



# PLANNING & ZONING COMMISSION MINUTES

## REGULAR MEETING

Wednesday, November 6, 2019 @ 7:00 pm

The Kure Beach Planning and Zoning Commission (P&Z) held its regular meeting on Monday, November 6, 2019. A quorum of members was present and Attorney Jim Eldridge attended.

### P&Z MEMBERS PRESENT

Chairman Craig Galbraith  
Member Bill Moore  
Member David Garceau  
Member Kenneth Richardson  
Member Robert Young

### P&Z MEMBERS ABSENT

### STAFF PRESENT

Nancy Avery, Town Clerk  
John Batson, Building Inspector  
Mandy Sanders, Deputy Town Clerk  
Beth Chase, Admin Assistant

### CALL TO ORDER

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

### APPROVAL OF AGENDA

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

SECOND – Member Young

VOTE - Unanimous

### APPROVAL OF MEETING MINUTES:

1. October 7, 2019 Regular Meeting

MOTION – Member Moore made a motion to approve the meeting minutes for October 7, 2019

SECOND – Member Richardson

VOTE- Unanimous

### OLD BUSINESS

1. Presentation by intern(s)

Gloria Abbotts stated:

- Green Programs and Policy Recommendations Overview
  - Adopt-a-beach-access
  - Tree Protection
  - Energy Conservation
  - LED Lighting
  - NC Greenpower
- Adopt a Beach Access



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- Wrightsville Beach
- Created by the Wrightsville Beach Committee
- Effort to combat stormwater pollution and litter
- Individuals or organizations register for a beach access and are committed to cleaning the access on a regular basis
- Tree Protection Ordinance Benefits
  - Environmental Benefits
  - Improve water quality
  - Conserve energy
  - Buffer noise
  - Aesthetics
- Energy Conservation
  - Cabarrus County
  - Energy Conservation Techniques in all Facilities examples
  - Energy efficient light bulbs
  - “Turn off Lights” stickers on light switch plates
  - Charting energy usage in all County buildings and establishing energy reduction targets
  - Home energy conservation tips on website – links to DEQ and EPA
- LED Lighting
  - Chapel Hill
  - LED Lighting at Town Hall, Parking Deck, Aquatic Center
  - Staff: Public Works, Transit, and Sustainability
- NC Greenpower
  - The City of Gastonia offers participation to utility customers
  - Voluntary contribution per month to increase the amount of renewable green energy in North Carolina

Member Garceau commented he would like to discuss a lighting pollution ordinance and dark sky regulations for the Town at a future meeting.

Chairman Galbraith stated that is an excellent idea and we will add it to the next month meeting agenda. One of the most polluting lights in the town is the Fire Department.

## 2. Rules of Procedure including provisions for remote participation

Attorney Eldridge stated:

- On page 2 of the draft rules of procedure the date change will be corrected
- P&Z commission members can participate remotely and members can vote on all matters
- A helpful tool is 5.07 of the Rules of Procedure that states Meetings Recessed and Adjourned to a Time and Place Certain. Any duly noticed and assembled meeting may be recessed and adjourned to a date, time, and place certain upon the



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majority vote of a quorum of the PZC. No further notice need be given of a meeting so recessed and adjourned provided that the date, time, and place of the reconvened meeting is announced at the meeting that is being recessed and adjourned.

MOTION- Member Moore made a motion to approve the amended rule of procedure as discussed

SECOND- Member Richardson

VOTE- Unanimous

## NEW BUSINESS

1. Oath of Office for Tony Garibay as alternate member

Town Clerk Avery gave Tony Garibay his oath of office and he took his seat as alternate Planning and Zoning member.

Chairman Galbraith commented to add Graffiti ordinance to next month's regular meeting agenda.

2. Discussion on Chapter 160D of the North Carolina General Statutes

Attorney Eldridge stated:

- Recent session of the NC General Assembly made substantial changes to the land development and approval statues which will affect the P&Z's advisory function
- School of Government has issued a lengthy bulletin of the changes which are already effective and which will become effective
- Most significantly and with an effective date a year from now, is a complete re-write of all county and municipal planning and development statues into a new Chapter 160D
- One example of the changes is when the Building Inspector issued a citation on a zoning regulation it would currently be appealed to BOA. Now, under certain conditions, that appeal may go directly to superior court
- All these changes affect PZC's functions as an advisory board and significant Code amendments are necessary to conform the Town's regulations to the new laws
- Recommending several points to PCZ
- Authorize attorney to begin a regular review of the legislative changes, advise PZC what code amendments are deemed necessary, and draft, review and report on the proposed Code Amendments
- Present this recommendation to Town Council and seek express authorization for PZC and its attorney to move forward with the review and necessary Code amendments
- Recommend clear authority from Council to move forward as proposed and thereby mitigate against redundant effort and possible confusion



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- If so approved, then this legislative review and update will be a re-occurring item on PZC's regular agendas
- Per Chairman's suggestion, attorney will attend the next Town Council meeting and assist in presenting this item to Council

MOTION- Chairman Galbraith made a motion to start the process for the changes on Chapter 160D of the North Carolina General Statutes

SECOND- Member Garceau

VOTE- Unanimous

## ADJOURNMENT

MOTION- Member Moore made a motion to adjourn the meeting at 7:44 p.m.

SECOND- Member Richardson

VOTE- Unanimous

ATTEST:

  
Deputy Town Clerk, Mandy Sanders

  
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.