

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, April 12, 2021. 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 David Hines

MEMBERS ABSENT David Overton Buddy Shelton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the February 8, 2021 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

Preliminary Plat Review, Hatteras Island Reserve, Hatteras Ventures, LLC, 56883 NC 12 Hwy, Hatteras, NC

Michael W. Strader, Jr., P.E. of Quible & Associates, P.C. was present on behalf of the property owners.

Hatteras Ventures, LLC is proposing a four-lot subdivision located at 56883 NC 12 Hwy in Hatteras. The project consists of four parcels on 5.25 acres of land. The property is currently zoned C-2H Commercial. The smallest lot is 19,316 square feet.

An aerial photo of the site was provided to the Board at their seats as well as copy of Subdivision Regulations 153.32 General Standards.

The Board discussed the preliminary plat for the proposed Hatteras Island Reserve. The discussion focused on the proposed common driveway. It was the consensus of the Planning Board that the proposed driveway should be 24' in width with half of the area serving the two adjoining lots.

The Board also requested more detail on the layout of improvements on lots 2 and 3 relative to the parking and drive aisle to ensure there will be adequate maneuvering room for emergency service vehicles. Ms. Creef noted that the Fire Marshal has also requested this information. Donna Creef also clarified that lot coverage for the residual parcel with the Sea Gull Motel should be calculated.

Terry Gore made a motion to consider this plat as a sketch plan review with a revised preliminary plat review to be placed on the May 10, 2021 agenda. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Chapter 160D Amendments to Land Use Regulations

Ms. Creef addressed the Board. She said 160D is the combining of the general statutes for County planning and City planning. Ms. Creef said the provisions are already in effect and we have until July 1, 2021 to bring our ordinances into consistency with the State law. Ms. Creef said it is important to note that if we choose not to do anything, the State law will apply whether the County ordinance is consistent with it or not. Ms. Creef said some sections are easy and some are more involved.

A copy of 160D was provided to the Board at their seats.

Ms. Creef said revisions to Chapter 150 – Airport Zoning and Chapter 151 – Flood Damage Prevention Ordinance are merely to update the statutory references.

Chapter 152 – Planning and Development includes several sections that are outdated in electronic gaming facilities and regulations for large structures since all of unincorporated Dare County is now zoned. Ms. Creef said the vested right section has been incorporated into the Zoning Ordinance. The Planning Board and Board of Adjustment sections have also been revised. Ms. Creef noted some of the procedures for the Board of Adjustment

have been incorporated into the Zoning Ordinance and will be discussed during the Zoning Ordinance review.

Ms. Creef said the most important change to this section is item six on page three, which discusses the roles of the Planning Board. Special Use Permits is the new terminology that will be used for Conditional Use Permits. One of the changes includes the role Planning Boards have with Special Use Permits. These permits are Quasi-Judicial with very strict orders of procedure, which is driving the change. Ms. Creef also noted that all Planning Board members will have the oath of office administered before entering their duties, which also applies to reappointments. Ms. Creef detailed the finer points of the changes to 160D for the Board.

Chapter 153 – Subdivision Ordinance has several sections that will need to be revised in response to 160D. Ms. Creef discussed what the term vested interest means and how it applies to developers in the ordinance. Ms. Creef gave the example that a developer is vested once permits are obtained and she noted that the County cannot change the rules retroactively. Ms. Creef added that it's up to local governments to decide what constitutes a site-specific development plan. Ms. Creef recommends that a site-specific development plan will be a site plan approved as a Special Use Permit that is granted a period of two years, and two years for a subdivision plat. Ms. Creef also detailed changes to density limitations and what constitutes a frontage road.

Chapter 158 – Sign Ordinance is proposed for revision to include new definitions and standards on digital displays and a prohibition on roof signs. Ms. Creef said these changes are not related to 160D but are some issues that need to be addressed in the Sign regulations.

Chapter 155 – Zoning Ordinance changes are based on Chapter 160D and are not discretionary items. Ms. Creef said new sections have been included in response to 160D and there are some amendments proposed to clarify issues or to document procedures of administration and enforcement. Ms. Creef noted the changes to the definitions section are substantial. Ms. Creef said Chapter 160D lists certain definitions that are specific to State law and it is what local governments shall use. Ms. Creef said the school of government recommends having definitions in one section, so that change has also been made.

Terry Gore excused himself from the meeting at 7:23 pm.

The Board decided to stop their review at Section 22-63. The Board will continue the discussion at the May 10, 2021 meeting.

2021 Dare County Land Use Plan Update

A draft copy of the 2021 Dare County Land Use Plan Update was provided to the Board at their seats.

Ms. Creef said section one is demographic information and section two is the policy section of the plan that reflects Board input received from 2018. Ms. Creef asked the Board to focus their review on Section two.

Ms. Creef said the update will need to be sent to the State for review.

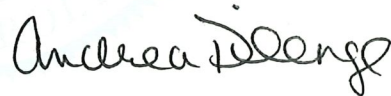
ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Michael Barr and seconded by Beth Midgett.

Vote: Ayes – Unanimous

The meeting adjourned at 7:33 p.m.

Respectfully Submitted,



Andrea DiLenge
Planning Board Clerk

APPROVED: May 10, 2021



John Finelli
Chairman, Dare County Planning Board