

# CAROLINA BEACH

Planning and Zoning Commission and Town Council Joint Meeting Minutes

Thursday, January 9, 2020 @ 6:30 PM

Council Chambers

1121 N. Lake Park Boulevard

Carolina Beach, NC 28428

## ASSEMBLY

A Joint Meeting of the Town of Carolina Beach Planning and Zoning Commission and the Town Council was held on Thursday, January 9, 2020, at 6:30 PM at Council Chambers.

PRESENT: Mayor LeAnn Pierce, Mayor Pro Tem Jay Healy, Council Member Lynn Barbee, Council Member Steve Shuttleworth, Council Member JoDan Garza, P&Z Chairman Keith Bloemendaal, P&Z Commissioner Mike Hoffer, P&Z Commissioner Wayne Rouse, P&Z Commissioner Melanie Boswell, P&Z Commissioner Deb LeCompte, and P&Z Commissioner John Ittu

ALSO PRESENT: Interim Town Manager Ed Parvin, Town Clerk Kim Ward, and Town Attorney Noel Fox

### 1. MAYOR PIERCE CALLED THE MEETING TO ORDER

### 2. APPROVAL OF MINUTES

a. Planning and Zoning – 12 Dec 2019 – Minutes

**ACTION:** Motion to approve minutes.

Motion: Commissioner Rouse

Vote: UNANIMOUS

### 3. PUBLIC DISCUSSION

a. CAMA Land Use Plan Update

Town Director of Planning and Development Jeremy Hardison introduced the meeting's purpose and attendees and recognized the Town's Ad-Hoc Land Use Plan Steering Committee. He also gave background information on the Land Use Plan, which is regarded as a community blueprint for growth, not an ordinance, and looks at the future and vision of the area. It is a requirement of the 1974 Coastal Area Management Act (CAMA) and is meant to provide forethought in addressing coastal resources regarding new development and redevelopment.

Jay McLeod, a land use planner with Stewart who specializes in assisting small and mid-size governments, gave a more detailed presentation of the Land Use Plan, including details about the plan update process, public engagement, plan development, and next steps. He said the endeavor kicked off in October 2018 with a stakeholders meeting followed by the first Steering Committee meeting in November 2018. Since then, the Steering Committee has met at least every month and also held open houses and other outreach to get public feedback and input, including a survey that generated 494 responses in three weeks. He said a Land Use Plan is required in the 20 coastal counties of North Carolina for the review and issuance of CAMA permits. It is a guide and a series of recommendations but doesn't tie hands and isn't zoning, although it is considered when zoning decisions are made. The proposed draft of a future land

use map covers residential, commercial/mixed use, and employment/special areas. The overview of policy recommendations takes the following into consideration: CAMA plan format, public access, land use compatibility, infrastructure-carrying capacity, natural hazard areas, water quality, and specific local concerns. He said the next step is for the Planning and Zoning Commission to recommend approval of the proposed Land Use Plan to Town Council for approval.

Chairman Bloemendaal opened the floor for public comment.

Thomas O. Tucker of 707 Harper Avenue, a Carolina Beach resident for over seven decades who has owned Tucker Bros. Realty Co. since 1973, said a report generated via an inquiry by Cape Fear Realtors brought up some issues that the Town needs to take into account when considering the Land Use Plan. His main concern is the implication that the Land Use Plan is superior to the zoning ordinance, which could result in zoning ordinances having to be changed to match the Land Use Plan within a certain time. He said in the past the Land Use Plan has been a mirror image of zoning and should stay that way. Mr. Tucker said he doesn't think property owners understand the ramifications of this. He said retirees and other homeowners may have to bear the burden of more taxes to keep revenue unchanged if the Land Use Plan results in a smaller business district. Mr. Tucker said there are potential pitfalls in the process.

Maura Kropke of 104 Tennessee Ave. said this is the third or fourth meeting in which she has expressed the same concern about the possibility of her and her neighbors living next to a commercial development under the proposed Land Use Plan. She said she didn't see any benefit to residents or property owners and asked for removal of this new designation.

