

Southern Shores Town Council
Planning Committee Meeting
Monday August 17, 2015
11:00 o'clock AM (Re-scheduled from 10:00 AM per Clerk's Notice)
Town Hall Conference Room

Meeting Minutes

Present:

Committee Members: Mayor Tom Bennett and Mayor Pro Tem Jodi Hess.
Staff: Town Manager Peter Rascoe and Town Planner Wes Haskett
Public: None attended

The meeting was called to order by Mayor Bennett. A meeting agenda was agreed upon as follows: (1) Remnants of Paper Streets Along Ocean Boulevard, (2) NC's New Design and Aesthetic Control Law; (3) Non-Commercial Sign Regulation; (4) Offshore Oil and Gas Exploration; (5) Vegetation Removal Regulation; (6) Planning Board Vacancies; (6) Town Code Update Initiative.

The Town Manager briefed the committee on the status of the position stated by Boddie-Noell Enterprises, Inc. owner of certain remnants of former undeveloped streets located along Ocean Boulevard – regarding its intent to market these parcels and grant access easements across some of them in favor of the Chicahawk Property Owners Association. The Town Planner updated the committee on the potential for one prospective buyer to seek a building permit for a residential dwelling on one of the undeveloped parcels. He also included the preparatory steps he is taking to be ready to process such a permit application, and will be relying on the Town Attorney's interpretation of the relevant portions of the Town Code describing a "lot of record".

The Town Planner updated the committee on the effect of NC Session Law 2015-86 [*An Act To Clarify When a County or Municipality May Enact Zoning ordinances Related to Design And Aesthetic Controls*]. This new state law will prohibit the Town from enforcing the current Town Code provision limiting residential dwelling plans to a certain number of bedrooms, as it specifically prohibits a municipality from regulating "the number and types of rooms" of a residential dwelling. The law does not however prohibit regulation of the number of occupants a residential dwelling is designed for, which would affect the maximum permitted wastewater capacity of any corresponding septic system to be permitted by the Dare County Health Department.

The committee discussed current and emerging facts, concerns, and questions regarding the offshore drilling for oil and gas initiative, including the Governor's desire to have revenues from any lease and future royalty proceeds shared among local governments. It was agreed by both committee members that much is yet to be learned regarding this issue.

The Town Planner reported to the committee that no further application for a zoning text amendment has been received as of the meeting date regarding an initiative to regulate a property owner's removal of trees.

The Town Manager noted to the committee, in accordance with the Council's Rules of Procedure, he had solicited interested citizen applicants for the two alternate member vacancies on the Planning Board. He reported publishing notices on the Town website and in the Town's email newsletter. Two

citizens have expressed interest in being appointed to the Planning Board by the Council. Following discussion on the knowledge of the two applicants' residency and qualifications, the committee members concurred unanimously in recommending that Council appoint Town residents Joe McGraw and Karen Sykes to the positions of Planning Board Alternate Member (1) and Planning Board Alternate Member (2) respectively.

The Town Planner reported that his request for proposals for a planning firm to perform the update of the Town Code of Ordinances had been transmitted and three proposals have been received, all within the amount Council had budgeted for this project. Of the three, based on qualifications, he had selected *CodeWright Planners* for further negotiations of a contract for this service. The Request for Proposals had been previously reviewed by Council Members prior to transmittal.

There being no further business, the Council committee meeting was adjourned.