



**TOWN OF HOLDEN BEACH**  
**PLANNING & ZONING BOARD REGULAR MEETING**  
**HOLDEN BEACH TOWN HALL – PUBLIC ASSEMBLY ROOM**  
**Tuesday, August 28, 2018, 4:00 PM**

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- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
  - a. Minutes of July 24, 2018 Regular Meeting
- 4. Public Comments on Agenda Items**
- 5. Land Use Plan Steering Committee Member Appointment**
- 6. Land Use Plan Kick-Off – Wes MacLeod, Senior Regional Planner, Cape Fear Council of Governments**
- 7. Comments**
- 8. Adjourn**

**TOWN OF HOLDEN BEACH  
PLANNING & ZONING BOARD REGULAR MEETING  
JULY 24, 2018 – 4:00 P.M.**

The Planning & Zoning Board of the Town of Holden Beach met for their Regular Meeting on Tuesday, July 24, 2018 at 4:00 p.m. in the Town Hall Public Assembly. Present were Chairperson Vicki Myers; Vice Chairman Mark Fleischhauer; Regular Members Tracey Thomas, Bob Hunter; Alternate Members Peter Pallas and Woody Tyner; and Planning Director Tim Evans.

**CALL TO ORDER**

Chairperson Myers called the meeting to order at 4:00 p.m.

**ROLL CALL**

Regular Member Greg Shue was an excused Member.

Alternate Member Tyner was seated as a voting Member.

**APPROVAL OF MINUTES**

The Board approved by unanimous vote the minutes of June 26, 2018, August 22, 2017 and October 10, 2017 with a change.

**PUBLIC COMMENTS ON AGENDA ITEMS**

No comments were made.

**SWEARING IN OF MEMBER BY HEATHER FINNELL, TOWN CLERK**

Town Clerk Finnell swore in Alternate Members Pete Pallas and Woody Tyner and Regular Members Fleischhauer, Thomas and Hunter.

**ELECTION OF OFFICERS**

Regular Member Hunter made a motion to nominate Myers as Chairman; seconded by Vice Chair Fleischhauer and approved by unanimous vote.

Member Tyner made a motion to nominate Fleischhauer for Vice Chairman; seconded by Hunter and approved by unanimous vote.

Vice Chair Fleischhauer made a motion to nominate Thomas for secretary; seconded by Tyner and approved by unanimous vote.

## **DISCUSSION AND POSSIBLE ACTION REGARDING AMENDING TOWN ORDINANCES TO ALLOW CARGO LIFTS AND ELEVATION IN SETBACKS.**

Chairman Myers stated that the Board of Adjustment's tasker was in the packet. Ocean Isle just had the same issue. We are possibly amending the ordinance and would need a consistency statement.

Planning Director Evans stated that at the Board of Adjustment's meeting they said they wanted to be able to give the planning department cargo lifts, like the HVAC stands being regulated now in Section 157.060. Thinks that they are wanting to make the area more acceptable to the aging community. He feels it needs to be looked at a little more than a text amendment.

Chairman Myers stated she was told they wanted to save the cost of going to the Board of Adjustment and asked Planning Director Evans the cost. Planning Director Evans said that the cost is approximately \$130.00 - \$170.00 for a zoning and building permit. If they hire an attorney, they cost more.

Member Hunter stated that he was not allowed to put a cargo lift in the setbacks and it cost him \$2,500.00 to put his up through a deck and wants to know what will be done with the ones that already put theirs in. It's his opinion that they should not be allowed within setbacks, that it is ugly and takes away the value of the home. Next thing they will want to allow is HVAC units in the side setback.

Planning Director Evans stated that maybe not giving relief from the setback, but giving relief from adding it to a nonconforming use. That has been most of the Board of Adjustment's cases, not relief from setbacks. Think it's only been one so far. The HVAC is a totally different rule. Everyone that is doing it is abiding with setbacks like Member Hunter did. Member Tyner stated that he is in favor of allowing them within the front and rear setbacks but not the side yard.

Chairman Myers asked if this just applies to existing homes. Planning Director Evans answered yes, not new homes. You should be able to design it to make them fit. Feels that there should be relief given for front yard and rear yard setbacks but also relief be given to the older nonconforming homes to allow cargo lifts only if they have nowhere else to place it. If there are decks to put it through they should do this. He stated that he feels that the platform lifts are safer than cargo lifts.

Vice Chairman Fleischhauer said that he feels that cargo lifts are used for other things than made for especially when you have renters. Planning Director Evans feels that a platform lift is a lot safer than a cargo lift for kids and renters.

Vice Chairman asked if the ones that have went to Board of Adjustment are mostly non-conformation houses. Planning Director Evans answered yes, only one or two were for setback relief. He also stated that the Board of Adjustment has a set of rules that they must meet before issuing variances. Also if they issue a variance then that never sets a precedence that is the law.

The Planning & Zoning Board discussed this item. Member Tyner made a motion for Planning Director Evans to bring back a PowerPoint presentation with more information; seconded by Vice Chairman Fleischhauer and approved by unanimous vote.

