



# AGENDA

## Town of Kure Beach Planning and Zoning Commission

### Wednesday, August 4, 2021

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A meeting of the Planning and Zoning Commission will be held Wednesday, August 4, 2021 in the Council Chambers commencing at **6:30 PM**.

Page

#### 1. CALL TO ORDER

#### 2. ADOPTION OF THE AGENDA

#### 3. ADOPTION OF MINUTES

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- 3.1.
  - July 15, 2021 Regular  
[PZ Minutes 7-15-2021](#)

#### 4. PUBLIC COMMENT

#### 5. OLD BUSINESS

- 5.1. Underground Utilities Update (Richardson)
- 5.2. Land Use Plan Update (Galbraith)
- 5.3. Electric Vehicle Chargers (Galbraith)

6 - 8

- 5.4. Proposed Text Application received for Ordinances 15.36.010 and 15.36.060 (Batson)  
[Proposed Text Change Kure Beach \(002\) \(002\)](#)  
[cs.CON 15.36.010 ptas.\(for 8.4.21 pzc\)](#)  
[cs.PRO 15.36.010 ptas.\(for 8.4.21 pzc\) \(002\)](#)

#### 6. NEW BUSINESS

## **7. ADJOURNMENT**



## PLANNING & ZONING COMMISSION MINUTES

**REGULAR MEETING**

**Thursday, July 15, 2021 @ 6:30 pm**

The Kure Beach Planning and Zoning Commission (PZC) held its regular meeting on Thursday, July 15, 2021. A quorum of members was present and Attorney Jim Eldridge attended.

### **P&Z MEMBERS PRESENT**

Chairman Craig Galbraith  
Member Kathleen Zielinski  
Member Jim Dugan  
Member Tony Garibay  
Member Joe Barlok

### **P&Z MEMBERS ABSENT**

Vice-Chair Kenneth Richardson

### **STAFF PRESENT**

Mandy Sanders, Town Clerk  
Beth Chase, Deputy Town Clerk  
John Batson, Building Inspector

### **CALL TO ORDER**

Chairman Galbraith called the meeting to order at 6:40 p.m.

### **ADOPTION OF AGENDA**

MOTION- Member Zielinski made a motion to excuse Member Richardson and Member Dugan from the meeting

SECOND- Member Garibay

VOTE- Unanimous

MOTION- Member Zielinski made a motion to adopt the agenda as presented

SECOND- Member Garibay

VOTE- Unanimous

### **APPROVAL OF MEETING MINUTES:**

- June 2, 2021 Regular Meeting

MOTION- Member Zielinski made a motion to approve the minutes as presented

SECOND- Member Garibay

VOTE- Unanimous

### **PUBLIC COMMENTS**

None.



## PLANNING & ZONING COMMISSION MINUTES

**REGULAR MEETING**

**Thursday, July 15, 2021 @ 6:30 pm**

### **OLD BUSINESS**

1. Underground Utilities Update

Member Garibay stated Member Richardson and himself met with the Duke Energy Representative and she was going to provide maps to get an idea of the extent of the project. She has not yet provided those documents at this time.

2. Land Use Plan Update

Commissioner Whitey commented survey results have been received and the Town Council will hold a workshop for the Public to attend on July 29<sup>th</sup>.

3. Electric Vehicle Chargers

Chairman Galbraith commented he has seen on the Island more Electric Vehicles recently. There are two large networks that install these chargers. Electrify America and Charge Point are the two companies. On the Charge Point website there are videos that describe the charging system. The CT4000 is the most popular charging station. Each unit has two chargers so the Town would only need to purchase two charging stations. The cost is around \$7,000- \$8,000 per unit not including maintenance fees, network fees, or the cost of the install. These are destination chargers that take around 3-4 hours to charge. The idea is the citizen would charge the vehicle while at the beach. Both companies will give the Town proposals for no cost. Once the chargers are installed the Town would be on the map for citizens to find the charging stations. Hopefully by next month he will have a detailed proposal for the Commission to review.

### **NEW BUSINESS**

1. Proposed Text Application received for Ordinances 15.36.010 and 15.36.060

Building Inspector Batson stated this proposed text amendment was brought forward by a Kure Beach resident Vicki Adcock located at 1211 Unit A Fort Fisher BLVD North. He is unsure why the applicant is not here tonight to advocate for this request tonight. Section F is the proposed addition to the text to include "Whole House Generators, HVAC Units, Propane Tanks, and other similar equipment within the first five (5) feet of the required side yard of a corner lot." It is important to know the definition of a corner lot included in 15.36.060. "For side yards on corner lots where there is a residential use, the minimum width of the side yard along an intersecting street shall be at least ten (10) feet which will apply in all zones within the Town of Kure Beach". There are close to 200 corner lots this would apply to and have made exemptions for corners lots in the past. This is different than other text amendments that the Commission said was similar as it deals with corner lots.

