



**CAROLINA BEACH**  
**PLANNING AND ZONING MEETING**  
**MINUTES • DECEMBER 8, 2016**

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<b>Council Chambers</b>	<b>Regular Meeting</b>	<b>6:30 PM</b>
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**1121 N. LAKE PARK BLVD.**  
**CAROLINA BEACH, NC 28428**

**I. CALL TO ORDER & ROLL CALL**

**II. APPROVAL OF THE MINUTES**

- 1. Planning and Zoning - Regular Meeting - Oct 13, 2016 6:30 PM

Commissioner Davis made a motion to approve the minutes. It was seconded by Commissioner Cottrell. All in favor (7-0).

**III. STAFF REPORT ON RECENT COUNCIL MEETING(S)**

There were no planning items on the agenda for the November 1 Town Council Meeting.

**IV. STAFF REPORT ON PLANNING & DEVELOPMENT ACTIVITIES**

Mr. Hardison presented the Commission with an update on the functions and projects of the Planning Department.

**V. PUBLIC DISCUSSION**

- 1. Text Amendment: Consider amending Chapter 40 Sec. 40-72, 40-150, 40-261, 40-548 and Chapter 14 Sec. 14-517 to address standards and allowance for aircraft takeoff and landing zones. Applicant: Town of Carolina Beach

**RESULT: DISCUSSED**

*(Requested by Jeremy Hardison, Planning and Zoning)*

Chairman Reynolds asked Mr. Hardison to clarify the 12 month period. If it was consecutive or calendar. Mr. Hardison answered that it is any 12 month period. Chairman Reynolds then asked if you would have to come before Council to use each of the four permits. Mr. Hardison responded that an applicant would have to come before Council to obtain each permit.

Commissioner Kennedy asked if there was a maximum number of special events or if there was criteria to limit them. Mr. Hardison explained that the proposed ordinance addresses just the aircraft component. Commissioner Kennedy asked if there were guidelines for the specific type of special event. Mr. Hardison answered that it was limited by a max number of four permits for aircraft use and would have to be granted by Town Council.

The Commissioners requested clarification on the language restricting four permits to operator, owner, parcel.

Chairman Reynolds made a motion to open the Public Hearing and it was seconded by Commissioner Bloemendaal. All were in favor (7-0).

Jessica Ward, 4956 Long Beach Road #14, Southport. Pleased that the Town has considered putting into the ordinance some allowances for special events. Hosts educational events about aviation, speaks at Brunswick County schools, believes can bring value to the Town by being able to offer these experiences. Wants to work with the community and children to bring this benefit. Believes that scenic tours should not be limited to just one permit per day. During the tours she offered in 2015, Ms. Ward was surprised by how many residents participated in the event. Ms. Ward believes her business attracts people from the area, would also help support other local business by bringing additional tourism dollars. Is aware there are concerns with noise, has offered to change flying altitude and route. Ms. Ward presented emails from residents in support of helicopters. These emails presented statistics on safety, compared noise to no worse than that from local restaurants and other events. Hopes the Commission will consider allowing for more permits than just four per year.

Mark Grady, 1108 North Lake Park Blvd. Mr. Grady is also a pilot, used to fly for traffic reports. Has been an air aviation instructor. Feels the concerns about safety is emotionally driven and not based on actual fact. Helicopter accidents are rare and extremely slim.

Heather Arnold, 917 Carolina Sands. Great opportunity for her children to have the opportunity to see the amazing place where they live. Will help benefit the island because of the added tourism.

David Pierce, 917 Basin Road. Feels if helicopters are allowed they should be regulated, but Carolina Beach should be careful when deciding to prohibit an entire type of business. In order to be a family beach the Town needs attractions. The more attraction to Carolina Beach, the better the economy for all businesses.

Michael Hogan, 1510 Carolina Beach Ave North. Believes it would be good for the community to have more attractions. Lives with the current noise from party boats and restaurants.

Debra Benson, 712 Monroe. Agreed with Mr. Grady that driving is much more dangerous than helicopters. Would love to give the community the opportunity for helicopters.

Eddie Coats, 813 Kenneth Ave. Businesses depend on tourism. He is for anything that brings business to Carolina Beach.

Jeff Moss, 2555 St James Drive, St James. Financial stakeholder in High Tide Helicopters. Army trained aviator. Encouraged the Commissioners to get their facts from the FAA. Helicopters are used in the VA setting to treat people with PTSD with helicopters.