Chairman Myers asked that when Planning Director Evans bring back the information that he bring some history form the Board of Adjustment on how many cases they had, what was the circumstances and how many were issued. Chairman Myers agrees with Member Hunter that all of these things look tacky and if one has one then another wants one.

Planning Director Evans stated that the Board of Adjustment is held to a higher standard when making decisions.

#### **STATUS REPORT ON LAND USE PLAN UPDATE**

Planning Director Evans spoke with Wes McCloud with the Council of Governments. He is working on our community survey so it will be ready for our first meeting. He will be meeting with us at our regularly scheduled meetings. The Planning Board needs to add a few people from the stake holders like real estate brokers, construction, engineers. Anyone that lives in the town that may be a stake holder. We need about 9 or 10 total. He will tell us what he needs us to provide and then we will return that information. Town Manager Hewett does not want staff working after 5:00 p.m. on the land use plan. He should be here on August 28, 2018. You already have a local businessman on the board. They all need to be citizens or property owners. The Town Manager wants me to be the liaison between the board and Council of Government.

Vice Chairman Fleischhauer recommends that Town Clerk Finnell send out and email asking for volunteers.

Chairman Myers stated that as of October 2017 this Board and the Board of Commissioners should be doing a consistency statement when making a zoning change. Planning Director Evans stated that we have not had a lot of zoning that wasn't regulatory. Chairman Myers stated any changes should have that statement.

Planning Director Evans stated that he thinks that the land use plan is out of date but only updated in 2009. He thinks there was some new people working for the town that just went through it, don't know if they even had any help. There was also some changes to the zoning map that have confused him lately.

Chairman Myers stated that the Council of Government were in charge of that update.

Planning Director Evans ask how many new Planning Board Members have never had any training through the Council of Governments. Chairman Myers stated that none of us have. Planning Director Evans stated that he would rather the Board go to the School of Government for their training. Member Hunter said they he had been through the training when he work with the county. Chairman Myers stated that she had self-taught, using a book from government 4<sup>th</sup> addition 2015. Planning Director Evans said that the training is the best, done by attorneys and the people that writes the books.

## **COMMENTS**

Chairman Myers stated that August 10<sup>th</sup> is the open training with Noel Fox. August 28<sup>TH</sup> is the next regular meeting.

## **ADJOURN**

Vice Chairman made a motion to adjourn; seconded by Regular Member Thomas and approved by unanimous vote.

**To: Planning and Zoning Board Members and Potential Land Use Plan Steering Committee Members**

**From: Vicki Y. Myers, Planning and Zoning Board Chair**

**Date: August 22, 2018**

**Re: Land Use Plan Kick Meeting Materials**

This month's packet includes materials from Wes MacLeod, a Senior Planner from Cape Fear Council of Governments who will be working with us on the Land Use Plan. Please find a draft of the survey which will be sent out to the community for input for your review and feedback. Also included is a schedule of when the Steering Committee will be meeting. Please make every effort to attend these meetings as your input is critical.

Also included for your review is a hard copy of the current Land Use Plan which is also available on the Town's website.

If you have a conflict or question feel free to contact me at 704-517-4280 or [vymyers@gmail.com](mailto:vymyers@gmail.com). I look forward to seeing you on Tuesday, August 28 at 4:00!

**CHAPTER 155: PLANNING**

Section

***PLANNING AND ZONING BOARD***

***Comprehensive Plan***

155.01 Purpose

***Planning and Zoning Board***

- 155.10 Organization
- 155.11 Membership and vacancies
- 155.12 Officers; rules; meetings
- 155.13 Powers and duties
- 155.14 Funds
- 155.15 Community advisory committees

***COMPREHENSIVE PLAN***

**§ 155.01 PURPOSE.**

The Comprehensive Plan, Five-Year Land Use Plan, and any ordinances or other measures to effectuate it, shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the town and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.  
 ('85 Code, § 15A-6) (Ord. 2-89, passed 2-6-89)

**§ 155.10 ORGANIZATION.**

Pursuant to authority contained in G.S. § 160A-361, the Planning and Zoning Board shall be organized to perform the functions and duties herein prescribed.

('85 Code, § 15A-1) (Ord. 2-89, passed 2-6-89)

**§ 155.11 MEMBERSHIP AND VACANCIES.**

The Planning and Zoning Board shall consist of five regular members and two alternate members. All members shall be residents of the town. Appointments shall normally be made as of July 1 of each year. Regular members shall be appointed for staggered terms of three years, alternate members for one year, provided that vacancies occurring for reasons other than expiration of term shall be filled as they occur for the unexpired remainder of the term. No regular member shall serve for more than two consecutive terms, and a member having served two consecutive terms shall not be eligible for reappointment until after remaining off the Board for one year. For this purpose, a regular member appointed to fill a vacancy for more than one-half of a term shall be considered as having served a full term. Faithful attendance at meetings of the Board shall be considered a prerequisite to continued membership. Any member missing three consecutive meetings unexcused or six meetings in any calendar year shall be removed.

