where single-family residential structures are permitted as long as the R-6A (residential) zoning district standards for residential development are met. The table of uses (Sec.18-111) codifies the allowance for single-family dwelling, see the attached ordinance excerpt.

The project was originally approved with a CUP by Town Council in October 2004 with some conditions, which have mostly been met. The reason the applicant needs to come before the town boards for approval once again when a CUP was already issued for this project is because the applicant is proposing a modification to the project that is different than what was originally approved by the Town Council. As mentioned before there is an existing conditions still in place that has not been met yet and must still be met. The applicant claims that condition of the additional parking is not feasible and compatible with the proposed revision that is before you. That is one of the reasons the CUP modification is before the board for review. As our ordinance is currently written, only the Town Council, which originally approved the development, has the authority to approve a revision such as this. It is changing the nature of the land use which triggers the need for a new CUP, not the subdivision/property layout. A CUP approves the use, not the subdivision, so the applicant will still need to undergo the minor subdivision process when or if that time comes to implement the proposed changes shown in the site-plan survey.

Given that the earlier phases received their Certificate of Occupancy (CO), the application has a vested right and an obligation to finish the project as was originally approved; unless Town Council grants a CUP revision. The layout proposed in the site-plan survey is compliant with the dimensional standards in the zoning ordinance. The existing condition(s) can be re-evaluated

upon review of a revised CUP. The applicant is requesting that the existing parking condition that was attached to the original CUP approval be removed as they are no longer compatible with the proposed CUP revision request. The CUP conditions have to be satisfied unless the Council votes to change it via this new CUP application.

Given that this is for a Conditional Use Permit, even though it is an informal review it is a best practice to not discuss this agenda item outside of the meeting, either with the applicant, with one-another, or the public. This is a way to ensure fairness to the applicant and any other interested party by having all the discussion take place in the open at the meeting. The Town Council is required to follow those same restrictions as well. If anyone has a direct or potential financial interest in this proposed project then they should recuse themselves.

The Court of Appeals approved the use of four fairly general standards for considering and approving Conditional Use Permits: (1) does not materially endanger the public health or safety, (2) does not meet all required conditions and specifications, (3) will not substantially injure the value of adjoining property, and (4) will be in harmony with the area in which it is located and be in general conformity with the comprehensive plan. This is also the criteria codified in the Town of Oak Island zoning ordinance that is to be reviewed when deciding to approve a CUP. With Conditional Use Permits the applicant has the burden of presenting sufficient evidence that an application meets the standards of the ordinance. Furthermore, the burden of proof that the Conditional Use Permit application meets the four standards outlined above rests with the applicant. Only the standards actually listed in the ordinance may be used as a basis for denial if such denial is predicated on the fact that all the required standards could not be met.

Traditionally, this is a quasi-judicial decision and carries with it a separate, more officious operating procedure. The Planning Board review of this application is not a quasi-judicial hearing. After the Planning Board meeting the CUP must be approved by the Town Council in a quasi-judicial hearing. The Planning Board recommendations should be based only on substantial evidence that can properly be presented to the decision-making board. A planning board recommendation based on irrelevant evidence is not only legally useless, it can also mislead the parties and the decision-making board. The Planning Board needs to focus on the standards set out in the ordinance for a Conditional Use Permit and how those standards apply to the particular application. The recommendation needs to be based on these standards, not members' personal opinions or public popularity or opposition to the proposal. Comments and suggestions on how the project does or does not meet a particular standard can contribute to the Town Council discussion and consideration of those points, while a simple conclusory statement that the Planning Board recommends approval or denial is of little value. Some considerations to take into account are the health & safety of the public, potential injury to adjacent property values, undue concern to the neighbors, and the use will be in harmony with area. The Planning Board will need a quorum to vote and a simple majority is all that is needed to pass a vote. Only expert testimony is supposed to be considered. The Conditional Use Permit recommendation can be for denial, approval, or approval with recommended conditions.

Attachments: Ordinance excerpt, CUP application, Applicant narrative, Site-plan survey, site area map

Recommendation/Action Needed: Recommendation to Town Council to approve, deny, or approve with conditions

Planning Board Recommendation/Recommended Conditions: _____

Follow Up Action Needed: Inform applicant, forward recommendation to Town Council

Attachments:

Sec. 18-111. - CR commercial recreation district.