Drent Outland, 221 Longmeadow drive, Wilmington. Helicopter pilot. The allowance for helicopters will bring many more tourists to Carolina Beach.

Lee Revis, 518 Spencer Farlow. Owns homes in several other beach communities, all of which offer helicopter tours. Participated in the tours in 2015. A few days a year allowance would pay off for the Town.

Rick Rogge, 301 Spartanburg. A few days a year will not be a bad thing. Real estate agent, does not agree that helicopter tours would decrease the value of properties. Great asset for the island. Agrees there should be some regulations.

Christina Dees, 1030 Waterview Court. Lives in the flight pattern for the helicopter tours done in 2015. Understands why people are concerned with the noise, but believes what is being proposed and considered is very reasonable.

Weston Williams, 1512 Canal. In support of allowing for helicopters in Carolina Beach.

Jeremy Linquist, 113 Island Palms. Has gone back and forth on this issue. Is not for stopping anyone from doing business. Encouraged Commissioners if aircraft were to be allowed then to be clear with all regulations.

Patricia Jones, 612 Carolina Beach Ave North. Does not want to discourage new business from Carolina Beach. Does not want to specifically deny certain types of business.

Robert Schoonmaker, 404 Fern Creek. Feels helicopters should be restricted to take offs and landings from an airport. Agreed with the Commission's recommendation from the October 13 meeting. Asked the Commission to consider what is a special event.

Derek Drewery, 500 St. Joseph. Believes limited allowances for aircraft will snowball into much more.

Carla Schoonmaker, 404 Fern Creek Lane. In agreement with the original recommendation made by P&Z in October. The allowance for four permits a year is concerning. Does not feel helicopter noise is normal beach noise. The Town should respect the wishes of the residents.

Keith Boswell, 107 Island Palms. Not for or against, but in concurrence with the original recommendation made by P&Z in October. Concerns about fueling, what happens if there's a spill, and what effects on wildlife aircraft will have. Should take a flight from an airport.

Alex Torres, 310 Spencer Farlow. Mr. Torres has issues with helicopters taking off from a grass lot 1/2 mile from his residence. Can deal with the party boat but feels helicopters belong at an airport. Mr. Torres also feels the only people benefiting is the helicopter company.

Steve Casey, 405 Marina St. Does not believe the Town will benefit from helicopter tours in any way. In his opinion he does not believe tourism will benefit from helicopter tours.

Jason Wooten, 208 North Dow. Concerned with impacts on residential district directly across Dow Road from the Industrial Zone. Also concerns with noise and increased traffic on Dow. Helicopter different than bar noise. Mr. Wooten believes the majority of residents in Carolina Beach have already voiced their opposition to its allowance.

Rick Russell, 501 Fern Creek. Writes software for flight simulators. Has a private pilots certificate. Could not do his work while a helicopter flew over his house over and over.

Jeff Wick, 1530 Island Marina. Wants to hear sounds of ocean only. Helicopters will devalue property. Not an advantage for the community.

Melanie Boswell, 107 Island Palms. Feels the Town has gone too far supporting this helicopter business. Will not have to pay taxes and all for a small permit fee. Feels the permit allowance will quickly escalate out of control. Concerned with safety of residents. Questioned whether emergency responders will be tied up with ensuring safety for a helicopter business.

Commissioner Bloemendaal made a motion to close the Public Hearing. Commissioner Cottrell seconded the motion (7-0).

Commissioner Kennedy asked Chairman Reynolds to clarify what the Town has jurisdiction over. The FAA regulates once the aircraft leaves the ground. The FAA does not define a congested area, the Town has no jurisdiction over this definition. The Commission can only consider take off and landing. Chairman Reynolds confirmed Commissioner Kennedy's statement.

Chairman Reynolds stated that noise was his largest concern, along with the language allowing for four special event permits per year. One would allow unlimited daytime hours. Concerned with wording of owner, operator, parcel. Sees a benefit in requiring all permits to go before Council and safe guards could be put in place.

Chairman Reynolds also noted that 11 of 14 that spoke on behalf of helicopters were residents of Carolina Beach.

Commissioner Toppin voiced concern that the second option has no stipulation on where the four permits can be issued.

Chairman Reynolds asked Mr. Parvin if the 300' buffer would still apply. Mr. Parvin responded that it was only in option 1. Option 2 is an amendment outside of the zoning ordinance.

Commissioner Kennedy feels Option 2 is an unknown due to not knowing how many helicopter businesses could come forward and apply for permits. Believes it would also put an additional burden on Council to have to review and approve every application for a special permit.