Chairman Galbraith commented the Commission has had conversations in the past regarding setbacks. He thought it would be best to have a conversation regarding this topic before it was formally purposed.

Member Zielinski why does a corner lot have a 10-foot setback?



## PLANNING & ZONING COMMISSION MINUTES

### REGULAR MEETING

Thursday, July 15, 2021 @ 6:30 pm

Building Inspector Batson commented it his understanding after reading the ordinance that it is a visibility issue.

Chairman Galbraith commented so, this is more of a visibility issue than a safety issue?

Building Inspector Batson commented yes, he believes that was the intention.

Member Zielinski stated she has a concern that some streets are narrower in Town, but this text amendment will imply to the entire Town. The exemptions list keeps growing and unsure what the point of the ordinances are then.

Member Garibay stated as long as it stays in the first 5 feet of the setback and meets the safety requirements of the generator, he has no issue with this request.

Chairman Galbraith stated he has no issue with it if it as long as it has a height limit and Building Inspector Batson does not see a safety issue.

MOTION- Member Zielinski made a motion to table the item to the August meeting

SECOND- Member Galbraith

VOTE- Unanimous

### MEMBER ITEMS

None.

### ADJOURNMENT

MOTION- Member Garibay made a motion to adjourn the meeting at 7:14 p.m.

SECOND- Member Zielinski

VOTE- Unanimous

ATTEST: \_\_\_\_\_  
Mandy Sanders, Town Clerk

\_\_\_\_\_  
Craig Galbraith, Chairman

NOTE: These are action minutes reflecting items considered and actions taken by Planning and Zoning Commission. These minutes are not a transcript of the meeting. A recording of the meeting is available on the town's website under government>planning and zoning.

June 14, 2021

Town of Kure Beach

John Batson Building/Fire Inspector

Subject: **Proposed Text Change to: Ordinances 15.36.010 and 15.36.060**

Red is proposed new language.

15.36.010 Any Building or other structure requiring a building permit shall not be permitted in the setback area with the exception of the following items:

- A. Fence
- B. Beach walkovers that are at least ten (10) feet to the rear of the building and meet the 1996 Hurricane Replacement Standards.
- C. Ground level walkways
- D. Ground level aprons for pools
- E. Disability ramps for individuals with verifiable disabilities
- F. Whole House Generators, HVAC Units, Propane Tanks, and other similar equipment within the first five (5) feet of the required side yard of a corner lot.



**TOWN OF KURE BEACH  
PLANNING & ZONING COMMISSION**

Meeting Date:  
August 4, 2021

Agenda Item No.:  
5.4

**ZONING CONSISTENCY STATEMENT  
N.C.G.S. 160D-605**

X Consideration of proposed text amendments to:

1. KBC 15.36.010.

X The proposed text amendments are **INCONSISTENT WITH** the objectives/policies of the Town of Kure Beach Land Use Plan (“LUP”).

\_\_\_\_\_ The proposed text amendments are **CONSISTENT WITH** Part 2, Section 1.A of the LUP.

X The proposed text amendments are **NOT CONSISTENT WITH** Part 2, Section 1.A of the LUP.

The Planning and Zoning Commission (“PZC”) requests Town Council’s consideration and denial of the proposed text amendments to KBC 15.36.010, a copy of which is attached hereto and incorporated herein by reference. The proposed amendments permit whole house generators, propane tanks, and other similar equipment within the first five (5) feet of the required side yard of a corner lot. PZC finds that the proposed text amendments do not effectively provide for and are inconsistent with the Land Use Compatibility Goal Statement set forth in Part 2, Section 1.A of the LUP which provides, in pertinent part, that land uses “minimize negative environmental impact and avoid risks to public health, safety, and welfare....”

Based on this finding, PZC recommends that Town Council not adopt the proposed text amendments.

**TOWN OF KURE BEACH  
PLANNING AND ZONING COMMISSION:**

\_\_\_\_\_  
Craig Galbraith, Chairman



**TOWN OF KURE BEACH  
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**TOWN OF KURE BEACH  
PLANNING AND ZONING COMMISSION:**

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Craig Galbraith, Chairman