



**KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
JUNE 6, 2018**

The Kure Beach Planning and Zoning Commission held their regular meeting on **Wednesday, June 6, 2018**. A quorum of commission members was present.

P&Z MEMBERS PRESENT

Chair Craig Galbraith
Vice Chair Bill Moore
Member Kenneth Richardson
Member Retha Deaton
Alternate Member Robert Young

P&Z MEMBERS ABSENT

Member John Cawthorne

STAFF PRESENT

John Batson – Building Inspections
Kathleen Zielinski – Secretary

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Councilman Joseph Whitley, Liaison  
Attorney James E. Eldridge

**1. CALL TO ORDER**

Chairman Craig Galbraith called the meeting to order at 7:00 p.m.

**2. APPROVAL OF AGENDA**

**MOTION** – Member Moore moved to approve the meeting agenda as presented

**SECOND** - Member Deaton

**VOTE** – Unanimous

**3. APPROVAL OF MEETING MINUTES**

**MOTION** – Member Richardson moved to approve the minutes from April 4, 2018

**SECOND** – Member Moore

**VOTE** - Unanimous

**MOTION** – Member Moore moved to approve the minutes from May 2, 2018

**SECOND** – Member Deaton

**VOTE** – Unanimous

#### 4. PUBLIC COMMENTS

None

#### 5. OLD BUSINESS

- a. Recommendation to Council with Consistency Statement for changes in the 2017 model Flood Damage Prevention Ordinance as presented by Inspector Batson at the April 4, 2018 meeting and associated new maps

Inspector Batson informed the commission that by adopting the new ordinance the Town will improve its rating with the NFIP. If approved by Council, the new ordinance and flood maps will become effective August 28, 2018.

**MOTION** – Member Moore moved to send recommendation to Council with Consistency Statement for changes in the 2017 model Flood Damage Prevention Ordinance as presented by Inspector Batson at the April 4, 2018 meeting and associated new maps

**SECOND** – Member Deaton

**VOTE** – Unanimous

#### 6. NEW BUSINESS

- a. Discussion of possible ordinances regarding propane tanks on the ocean side

Member Moore reported that, upon his request, members of the Kure Beach Fire Department visited Ocean Dunes recently to evaluate the condition of propane tanks situated around the property. He shared pictures of tanks that have fallen into disrepair and stated that Ocean Dunes HOA now requires that propane tanks be placed on a level platform, are blocked, are strapped down and receive annual certification. He inquired if any commissioners thought the town would like to do something similar.

The ensuing discussion touched upon several key points:

- Whoever provides the tank must inspect and change out if damaged
- This is a definite safety issue that should be addressed
- Propane tanks have the potential of exploding
- The fire department is willing to inspect propane tanks upon request
- Tanks located in a flood zone are required to be tied down
- Some propane companies do not seem interested in the condition of the tanks they fill
- Household propane tanks are not regulated by the state
- Annual or periodic safety inspections might be a consideration

It was agreed that more discussion is needed with the help of the fire department and perhaps a representative from a propane company. Member Moore will arrange for the representatives to attend an upcoming meeting. He will also bring information from his HOA. Chairman Galbraith commented that he would like to see the entire town addressed, not just properties located ocean side or in a flood zone.

**MOTION** – Chairman Galbraith moved to continue the discussion to the next regular meeting.  
**SECOND** – Member Richardson  
**VOTE** - Unanimous

b. Revise definition of “structure” and consider outdoor shower enclosures.

Member Richardson opened the discussion by reiterating that any enclosure of an outdoor shower that encroaches on the setback is not permitted by the code as currently written. Attorney Eldridge reminded the commission of the recent request brought forward by a resident for a text amendment that would allow an existing outdoor shower to be enclosed without regard to the setback line. The request was denied, but it was suggested that a portable enclosure would be permitted. The goal of the discussion, as introduced by Chairman Galbraith, was to eliminate the ambiguity in the current definition by fine tuning the definition of a structure. He said that right now something on wheels would be technically considered a structure and that changing the definition affects other things. Other questions comments included:

- If allowing freestanding or portable structure, has consideration been given to the impact of a tropical event
- A shed sitting on the ground with no foundation would be considered portable
- Everyone wants a six-foot fence, an outdoor shower and a shed, but some lots cannot accommodate them without encroaching the setback
- Consider allowing shower enclosures and nothing else
- Consider size and weight of permitted structure
- Any changes must be clear and concise
- Suggestion to limit to 4X4, moveable and no higher than six feet

Chairman Galbraith then suggested the commission take a vote to let the definition stand as is or continue the item to next month for which he could prepare some proposed wording for consideration.

**MOTION** – Member Deaton moved to make no changes to the structure ordinance as written which states that structures that transverse the setback be cannot installed  
**SECOND** – Member Richardson  
**VOTE** – 3-1 with Chairman Galbraith dissenting.

c. Parking for short-term rentals

Commissioner Whitley stated that Council is looking for guidelines in an effort to address the myriad of problems with parking. Recommendations that the ad hoc parking committee came up with do not address short-term rentals. Attorney Eldridge suggested this discussion not be limited to short-term rentals, but that by regulating residential parking the short-term parking problem would be mitigated.

Chairman Galbraith raised a common concern about large houses with many bedrooms not having adequate parking for all overnight guests. Allowing parking in the front yard, while it is permitted, produces an unsightly situation. He reminded the commission of an attempt several years ago to require a certificate process which would include defining the number of bedrooms in a rental property. Real estate professionals and attorneys argued against that and nothing was resolved. Without knowing the number of bedrooms in a house, enforcement of cars per bedroom would be difficult to enforce. Attorney Eldridge suggested setting a maximum number of cars permitted to park at a residence regardless of the size of the house.

On another topic, as stated by Commissioner Whitley, proposed amendments on parking presented at the last Council meeting were not supported by most of the residents in attendance. A subsequent meeting was held by the ad hoc parking committee to which some of the residents in opposition were invited. That meeting resulted in similar guidelines to the first and Attorney Eldridge is working on draft proposals for text amendments to Chapters 10 and 19. A Special Meeting of the Planning and Zoning Commission will be necessary prior to the Council June 19 meeting for the purpose of reviewing the guidelines developed by the ad hoc committee and recommending their adoption to Council. The two agenda items for that meeting will be report and review on proposed text amendments to Chapter 19 regulating residential parking and report and review on proposed text amendments to Chapter 10 regulating parking within the town's corporate limits.

**MOTION** – Member Richardson moved to hold a Special Meeting June 18, 2018 at 7:00 p.m. to discuss possible amendments to Chapters 10 and 19 regulating parking

**SECOND** – Member Moore

**VOTE** - Unanimous

After additional discussion, it was agreed that the maximum number of vehicles per lot, per unit or per complex is still to be decided and that only external parking will be counted.

d. Long-term planning

Member Richardson stated that the Mayor is concerned about preserving the Central Business District and adjacent districts. As current business owners retire and others take over, he would like P&Z to think about regulations on future development.

Inspector Batson informed the commission that there are 13 lots in the B-1 District that can be immediately rebuilt with brand new single-family homes if the current use is for a single-family home. Historically, he said, some owners have torn down commercial buildings and gotten a variance to build single-family homes as well.

The ensuing conversation revolved around rezoning versus creating an overlay district boundary. Considerations include aesthetics, enhancing the central business district, special use restrictions and the adjacent district, which is zoned for commercial and residential use.

Chairman Galbraith stated that carving out an overlay district, then setting architectural requirements is above the capacity of this Planning & Zoning Commission. He sees a need for more professional assistance and thinks a study to determine what the CBD should look like would be helpful. The Chairman would like to hear a formal motion from council directing the commission to take this on.

**MOTION** – Chairman Galbraith moved to request from Town Council to provide direction related to P&Z's involvement to assist in preserving the Central Business District

**SECOND** – Member Moore

**VOTE** - Unanimous

**7. MEMBER ITEMS**

None

**8. NEXT REGUALR MEETING**

**MOTION** – Member Richardson moved to reschedule the July regular meeting from July 4, 2018 to July 11, 2018

**SECOND** – Member Moore

**VOTE** - Unanimous

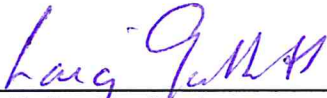
**9. ADJOURNMENT**

**MOTION** – Member Richardson moved to adjourn the meeting

**SECOND** – Member Moore

**VOTE** – Unanimous

Meeting was adjourned at 8.26 p.m.



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Craig Galbraith, Chairman  
Planning and Zoning Commission



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Kathleen Zielinski, Secretary

NOTE: These are minutes reflecting items considered and actions taken by the Planning & Zoning Committee and should not be considered a transcript of the meeting.