



# PLANNING & ZONING COMMISSION MINUTES

## REGULAR MEETING

Wednesday, December 7, 2022 @ 6:00 pm

The Kure Beach Planning and Zoning Commission (PZC) held its regular meeting on Wednesday December 7, 2022. A quorum of members was present and Attorney Jim Eldridge attended.

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

Vice-Chair Jim Dugan  
Member Joe Barlok  
Member Byron Ashbridge  
Member Tony Garibay  
Alternate Member Connie Mearkle

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

Chairman Craig Galbraith

### **STAFF PRESENT**

Mandy Sanders, Town Clerk  
John Batson, Building Inspector

### **COUNCIL LIAISON PRESENT**

Commissioner Dennis Panicali

### **CALL TO ORDER**

Vice Chairman Dugan called the meeting to order at 6:00 p.m.

MOTION- Member Ashbridge made a motion to excuse Chairman Galbraith from the meeting

SECOND- Member Garibay

VOTE- Unanimous

### **ADOPTION OF AGENDA**

MOTION- Member Barlok made a motion to move the Oath of Office for Connie Mearkle to the first item on the agenda and adopt the agenda as amended

SECOND- Member Ashbridge

VOTE- Unanimous

- Oath of Office for Alternate Member Connie Mearkle

Town Clerk Sanders administered the oath of office for Connie Mearkle as a member of the Commission.



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**REGULAR MEETING**

**Wednesday, December 7, 2022 @ 6:00 pm**

**APPROVAL OF MEETING MINUTES:**

- November 2, 2022 Regular Meeting

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

SECOND- Member Barlok

VOTE- Unanimous

**PUBLIC COMMENTS**

None.

**OLD BUSINESS**

1. Proposed Text Amendments to Chapter 15 and Chapter 11

Building Inspections Batson commented included in the agenda packet are the recommended text amendments based on the discussion held last month.

Member Ashbridge asked under the definition of a “full kitchen” should microwave be deleted so a citizen cannot argue if they do not have a microwave they will not be held to the definition of a full kitchen.

Building Inspector Batson stated he agrees to delete. A full kitchen is a room or space with typical appliances including a sink, oven and/or stove. He would also like to add at the bottom of page 2 the language “49% of lot width not inclusive of 18-inch flares on each side”.

Town Attorney Eldridge commented he will make the changes.

MOTION- Member Ashbridge made a motion to recommend the proposed text amendments to Chapter 11 and Chapter 15 to Town Council at the December meeting with the amended changes as discussed

SECOND- Member Garibay

VOTE- Unanimous

MOTION- Member Ashbridge made a motion to approve the consistency statement as presented for the proposed text amendments to Chapter 11 and Chapter 15

SECOND- Garibay

VOTE- Unanimous



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### 2. Review Member Barlok Code Text Recommendations

The Planning and Zoning Commission reviewed the suggested proposed text amendment list provided by Member Barlok and it is hereby incorporated into the minutes.

Member Barlok commented based on discussion at the November 2, 2022 PZC Meeting, this list was reviewed with Building Inspector Batson to simplify discussion during the December 7, 2022 PZC Meeting.

Building Inspector Batson stated any of the items included in the document that are blue he will review and bring forward a formal recommendation.

#### Document Highlights:

- Item Number 10, 14, 27, 34, 37, 39, 43, 47, Building Inspector Batson will review further and bring forward a formal recommendation
- Item Number 32 PZC recommends
- Item 32 15.08.090E and Item 33 "15.08.110.3.a1" PZC recommended not revising
- Building Inspector Batson will review 15.02.010 and bring forward a recommendation

Member Barlok and Building Inspector Batson to continue reviewing and bring forward a final document with proposed text amendments.

### 3. Continued Discussion of Town Ordinances regarding Private Beach Access Points

CONSENSUS- PZC agreed to table this item to the January Meeting

### 4. Continued Discussion of Green/Sustainability Planning and Zoning Elements

CONSENSUS- PZC agreed to table this item to the January Meeting

## NEW BUSINESS

### 1. Discussion of Home Occupations

CONSENSUS- PZC agreed to table this item to the January Meeting

## ADJOURNMENT

MOTION- Member Ashbridge made a motion to adjourn the meeting at 7:12 p.m.

SECOND- Member Dugan

VOTE- Unanimous




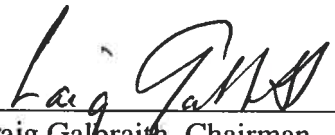
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Wednesday, December 7, 2022 @ 6:00 pm

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.

Suggested changes (mainly editorial) to Kure Beach Municipal Code, Chapter 15, Zoning Regulations. Provided by Joe Barlok.

*Based on discussion at the November 2, 2022 PZC Meeting, this list was reviewed with John Batson to simplify discussion during the December 7, 2022 PZC Meeting.*

**GREEN** = agreed to change

**BLUE** = John to follow-up

**YELLOW** = PZC Discussion Required

**RED** = Deleted Comment

Items #1 through #28 apply to 15.02.010, Definitions.

1. General standardization for all of the definitions – 80% are written in sentence format including the words “shall mean”. This should be standardized throughout all of the definitions. *This also applies to the definitions in John’s proposed text amendment.*
2. **Bedroom** is defined in 15.36.120. It should be moved to 15.02.10, Definitions. *Already included in John’s proposed text amendment.*
3. **Mean Elevation** is used in the definition of *Height of Building*. Mean Elevation should be defined as the Sum of the Values divided by the Number of Values. *This definition must agree with the new wording of 15.36.150 in John’s proposed text amendment.*
4. **Building Permit** says “shall mean permission”. Change to “shall mean written permission”.
5. ~~**Common Areas** last sentence says “enjoyment of the owners”. Add “and guests”.~~
6. ~~**Disability Ramp** says “to more easily access a building”. Add “or area”.~~
7. All of the *Dwelling* definitions should be put in alphabetic order.
8. *Dwelling modular* add a comma after dwelling.
9. *Dwelling, multifamily* leave a space after multifamily.
10. **Dwelling** definition requires 3 or more families? That doesn’t sound right?
11. *Dwelling, unit*. Unit should be italics.

