



**KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING**

A regular meeting of the Kure Beach Planning & Zoning (P&Z) Commission was held on Wednesday, August 3, 2016. A quorum of the Commission was present.

P&Z MEMBERS IN ATTENDANCE

Chairman John Ellen
Vice Chairman Alan Votta
Member Craig Galbraith
Member Bill Moore

ABSENT

Member Kenneth Richardson

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Councilman Joseph Whitley, Liaison  
Attorney James E. Eldridge

**STAFF PRESENT**

John Batson, Building Inspector  
Josie Fitzgerald, Secretary

**I. CALL TO ORDER**

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

**II. APPROVAL OF THE AGENDA**

**MOTION:** Member Moore moved to approve the Agenda

**SECOND:** Member Galbraith

**VOTE:** Unanimous

**MOTION:** Chairman Ellen moved pursuant to GS 143-318.11(a)(3) to proceed in a closed session to consult with attorney

**SECOND:** Member Moore

**VOTE:** Unanimous

~~~~~**CLOSED SESSION**~~~~~

MOTION: Member Moore moved to reconvene the regular meeting in open session

SECOND: Member Votta

VOTE: Unanimous

MOTION: Member Votta moved to excuse Member Galbraith from the meeting due to illness
SECOND: Member Moore
VOTE: Unanimous

III. APPROVAL OF THE MINUTES

MOTION: Member Moore moved to approve the minutes of June 1, 2016
SECOND: Chairman Ellen
VOTE: Unanimous

IV. PUBLIC COMMENTS

None

V. OLD BUSINESS

Short term rentals (Lumina News article attached)

P&Z reviewed the short term rental issue being discussed by Wilmington City Council.

- Wilmington has been trying to regulate short term rentals
- The definition of short term rentals needs clarification
- There are problems created by short term rentals; i.e. noise, etc.

P&Z is aware and discussed this issue a year ago, but took no action at this time.

No further discussion

VI. NEW BUSINESS:

A. Brief discussion regarding HB 483-Land Use Regulatory Changes (article attached – Mayor Swearingen requests contacting legislators)

- This issue has been resolved
- The original draft consisting of 9 pages has been revised and adopted in a reduced version of 2 pages (approved 22nd day of July, 2016) See attached

B. Beach Safety and Conservation Standards – Proposed Sec. 12-47, 48, 49

Attorney Eldridge presented a proposed draft for P&Z to review and consider (see attached)

Council assigned Attorney Eldridge and P&Z to develop Beach Safety and Conservation Standards to be incorporated in the Town Code and report back to Council

- It is the policy of the Town of KB to encourage and promote the recreational use of its beach while protecting human safety and conserving and sustaining the sensitive ecosystems.
- Consideration to stabilizing the sand dunes, sea turtle nesting sites, nests and young local and migratory birds, and habitats of maritime plant and wildlife should be included
- After review of the draft presented by Attorney Eldridge and discussion by P&Z, two additions were suggested; (1) to add the words to address protecting human

safety and (2) provide for a panel of pertinent department heads to evaluate a request for activity on the beach not provided for in the Code

- There was much discussion of the Town's obligation to protect and preserve its beach while protecting human safety and how different scenarios of abuse can occur if standards are not in place.
- The Town should not be exposed to a risk to the public or damage to its beach.
- Consideration should be made for continued function by law enforcement, code enforcement, ocean rescue and other emergency services and beach nourishment projects.
- The panel of pertinent department heads would vary according to the situation requested of beach activity.

MOTION: Member Ellen moved to approve and recommend the revised draft of Beach Safety and Conservation Standards with ^{to Council} ~~to Council~~ _{revisions}

SECOND: Member Moore

VOTE: Unanimous

VII. MEMBER ITEMS:

Schedule visit with Wilmington Metropolitan Planning Organization (MPO) to speak to P&Z regarding Cape Fear Transportation 2040 plan and how it can be used by the commission

- Memo from Nancy Hewitt stating MPO offered to address P&Z.
- September meeting would be first choice, October is backup
- Nancy and Josie will follow up with scheduling with MPO

MOTION: Member Moore moved to agree to have a speaker from MPO in Sept as a first choice and Oct as an alternate choice and placed on the appropriate Agenda

SECOND: Votta

VOTE: Unanimous


VIII. ADJOURNMENT


MOTION: Member Moore moved to adjourn the meeting.

SECOND: Member Votta

VOTE: Unanimous

The P&Z meeting adjourned at 8:15 p.m.


John Ellen, Chairman
Planning and Zoning Commission


Josie Fitzgerald, Secretary