(a) *Purpose.* The purpose of this CR recreation district shall be to provide for, protect, and encourage a grouping of beachfront enterprises providing accommodations and recreation to persons wishing to lodge near the strand or participate in the various water sports available to them.

(b) *Density.* Density regulations in the CR district are as follows: See area and height table, section 18-117.

(c) *Buffering required.* Wherever a CR district lot abuts a residential district, a buffer as described in division 10 of this article shall be required when the lot is developed or placed in use.

(d) *Single-family dwellings in the CR zone.* Single-family dwellings constructed in the CR zone shall comply with the following standards:

(1) Single-family dwellings shall meet the lot area, width, setback and other dimensional requirements of the R-6A district (refer to section 18-117);

(2) A buffer as described under section 18-281 shall be provided and/or maintained adjacent to any property presently developed for nonresidential purposes in accordance with uses authorized under section 18-116. This provision shall not be applicable to single-family dwellings currently in existence in the CR zone but shall apply for all new construction occurring after the effective date of this provision regardless of whether an existing buffer is already in place on the existing adjacent non-residentially developed property.

(3) The property owner shall execute and submit with their permit application a witnessed and notarized affidavit acknowledging that they have been advised that the residential construction proposed is located in a zoning district intended to provide the opportunity for the location of commercial and business enterprises geared toward providing services, accommodations and recreation for persons desiring to enjoy the beach strand. The affidavit shall further provide that the town shall be held harmless from any future action stemming from the incompatibility of such uses with the residential use of the property proposed by the applicant.



APPLICATION FOR SPECIAL USE

Office Use Only

Date Rec'd: _____

Rec'd by: _____

Amount Paid: \$ _____

Town of Oak Island • 4601 E. Oak Island Drive, Oak Island, NC 28465 • Phone: (910) 201-8001 • Fax: (910) 278-1811

All applications for conditional use must be complete and accompanied by the permit fee of \$500 payable in cash or by check made to the Town of Oak Island. Applicants will not be responsible for any additional cost of public notices. All fees must be paid in full before a Certificate of Zoning Compliance (Zoning Permit) will be issued and before an application will be submitted for review by the Planning Board or Town Council. Applicants are responsible attending all Planning Board and Board of Aldermen meetings where this application will be considered.

In accordance with the Town of Oak Island Code of Ordinances, Chapter 18, Article 2 Section 18-221 the purpose of this division is to allow for those uses that have a potential of being incompatible with adjacent land uses. For this reason special consideration shall be given to those uses listed as conditional uses in the zoning districts as listed in Division 4 of the code of ordinances.

The reasons for requiring such special considerations involve, among other things, the size of the area required for the development of a use, the effect such uses have on any adjoining land uses and on the health, safety, and general welfare and development of the community as a whole. Approval of a conditional use does not provide a binding precedent to grant other conditional uses. A conditional use is not transferable from one parcel of land to another. Conditional uses must be approved by the Town Council. All conditional uses must satisfy all standards in Chapter 18, Article 2 Section 18-221.

The application must be reviewed by town staff before the application can be placed on the Planning Board Agenda. Please consider that review time before submitting your application. Applications will not be considered as accepted for review unless all required information is provided. Prior to the date of the review the board shall hold an evidentiary hearing on the special use permit request.

Parcel Identifier Number (PIN): _____ Date: _____

Section A: Property Information

Applicant Name: PHILIP N. SCHROEDER

Project Name: PALMS SF HOUSING PROJECT

Property Address: 120 SE 58TH STREET State: NC Zip Code: 28465
OAK ISLAND

Phone: 704-301-2786 Fax: _____ Email: philatthelake@aol.com

Existing Zoning District: CR

Parcel ID #(s): 250AG00938
250AG00939

Total Site Acres or Square Feet: 57,187 sq. FT.

