

**TOWN OF HOLDEN BEACH
PLANNING & ZONING BOARD REGULAR MEETING
FEBRUARY 12, 2019 – 2:00 P.M.**

The Planning & Zoning Board of the Town of Holden Beach met for their Regular Meeting on Tuesday, February 12, 2019 at 2:00 p.m. in the Town Hall Public Assembly. Present were Chairperson Vicki Myers; Vice Chairman Mark Fleischhauer; Regular Members Tracey Thomas, Greg Shue and Bob Hunter; Alternate Member Woody Tyner, Planning Director Tim Evans and Rhonda Wooten.

ROLL CALL

Alternate Pete Pallas was absent. Staff called and left a reminder message.

Chairperson Myers amended agenda item #7 to read as follows: Parking Citizens Advisory Committee Discussion and Possible Action.

Motion was made by Chairperson Myers, seconded by Member Thomas and approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

No public comments were made.

APPROVAL OF MINUTES OF JANUARY 15, 2019 REGULAR MEETING

Postpone minute approval until next meeting.

DISCUSSION AND POSSIBLE ACTION ON LARGE HOMES

Planning Director Evans gave a presentation.

The primary driving factor should be life safety, health and welfare for the community.

Proposed maximum house size of 6,000 square feet, progressive setbacks based on house size. Increase the quality of life and open space because of the progressive setbacks.

Proposed regulations if house size is less than 4,000, then 30% impervious area, front yard setback will be 25 foot, 20 rear and 5 feet for side.

Between 4,000 and 5,000 square feet, front setback will expand to 30 feet, the rear 25 feet and the side to 7 feet. Stormwater percentage will go down to 25%.

Between 5,000 and 6,000 square feet the front setback will be 35 feet, the rear will be 30 feet and the sides will be 10 feet. The lot coverage 20% impervious area.
The larger house the larger the buffer.

Propose to increase parking requirement to 10'x 20'.

Planning Director Evans stated that square footage does include covered decks.

This proposal does not apply to multifamily homes.

We do some calculations on reduction of taxes based off of this proposal. If you look at it compared to what gets built now it is minimum. If you base it off of the really large home then it could have some impact. We are still left with the bedroom issue and that cannot be regulated.

Possible regulations could be buffers when you have more than five parking spots.

10% of unbuildable area in front of dwelling could only be landscaping.

Allow parking in the travel path only.

Planning Director Evans feels that this will apply to all lots, no one is singled out.

Vice Chair Fleischhauer asked if a bedroom was still considered a bedroom if it has a closet. Planning Director Evans stated that when a bedroom is labeled on a set of plans that is what determines a bedroom.

Regular Member Shue made a motion to ask Planning Director Evans to put the proposal in ordinance text format and bring it back to the Planning & Zoning Board for review. Seconded by Member Hunter and approved by unanimous vote.

Vice Chair Fleischhauer stated that he feels this should be provided to contractors, realtors etc. Planning Director Evans stated that a public hearing would be a good idea for all to attend. No one should be voting on an ordinance that is not put in ordinance form for the public to review.

Member Shue stated that his concern is if you have a house with a few parking spaces and want friends to come over, they will have nowhere to park.

Planning Director Evans stated that this would apply to R-1 only.

DISCUSSION AND POSSIBLE ACTION ON COMMERCIAL ZONING ORDINANCES.

Planning Director Evans stated that staff is saying it's time to fix the commercial district. Unless our rules are changed then you could end up with a restaurant within 5 feet on the side and rear of your residential home. Buffers should be required. A lot of commercial structures could not be built in those setbacks based on the Building Code. We are giving the impression based on our ordinance that you can build that close to a residential structure when the Building Code will not allow it.

Our ordinance allows a 25 foot front yard setback, even the county requires a front setback of 150 feet. Planning Director Evans is proposing a 50 foot front yard setback.

Town ordinance requires a 5 foot side setback. You need buffers. Do you want someone walking upstairs at 3:00 in the morning or want someone cleaning pans right next to your house? Planning Director Evans is proposing a minimum required 20 foot side yard setback or 10 foot with landscaping buffers.

Town ordinance allows up to a 5 foot rear yard setback. Planning Director Evans recommends that the rear yard setback be 20 foot and that landscape buffering is required. If you back up to the ocean then no buffer is required.

Chairperson Myers ask about multi use, retail on the bottom and condos above. Planning Director Evans stated that it would be hard to construct that type of structure in this area. He's not sure if it's even allowed in our fire district.

Vice Chair Fleischhauer said he feels that we should maintain the capability for commercial construction to be allowed and if were not careful it will be eliminated and be residential only. Planning Director Evans stated that if residential is restricted from commercial district and it creates a hardship then they can go before board of adjustments and go through a rezoning process.

Vice Chair Fleischhauer asked if this was more urgent than the big house issue. Planning Director Evans stated that it's according to what you consider urgent. We don't have a lot of people building big houses, but there is a property for sale that could be a potential. You're not rezoning anything illegal and we have no open applications. His greatest fear is that there could be a 31 foot motel there and we don't have anything that pushes it off of the road. It's dangerous to allow parking right up to the road. You need room to move around. Planning Director Evans stated that if you write this rule and create a hardship then they have the ability to to apply to the Board of Adjustment for relief.

Planning Director Evans stated that this could be sent up to the board to see if they will green light it, then put in ordinance form.

