



PLANNING & ZONING COMMISSION MINUTES

REGULAR MEETING

Wednesday, January 5, 2022 @ 6:30 pm

The Kure Beach Planning and Zoning Commission (PZC) held its regular meeting on Wednesday January 5, 2022. A quorum of members was present and Attorney Jim Eldridge attended.

P&Z MEMBERS PRESENT

Chairman Craig Galbraith (Via Conference Call)
Vice-Chair Jim Dugan
Member Kathleen Zielinski
Member Jim Dugan
Member Tony Garibay
Member Joe Barlok
Alternate Member Byron Ashbridge

P&Z MEMBERS ABSENT

STAFF PRESENT

Mandy Sanders, Town Clerk
Beth Chase, Deputy Town Clerk
John Batson, Building Inspector

COUNCIL LIAISON PRESENT

None Present.

CALL TO ORDER

Vice-Chair Dugan called the meeting to order at 6:40 p.m.

ADOPTION OF AGENDA

MOTION- Member Barlok made a motion to approve the agenda as presented

SECOND- Member Zielinski

VOTE- Unanimous

APPROVAL OF MEETING MINUTES:

- November 3, 2021 Regular Meeting

MOTION- Member Zielinski made a motion to approve the minutes as presented

SECOND- Member Barlok

VOTE- Unanimous

PUBLIC COMMENTS

None.



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OLD BUSINESS

1. Land Use Plan Update

No Update.

Deputy Town Clerk Chase commented the Commission does have a new Council Liaison which is Commissioner Ellen.

2. Electric Vehicle Chargers

Chairman Galbraith commented no update at this time as he has been sick. There have been a lot more electric vehicles on the island so want to keep the discussion on the agenda.

NEW BUSINESS

1. Regulating Solicitation

Attorney Eldridge commented:

- The last couple of years the Police Department has multiple complaints received regarding solicitation
- He has looked into the Code provision and the legal complexity associated with local government regulation of solicitation
- He noticed that the Town solicitation regulations limits the regulations of solicitation to public places but not private properties
- It does require a permit and gives the Town the authority to fingerprint the applicant of the permit
- When you review the law surrounding the regulations of solicitation it is chopped full of first amendment issues and his research has been very preliminary at this time
- There is an abundance of federal decisions that indicate there is some first amendment issues in the current code provision
- His recommendation is to draft a proposed text amendment for PZC to review at the February PZC meeting

Police Chief Bowden stated:

- The biggest problem so far is door to door sales of solar panels
- It is a legitimate operation however sometimes the way they go about it does not feel that way
- You have to reach a certain criteria of income to be eligible and some of the older citizens in Town have shown them their check books and it just can feel not legitimate
- It is a legitimate contract through Duke but wants to make sure the Town has the authority to remove solicitors in the future if needed



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Member Zielinski commented she is unsure why these text amendments would come before the PZC. Why wouldn't this one just be presented to Town Council?

Attorney Eldridge stated he does not see anything wrong with PZC reviewing and it may be deemed a regulation issue, but Member Zielinski has a good point. He argues this falls under development regulations.

MOTION- Vice-Chair Dugan made a motion to direct the Town Attorney to bring forward a formal recommendation to the February PZC meeting regarding regulating Solicitation

SECOND- Member Garibay

VOTE- Unanimous

MEMBER ITEMS

None.

ADJOURNMENT

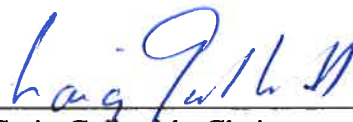
MOTION- Member Zielinski made a motion to adjourn the meeting at 7:00 p.m.

SECOND- Member Barlok

VOTE- Unanimous

ATTEST:


Mandy Sanders, 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.