



CAROLINA BEACH
PLANNING AND ZONING MEETING
MINUTES • MAY 12, 2016

Council Chambers
Regular Meeting
6:30 PM

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

1. CALL MEETING TO ORDER

Attendee Name	Title	Status	Arrived
Mary Grady		Absent	
Greg Reynolds		Present	
Keith Bloemendaal		Present	
Ked Cottrell		Present	
Sarah Efird		Present	
Johnie Davis		Absent	
Tammy Hanson		Present	

2. APPROVAL OF MINUTES

Commissioner Cottrell, seconded by Commissioner Bloemendaal.

- a. Planning and Zoning - Regular Meeting - Apr 14, 2016 6:30 PM

3. STAFF REPORT ON RECENT COUNCIL MEETING(S)

Council Meeting 5/10/2016. CUP for arcade was approved as presented. The LUP Amendment and Rezoning at 310 CBAN were tabled. There was discussion on where the line should be drawn between T-1 and CBD. Staff has been directed to come up with a plan for a broader LUP Amendment based on Community input.

4. PUBLIC HEARINGS

Elaine Terrel. 502 Fern Creek Lane. Requested that P&Z consider that a landing zone for a helicopter should not be allowed in CB.

- a. Amend Article IX. Sec. 40-261 Development standards for particular uses. Manufactured housing, appearance criteria. The amendment will modify appearance standards on Manufactured Housing.

(Requested by Jeremy Hardison, Planning and Zoning)

Chairman Reynolds asked if 15'6" is an industry standard. Mr. Hardison responded that when the requirement was put into effect there are many more size options.

Commissioner Bloemendaal asked for length ratio clarification. Mr. Hardison explained that the minutes from 2000 did not indicate where that requirement had come from.

Chairman Reynolds made a motion to open the public hearing and it was seconded by Commissioner Bloemendaal.

James Sattie. 610 Glenn Avenue. Purchased the property last year with the intentions of placing a 16' wide mobile home on it. The floor plan is technically 15'6" wide but is

considered a 16' wide mobile home. His building permit was denied due to the proposed width of the mobile home.

James Sattie, Sr. Requested the Commissions' help in resolving this issue.

Commissioner Bloemendaal made a motion to close the public hearing, it was seconded by Commissioner Cottrell. All were in favor (5-0).

Commissioner Hanson asked if the Town was in noncompliance by requiring a width minimum.

Commissioner Bloemendaal made a motion to approve Option Two as written by Staff, to eliminate the eave, roof pitch, width requirements and length ratio, keeping the requirement to remove the towing apparatus, wheels, axles, and transporting lights and requiring a masonry foundation. 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 to Chapter 40 - Zoning Article IX, Development Standards for Particular Uses (q) Manufactured Housing, is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans. The motion was seconded by Commissioner Hanson. There was no discussion. All were in favor (5-0).

5. PUBLIC DISCUSSION

- a. Request: The Planning and Zoning Commission (P&Z) has requested the staff to bring the Itinerant Merchant Ordinance, Article II Peddling and Soliciting in 2013; Sec 14-22, to P&Z for discussion/review. We have had the Ordinance in effect for 3 years so P&Z would like to discuss how the rules are working and what issues the community has experienced with the code allowances.

(Requested by Brenda Butler, Planning & Development)

Chairman Reynolds asked why a tent could be located on the beach but merchandise could not be sold. Ms. Butler clarified that business transactions could not be performed on the beach.

The commissioners felt that the allowance of keeping surf boards at the beach was the same as displaying merchandise.

The commissioners inquired as to if complaints had been made. Ms. Butler confirmed that there have been complaints.

Commissioner Bloemendaal asked if enforcement actions have been taken when complaints have been received. Ms. Butler explained that if another complaint is received than a violation letter will be sent. If it is found that the merchant is habitual offender than his permit will be revoked.

The Commissioners asked for examples of the complaints. One of the complaints was that the merchant was doing business in an area located in a flood zone. Business was to be done upstairs, above the base flood elevation.

Chairman Reynolds asked staff to consider tightening up the 500sf lot coverage rule. Was concerned that the allowance may be too loose of a standard.

Duke Hagestrom, 920 Riptide Lane. Does not want to be perceived as bashing another business. After reviewing the original intent of the itinerant merchant code, he

perceives it as an opportunity for a new business to determine if its business plan will work within the community. It is temporary in nature. Questioned the definition of temporary by Council. Current itinerant merchant has been here 3 years. Also curious how the 180 day time frame is counted. Brick and Mortar businesses have to make a sizable investment. There is motivation in the language to encourage more business owner to be an itinerant merchant and avoid further investing in the community. Does not feel its fair that local business owners have to make complaints in order to enforce the itinerant merchant ordinance.

Ms. Butler explained that per approval through Town Council the current Itinerant Merchant is allowed to operate for 5 years.

Commissioner Bloemendaal asked if changes could be made to the permit granted to the Itinerant Merchant. Mr. Parvin explained that although he's been granted by council up to 5 years, the contract is renewed annually.

Sean Cook, 138 Northern Blvd. Owns Pleasure Island Rentals. Feels there never should have been a permit granted for an Itinerant Merchant out of Hang Ten Grill. The ordinance needs to be addressed.

Patricia Jones, 612 CBAN. Concurs with the other comments made. Feels that the ordinance is too limiting and is only utilized by one. Would like the Town to consider the possibility of food trucks. All businesses want a fair and level playing field.

Ms. Butler addressed allowing food trucks and explained how the City of Wilmington allows them. The only place in CB where vending is allowed is on the beach. Food trucks are only allowed in conjunction with a special event and through a permit. Brick and Mortar businesses are only allowed three special events a year. Food trucks are also allowed to brick and mortar businesses for up to 180 days.

Chairman Reynolds asked what defines a business. Asked staff to tighten what is established business, limit what is done on beach, and limit the size of the itinerant merchant site. Give parameters for time of operation. Also asked to determine the actual intent of the itinerant merchant ordinance.

Monica Milam, 103 Cape Fear Blvd. Island Hots. Intention is to have a cart to set up a second location. Want to be able to provide food elsewhere in Carolina Beach.

The Commission also recommended a separate community workshop to address food carts and food trucks.

6. NON-AGENDA ITEMS

Chairman Reynolds directed staff to explore the option of Food Trucks in Carolina Beach. Brenda Butler will research other local municipalities codes and bring another presentation back to P&Z.

Patricia Jones asked for a clarification of the difference between catering and a food truck. Also asked for clarification between private and public charity events.

7. ADJOURNMENT

Commissioner Efird made a motion to adjourn. The motion was seconded by Commissioner Bloemendaal.

Kimberlee Ward, Town Clerk

Date Approved