Current Zoning District(s): CR

Use Classification (from Table of Uses): _____

Project Description:

BUILD SIX (6) SINGLE FAMILY HOMES

(attach a separate page is needed)

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate:

Signature: Philip N. Schaefer

Date: 10-30-17

Section B: Project Owner Information (if different from above)

Applicant Name: _____

Project Name: _____

Property Address: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

M. C. SCHROEDER COMPANY, INC.
1240 EAGLECREST DRIVE
STANLEY, NORTH CAROLINA 28164
OCTOBER 30, 2017

Town Of Oak Island
4601 East Oak Island Drive
Oak Island, N. C. 28465

Attention: Mr. Jake Vares

Reference: Palms SF Housing Project
120 SE 58th Street, Oak Island, NC

Jake,

Please find an application and drawing enclosed regarding our proposed single family housing project. Unlike a lot of project request which usually ask for higher density our project is the reversal.

- Currently our project includes two additional buildings with a total of 26 more condominium units. We are downsizing from 26 units to 6 units.
- This will decrease the roof area substantially and increase the open land area substantially,
- Our Stormwater Plan for this property is 100% complete.
- We have adequate utilities, water supply and sewer in place.
- Less density will decrease congestion on SE 58th Street.
- Currently, there are approximately 180 condominium units feeding SE 58th Street. The addition of 26 more condominiums will only increase the traffic congestion in that area. Of the 6 single family homes proposed only 4 of these homes will access SE 58th Street. The 2 remaining homes would access SE 59th Street.

- Currently, there are 180 condominium units in that area which has hindered the rise in value for these units. By increasing the supply of 26 additional condominiums to this area it will only hinder more the value. By building 6 single family homes we hope to increase the value of adjoining properties.

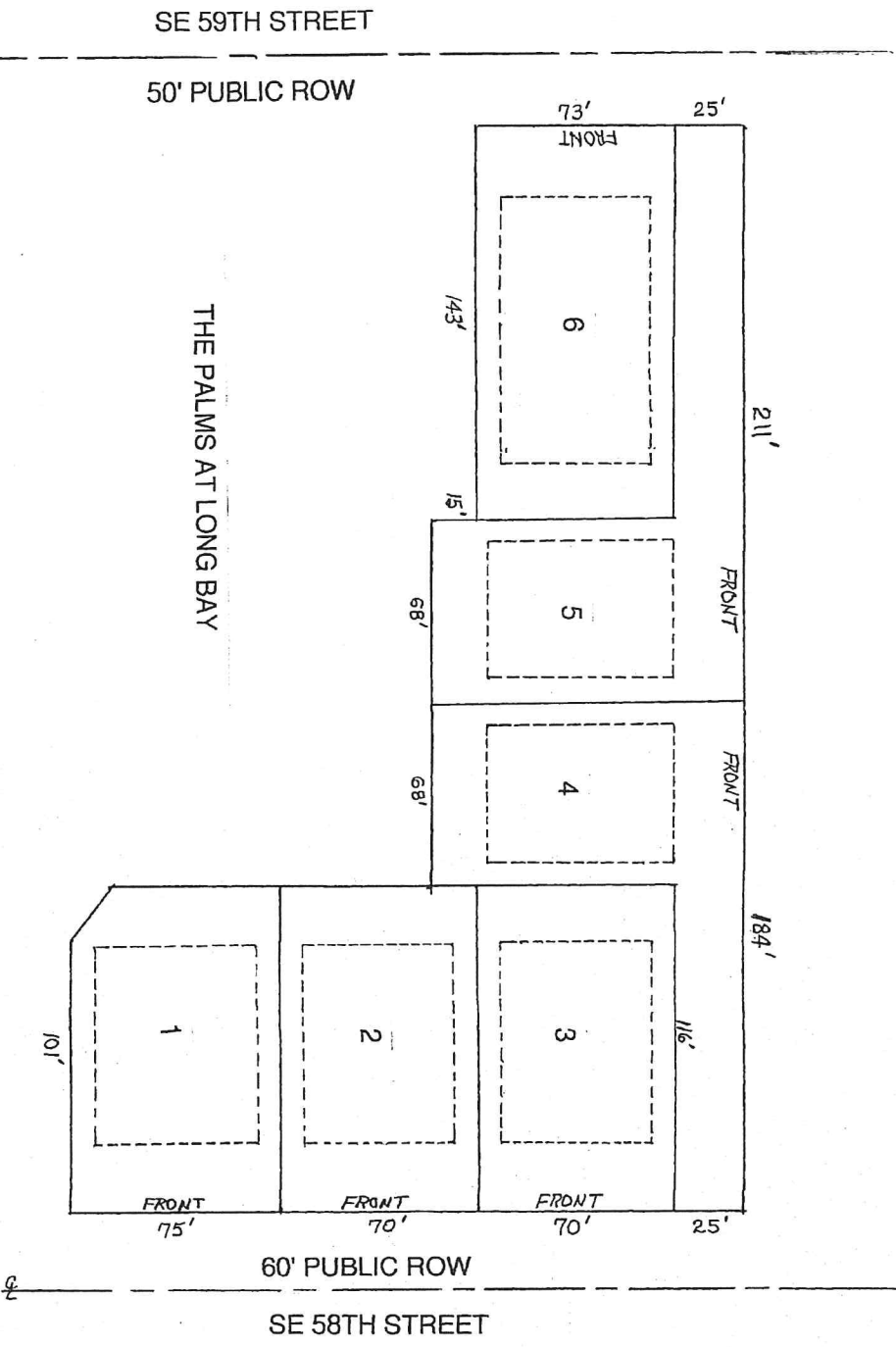
I would be glad to answer any questions about out preliminary plans. You can reach me by phone/text at 704-301-2786. Also by email at philatthelake@aol.com. I would also be glad to meet with you at your office or the site at anytime.