('85 Code, § 15A-2) (Ord. 2-89, passed 2-6-89; Am. Ord. 91-05, passed 5-6-91)

**§ 155.12 OFFICERS; RULES; MEETINGS.**

The Planning and Zoning Board shall elect a Chairperson and Vice-Chairperson, normally at the July meeting, from among the members appointed by

Town of Holden Beach  
Land Use Plan Survey

In an effort to better understand the issues most important to the citizens of Holden Beach and to assist in the Land Use Plan update, the Town requests that you complete this short questionnaire. We will tabulate the responses and integrate your concerns into the updated Land Use Plan. Results will be available on the Town's website once complete. Your participation is important and should only take a few minutes. Thank you!

\* 1. What kinds of new private development you would most like to see in Holden Beach? (Please select as many as three)

- Low-density single-family residences
- Small businesses that serve the needs of residents
- Small businesses that serve the needs of visitors
- Grocery store and/or shopping centers
- Health care providers
- Entertainment (i.e. restaurants, recreation, theaters, nightlife)
- Multi-family residences (i.e. condos, townhomes, apartments)
- Water-based opportunities/amenities
- Senior housing/assisted living
- Other (please specify)

\* 2. What do you consider to be the most important roles for the Town to play in influencing the character of development in Holden Beach? (Please select as many as three)

- Reduce land use conflicts by managing the location of single-family, multi-family, and commercial development
- Manage the density and intensity of new development by regulating the size and layout of lots and buildings
- Protect the beach and encourage continued coastal storm damage reduction and beach protection
- Retain and enhance community appearance through landscaping, sign, lighting, and architectural standards
- Improve flexibility of Town regulations
- Other (please specify)



**\* 3. What do you think are the most important growth and development issues facing Holden Beach?  
(Please select as many as three)**

- Over-burdensome growth management and regulation
- Environmental protection
- Density of development
- Stormwater runoff
- Coastal storm damage reduction and beach protection
- Types of commercial development (mixed use, standalone)
- Housing types being developed
- Beach access and parking
- Sidewalks and multi-use paths
- Other (please specify)

**\* 4. What efforts do you believe are most important to the economy in Holden Beach? (Please select as many as three)**

- Attract more shopping and restaurants
- Attract national/regional chains and franchises
- Encourage coastal storm damage reduction and beach protection
- Improve access to jobs
- Encourage redevelopment of existing business centers
- Attract more tourists and tourism-related businesses
- Encourage more permanent residents
- Water-based opportunities/amenities
- Other (please specify)

\* 5. What do you consider to be the most important transportation issues for the Town? (Please select as many as three)

- Congestion on local roadways
- Maintenance of existing roadways
- Traffic safety
- Parking availability/public access congestion
- Roadway drainage
- Lack of facilities for bicycles and pedestrians
- Poor lighting
- Other (please specify)

\* 6. What do you consider to be the most important issues related to the Town's environment and natural resources? (Please select as many as three)

- Maintaining a pristine beach
- Reducing pet waste and litter
- Land and wildlife conservation
- Water quality of ocean and estuarine areas
- Drinking water quality
- Improving public access to environmental resources
- Beach erosion
- Stormwater management for developed or redeveloping properties
- Education on coastal issues
- Other (please specify)

\* 7. What do you consider to be most important in creating recreational opportunities? (Please select as many as three)

- Constructing sidewalks and on-road bike lanes
- Constructing off-road pedestrian and cycling greenways
- Expanding park activities and programs
- Additional community center programing and community center expansion
- Establishing more outdoor and/or seasonal events
- Creating more public access locations for water-based recreation (i.e. kayak/boat docking facilities)
- Developing new locations for outdoor events
- Creating more public parking
- Other (please specify)

\* 8. Which statements describes your relationship to the Town of Holden Beach?

- Year-Round Resident: Property Owner
- Year-Round Resident: Renter
- Second Home Owner or Property Owner
- Business Owner: Property Owner
- Business Owner: Renter
- Seasonal Visitor
- Other (please specify)

9. If you live in Holden Beach, for how many years have you lived here?

10. Please provide any other comments you may have.

Thank you for your time! If you have any further questions please contact the Planning & Inspections Director, Tim Evans, at 910-842-6080.

**Holden Beach LUP Workplan - Planning Board**

Meeting Date	Agenda	Deliverables
August 28th	Review Planning Process and Survey	Chapter 1/2 and Survey
October 23rd	Review Chapters 1/2	Chapter 3
January 29th	Review Chapter 3 - Natural Systems	Chapter 4
Feb 26th	Review Chapter 4 - Community Facilities	Chapter 5
April 23rd	Review Chapter 5 - Land Use and Growth Management	Chapter 6
June 26th	Review Chapter 6 - Tools for Managing Development	None/Partial Revisions
August 27th	Review Final Draft	Final Draft with Revisions
October 22nd	Planning Board Approval	None
November/December 2019	DCM Review	None
Decemeber-Febraury 2020	Board of Commissioner Review/Approval	None