

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, May 13, 2014 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present:

Chair Bill Parker
Member Bebe Woody
Member Phil Scarborough
Member Grizelle Fearing
Member Hal Goodman

The following members were absent:

Also present at the meeting:

Erin Burke, Planner
Becky Breiholz, Town Clerk

Chair Bill Parker called the meeting to order at 6:01 pm

SUBJECT: Adoption of Agenda-

MOTION: Member Goodman seconded by Member Scarborough to approve the agenda as presented was approved by the following vote: Ayes: Members Parker, Scarborough, Woody, Goodman and Fearing. Noes: None. Absent: None

SUBJECT: Approval of Minutes Regular Meeting April 8, 2014

MOTION: Member Fearing seconded by Member Woody to approve the minutes as presented was approved by the following vote: Ayes: Members Parker, Scarborough, Woody, Goodman and Fearing. Noes: None. Absent: None.

SUBJECT: Approval of Minutes Special Meeting April 29, 2014

MOTION: Member Fearing seconded by Member Woody to approve the agenda as presented was approved by the following vote: Ayes: Members Parker, Scarborough, Woody, Goodman and Fearing. Noes: None. Absent: None

PUBLIC COMMENTS-

SUBJECT: Discussion of FEMA Flood Ordinance- Planner Erin Burke's narrative stated that the Flood Ordinance currently used in the Town of Manteo does not include a freeboard requirement. Freeboard is an additional height requirement above the base flood elevation (BFE) that provides a margin of safety against extraordinary or unknown risks. As flood insurance requirements and maps change this provision can help protect homeowners.

The State of North Carolina Building Code has had a one foot freeboard requirement in place for the past few years. If that provision is removed the Town of Manteo stands the possibility of losing CRS (Community Rating System) credits. These credits allow the town to provide those with flood insurance a discount on their premium.

Currently all other local jurisdictions accept Nags Head, which just references the state building code, have a freeboard requirement. They are as follows:

Dare County – One Foot

Kill Devil Hills – One Foot

Kitty Hawk – One Foot

Southern Shores – Two Feet

Duck – One Foot

Currituck – One Foot

Staff recommends in accordance with Article 25 Amendments, Section 25-3 that the Planning and Zoning Board recommend that the Board of Commissioners schedule a public hearing for the consideration and adoption of the following language to be included in the Flood Damage Prevention Ordinance.

FREEBOARD. The height added to the base flood elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization on the watershed. The base flood elevation plus the FREEBOARD establishes the “regulatory flood protection elevation.” The FREEBOARD requirement for the Town of Manteo shall be one foot.

REGULATORY FLOOD PROTECTION ELEVATION. The “base flood elevation” plus the “freeboard.” In “special flood hazard areas” where base flood elevations (BFEs) have been determined, this ELEVATION shall be the BFE plus one (1) foot of freeboard. In “special flood hazard areas” where no BFE has been established, this ELEVATION shall be at least one (1) foot above the highest adjacent grade.

MOTION: Member Fearing seconded by Member Woody to recommend to the Board of Commissioner’s that a Public Hearing be set was approved by the following vote: Ayes: Members Parker, Scarborough, Woody, Goodman and Fearing. Noes: None. Absent: None.

SUBJECT: Discussion of Pawn Shop ordinance- As requested staff researched how other agencies handle pawn shops. The responses varied from no additional requirements than would be placed on a typical retail establishment, to location and separation restrictions and hours limitations. Please provide staff with direction on what type of restrictions, if any, the board would like to see for this type of use. The Board wanted to limit the locations for this type of business. They also would like to

have hours of operation and in which district these may be located. Staff to draft language and to bring back for their review at their June meeting. Member Fearing asked about limiting the aesthetics of these types of buildings which usually have bars on them and Mrs. Burke will find out what other towns do.

SUBJECT: Discussion of establishing a policy for Special meetings submittals. At the Special Meeting held on April 29th the Board expressed concern over when plans were submitted for the meeting. There was the discussion of a policy to ensure there was adequate review time for staff and the board and the Members wanted to establish a policy to require all plans submitted for a special meeting must to be submitted three (3) business days before the special meeting is called.

MOTION: Member Fearing seconded by Member Goodman to establish a policy to require all plans must be submitted three (3) business days before a special meeting will even be called was approved by the following vote: Ayes: Members Parker, Scarborough, Woody, Goodman and Fearing. Noes: None. Absent: None.

SUBJECT: Review Code Violation list-Planner Erin Burke went over the list and commented that the Hotline buffer violation needed to be changed to yellow. Mrs. Burke will get back on writing a letter to Pugh's about their fence and buffer. Charter Communication has contacted a landscaping company to take care of their buffer. The Shallowbag Bay Home Owners did meet but no funds were allocated to correct their sign violation. Staff has been picking up signs that are placed in the corridor. She will also contact Dolce Vita/Tread Quarters about the trailer parked at Tread quarters which is clearly an off premises sign. Member Fearing commented that she thought that was the Creef property and Mrs. Burke will contact Buddy Creef. Also the trailer at Dolce Vita is kind of parked in the drive area; there is also an extension cord running across the sidewalk that is used to light up the tree that is not safe. An item not on the list is the property just before CVS at midway that has a sign up in the corridor plus the owner cleared that property and cut down trees. Mrs. Burke commented she is in touch with the owner, Gary Dunstan and they are going to walk the lot.

SUBJECT: Review to do list-. Staff can remove the flood ordinance from this list. For the planting of trees on Sir Walter Raleigh engineered plans have been submitted to NCDOT and we are waiting for their approval.

Board Member Concerns:

Member Woody has concerns about the Source Church sign and building they purchased from the County. Volunteers have started working on the building without coming to the Town for permits and Mrs. Burke commented that she is aware of the problems and is working with them.

Member Fearing commented that we should have some type of welcoming committee when new businesses come to Town so that they know what they need to do. She also has concerns about costume people in the right of way advertising businesses and thinks that it is very distracting and tacky and that there should be a way to control this and Staff is to research this.

Member Scarborough asked about the Dollar General and was told that even though the Planning Board held a special meeting for them, they were unable to get the plans to the Board of Commissioners and they plan on having those submitted for their June meeting.

MOTION: Member Woody seconded by Member Fearing to approve a motion to adjourn at 6:40 pm was approved by the following vote: Ayes: Members Parker, Scarborough, Fearing, Goodman and Woody. Noes: None. Absent: None.

This 13th day of May 2014

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk