



**KURE BEACH PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
NOVEMBER 7, 2018**

The Kure Beach Planning & Zoning Commission held their regular meeting on Wednesday, November 7, 2018. A quorum of commission members was present.

**P&Z MEMBERS PRESENT**

Chair Craig Galbraith  
Vice Chair William 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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Commissioner Joseph Whitley, Council Liaison  
Attorney James E. Eldridge

**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

Counsel requested adding an agenda item for a closed session for a brief attorney client consultation

**MOTION** – Chairman Galbraith moved that the Commission add a closed session pursuant to N.C.G.S 143-318.11(a)(3) to consult with the attorney under attorney/client provision, adding it to the agenda as Item 5.

**SECOND** – Member Richardson

**VOTE** - Unanimous

**3. APPROVAL OF MEETING MINUTES:** October 3, 2018 Regular Meeting

**MOTION** – Member Richardson moved to approve the October 3, 2018 minutes as submitted

**SECOND** – Vice Chair Moore

**VOTE** – Unanimous

#### 4. PUBLIC COMMENTS

None

#### 5. CLOSED SESSION

Chairman Galbraith led the commission to closed session as voted upon at the start of the meeting.

**MOTION** – Member Richardson made a motion to return to open session at 7:11 pm.

**SECOND** – Chairman Galbraith

**VOTE** – Unanimous

#### 6. OLD BUSINESS

- a. Chairman Galbraith reported that Town Council held a public hearing October 22, 2018 for public comments on the proposed amendment to Chapter 19 (Zoning), Article VI (Signs), Section 373 (Exceptions) recommended by P&Z. He was not in attendance at the meeting but, based on feedback, he heard there was not a lot of discussion on the topic. At the following meeting, Council voted to approve the text amendment and associated Consistency Statement
- b. Attorney Eldridge distributed packets with information related to the proposed text amendment for permissible uses for churches in the RA-1 District. He began with several new definitions to be added to sec.19-1 and reported making an effort to define religious institution and religious annex to clearly separate a religious annex building from a typical accessory building.

Mr. Eldridge then moved on to discuss his draft of permitted uses for religious institutions based upon conversations from previous meetings. He explained that there are five other districts where churches are considered a permitted use; therefore, the changes could not be limited to this one district and the proposed text amendment will be applied uniformly to all six districts. Discussion that followed highlighted the need for further clarifications, which included:

- A time limit for the stay of emergency relief workers should be set
- State of emergency may be lifted when there is much work left to be done
- Inclusion of all religious institutions
- Relief groups normally rotate every 7-10 days

Attorney Eldridge then reviewed a draft revision to prohibited uses to include three of the new definitions discussed earlier. Lastly, he reviewed the consistency statement that will accompany the proposed text amendments.

**MOTION** – Member Deaton moved that the commission report favorably to council on the proposed text amendments with recommended changes

**SECOND** – Member Richardson

**VOTE** – Unanimous

**MOTION** – Member Richardson moved to adopt the associated Consistency Statement

**SECOND** – Member Deaton

**VOTE** - Unanimous

Pastor Howell thanked the commission and Commissioner Whitley for their assistance and stated that he plans to be at the council meeting to be available for any questions.

Chairman Galbraith will attend the meeting to present the amendments. It will be the decision of Council whether to accept the recommendation and then hold a public hearing on the proposed changes.

- c. Attorney Eldridge presented a proposed text amendment and consistency statement for adding the definition of monument sign to Sec.19-1. As with the religious institution annex, this will require a public hearing so both proposed amendments will go to Council for their next meeting.

**MOTION** – Member Richardson moved to report favorably to Council on the proposed amendment to Sec.19-371

**SECOND** – Vice Chair Moore

**VOTE** - Unanimous

**MOTION** – Vice Chair Moore moved to adopt the proposed Consistency Statement

**SECOND** – Member Richardson

**VOTE** - Unanimous

- d. Chairman Galbraith reported that he attended the last council meeting and asked for direction from the members on what they would like to see for the downtown area in considering a new overlay district. Council asked the chairman to provide examples of other overlay districts, which he hence provided by email, copying the members of P&Z. Council feels a continued discussion and public input are needed. While they provided no direction at this time, they are in favor of moving forward. Commissioner Whitley suggested holding a workshop session in the future to invite the public for feedback. He said that Council has begun to reach out to local business owners and knows of at least one who is in favor of maintaining the integrity of the downtown business district. Chairman Galbraith is hoping to have direction from Council prior to the next P&Z meeting and would like to formally ask for such as an agenda item at their next meeting.. Other considerations include:

- Can overlay districts intersect?
- Which districts should be involved?
- Will professional assistance be needed?
- Zoning map will need to be amended
- Knowing the geographical area will be helpful
- Laguna Beach example was well written and illustrates clear vision

**MOTION** – Chairman Galbraith moved to ask Council to provide direction for developing an overlay district for preserving the character of the Business District

**SECOND** – Member Richardson

**VOTE** -Unanimous

## **7. NEW BUSINESS**

None

## **8. MEMBER ITEMS**

- a. Member Richardson shared pictures of portions of Spot Lane near the new Carolina Beach bike path, and Settlers Lane by the pump station. He is concerned that Settlers Lane may become an extension of the bike path as people exit it on Spot Lane and traverse the town lot to continue down Settlers Lane. He would like to open a discussion to come up with a

good solution before that occurs. Chairman Galbraith said there was talk in the past about developing a bike path along the fire lane behind the houses on Settlers Lane with no results. Commissioner Whitley informed the commission members that Town Council is meeting with MOTSU later in the month and this will come up as part of the discussion on updating their Land Use Plan. He suggested holding off on any action until after learning from MOTSU what they will work with the town on.

b. Vice Chair Moore described a dangerous situation involving propane tanks in Ocean Dunes during Hurricane Florence. While the HOA rules require concrete pads underneath, there is nothing to prevent those pads from being washed away by strong wave action. In this case, a propane tank weighing several hundred pounds was left dangling when the land beneath its pad was washed out by waves. He asked those in attendance for suggestions for a possible resolution. Those suggestions included:

- Amending the HOA rules
- Limiting the size of tanks
- Checking with Town Council
- Consulting with engineer

c. Chairman Galbraith noted that John Cawthorne's absence at next meeting will constitute his third in a row. Mr. Galbraith asked that Commissioner Whitley, as Council Liaison, reach out to Member Cawthorne to discuss the matter.

## 9. NEXT MEETING

December 5, 2018 at 7 p.m. for discussion of mixed-use overlay district unless Council provides no direction at this time. In that case, the December meeting will be cancelled.

## 10. ADJOURNMENT

**MOTION** – Member Deaton

**SECOND** – Member Richardson

**VOTE** – Unanimous

Meeting was adjourned at 8:18 p.m.

  
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Craig Galbraith, Chairman

  
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Kathleen Zielinski, Secretary

NOTE: These minutes reflect items considered and actions taken by the Planning & Zoning Commission and should not be considered a transcript of the meeting. An audio recording of the entire meeting can be found on the Town of Kure Beach website.