



PLANNING & ZONING COMMISSION MINUTES

REGULAR MEETING

Wednesday, August 7, 2019 @ 7:00 pm

The Kure Beach Planning and Zoning Commission (P&Z) held its regular meeting on Wednesday, August 7, 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
Member David Garceau
Member Kenneth Richardson

P&Z MEMBERS ABSENT

STAFF PRESENT

Nancy Avery, Town Clerk
John Batson, Building Inspector
Mandy Sanders, Deputy Town Clerk

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:

- July 9, 2019 Regular Meeting

MOTION – Member Moore made a motion to approve the minutes from the July 9, 2019 regular meeting

SECOND – Member Richardson

VOTE – Unanimous

OLD BUSINESS

MOTION- Member Moore made a motion to table the Commission having the authority to call in to meetings for the Planning & Zoning Commission to the September meeting

SECOND- Member Richardson

VOTE- Unanimous



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NEW BUSINESS

1. Consideration of text amendment Chapter 19, Section 61 Amendment and Changes and new Section 62 on Rezoning

Chairman Galbraith stated this text amendment was motivated by a conversation after the last Town Council Meeting regarding an issue in Carolina Beach where one person applied for rezoning on 25 different parcels. This request has gone before the Carolina Beach Planning & Zoning Commission who have requested to deny it and is now currently before the Carolina Beach Town Council. Therefore, he asked Attorney Eldridge to look at what the rules are in Kure Beach.

Attorney Eldridge stated:

- When the Chairman raised the issue he conducted a preliminary review of the applicable statutes and other materials and there did not appear to be any limitation against what the Chairman described in Carolina Beach
- That under the Town Code, any person can petition to amend the zoning ordinances
- He went ahead and drafted an appropriate text amendment, included in the agenda packets, limiting the authority to apply for a rezoning to Town boards and the owner and prospective vendee(s) of the subject property.
- The proposed amendment was ready to be reviewed and reported on by PZC

MOTION – Member Richardson made a motion to recommend the text amendment Chapter 19, Section 61 Amendment and Changes and new Section 62 on Rezoning to the Town Council

SECOND – Member Young

VOTE - Unanimous

MOTION- Member Moore made a motion to approve the Consistency Statement as presented

SECOND- Member Richardson

VOTE- Unanimous

2. Review of renumbered, reorganized Code of Ordinances

Town Clerk Avery stated:

- MAINTENANCE OF CODE OF ORDINANCES
 - The Office of the Town Clerk has always maintained and kept current the Code of Ordinances
 - A Code of Ordinances is the combination of individual ordinances or laws passed by the Town Council into one document, organized by broad subject matters, to make finding and cross-referencing multiple ordinances on the same subject matter easier.
 - We currently have both a hard copy printed version in a black binder and a link on the Town's website to an electronic version.
- CURRENT CODE UPDATE PROCESS
 - The Town uses the third party vendor MuniCode to manage the formatting.



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- Amendments to the Code originate as a word document. Once approved, the amendment is emailed to MuniCode to add to the Code format.
- This is a cumbersome process which can get confusing as amendments circulate from Planning & Zoning to the Town Council.
- Amendments go into a separate section of the Code on the website titled 'view what's changed' until we request the printed version called a Supplement. At that time, the amendments are incorporated into the formatted Code. This creates confusion if someone is searching the Code online and does not notice the 'view what's changed' section. Under this method it is possible to access the old Code by mistake, rather the amended one.
- SELF PUBLISHING VERSION
 - We are changing to what's called 'self publishing' software
 - This means amendments will originate in the software itself, then once approved, staff will upload the change to the Code with no delay
 - We will no longer use the small black book printed copies of the Code
 - Hardcopies will be provided upon request and will be 8 1/2 x 11 inches in size
- REORGANIZATION AND RENUMBERING
 - As part of this change in software and publishing, we looked at the organization and numbering system of the current format.
 - Our current Code format has Chapters, Articles, Divisions, Sections and Subsections, etc. to identify ordinances. An amendment may be referenced as 19-76, but translates to Chapter 19, Article III, Division 1, Section 76. This format is also labor intensive during the amendment process.
- The renumbered version will use 'KBC' reference for 'Kure Beach Code' to maintain a structure using a decimal numbering system which identifies the chapter and section (for example: 1.01.010).
 - The *first* number in the sequence (**1**.01.010) designates the **Chapter** level
 - The *second* series of numbers (**1.01**.010) designates the **Article** level
 - The *last* series (**1.01.010**) designates the **Section** level
 - If a *fourth* series exists comprising letters or numbers beyond a section level, it designates a **Subsection** level
- NEW NUMBERING SYSTEM
 - Chapter 19 (Zoning), Article III (District Regulations), Division 1 (Generally) Section 76 District becomes Chapter 15.08 or KBC 15.08 which is Chapter 15, Section .08
 - Why Chapter 15 and not Chapter 19?
 - Another change is that with reorganization of certain ordinances, the Code will no longer have 20 chapters, but 15
 - Example – Chapter 6 on Fire Protection and Chapter 13 on Police have been moved into Chapter 2 on Administration, where other departments are established
- ADOPTION
 - I will ask Council to adopt this renumbered/reorganized version of the Code at its August meeting.



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- The Town Attorney has reviewed and approved the change and the P&Z Attorney has been given a copy to review.
- No existing content of the Code has been changed or removed.
- Getting used to the new version will take time, but I think it will be a much easier way of providing and amending the multitude of data contained within the Code.
- Once approved, hard copies will be provided to P&Z to give you a chance to familiarize yourselves with the changes in the Code.

3. Discussion on October training session with Council of Government

Commissioner Whitley stated

- This training session can take the place of the October meeting or you can reschedule the October regular meeting
- Leaves it up to the commission regarding rescheduling the October meeting
- The training will cover Quais dias Hearing and general P&Z information
- This Commission and Town Council are very proactive but may have bigger issues brought forward in the next year so this training will help gain a better understanding
- Recommends the Town Council attends this training session as well

MOTION-Member Richardson made a motion to reschedule the HPC & P&Z regular meeting to October 7 starting at 6:30 p.m.

SECOND – Member Moore

VOTE- Unanimous

Chairman Galbraith stated the Commission already spoke about the Green study at the HPC meeting. As the Commission discussed Intern Gloria will be working on updating the SIC Codes. Mayor Bloszinsky has also mentioned the Town Council will be looking into parking and this is another project the interns will assist on.

Mayor Bloszinsky commented the Town will be looking at parking at the end of the summer season. The Town will be looking into other Towns who have been successful and evaluating the costs.

MOTION – Member Young made a motion to adjourn the meeting at 7:51 p.m.

SECOND – Member Garceau

VOTE - Unanimous



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ATTEST: Mandy Sander
Mandy Sander, Deputy Town Clerk

Craig Galbraith
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.