Commissioner Bloemendaal noted that there were no citizens in support of helicopters during the October meeting. He does not feel the two options presented by staff can meet the needs of the community.

Commissioner Cottrell believes there should be more, stronger stipulations.

Commissioner Kennedy also believes that neither option can meet the needs of the community.

Chairman Reynolds spoke from his point of view as the president of the chamber of commerce that there are not enough activities for families to do here on vacation. As a citizen he was not bothered by the tours in 2015. Wonders if there's a way to allow and control a minimal amount.

Commissioner Kennedy does not think land owners should be granted permits.

Commissioner Toppin asked Mr. Hardison if there had ever been a request for use during wedding. Mr. Hardison responded that he had not received one. There have been inquiries if the use was allowed. Commissioner Toppin asked if there had been a request for filming. Mr. Hardison answered that there had been one instance for

the Town. Commissioner Toppin stated that she feels this ordinance is a solution to a problem that does not exist.

Commissioner Kennedy said that once the allowance is there people will ask for these allowances. Would be highly disappointed if this business was allowed and didn't grow.

Commissioner Toppin reiterated her question to Mr. Hardison, asking what prompted the need for the proposed options. Mr. Hardison responded that Staff presented an option to allow on a limited basis. Mr. Parvin said that Staff has tried to present an ordinance that both sides could possibly be in favor of.

Commissioner Toppin reiterated that currently there does not seem to be a demand for special event allowances.

Mr. Parvin informed the Commission that it is possible requests were made for events through the Manager's Department that Planning might not have been informed of.

Chairman Reynolds has seen helicopters land in Carolina Beach without permission. Knows they land at the aquarium and Fort Fisher for weddings. Chairman Reynolds asked Staff if guidelines for permit approval would be given to Council. Mr. Parvin responded none have been created but Council would have to consider objectively.

Commissioner Kennedy asked if the 9 criteria listed in Option 1 would be used for considering one time take off and landing permits by Town Council. Mr. Parvin responded no. Option 1 would allow the land use in Industrial Zone, and would also allow for special event permits in any zoning district.

Chairman Reynolds asked if aircraft take off or landings could occur in residential districts as its a nonresidential use. Mr. Parvin responded yes. Chairman Reynolds asked if the types of special events allowing for aircraft could be limited. Mr. Parvin answered that limiting language could be added.

Commissioner Toppin asked if anyone had considered if all tourists would appreciate helicopter tours.

Commissioner Bloemendaal countered that not everyone is going to be happy regardless of what is approved. Commissioner Bloemendaal feels stricter limitations should be put in place to restrict the number of operators per day.

Commissioner Kennedy does not feel the proposed options are appropriate for resident or business owner.

Commissioner Toppin does not see the value in allowing the use or special event permits at all. Feels special event permits should not be left up to Council.

Commissioner Kennedy asked if any research had been done of what other communities have done and what has worked.

Commissioner Bloemendaal asked if the item could be tabled. Mr. Parvin responded that Option 2 is going to Council in January. Mr. Parvin encouraged the Commission to give Staff direction for changes to the amendment.

Commissioner Cottrell asked where the allowance for special event permits came from. Mr. Parvin responded that it was an attempt to accommodate both sides of the issue.

Commissioner Toppin asked why the Town was working so hard to make allowances for events that have not been requested. Mr. Hardison answered that just because those questions haven't been asked doesn't mean there aren't people out there who would do it. Other communities were researched and some do have special allowances.

Chairman Reynolds is in support of limited use. The Town seems to be split with half in support and half opposed.

Commissioner Toppin asked what the Town's liability is and how Town Council is qualified to issue these permits.

Commissioner Bloemendaal said that he is not opposed to a limited allowance for helicopters. Wishes more residents in favor had come out in support of the amendment in October. Worried about safety and quality of life. Special event allowances could benefit the Town on a limited basis. Worried about student instructors operating, uncomfortable with Council granting permits without a standard criteria.

Commissioner Cottrell said that he was all for tours based on their popularity but concerned with noise and well being of the residents of Carolina Beach.

The Commissioners discussed recommending a joint workshop with Council to discuss amendment language that would meet the needs of the Town.

Commissioner Kennedy made a motion approve Option 2, disallowing the use in any zoning district and allowing for aircraft takeoffs and landings for government and emergency operations only, no commercial uses. Whereas in accordance with the provisions of the NCGS 160A-383, the Planning and Zoning Commission does hereby find and determine that the adoption of the following ordinance amendment is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans. The motion was seconded by Commissioner Toppin. Motion passed (5 yay, 2 nay).