Regular Member Shue made a motion for Planning Director Evans to make his changes to the ordinance by removing the Board of Health statement and removing residential from the commercial permitted uses in the table. Regular Member Thomas seconded and approved by unanimous vote.

Planning Director Evans stated that this would be a text amendment. He will present it at the Board of Commissioners Meeting.

Chairperson Myers stated that she had prepared the consistency statement and it would need to be approved by the Planning and Zoning Board sent onto the Board of Commissioners.

Vice Chair Fleischhauer made a motion to approve the consistency statement. Seconded by Regular Member Shue and approved by unanimous vote.

PARKING CITIZENS ADVISORY COMMITTEE STATUS UPDATE

Regular Member Thomas stated that the committee was tasked with three things in 2019.

1. Investigate potential vacant land that the town does not own which can support if determined to be necessary.

Thomas stated that they never had a standard or criteria to us to determine if more parking was necessary. Reviewed pictures taken before all new things were implemented, bumpers, signs etc. Then looked at pictures on July 4th, and it seemed that there were no big parking issues. There were still some issues with signs, no enforcement being done.

The motion from the committee was it is not necessary to establish additional public or private parking at this time. Continue monitoring the effects of new signage and maps identifying existing parking and provide additional awareness of present parking and increased enforcement.

2. Develop a list of town owned properties that can potentially provide additional town parking if determined to be necessary, cost to develop and proximity should be considered.
3. Investigate the possibly of paid parking using kiosk technology as other municipalities have already started to use.

Parking Committees motion was to recommend to the Planning & Zoning Board to send it out for RFP for paid parking.

Planning Director Evans stated that he did not have anything to do with the parking app and map that was developed for parking. He stated that at the bottom it reads parking is allowed on the side streets.

Member Shue stated that if cars park beside of wetlands that it could be environmentally not safe because cars do leak.

Alternate Member Tyner stated that he thought the original parking committee determined that the we did not have enough parking to make it efficient for anybody to do it. Member Thomas stated that this committee voted to take a formal step to get a quote. If they come back and say it's not economical for us then it can be put to bed.

Vice Chair Fleischhauer stated that the first committee discussed it with two or three vendors and ran into road blocks. They had learned that Oak Island had done extensive work. When it go to their Board of Commissioners and got turned down they had invested a lot of resources. He does not feel that it is consistent with our current land use plan to implement paid parking. Member Shue agree with Vice Chair Fleischhauer, we do not need to be opportunistic as a town. Chairperson Myers stated that Oak Island has adopted paid parking.

Vice Chair Fleischhauer stated that we talk about be open and he has trouble pushing this item forward. Oak Island and Sunset Beach pier owners are private and have chosen to charge for parking. Our pier owner chose not to. He stated that when we come to these meetings you will need to pay to park. Do you charge people that pay to rent homes to pay to use the park?

Member Tyner stated that the beach is a public trust area and the public should have some access to it. He is in favor of doing a study, but not in favor of paid parking.

Chairperson Myers stated that Wrightsville Beach gets a third of their revenue from paid parking. Vice Chair Fleischhauer said that they also have 200,000 people on their doorstep. Planning Director Evans said that they also have a whole lot of commercial property and parking. They also have a lot of property that's not on the beach and so does Sunset and Ocean Isle Beach. We're unique that we are just the island. We don't monitor the causeway and offer amenities that typically are associated with paid parking. We offer a public beach, it is not a private beach. Everybody in the state of N.C. pays funds into it when you get grant money and other stuff. He stated that reasonable access to the public beach must be kept. That is the difference in us and other islands.

Member Shue stated that from what he understands Sunset Beach had a parking problem with no space available and we do too.

Member Thomas made a motion to send this to the Board of Commissioners to get bids for paid parking. Seconded by Bob Hunter and approved by unanimous vote. Member Tyner wanted to verify that motion does not say that the Planning Board is in favor of paid parking, but looking at the economics and viability.

Member Thomas made a motion that it is not necessary to establish additional public or private parking at this time. Continue monitoring the effects of new signage and maps identifying

existing parking and provide additional awareness of present parking and increased enforcement. Seconded by Member Shue and approved by unanimous vote.

Member Thomas stated that there was another task to identify the next phase of the parking project with the support of a third party to investigate the possibility of organizing Jordan Boulevard to include the surrounding area that could potentially increase the number of parking spots and enhance aesthetics of the location. A study may have been done a number of years ago but the results cannot be located. Since the meeting Planning Director Evans has located a picture of that study. Member Thomas stated that the Parking Committee's motion was to send the layout to the Board of Commissioners to review. The layout is outdated. The sewer plant was not there at that time. Flower beds are now installed.

Member Thomas made a motion to take the drawing (layout) to the Board of Commissioners and see if they want to proceed with it as a starting point. Seconded by Vice Chair Fleischhauer and approved by unanimous vote.

COMMENTS

Chairperson Myers wanted to thank Pete Pallas as Chairman, Tracy Thomas secretary, Bob Bayless, Martie Arrowood, Kim Fenrich for serving on the parking committee. She will write a memo on what was just discussed and send on to the Board of Commissioners. The next meeting is February 26th at 2:00 p.m. for a Land Use Plan meeting chapter.

Member Hunter made a motion to adjourn. Seconded by Member Shue and approved by unanimous vote.


Secretary, Rhonda Wooten