Most sincerely,

A handwritten signature in black ink that reads "Philip N. Schroeder". The signature is written in a cursive, flowing style with a large initial "P".

Philip N. Schroeder

SOUTHERN SHORE VILLAS



THE PALMS AT LONG BAY

LOT #	WIDTH	DEPTH	LOT AREA	BLDG. AREA	FRONT SETBACK	REAR SETBACK	SIDE SETBACK
1	75'	116'	8,568 sq ft	4,189 sq ft	25'	20'	8'
2	70'	116'	8,120 sq ft	3,834 sq ft	25'	20'	8'
3	70'	116'	8,120 sq ft	3,834 sq ft	25'	20'	8'
4	68'*	98'	10,584 sq ft	3,536 sq ft	25'	20'	8'
5	68'	98'	11,259 sq ft	3,536 sq ft	25'	20'	8'
6	73'	143'	10,439 sq ft	5,586 sq ft	25'	20'	8'

* FLAG LOT

M. C. SCHROEDER CO., INC.
1240 EAGLECREST DRIVE
STANLEY, N. C. 28164
PHILIP N. SCHROEDER
OFFICE: 704-822-8025
MOBILE: 704-301-2786

M.C. SCHROEDER COMPANY, INC.
SCALE: 1" = 30'
DATE: 10-12-17
THE PALMS SF HOUSING PROJ
OAK ISLAND, N C

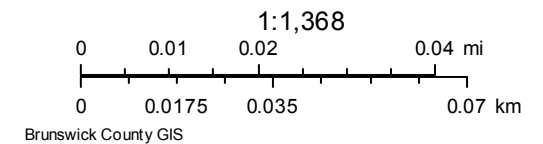
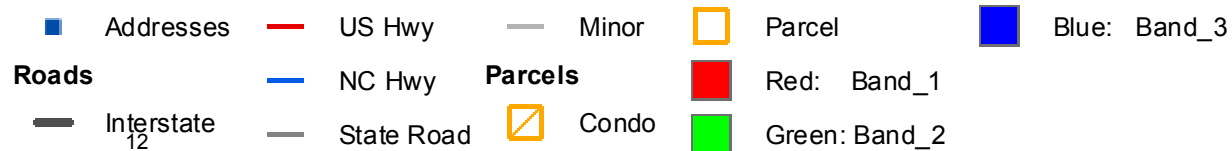
APPROVED BY: [Signature]
DRAWN BY: [Signature]
REVIEWED: [Signature]
DRAWING NUM: [Blank]

THE PALMS AT LONG BAY
SINGLE FAMILY HOMES
120 SE 58TH STREET
OAK ISLAND, N C 28465

Brunswick County GIS Data Viewer



September 28, 2017



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

Agenda Item: New Business Number 2

Date: November 29, 2017



Issue: Driveways

Department/Title: Planning & Zoning Administrator

Presented by: Jake Vares

Presentation: None

Estimated Time for Discussion: 30 Minutes

Subject Summary:

The commercial driveway requirements in the Oak Island Zoning Ordinance are outdated and are in need of updating. Commercial uses generate more traffic and have different ingress and egress needs. No new driveways can be placed on NC-DOT (North Carolina – Department of Transportation) roads for commercial uses without permission from the local NC-DOT district engineer and it must meet their specifications. The NC-DOT may prohibit access off of its roads if an alternative route is available.

