PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY
Monday, May 2, 2011
Community Center-509 Ocean Avenue
7:00 pm

MINUTES

I. CALL TO ORDER - 7:01 p.m.

II. ROLL CALL

Present

Chairman David Campbell
Vice Chairman Susan Dieterle
Member Tom Davis
Member James Flanagan
Alternate Member Belsten
(arrived late)

Town Manager Hoskovec
Town Planner Dennis Ragsdale
Town Attorney Gougelman
Deputy Clerk Jennifer Howland

Absent

Member Coleen Doyle

III. APPROVAL OF MINUTES

April 4, 2011

Moved by Member Davis; seconded by Member Flanagan to approve the minutes of the April 4, 2011 meeting. Question called; motion carried, 3-0.

IV. PUBLIC HEARINGS

1. Ordinance 2011-02 – Sign Size Ordinance

Town Attorney Gougelman read the Ordinance 2011-02 by title only.

Chairman Campbell recapped the discussions on the sign ordinance and explained the reason for the ordinance. He asked for comments.

There were no comments related to the Ordinance.

Chairman Campbell asked for public comment.

There was none.

Vice Chairman Dieterle made a motion to recommend approval and to send to the Commission for final approval since it is in compliance with the Comprehensive Plan; seconded by Member Davis. Question called; motion carried, 5-0.

V. NEW BUSINESS

None.

VI. OLD BUSINESS

1. Discussion on updates to the land development code.

Planner Ragsdale briefly recapped his memo.

Town Attorney Gougelman explained some possible legislation and the possible effects. He explained the Growth Management provision which may repeal all Cities and Town's right to have referendums.

Chairman Campbell asked why "deed restrictions and covenants" was stricken on page 1.

Planner Ragsdale answered because they are not used any more.

Chairman Campbell said verbiage about where the Town Map is located should be placed in Chapter A of the land development code.

Planner Ragsdale said an electronic version of the map should be available so it can't be changed.

Town Attorney Gougelman said he's have to research whether an electronic version of the map is allowable by law.

Chairman Campbell asked why the zoning districts section (7A-30-33) was stricken.

Planner Ragsdale said he couldn't remember whether or not the board wanted just chart and tables or both the code section written out and tables. He said he will un-strike and use the tables.

Chairman Campbell said the permitted and special exception uses table is not needed, but the zoning criteria tales is fine.

Vice Chairman Dieterle asked if there is a definition of disaster and in reference to page 7 under 7A-33(f)(2) and asked what should be considered a disaster. She asked if termite damage should be considered a disaster.

Planner Ragsdale asked what the board wanted to list as disasters.

Vice Chairman Dieterle asked what the damage percent is.

DRAFT

Planner Ragsdale answered 50 percent. He said the verbiage should be changed to "involuntarily destroyed" instead of simply "destroyed".

The board discussed the 8B zoning district.

The board discussed rebuilding of a structure after a disaster with the same use even if zoning changes and decided that rebuilding with the same use should be allowed.

Planner Ragsdale said he will add it into the code.

Town Attorney Gougelman suggested that the board consider whether to allow the same use for certain areas after they are rebuilt.

Town Manager Hoskovec said they need a redevelopment plan.

Chairman Campbell said years ago there was discussions on a redevelopment plan and said all the building would have to be torn down since the plan cannot be incrementally implemented. He said they also have to readdress the businesses they allow.

Planner Ragsdale explained the background on changes to 7A-50.

Chairman Campbell asked why the "per chair" was removed in parking requirements.

Planner Ragsdale answered basing parking on square footage is easier to regulate and enforce than "per chair."

Member Davis said business licenses are based on a per chair and asked if that was where the code came from.

The board discussed parking space regulations in regard to churches (7A-50(a)(3)).

Chairman Campbell said to leave both policies and to include "maximum capacity as determined by the fire marshal.

The board discussed the square footage listed under 7A-50(a)(2) in reference to the barber shop.

The board decided to change the square footage to 100 square feet from 200 square feet.

Chairman Campbell asked why medical and dental were stricken from 7A-50(a)(6).

Planner Ragsdale said he had rearranged some wording and it is listed with other type of buildings with the one space per 200 square feet requirement.

Planner Ragsdale said restaurant parking should also be based on a square footage and fire marshal determination.

DRAFT

The board discussed whether certain restaurants complied with the requirement.

Alternate Member Belsten asked if the square footage included outside seating.

Chairman Campbell said it should be included in the gross seating area.

Planner Ragsdale said there are parking exceptions for schools. He also said shared parking should be made clearer.

Chairman Campbell asked who approves porous surfacing.

Planner Ragsdale said surfacing is approved through the site plan approval. He also said "porous" should be "pervious."

VII. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

VIII. ADJOURNMENT

Motion made to adjourn by Vice Chairman Dieterle; seconded by Member Flanagan. Question called; motion carried 5-0.

Meeting adjourned at 8:28 p.m.

Jennifer Howland	David Campbell
Deputy Town Clerk	Chairman

DRAFT