

**TOWN OF CALABASH
PLANNING & ZONING BOARD
REGULAR MEETING
Monday, August 3, 2009—6:00pm**

MINUTES

The Calabash Planning & Zoning Board (PZB) held a Regular Monthly Meeting on Monday, August 3, 2009, 6:00 pm at Town Hall, 882 Persimmon Road, Calabash, NC.

MEMBERS PRESENT: Chairman J.W Brown, Vice Chairman Gary Cooper, John Thomas, and Marty Keefe; a quorum was present.

MEMBERS ABSENT: Alinda Lewis Meares.

STAFF PRESENT: Kelley Southward, Town Clerk and Stanley Dills, Building Inspector.

GUESTS PRESENT: Tyler Pegg, Karen Hansen, Chuck Lydon, Don Hege, Mike Abushakra, Janet Thomas, Chuck Schreiber, and Scott Stewart (arrived at 6:20 pm).

CALL TO ORDER/PLEDGE: Chairman Brown called the meeting to order at 6:00 pm and led the Pledge of Allegiance to the Flag.

APPROVE/ADJUST AGENDA: *Mr. Cooper motioned to move New Business items 1 & 2 ahead of New Business 3 & 4 and to approve the agenda as amended. The motion was seconded by Keefe and carried by way of a unanimous vote.*

APPROVAL OF MINUTES: The PZB noted that although the minutes of July 6, 2009, have been included on the agenda for consideration of approval they had not been included in their agenda packets. The Town Clerk apologized for the error and suggested the PZB simply table the matter. *Mr. Thomas motioned to table the minutes of July 6, 2009, Regular Meeting until September, seconded by Mr. Cooper and carried unanimously.*

PUBLIC COMMENTS: Mr. Don Hege of Ash, NC addressed the PZB. Mr. Hege relayed that he had attended many of the Ordinance Review Committee's (ORC) meetings during their review of the Unified Development Ordinance (UDO). Mr. Hege felt the ORC did a great job and have made excellent revisions to the UDO. He suggested the PZB recommend approval of the revised UDO to the Board of Commissioners.

TOWN CLERK'S REPORT: Ms. Southward relayed that the Board of Commissioners will be accepting resumes for the vacant Town Administrator's position until August 31, 2009. Also, the vacant PZB seats have been advertised in the Brunswick Beacon.

NEW BUSINESS:

1. Discussion/Action—make an official recommendation to the Board of Commissioners regarding zoning of newly annexed properties that were formally a part of the Sunset Beach ETJ.

It was noted that the majority of the parcels (approximately 90 parcels in total) are associated with a subdivision; RJ Sommersett, Bonaparte's Retreat I, Oak Ridge Plantation, Shady Forest, or Landing II. It was also noted that with the exception of the first 500 feet of each subdivision (measured from Beach Drive/HWY 179), these subdivisions have been zoned by Calabash for years as they were a part of Calabash ETJ and now the entire subdivisions are in Calabash city limits (including the first 500 feet). The PZB felt it was appropriate to zone the parcels associated with one of the aforementioned subdivisions the same as the rest of the corresponding subdivision. Then there was a discussion of six lots along Beach Drive/HWY 179 unassociated with a subdivision, located by the bridge at the Calabash River; the parcels were identified as Tax ID #s 25500003, 2550000304, 2550000305, 2550000306, 2550000307, 2550000308. Staff noted that several of these lots had been zoned commercial by Sunset Beach and formally, there had been shrimp sales establishments on two of the parcels; currently there are no buildings on any of the parcels. In reviewing the Calabash Zoning Map the Board noted that there is no commercial zoning in this area and therefore, zoning commercial could possibly be construed as spot zoning. The PZB was not however, completely against zoning four of the six parcels, which had extensive frontage on Beach Drive, commercial. Ultimately, given the size and location of the parcels the PZB felt Residential-8000 would be the most appropriate zoning district for all six parcels.

