



Minutes
Town of Atlantic Beach, North Carolina
Town Council – Work Session
Thursday, August 18, 2016 – 9:00 a.m.



A regularly scheduled work session of the Atlantic Beach Town Council was held Thursday, August 18, 2016 at 9:00 a.m. in the Council Meeting Room, 125 West Fort Macon Road, Atlantic Beach, North Carolina.

Members Present: Mayor A. B. Cooper, III; Mayor Pro Tem Danny Navey; Councilmembers: Harry Archer, Ann Batt, Eddie Briley, and John Rivers

Members Absent: None

Others Present: David Walker, Town Manager; Katrina Tyer, Town Clerk; Michelle Shreve, Planning Director; John Harrell, Chief Inspector; Arrington Moore, Management Assistant; Mike Shutak, Carteret News Times
Planning Board Members: Ray Langley, Rich Johnson, and Norm Livengood
Board of Adjustment Members: Vada Palma

CALL TO ORDER

Mayor Cooper called the meeting to order at 9:00 a.m. Members of the Planning Board and Board of Adjustment were invited to attend this work session. The Planning Board will review the Code Assessment during their September 6, 2016 meeting.

Councilmember Archer made a motion *to approve* the agenda as presented. Seconded by Councilmember Batt. Vote was unanimous, 5-0. Motion carried.

Michelle Shreve, Planning Director, introduced Chad Meadows of CodeWright, Durham NC. On July 11, 2016 the Public Review Draft was provided to Town Council, Planning Board and Board of Adjustment members for their review.

Mr. Meadows explained the goal of this update is to increase user-friendliness, bring greater predictability to the development review process, maintain consistency with state law, foster easier administration, and maintain legal defensibility. The objective is to update the code based on the Code Assessment, Council, board and public comment. Mr. Meadows feels this process can be completed in 6-8 months. He does not feel the UDO Committee should be revived, but staff involvement in the process is vital.

The goal is not to change the current laws and procedures the town has in place, it is to provide technical changes and refine what is written. The Code Assessment has been broken down by the following:

Document Structure

The current chapter sequence is not intuitive. It is difficult to find regulations, reference numbers are missing, paragraph structure is lengthy, and the content of the appendices is confusing. He recommends grouping the chapters together, condensing from 17 chapters to 10 chapters.

Terminology

This is the most important issue. The UDO has missing terms, contradictions in the text and confusing statements. He recommends revising the code language for greater clarity and precision.

Repetition & Inconsistency

This is the second most important concern. The current UDO includes numerous instances where development regulations in different articles overlap with one another or are repetitive. This issue is generally created as the code is modified. He recommends to review code and eliminate confusing text and to avoid "stand-alone" ordinances (referencing the CDD ordinance). The new UDO text should be configured to be incorporated into the existing provisions. It's also a good idea to include reserved sections for future UDO text.

Procedural Clarity and Concerns

This section is very vague, has procedural confusion and is missing procedures. It needs to provide guidance to staff for violations and enforcement. He recommends a procedure manual, kept apart from the code, containing forms and other application-related materials. The manual should be approved by Council.

He recommends several updates to the review development procedures for it to function more effectively. Examples include allowing the UDO Administrator to grant minor deviations and the Town entering into Development Agreements. A major recommendation he has is to divide the rezoning procedure and the text amendment procedure for clarity.

Councilmember Briley is in favor of noting the amendments to the UDO within the document. After discussion, a footnote within the text referring to a Table of Amendments was ideal. Currituck County uses this system.

Another suggestion is allow the Planning Board to approve major site plans, rather than Council. Suggests conducting a public hearing before Council and Planning Board jointly, before any plans are drawn or developed, then Planning Board decides when the project is ready to be presented.

Review Criteria

This is a very important section to update to ensure all applicants are treated fairly. The current UDO is missing review criteria allowing staff deviations, accelerated requirements and general requirements. He recommends updating the UDO to include measurable review criteria for each development review procedure, each decision-making process, and criteria for use in the evaluation of whether a development complies with various standards.

Zoning Districts

The current UDO looks good in this section. He recommends providing clear illustrations and pictures demonstrating what the town expects.

Use Standards

There is inconsistency in principal use standards, he suggests using a tiered use classification system. The difference in major and minor is not defined. The difference can be determined based on square footage, intensity, indoor outdoor activity, traffic impacts, etc. Suggested reviewing the City of High Point's UDO, they use this procedure.

Other concerns are complexity in use standards, distinctions in accessory and temporary uses, and there is not a procedure for unlisted uses.

Development Standards

Some adjustments need to be made to the signage section to comply with state legislation. The town attorney must review and approve changes to this section.

Definitions

The current UDO has 11 definitions that include standards, this is not a good idea. The definitions lack consistency with the Building Code. He recommends removing unnecessary or inappropriate definitions and adding illustrations.

Changing State Law

Updated legislation should be incorporated. At least twenty-six updates are noted in the Assessment.

Annotated Outline

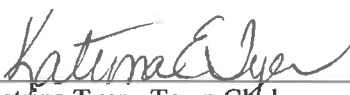
He recommends condensing the current articles into an easier format to follow.

There being no further action taken or business before Council the meeting stood adjourned. The time was 10:51 a.m.

These minutes were approved at the September 26, 2016 meeting of the Atlantic Beach Town Council.

ATTEST:

(seal)


Katrina Tyer - Town Clerk



TOWN OF ATLANTIC BEACH


A. B. Cooper, III - Mayor