



Minutes
Town of Atlantic Beach, North Carolina
Town Council Special Meeting
Monday, March 16, 2009



The Special Meeting of the Atlantic Beach Town Council was held March 16, 2009 at 2:00 p.m. in the Council Meeting Room.

Members Present: Mayor A. B. Cooper, III; Mayor Pro Tem Harry Archer; Councilmembers: Ann Batt, Eddie Briley and Trish Ide

Members Absent: Councilmember Vada Palma

Others Present: Pete Allen, Town Manager; Kelly Cyrus, Town Clerk; Jessica Fiester, Planning Director; Landin Holland, Holland Consulting

Mayor Cooper called the meeting to order at 2:00 a.m.

Councilmember Briley made a motion *to excuse* Councilmember Palma from the meeting. Councilmember Batt seconded the motion. Vote was unanimous, 4-0. Motion carried.

Mayor Pro Tem Archer made a motion to *approve* the agenda as written. Councilmember Batt seconded the motion. Vote was unanimous, 4-0. Motion carried

1. Public Hearing: Proposed Ordinance 09-03-01 – Moratorium Related To Self-Contained Manufacturing and Commercial Distribution Ice Vending Machine Units Located in the Town of Atlantic Beach.

Mayor Cooper stated that this proposed ordinance was a continuance of a moratorium that was put in place in 2008. He noted that the initial moratorium was put in place for twelve (12) months with the expectation that the Unified Development Ordinance would be in place and once the moratorium expired it would be incorporated into the UDO but since the UDO has not yet been completed, an extension on the moratorium has been requested.

Mayor Pro Tem Archer made a motion *to go into the Public Hearing*. Councilmember Ide seconded the motion. Vote was unanimous, 4-0. Motion carried.

With there being no signups for the public hearing, Councilmember Ide made a motion *to close the Public Hearing*. Councilmember Batt seconded the motion. Vote was unanimous, 4-0. Motion carried.

With no Council discussion on the matter, Councilmember Briley made a motion *to approve* Ordinance 09-03-01; Moratorium Related to Self-Contained Manufacturing and Commercial Distribution Ice Vending Machine Units Located in the Town of Atlantic Beach. Councilmember Batt seconded the motion. Vote was unanimous, 4-0. Motion carried.

2. Review and Discussion – Draft of Unified Development Ordinance (UDO):

Mayor Cooper explained that no public comment will be taken during the review and discussion of the UDO. He noted that this is the twenty-fifth (25th) meeting in regards to the drafting the UDO and that Jessica Fiester, Planning Director and Landin Holland, with Holland Consulting will give a broad overview of the document, talk about some of the major changes and the handful of substance changes. At this time, Mayor Cooper congratulated Landin Holland on the birth of his son, William Wells Holland and turned the meeting over to him and Jessica.

Jessica Fiester, Planning Director stated that there have been several significant changes that have been made since the last draft that was sent to Council and she noted that after today's discussion she will incorporate any further changes into the draft and forward it to all members for review. Jessica did note that the UDO committee went through the document line by line and feels that at this point the Council can focus only on the major changes that have been proposed. She also explained that after formatting and review of the UDO committee, the UDO draft then was presented to the Planning Board where that Board "tied up a couple of

loose ends” and left some proposed changes/decisions for the Council to review. She explained that several of the articles incorporated are verbatim from the current ordinances where it was felt no changes were needed or very minor changes. Jessica proceeded to go through the articles that were up for discussion. The following changes/modifications were discussed and agreed upon:

- Page 2-12: Change how height is measured from the average finished grade to the base flood elevation. Clarify the process on how to deal with fill. Review this decision with Donna Turner.
- Page 2-13: Change the wording of mandatory waterside addressing of residences to reflect that a homeowner may choose the location of the address sign anywhere on their property as long as its visible from the water and that each homeowner will have a year to comply.
- Page 2-15: Section 2.26 needs to be clarified to clearly state the difference between lots under an acre and lots over an acre. After the UDO is complete, continue to develop more storm water regulations.
- Article 5: More discussion needed on whether east and west of the “Circle” should be single family or duplexes also.
- Article 6: Change single family homes to a height maximum of forty-five feet (45’) because no incentive is needed. Invite landscape architects to share ideas on a Causeway Redevelopment Plan. Continue working with Department of Transportation (DOT) on the Right-Of-Way (R-O-W) issue.
- Page 6-29:
 1. Research any state requirements/regulations on condotels/hotels/motels/inns.
 2. Continue discussion on maximum height of aforementioned structures.
 3. Possibly separate condotel regulations from the other transient development.
 4. Possibly remove length of stay regulations.
- Article 11: Review sign regulations again after they have been studied more thoroughly and solicit more input on off-premise signage and billboards.

Upon further discussion on the best way to educate and inform all concerned in regards to the significant changes in the UDO and the impact those changes will have on various individuals, it was under general agreement to:

1. Host an informational meeting for builders and realtors
2. Host an public information session on a Friday evening
3. Decide if it is necessary to return any sections of the proposed UDO back to the Planning Board
4. Schedule and advertise a Public Hearing
5. Adopt the UDO

ADJOURNMENT

There being no action taken nor any further business before the Town Council, Mayor Cooper adjourned the meeting at 4:35 p.m.

Submitted by:

Kelly L. Cyrus
Town Clerk

These minutes were approved at the April 27, 2009 meeting of the Atlantic Beach Town Council.

A. B. Cooper III, Mayor