Mr. Keefe motioned to recommend to the Board of Commissioners that the parcels located in the first 500 feet of RJ Sommersett, Bonaparte's Retreat I, and Shady Forest Drive be zoned MFH-I, parcels located in the first 500 feet of Landing II should be zoned R-8, and parcels located in the first 500 feet of Oak Ridge Plantation should be zoned PUD and Tax ID #s 25500003, 2550000304, 2550000305, 2550000306, 2550000307, and 2550000308 should be zoned R-8. Mr. Cooper seconded the motion and the motion carried by a unanimous vote.

2. Discussion with Mr. Dills of possible future matters the Planning & Zoning Board may need to address.

Mr. Dills brought to the PZB's attention the following items may need to be examined in the near future:

- a. Fence requirements for property abutting the perimeter of a subdivision
- b. Revise Section 96 "Open Burning" to correspond to GS 143-215.3(a)
- c. Driveways or driveway areas, including acceptable surface materials
- d. Reconditioning of signs—definition, scope, and fee
- e. Telecommunication towers
- f. Parking lot requirements-match county and rough calcs for parking per acre
- g. Lot clearing-subdivision vs. non-subdivision lot (large parcels)
- h. Turn around requirements for fire equipment

- i. Minimum number of egress points to a subdivision

Mr. Cooper noted that several of these issues have been addressed in the ORC's revisions/recommendations for the UDO. The PZB felt they would complete their review of the UDO to see what has and has not been addressed before moving forward to address any of the matters presented by Mr. Dills.

3. Discussion/Action—Make a recommendation to the Board of Commissioners regarding revisions to Devaun Park Maps-Phase 6B site plan (Meeting Park Preliminary Density Relocation Plan).

Mr. Stewart addressed the PZB on items 3 & 4 as the two are intertwined. He relayed that due to economic housing market conditions he has redesigned the previously approved four (4) unit building for the multifamily to include provisions to for a five, six, and seven unit building within the same building footprint as the four-unit building. Therefore, the density of Phase 6B will increase from 78 units to 108 units. To accommodate this increase, he has reduced the units in Phase 5 (item 4 of New Business) from 140 to 110. Mr. Stewart was originally approved for a total of 483 units, which he has worked diligently to not exceed and thanked the Board for the flexibility the Town has shown in allowing him to do these reallocations to accommodate the fluctuating market.

Mr. Keefe motioned to recommend the Board of Commissioners approve the preliminary density relocation plan for Phase 6B (Meeting Park) of Devaun Park, seconded by Mr. Copper and carried unanimously.

4. Discussion/Action—Make a recommendation to the Board of Commissioners regarding revisions to Devaun Park Maps-Phase 5 site plan (Tara Park). See discussion in item 3 above.

Mr. Keefe motioned to recommend the Board of Commissioners approve the preliminary density relocation plan for Phase 5 (Tara Park) of Devaun Park. Mr. Cooper seconded the motion and the motion carried unanimously.

OLD BUSINESS:

1. discussion—begin to review and discuss the changes made to the Unified Development Ordinance (UDO) by the Ordinance Review Committee (ORC).

The PZB had been provided Ordinance Change Request Forms from the ORC for every recommended change the ORC made to the UDO. The amount of forms was about as large as the UDO itself. The PZB felt they should take the month of August to review all the recommendations carefully and come prepared to discuss them at the September PZB meeting.

Mr. Thomas motioned for Planning & Zoning Board members to review, on their own, the changes to the UDO made by the ORC and come prepared to make a

recommendation to the Board of Commissioners next month. The motion was seconded by Mr. Keefe and carried unanimously.

BOARD COMMENTS: none forthcoming.

ADJOURN: *Mr. Keefe motioned to adjourn at 6:45 pm, seconded by Mr. Thomas and carried unanimously.*

(seal)

J.W Brown, Chairman

Attest:

Kelley Southward, Town Clerk