Some exemptions exist for NC-DOT driveway/access permits; they are not required for single-family residential and duplex dwellings that have a driveway off an accessible NC-DOT road. The way the text amendment is worded, it essentially allows a commercial access to be permitted if it is compliant with NC-DOT standards. Page 50 on the attached NC-DOT guidance document breaks down the allowable driveway width based on necessity and the number of lanes. Staff has also included other applicable attachments from the NC-DOT access/driveway design manual.

This text amendment is staff initiated. The current wording in the ordinance has caused issues with potential upcoming commercial projects that are pending. The draft UDO does not fix this problem.

Attachments: Ordinance excerpt

Recommendation/Action Needed: Approval or denial of proposed commercial driveway text amendment and to adopt the associated plan consistency statement

Planning Board Recommendation: _____ TBD _____

Follow up Action Needed: Update and provide to Town Council

Attachments:

DIVISION 6. - DRIVEWAYS AND CURB CUTS^[4]

Sec. 18-172. - Design requirements.

(a) *Residential uses.*

(1) For a single drive, minimum driveway width at the property line shall be ten feet and maximum width shall be 24 feet at right-of-way.

(2) For two drives, the maximum driveway width of any single drive is 24 feet in a dedicated right-of-way, with a combined maximum total for two drives of 32 feet where lot frontage is 60 feet or less and 40 feet where lot frontage is greater than 60 feet but less than 200 feet. Drives must have a minimum distance of five feet between each point of access as measured at the edge of pavement to the property line, plan is approved by the town stormwater director or designee, and is in compliance with all other sections of this chapter.

(b) *Commercial uses.* The minimum driveway width at the property line shall be 16 feet and the maximum width shall be 24 feet at the edge of the street pavement. Where access by tractor trailers or other large vehicles is anticipated, one combined entrance-exit of 36 feet in width may be permitted; where this is allowed, there shall be no other entrance-exit allowed for single frontage lots and no other entrance-exit shall be permitted on the same street frontage on a corner lot. Any applicant desiring to construct a driveway or driveways connecting with any state highway located within the corporate limits of the town shall make application for a driveway access permit to the office of the District Engineer, North Carolina Department of Transportation for the district in which Oak Island is located. No permit shall be issued by the town Development Services Department until the application therefor has been approved by the N. C. State Highway Commission. The minimum standards for entrances to highways from commercial establishments, as set forth in the regulations of the North Carolina Department of Transportation designated as NCDOT *Policy on Street and Driveway Access to North Carolina Highways* must be met. If the commercial driveway dimensions meet the North Carolina Department of Transportation *Policy on Street and Driveway Access to North Carolina Highways*, then it shall be approved regardless of the dimensions referenced in this section. The North Carolina Department of Transportation standards for entrances also apply to town Powell Bill roads.

In addition to the foregoing, the following design standards and principles shall be adhered to:

(1) At street intersections, driveways shall be located as far from the intersection as practicable but in no case shall the closest point of a driveway be nearer than 25 feet from the intersecting right-of-way lines to the beginning of the outside driveway radius as measured at the right-of-way line.

(2) The distance between two driveways on the same property on the same side of the street shall not be less than 20 feet, said distance shall be measured along the right-of-way line between the tangent projection of the inside edges of the two driveways.

(3) Driveways shall be constructed to be no less than five feet from any property line.

(4) No loading and/or unloading of vehicles shall take place on the right-of-way adjacent to service stations, convenience stores, or filling stations.

(5) The use of joint or shared driveways shall be encouraged where practicable.

(6) Proposed driveways shall be designed in consideration of existing driveway on adjacent properties and shall be designed to achieve the spacing objectives of this section the degree practicable.

(7) The location of proposed driveways shall be considered in relation to existing driveways on the opposite side of the street and may be required to align with such existing driveways to reduce the potential for turning movement conflicts on the fronting roadway.

