

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, August 12, 2019. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
 Michael Barr Beth Midgett
 Terry Gore II Buddy Shelton
 David Hines

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the July 8, 2019 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

Request to Amend Conditional Use Permit, Commercial Group Development, 1145 Colington Road, Jon Midgett Construction LLC

Victor White of Landmark Engineering and Pastor Roga Compean were present.

Donna Creef said Jonathan Midgett received approval in 2017 for a group development at 1145 Colington Road. The property is zoned Commercial Services. Two of the three structures have been built. The second structure includes four individual units, was purchased by New Way Community Church, and is proposed for use as a church with associated church functions. Churches are permitted uses in the CS district. The property was approved as a conditional use permit so an amendment to the conditional use permit is required. The Planning Board will be reviewing the site plan and proposed conditional use permit amendment at this meeting. Changing the occupancy to

Assembly will require the Fire Marshal's input and he has been very involved with this project.

The main revision on the site plan is deleting the third structure. The parking has been revised. The zoning ordinance requires one parking space for every four seats in the sanctuary and Pastor Roga is proposing 120 seats. The Fire Marshal will need to verify the number of seats. The conditional use permit requires lights attached to the building. Low-level lighting that does not glare onto the adjoining property needs to be added to the site plan. The hours of operation need to be discussed. This is adjacent to a residential district. In the draft conditional use permit, item 7, we need to strike the sentence referring to *contractor's office* because that is no longer on the site plan.

Victor White said Pastor Roga does plan to have one 5 p.m. service and will need lights for people to return to their cars. There are no issues with the conditions as proposed. Mr. White spoke with the Fire Marshal and Building Inspector. They will continue to work with both of them to change the occupancy to Assembly.

Chairman Finelli asked if there are particular hours of operation they would like to request. Beth Midgett asked if they plan to have any youth lock-in events. Pastor Roga replied a lock-in event may happen once a year. The church would generally be a daytime operation with evening activities that will seldom go past 9 p.m. Buddy Shelton asked if there will be daycare provided at times other than during services. Pastor Roga said not at this time. After discussion, it was decided to not include hours of operation on the conditional use permit amendment. Donna Creef said an amendment will be required if child care is added as a use at a later date. Any sign must comply with the sign ordinance.

Michael Barr made a motion to recommend approval of the conditional use permit amendment subject to the following: (1) Lighting improvements for the parking areas shall be depicted on a revised site plan. (2) The comments from the Fire Marshal shall be noted on the revised site plan and incorporated into the conditional use permit. (3) Any proposal to provide child care outside of church functions shall require an additional amendment to the conditional use permit. (4) Item 7 of the conditional use permit will remove the sentence referring to the contractor's office.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Consideration of Zoning Amendments to Better Facilitate Year-round Housing

Donna Creef provided a revised version of Section 22-58.9, Conditional Use Subdivisions. There has been a sentence added: *Lots platted as part of existing subdivisions shall not be grouped together to meet the three acre minimum parcel size for development as a conditional use subdivision.* The board discussed this previously. This will prevent an owner of multiple, adjacent lots in an existing subdivision from combining their lots to apply for a conditional use subdivision. Language has also been added about minimum individual lot sizes depending on availability of central water and wastewater. Changes from last month have been underlined.

Michael Barr recommended indicating the designation of WHU in the title to identify the acronym as referring to Workforce Housing Unit. Chairman Finelli said he believes there may be a better name than Conditional Use Subdivision. Buddy asked if, after the 1,200 square feet home is built and occupied, will the owner be able to increase the conditioned / living space of the home. Donna Creef said they will not.

Donna Creef said section 22-58.7, Workforce Housing Units, is a proposed new section that defines a workforce housing unit as *a dwelling unit constructed in conjunction with a commercial structure on a property and occupied by a person or persons employed in Dare County for a minimum of 30 hours per week or 120 hours per month during the time period of May 1 to September 30 annually.* This was discussed at length by the Planning Board. They revised the definition to read *A workforce housing unit (WHU) is a dwelling constructed in conjunction with a commercial structure.* In addition, number 7 will read *workforce housing* instead of *employee housing* and number 9 will be added, which states *A WHU shall not be used for short-term occupancy rentals during the time period of April 1 to October 31 annually. A Memorandum of Agreement outlining the requirements applicable to the WHU, including the short-term occupancy limitations, shall be executed by the property owner at the time of permit approval by Dare County.*

Buddy Shelton recommended approval of the four Housing Amendments presented by staff with changes as discussed and further finds the proposed amendments to be consistent with Dare County Land Use Policy LUC # 4, Residential Development.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

Discussion of Stumpy Point Building Regulations

Chairman Finelli said there was a discussion regarding affordable land in Stumpy Point at the last meeting. Buddy Shelton said he believes there are conditions which allow a maximum of four bedrooms per lot. Maybe it would be possible to build 2 two bedroom houses or 4 one bedroom structures. This is something that can be discussed. Most lots aren't built on yet. The sewer and water systems are both underutilized. The location is closer than other areas from which local employees are commuting.

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: September 9, 2019



John Finelli
Chairman, Dare County Planning Board