



CAROLINA BEACH

PLANNING AND ZONING MEETING

MINUTES • SEPTEMBER 8, 2016

Council Chambers
Regular Meeting
6:30 PM

**1121 N. LAKE PARK BLVD.
CAROLINA BEACH, NC 28428**

I. CALL TO ORDER & ROLL CALL

II. APPROVAL OF THE MINUTES

- a. Planning and Zoning - Regular Meeting - Aug 11, 2016 6:30 PM

Commissioner Grady made a motion to approve the minutes from the August 11 meeting. The motion was seconded and approved (6-0).

III. STAFF REPORT ON RECENT COUNCIL MEETING(S)

IV. PUBLIC DISCUSSION

Brett Keeler, 917 Colonial Circle. Bird v. Franklin county, states if something isn't specifically disallowed in a table of permissible uses, must be likened to a similar use. The zoning ordinance does not specifically address helicopter tours, thus the application for helicopter tours that was denied has three options: Conditional use permit, text amendment, or appeal to the BOA. Asked the Planning and Zoning Commission be proactive rather than reactive.

V. PUBLIC PRESENTATION

- a. Cape Fear Transportation 2040 presentation by the Wilmington Metropolitan Planning Organization

(Requested by Jeremy Hardison, Planning and Zoning)

Suraiya Motsinger gave a presentation on the Cape Fear Transportation 2040 Plan. Encouraged the Commission to use the Plan as a tool when reviewing development.

- b. Planning & Zoning Commission Training

(Requested by Jeremy Hardison, Planning and Zoning)

The Planning and Zoning Commission participated in legislative and quasi-judicial decision making training. The Commissioners discussed what to consider when making these decisions, as well as what was considered a conflict of interest when it came to discussing and voting on items.

VI. NON-AGENDA ITEMS

Commissioner Grady requested that Staff look into an amendment to address how the width of a mobile home is measured. The BOA recently overturned the zoning administrators decision to deny a building permit for 15.5' wide mobile home due to the fact it did not meet the 16' requirement. The basis of the BOA's decision was that the mobile home industry standard considers a 16' to be a 15.5' plus the addition of 3" of overhang on both sides of the structure. The width of mobile homes considered by the zoning administrator should be the same as the manufacturers specifications. The Commissioners discussed the BOA's ruling and were in agreement with the ruling.

Commissioner Bloemendaal asked if the wetland layer in the online GIS system could be amended. Mr. Hardison responded that the layer could be updated as lot delineations were submitted to the Town. Commissioner Bloemendaal asked if there was a time limit for the lots shown on the GIS as possibly having Wetlands. Mr. Hardison responded that as they were indicated at one time to possibly have wetlands the Army Corp still needs to be involved in any analysis to see if wetlands are present on those lots.

Commissioner Bloemendaal inquired about the helicopter tour application that was submitted. Mr. Parvin told the P&Z Commission that a text amendment addressing helicopters would be brought to TRC in September, P&Z in October, and Council in November. The applicant has three options: Conditional Use Permit, Text Amendment, or Appeal to the BOA. The Town Manager's original interpretation originally presenting only two options for a Text Amendment or appeal, was overturned due to further case law analysis by the Town Attorney.

Mr. Parvin explained that if the applicant submitted an application for a CUP prior to Council voting on a text amendment addressing the land use, then the applicant would essentially be vested and allowed to continue the CUP process. P&Z will hear the item for the defined helicopter land use in October.

Commissioner Grady asked why the noise ordinance did not apply. Mr. Parvin responded that it would be an impact the Commission would have to consider if the item came before them as a CUP.

Commissioner Bloemendaal informed the board that five contractors were looking to build Harry Buie a new house as his has recently been condemned.

Commissioner Kennedy requested that the Commission also consider the Cape Fear Transportation plan when making project decisions. Mr. Parvin explained that the Towns long range planning documents include recommendations and then the Town works with the MPO to get grant funding for those projects.

Mr. Parvin reminded the Commission that today is the last day to answer the Park and Recreation survey.

Commissioner Toppin asked if there was a plan to increase the number of sidewalks and crosswalks. Mr. Parvin answered that the Town is currently working on Phase B improvement project which includes sidewalks and crosswalks.

Commissioner Kennedy expressed concerns with golf carts parking in car parking spaces.

VII. ADJOURNMENT

Commissioner Grady made a motion to adjourn. Commissioner Kennedy seconded the motion. All in favor (6-0).

VIII. AGENDA ITEMS

Kimberlee Ward, Town Clerk

Date Approved