(c) *The grade of entrance.* The grade of the entrance shall slope away from the street surface for a distance of at least six feet unless otherwise directed by the development services and/or public works department. Slope and drainage on all driveways governed by this section shall conform to the existing curb line conditions and shall be inspected by the town staff.

(d) Expansion joints shall be required a minimum of 3½ feet from each side of the center line of the public water and sewer line when a driveway of impervious surface is placed over these lines.

These joints must be placed in, not cut. The public utilities department will locate the water and sewer lines. All paved driveways must have an expansion joint parallel to the property line.

(e) If driveways are paved, the pavement shall meet the following standards:

Driveways shall have a minimum base equal to four inches (nominal) of ABC stone (crusher run), and one inch of asphalt, or four inches (nominal) of concrete. Alternative paving materials intended to reduce the amount of stormwater runoff from the site may be approved by the development services and/or public works departments.

CHAPTER 7

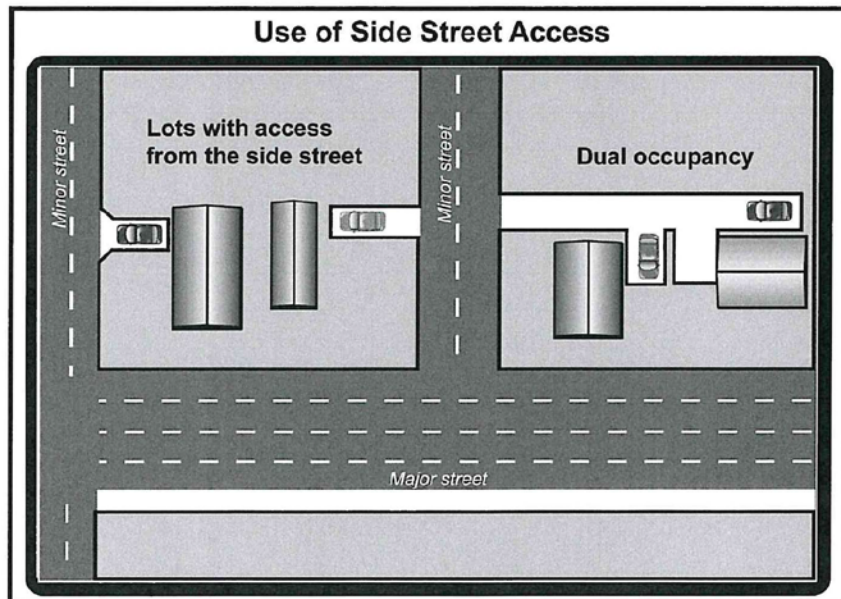
STREET AND DRIVEWAY ACCESS DESIGN CRITERIA

A. General

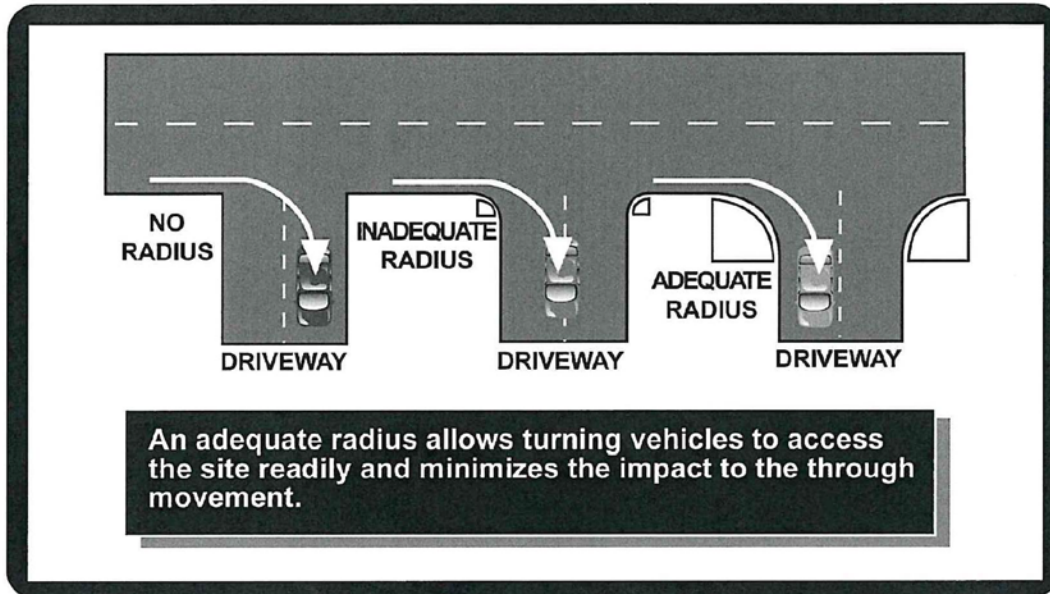
All work performed on the State Highway System under the terms of a PERMIT is subject to the design criteria of this section and all related NCDOT manuals and guidelines. Design criteria may relate to, but is not limited to, location, spacing, design vehicle storage, and drainage. Each component must be addressed in adequate detail to ensure public safety and mobility.