Greg Vernon of 1123 S. Lake Park Blvd. and owner of Sea Ranch Motel who has lived in the area since he was 3 said some of the changes in the Land Use Plan are going to create problems and change the character of certain areas. He said the Town has a commercial district for a reason and the area where the motel is shouldn't be one.

Greg Reynolds of 709 Canal Drive said he had concerns about the Land Use Plan changing Canal Drive to low intensity when it is currently high intensity. He said he is worried that everything will have to be rezoned and existing structures will become nonconforming based on the proposed Land Use Plan. Mr. Reynolds said the Land Use Plan would only allow one residence on properties where there are currently nine, for example. He said it is too drastic of a jump and worries about future devaluing of properties.

Julie Damron of 1601 Carolina Beach Ave. N. said she took inventory of the dwellings on Canal Drive and Carolina Beach Avenue North and counted an astronomical number of high-density buildings in those areas. She said even if we don't want more we need to embrace what we have because we make much more property tax revenue on high density than single family and the Town would possibly be giving up a lot of money and funding for infrastructure. She also said high-density dwellings provide affordable housing and that she would like to keep things the way they are. She said the survey reiterated that residents don't want major changes.

Cynthia Remahl of 1506 Canal Drive said she was concerned about the proposed Land Use Plan's ramifications for the north end. She said some of the proposed changes take away from people's personal property rights and could create nonconforming uses that may prevent

lenders from offering financing on properties. She said the changes could devalue property, increase taxes, and result in people going into foreclosure if they can't sell. She said approval of the Land Use Plan as it is would hurt many citizens due to downzoning, and the Town needs to look at things parcel by parcel and section by section.

There were no further public comments.

Commissioner Rouse said he was concerned about the idea that eventually zoning will need to be brought into compliance with the approved Land Use Plan. He said although zoning isn't being changed initially, it seems like it's the first step toward that. Mr. Rouse added that one of the requirements in considering a request for a conditional-use permit request is that it must be in conformity with the Land Use Plan.

Chairman Bloemendaal said language in the Land Use Plan about rezoning seems to contradict itself and he has brought this up multiple times but never received clarification.

Mr. McLeod said the Land Use Plan doesn't require any rezoning or create nonconformities. He said those are created by Town code, which is known for being lenient, and the Land Use Plan doesn't change that. Mr. McLeod said the Land Use Plan does not require the Town to bring zoning into conformity with the Land Use Plan but is a vision of an ideal future that may not ever come to fruition.

Council Member Shuttleworth said he shares some of the community's concerns and thinks the Land Use Plan labels for Canal Drive and Carolina Beach Avenue North are not descriptive of the current state of that area. He said he likes the idea of the corridor but isn't sure about requiring parking in the back. He thinks that should be a free market decision. He would like to hear more from the Steering Committee about how some of those decisions were made. He thinks the Land Use Plan could be setting up conflict.

Chairman Bloemendaal said he agreed and thinks many elements of the Land Use Plan could create problems for the Planning and Zoning Commission and Town Council.

Commissioner Rouse said he is on the Steering Committee and that a vote was never taken on the current draft of the Land Use Plan. He said the Town needs to be careful when it comes to decisions that affect people's property.

Council Member Garza said all issues of concern should be addressed before any further action is taken. He asked that this take place in the next seven days due to the need for rapid answers.

Chairman Bloemendaal said he is not a fan of sweeping changes, especially in the Central Business District, and he would like to see smaller changes in the Land Use Plan. He said he also wants clarification in the Land Use Plan verbiage about rezoning and requests that the Town Attorney give input on this matter.

**ACTION:** Motion to bring the Land Use Plan as it's written to the Planning & Zoning Commission for its February meeting and ask Town staff to reach out to Steering Committee members so they can be in the audience.

Motion: Commissioner Rouse  
Vote: UNANIMOUS

**4. ADJOURNMENT**

The meeting adjourned at 8:00 PM.