- ~~12. *Halfway house* add “or voluntarily for drug rehabilitation”.~~
13. *Industry group No*. Delete “, and”.
14. *Industry group No 653*. This is an example of Industry group and industry numbers, not a definition.
15. *Industrial No 7999*. Delete this, it’s not a definition. It is already included in 15.44.010 Appendix A, on Page 499.
16. *Lot, double frontage*. Front-ages is not a hyphenated word.
- ~~17. *Lot, front*. This definition (concerning front of a corner lot with equal frontages) differs from the wording in 15.36.060A.~~
- ~~18. *Manufactured/Mobile home* : A manufactured/mobile home shall mean...”  
Change to “Manufactured home : A manufactured home shall mean...”  
Because there is already a separate definition for Mobile Home.~~
19. *Manufactured/Mobile home park* - ~~same as #18~~. Also delete the period within the definition sentence.
20. *Manufactured home space/Lot*. Delete the period within the definition sentence.
- ~~21. *Miscellaneous equipment rental and leasing/7359*. Delete this since it is not a definition. Add this wording for 7359 in 15.44.010 Appendix A.~~
- ~~22. *Mobile home lot*. Change to *Mobile home space/Lot*. This will agree with the terminology of *Manufactured home space/Lot*.~~
23. *Setback*. Add a comma between “front” and “side”.
24. *Sign*. This definition is different from the definition of Sign in 15.40.020.
25. *Street line*. Delete “the street line is”.
- ~~26. *Tiny House*. Should we add a definition for Tiny House?~~
27. *Tourist lodgings*. Uses the term “bed breakfast” but this is not defined anywhere.
28. *Travel park*. Add a period at end of sentence.
29. 15.02.060 ends in two periods.
30. 15.08 The contents listing has 075 and 076 out of order.
31. Page 416, paragraphs 075 and 076 are out of order.
32. 15.08.090E Should we also require that the removal of trees is specified?
33. 15.08.110.3.a1 and c1 both say “should be”. Change to shall be.
34. 15.10.040.C says the same thing in two ways. If the minimum is 5 Ft each, it can never be less than 10 Ft. **Maybe delete completely?**
35. 15.14.020.C “but not including beauty parlors” Why?



- 36.15.36.030 says "Except as provided in KBC 11.02.030 subparagraph B". Delete "subparagraph B" because there are no subparagraphs in 11.02.030.
- 37.15.36.160 If the TRC is the PZC, just say that. TRC is mentioned multiple times throughout this section.
- 38.15.36.160.F Application Fee – Delete "(increase is not necessary after comparing fees of other coastal communities.)"
- 39.15.36.160.F Meeting schedule "first Tuesday of every month at 7:00 p.m.". Is this current meeting schedule or past? **Should we change to PZC Schedule?**
- 40.15.36.190.B Spell out what ULI (Urban Land Institute) and ITE (Institute of Transportation Engineers) are.
- 41.15.36.240.I "Wind systems" does not belong in "Solar Energy Equipment". It needs its own section and heading.
- 42.15.38.020.I has an extra period between "The" and "inside".
- 43.15.40.020 *Freestanding sign*. ~~Change "Ground sign" to "Freestanding sign"~~. Revised Change, add a definition of Ground Sign to 15.02.010.
- 44.15.40.020 *Monument sign*. It uses "pole sign" and "pylon sign" in the definition, but those are not defined.
- 45.15.40.020.030.c *Signs not included in total area allowance*. It uses "suspended signs" in the definition, but that is not defined.
- 46.15.40.040.I Add a space between (8) and "feet tall".
- 47.15.40.060.U Second and Third sentences do not make sense, they are not even sentences.
- 48.15.40.120 4<sup>th</sup> paragraph duplicates info that belongs in 15.42.010 "Civil Penalty".
- 49.15.44.010 Appendix A: 6531 "Real Estate Agents and Managers", 15.44.020 Appendix B lists as "Real Estate Agents". **For all Appendix A & B comments, John also uses the Standard Industrial Code for these.**
- 50.15.44.020 Appendix B — In the Alphabetical and the Numerical Indexes, many titles in this table do not match the wording used in 15.44.010 Appendix A. There are too many to list! Example look at 5722 disagreeing wording.

~~51.15.44.020~~ Appendix B:

~~a. In Alphabetical Index~~

- ~~i. "Artists" is not listed in Appendix A~~
- ~~ii. "Colleges" is not listed in Appendix A.~~
- ~~iii. 5331 is missing~~
- ~~iv. 5251 is missing~~
- ~~v. 8062 is not in App A~~
- ~~vi. 8111 is not in App A~~
- ~~vii. 8231 is not in App A~~
- ~~viii. 8412 is not in App A~~
- ~~ix. 8049 is not in App A~~
- ~~x. 5731, 5722 & 5712 Add a comma after Retail (this will put them into alphabetical order when sorted).~~
- ~~xi. 8211 is not in App A~~

~~b. In Numerical Index~~

- ~~i. 6531 wording doesn't agree with App A~~
- ~~ii. 8049 through 8412, 8 items, are not in App A~~

Two questions:

1. ~~15.02.010~~, in "Collector street", mentions a "Thoroughfare Plan". Where is this kept?
2. ~~15.40.040.H~~ talks about "Historically significant signs". Is there a listing of these signs?