B. Site Requirements

Location - The location of street intersections and driveways is critical for minimizing potential impact to vehicular and pedestrian traffic. Street and driveway connections to the State Highway System should be clearly visible to all approaching traffic. The location of driveways should be related to nearby street intersections and adjacent driveways. In the interest of public safety and mobility, the NCDOT may prohibit, restrict, or modify the placement of a driveway or street along the property owner's frontage. The NCDOT may also prohibit or restrict access to a State Highway System roadway if alternate access is available through other adjacent public facilities.



Turn Radii



Subdivision Road Standards - Residential subdivisions shall be designed in accordance with the requirements set forth in the current edition of the NCDOT's "Subdivision Roads, Minimum Construction Standards."

Parking - The design of parking for a facility should provide enough area to accommodate the expected peak parking demand. Specific parking space requirements including number and dimensions are usually regulated by the local jurisdiction. Vehicles should be able to perform all necessary circulation within the parking area and not have to exit onto a street in order to re-enter the parking area.

Parking maneuvers shall not restrict or impede the ingress flow of traffic from the highway. Vehicle circulation on the site may be either two-way or one-way, depending on site dimensions and the angle of the parking stall. Two-way circulation is generally allowed only with 90 degree stalls, and one-way circulation is generally used with stall angles less than 90 degrees. The needs of pedestrians should be balanced with the needs of vehicle flow.

Where angle-parking arrangements are planned or developed, vehicles will not be allowed to back into the driveway entrance or onto the highway right-of-way when entering or leaving the development.

Policy On Street And Driveway Access to North Carolina Highways

Requests for median crossovers in conjunction with the PERMIT application will be reviewed on a case-by-case basis. Approval for new median crossovers is the responsibility of the State Traffic Engineer for existing locations or the State Highway Design Engineer for roadways within an active TIP project. NCDOT retains authority to modify or close median crossovers in the event that traffic operations or safety considerations develop that compromise the integrity of the facility.

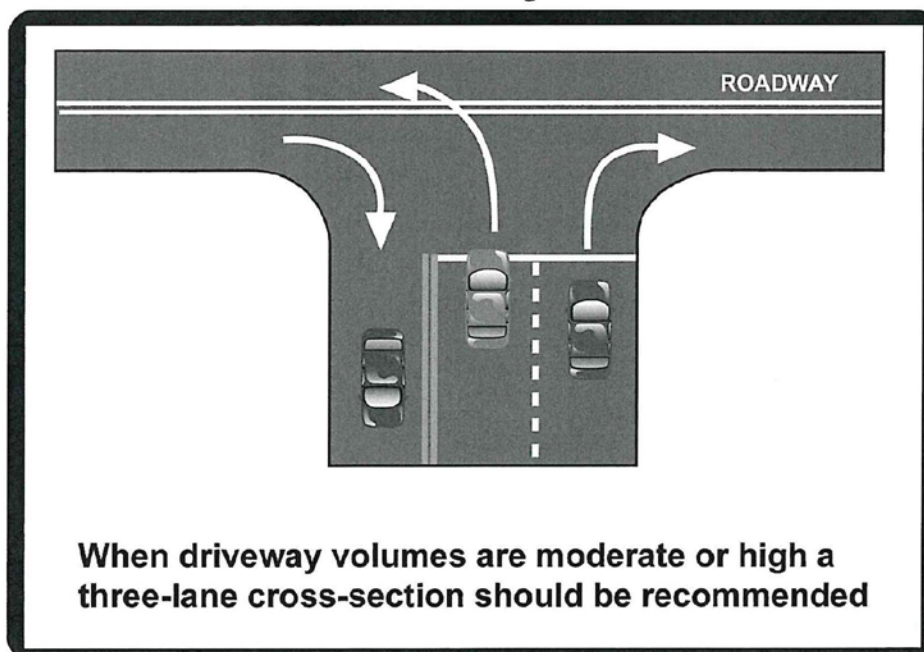
J. Control Dimensions

Street and driveway connections shall comply with the following control dimensions:

- **Width of Driveways (W)** - The width of driveways, W, measured parallel to the edge of travel way and from edge of pavement to edge of pavement at the narrowest width, shall be within the specified minimum and maximum limits.

A driveway with two-way operations shall have a minimum 20 foot and a maximum of 36 foot width. A driveway with one-way operation shall have a minimum 12 foot and a maximum 24 foot width. The need for wider driveways will be considered on a case-by-case basis only after justification of actual necessity, but should not exceed 50 feet.

3 Lanes At Major Drives



Policy On Street And Driveway Access to North Carolina Highways

Street type connections with multi-lane ingress or egress may exceed 50 feet based on traffic operation requirements as demonstrated in the TIS. These values are based on edge of pavement dimensions not including the width of gutter if a curb-and-gutter section is proposed.

- **Driveway Angle (Y)** – The recommended driveway angle, Y, for a full access driveway is 90 degrees. The angle of the two-way operation driveway with respect to the pavement edge shall not be less than 75 degrees or greater than 90 degrees. For one-way or right-in/right-out driveways, driveway angles between 45 and 90 degrees may be allowed on a case-by-case basis.
- **Edge Clearance (E)** - All portions of a commercial driveway including the returns shall be between two frontage boundary lines of the current or future right-of-way line. The edge clearance, E, measured parallel to the edge of pavement from the frontage boundary line to the nearest point on the projected edge of the driveway shall be a minimum of 20 feet.
- **Driveway Return (R)** - The radius of the street-type driveway connection, R, shall be within 20 feet minimum and 50 feet maximum. However, the maximum radii dimension may be exceeded as an exception if larger radii are needed to accommodate larger vehicles expected to frequent a proposed development such as commercial service entrances, service stations being serviced by tanker trucks, or truck terminals.
- **Island Offset Distance (S)** - The near edge of an island area parallel to the highway shall be located a distance, S, from the edge of pavement along uncurbed roadways or from the curb line on curbed roadways no less than six feet and no more than 12 feet unless specifically instructed by District Engineer to be otherwise.
- **Distance Between Driveways (D)** - Where more than one driveway is permitted along a single property frontage, the distance, D, measured along the right-of-way line between the tangent projection of the inside edges of adjacent driveways shall be at least 100 feet. For high volume traffic generators, the minimum distance between the centerlines of full-movement driveways into developments that generate high traffic volumes should be at least 600 feet for most non-critical transportation corridors and a minimum of 1,000 feet for Major Thoroughfares, National Highway System and Intrastate Routes, Primary Routes, and Corridors with identified safety concerns. This minimum distance between driveways does not apply to service drives not used by the general public.

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- **Set Backs (G)** - Set backs, G, of gasoline pump islands parallel to the pavement edge shall be a minimum of 25 feet outside the highway right-of-way. Set backs of gasoline pump islands not parallel to the pavement edge shall be a minimum of 50 feet outside the highway right-of-way.

Buildings or other installations with one row of 90-degree parking between it and the highway right of way should be at least 50 feet outside the right-of-way. Buildings or other installations with one row of angle parking between it and the highway right-of-way should be at least 30 feet outside the right-of-way. All expected vehicular movements needed to serve a site must be accommodated internally.

- **Corner Clearance (C)** - Where the property's road frontage allows, the minimum corner clearance, C, to the proposed driveway should be at least 100 feet from the point of tangency of the radius curvature of the intersecting streets. At no time shall the corner clearance be less than 50 feet from the point of tangency of the radius curvature. For full movement driveway connections at signalized intersections, the corner clearance may be required to extend beyond 100 feet when the property's road frontage allows. This is to avoid interference with the traffic signal operations and resulting traffic queues. The radius of the driveway should not encroach on the minimum corner clearance.

