



# PLANNING & ZONING COMMISSION AGENDA

**REGULAR MEETING**

**Wednesday, August 7, 2019 @ 7:00 pm**

## **CALL TO ORDER**

## **ADOPTION OF AGENDA**

## **APPROVAL OF MEETING MINUTES:**

- July 9th, 2019 Regular Meeting

## **PUBLIC COMMENTS**

## **OLD BUSINESS**

## **NEW BUSINESS**

1. Consideration of text amendment Chapter 19, Section 61 Amendment and Changes and new Section 62 on Rezoning (Eldridge)
2. Review of renumbered, reorganized Code of Ordinances (Avery)
3. Discussion on October training session with Council of Government
4. "Green" Development Study for Kure Beach with UNCW (Galbraith)

## **MEMBER ITEMS**

## **ADJOURNMENT**

**Chapter 19, Secs. 19-61-75  
(Current)**

**DIVISION 3. AMENDMENTS**

**Sec. 19-61. Changes and amendments.**

The town council may, on its own motion or upon motion or upon petition by any person within the zoning jurisdiction of the town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or maps which are part of this chapter, subject to the state law and this chapter. No regulation or map shall be amended, supplemented, changed, modified or repealed until after a public hearing in relation thereto, at which parties in interests and citizens shall have an opportunity to be heard.

**Sec. 19-62-19-75. Reserved.**

**Chapter 19, Secs. 19-62-75  
(Proposed Amendments/Redline)**

**DIVISION 3. AMENDMENTS**

**Sec. 19-61. Changes and amendments.**

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**Sec. 19-62. Rezoning Applications.**

~~A rezoning application may be initiated by a reviewing or decision-making board of the town or by an owner or prospective vendee of the subject property and by an authorized agent of the owner or prospective vendee. In the event an applicant is an organization, including but not limited to corporations, limited liability companies, and partnerships, then the application shall include a written statement identifying the organization, its legal status, and the name and address of each person/entity owning a ten percent (10%) or greater share thereof. Excepting rezonings proposed by a town board, the application together with payment of the required fee shall be submitted to the Town Clerk.~~

**Sec. 19-63-19-75. Reserved.**

**Chapter 19, Secs. 19-62-75**  
**(Proposed Amendments/Blackline)**

**DIVISION 3. AMENDMENTS**

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**Sec. 19-63-19-75. Reserved.**



**TOWN OF KURE BEACH  
PLANNING & ZONING COMMISSION**

PZC Meeting Date: August 7, 2019

Agenda Item No.: 1 (New Business)

**ZONING CONSISTENCY STATEMENT  
N.C.G.S. 160A-383**

X Consideration of proposed text amendments to The Town of Kure Beach Code:

1. Chapter 19 *Zoning*, Art. II, Div. 3, Secs. 61 *Changes and amendments* and 62 *Reserved*.

X The proposed text amendments are CONSISTENT WITH the objectives/policies of the Town of Kure Beach Land Use Plan ("LUP").

X The proposed text amendments are CONSISTENT WITH Part 3, Section 2.B. of the LUP.

\_\_\_\_\_ The proposed text amendment is NOT CONSISTENT WITH Part \_\_\_\_\_, Section \_\_\_\_\_ of the LUP.

The Planning and Zoning Commission ("Commission") requests Town Council's consideration and adoption of Staff's proposed text amendments to Chapter 19 of the Kure Beach Code which are attached hereto and incorporated herein by reference. The proposed amendments provide that rezoning applications shall only be initiated by reviewing and decision-making boards and by owners, authorized agents of owners, and prospective vendees of the subject property.

The Commission finds that adopting the amendments will be reasonable and in the public interest inasmuch as they limit rezoning applications to those persons/entities having an actual or prospective ownership interest in the subject properties, said limitation being consistent with the goal on land use compatibility as set forth in Part 3, Section 2.B. of the LUP which provides, in pertinent part, as follows:

Kure Beach desires to ensure that future development will be consistent with the historic small town nature of the community and that big box residential and high rise development will be avoided...and to ensure that that any uses of the land and water minimize negative environmental impact and avoid risks to public health, safety, and welfare, and will not exceed the capability of the land or man-made features to support such use.

Based on these findings, the Commission recommends that Town Council adopt the proposed text amendments.

**TOWN OF KURE BEACH  
PLANNING AND ZONING COMMISSION:**

\_\_\_\_\_  
Craig Galbraith, Chairman



## **KURE BEACH PLANNING & ZONING COMMISSION**

**July 9, 2019**

**7:00 pm**

### **MINUTES**

The Kure Beach Planning and Zoning Commission (P&Z) held its regular meeting on Wednesday, July 9, 2019. A quorum of members was present and Attorney Jim Eldridge attended.

#### **P&Z MEMBERS PRESENT**

Chairman Craig Galbraith  
Member Bill Moore  
Member Robert Young

#### **P&Z MEMBERS ABSENT**

Member David Garceau  
Member Kenneth Richardson

#### **STAFF PRESENT**

Nancy Avery, Town Clerk  
John Batson, Building Inspector

#### **1. CALL TO ORDER**

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

#### **2. APPROVAL OF AGENDA**

MOTION – Member Moore made a motion to approve the agenda as presented

SECOND – Member Young

VOTE - Unanimous

#### **3. APPROVAL OF MEETING MINUTES:**

- June 5, 2019 Regular Meeting

MOTION – Member Young made a motion to approve the minutes from the June 5, 2019 regular meeting

SECOND – Member Moore

VOTE – Unanimous

## **OLD BUSINESS**

Chairman Galbraith asked Building Inspector Batson do you have an update on Sun Fun Rentals regarding the signs and the sale of golf carts.

Building Inspector Batson stated he had followed up with an email to the Commission regarding this issue. He did speak with the owner about the sale of golf carts not being allowed on the property and told the owner he would need to bring it back before the Commission. The building has been delivered to the property and the company is currently working on painting. He has received no complaints from citizens regarding Sun Fun Rentals.

## **NEW BUSINESS**

1. Accept Retha Deaton's resignation from the P&Z Commission

Chairman Galbraith stated Member Garceau will become the new full member and the Commission will be interviewing for an alternate member.

2. School of Government training opportunity

Building Inspector Batson stated Commissioner Whitley wants the Commissions opinion on what the Commission would like to have the training on.

Attorney Eldridge stated he recommends the Commission look into Quasi-judicial and Historical Preservation Commission training opportunities.

3. Graffiti mitigation

Chairman Galbraith stated graffiti has become a huge problem in beach communities. The gang community and tag related graffiti are attracted to beach communities. Gangs do not pay parking fees and stake out beach communities where the gang can tag properties. He has included in the agenda packet an example of a graffiti ordinance.

Member Moore stated he thinks it would be a good idea for the Commission to explore this more.

Member Young stated the commission should bring a recommendation to Town Council regarding a graffiti ordinance.

MOTION – Vice Chairman Moore made a motion to adjourn the meeting at 7:16 p.m.

SECOND – Member Young

VOTE - Unanimous

ATTEST: \_\_\_\_\_  
Nancy Avery, Town Clerk

\_\_\_\_\_  
Craig Galbraith, Chairman

NOTE: These are action minutes reflecting items considered and actions taken by Planning and Zoning Commission. These minutes are not a transcript of the meeting. A recording of the meeting is available on the town's website under government>planning and zoning.