Commissioner Bloemendaal stated that this was not the desired outcome for tonight.

## 2. Amend Chapter 40 Article V. - Off-Street Parking and Loading Requirements

*(Requested by Jeremy Hardison, Planning and Zoning)*

Commissioner Cottrell asked for clarification for what width was being restricted. Ms. Lorenzo explained the width was only being restricted was the width of the driveway within the Town right of way.

Commissioner Grady said she believed there were impervious restrictions on lots however. Ms. Lorenzo explained that there are only restrictions of lot structure coverage and that impervious coverage is not restricted.

Commissioner Bloemendaal stated that he felt the maximum allowable width for driveways for single family homes was too small and could potentially create a safety issue for residents trying to back in and out of their driveways.

Commissioner Bloemendaal asked if the driveway permit was a new permit requirement. Ms. Lorenzo explained that it is not a new application but is now being required with the submittal of a building permit for new construction. The clearing and driveway can be permitted before the building permit for new construction. Mr. Parvin clarified that the point of these regulations was to establish backing for enforcement.

Commissioner Kennedy expressed concerns that limiting driveway widths would remove areas for residents to park. Ms. Lorenzo clarified that the limit is for the driveway within the right of way. Commissioner Kennedy asked if the Town would replace decorative driveways within the right of way. Ms. Lorenzo answered that the Town would only replace concrete aprons. Mr. Parvin added that the Town's policy has been to replace a 6" thick concrete apron. Commissioner Kennedy asked if that was codified.

The Commissioner voiced their disapproval of a maximum driveway width of 18' for single family residences.

Commissioner Bloemendaal asked if this would require additional driveway inspections. Ms. Lorenzo responded that all driveways should currently be inspected.

Commissioner Bloemendaal asked why the driveway width was being restricted for single family residences. Ms. Lorenzo responded that there were two reasons: for safety by limiting the points a vehicle can enter the right of way from private property, and two to limit the amount of impervious entering the Town's right of way.

Commissioner Kennedy expressed concerns that parking would be limited by limiting the apron width. Mr. Parvin responded that all designated parking must be provided on private property. Limiting the width of access will increase safety and provide opportunity for natural infiltration.

Commissioner Davis stated he was concerned he could not provide an adequate driveway for a two bay garage. Mr. Parvin responded that a driveway width can increase once on private property.

Commissioner Davis asked the reason why this amendment was being written. Ms. Lorenzo explained that these specifications are being enforced now and are essentially DOT requirements. Codified regulations will allow for enforcement.

Commissioner Kennedy asked why the restriction of 18' for single family residences. Mr. Parvin spoke that there are significant stormwater issues in Carolina Beach and the Town is trying to avoid the entire lot being a driveway cut. Impervious cover on a lot is not restricted in Carolina Beach.

The Commissioner expressed safety concerns for limiting the apron width for single family residences to 18'.

Commissioner Kennedy asked if existing driveways could be replaced. Mr. Parvin responded yes, but a driveway permit would be required.

Commissioner Bloemendaal asked Ms. Lorenzo if driveways are supposed to be shown on site plans now. Ms. Lorenzo responded that this is a feature the Operations Department needs to see on all proposed site plans. Commissioner Bloemendaal asked if a site visit will be made for all new driveways. Ms. Lorenzo responded that

site visits are now made by various members of staff prior to the issuance of any development permit. Commissioner Bloemendaal feels the Town is adding additional work for the contractor and surveyor.

Commissioner Bloemendaal made a motion approve amending Chapter 40 Article 5 Off-Street Loading and Parking Requirements to include the proposed driveway standards with the exception with the change of the max apron width for single family homes from 18' to 36'. Whereas in accordance with the provisions of the NCGS 160A-383, the Planning and Zoning Commission does hereby find and determine that the adoption of the following ordinance amendment is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans. The motion was seconded by Commissioner Davis.

Commissioner Toppin asked the Commissioners if they felt safety and stormwater were not issues the Commission wanted to address. Commissioner Bloemendaal responded that he felt the recommendation by the board was making it safer. Restricting the width could make it unsafe.

All in favor (7-0).

**VI. NON-AGENDA ITEMS**

**VII. ADJOURNMENT**

Commissioner Cottrell made a motion to adjourn, Commissioner Bloemendaal seconded the motion. All in favor (7-0).

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Kimberlee Ward, Town Clerk

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Date Approved