



Town of Lake Lure

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Minutes of the Regular Meeting of the Zoning and Planning Board

Tuesday, August 18, 2009

Lake Lure Municipal Center

Chairman Washburn called the meeting to order at 9:45 a.m.

ROLL CALL

Present: Dick Washburn, Chairman
Tony Brodfuhrer
Bill Bush
Paula Jordan
Donnie Samarotto
Russ Pitts, Council Liaison

Also Present: Shannon Baldwin, Community Development Director
Amos Gilliam, Planner/Subdivision Administrator
Sheila Spicer, Zoning Administrator, Recording Secretary

APPROVAL OF THE AGENDA

The agenda was unanimously approved upon a motion made by Mr. Bush and seconded by Ms. Jordan.

APPROVAL OF THE MINUTES

The Board asked that the third paragraph on page two of the minutes of the July 21, 2009 meeting be amended to state that Mr. Brodfuhrer asked the questions of Mr. Ranshaw referenced in that paragraph.

Ms. Jordan made a motion to approve the minutes of the July 21, 2009 regular meeting as amended. Mr. Brodfuhrer seconded the motion and all were in favor.

OLD BUSINESS

(A) Discussion Pertaining to Performance Guarantees

Mr. Baldwin discussed with the Board the fact that, while Community Development Attorney Mike Egan is still working with the Board in an advisory position, he will only attend meetings on an as needed basis.

Mr. Gilliam directed the Board's attention to the draft amendments to the subdivision regulations pertaining to performance guarantees included in their packet. He stated the amendments include the suggested changes discussed at the previous meeting with the exception of two items. He reported he is still working with Clint Calhoun, Environmental Management Officer, on drafting language pertaining to erosion control site stabilization requirements, and he is still working on requirements for security deposits. He went over the changes made to the proposed amendments. There was a brief discussion concerning bonding limits to require smaller phases during development, after which the Board recommended limiting the amount that can be bonded for any one project to \$500,000 at a time. There was also a brief discussion concerning bonding company ratings, after which Mr. Gilliam stated he would provide additional information on individual bonding companies and rating scales for the Board to review at the next meeting. Commissioner Pitts encouraged Mr. Gilliam to also talk to the North Carolina League of Municipalities to enquire about what other municipalities require for bonding company ratings.

(B) Discuss Amended Regulations Pertaining to Fabric and Metal Structures

The Board reviewed the proposed amendments to the Zoning Regulations concerning fabric structures as well as the accompanying memo from Ms. Spicer included in their packet. The Board discussed liability concerns for fabric structures placed on Town property and suggested that staff consult with Mr. Egan and Town Attorney Chris Callahan on whether appropriate measures have been taken to limit the Town's liability exposure in the event of an accident.

During a discussion about sanitation requirements, Commissioner Pitts suggested adding a statement to the fabric structure and entertainment event applications that it is the applicant's responsibility to ensure all county and state health and safety requirements have been met.

Ms. Jordan suggested amending the proposed language concerning limiting the time fabric structures visible from public roads may be in place without Town Council approval to include fabric structures visible from all commonly traveled streets as well as the waters of Lake Lure.

Ms. Spicer stated she will make all of the recommended changes and present the proposed ordinance to the Board at the next meeting for a final review.

(C) Review Proposed Amendments to the Sign Regulations Pertaining to Signs in Commercial Subdivisions

Ms. Spicer directed the Board's attention to the proposed ordinance and accompanying memo included in their packet. She pointed out that the proposed ordinance has been amended to include requirements for signs in the Government Use (GU) zoning district as requested at the previous meeting. After a brief discussion, the Board suggested stipulating that the required review for signs in the GU district can be done at the same time Town Council is reviewing the proposed development.

The Board also discussed possible uniform sign requirements in the commercial districts as well as lighting requirements for signs, but no changes were suggested. The proposed ordinance will be presented at the next regular meeting with the amendments suggested.

NEW BUSINESS

(A) Consider a Request to Extend the Preliminary Plat Approval for the Lurewoods Subdivision

Mr. Gilliam stated this extension is no longer needed due to the effects of new state legislation being discussed during the next agenda item.

(B) Update on Senate Bill 831 Pertaining to Extending Development Approvals

Mr. Gilliam reported on what is now Session Bill 2009490, signed into law by Governor Beverly Perdue. This legislation suspends all time limits on developments approved from January 1, 2008 to December 31, 2010. The time limits imposed by town regulations for developments approved during this period will not begin until January 1, 2011. Mr. Gilliam stated he is currently reviewing all subdivisions to determine the impact this legislation will have. He pointed out that he is currently aware of 9 subdivisions that will now have a preliminary plat deadline of December 31, 2011. He pointed out that these developments will still be required to maintain compliance with all regulations in place at the time of their approval. Ms. Jordan asked if it would be possible to determine if any developments located on steep slopes have now been afforded this extension. Mr. Gilliam stated he will try to determine this. Commissioner Pitts cautioned to prioritize this task carefully, as the information is not required immediately and will not change the effects of the extension granted by the state.

Mr. Baldwin discussed the Community Development Department customer service survey that was included with the Board's packet. He stated he decided to draft this survey after seeing a similar survey during a recent visit to the Town of Cornelius. He pointed out that, while he realizes the nature of code enforcement does not always inspire good feelings, the information gathered from the survey would be beneficial to the department. Mr. Brodfuhrer asked how the information would be used. Mr. Baldwin responded he would like the opportunity to address any problems and will also use positive feedback on individual employees during employee reviews. Commissioner Pitts expressed his approval of the survey and discussed the fact that Town citizens need a way to express their views. Ms. Jordan suggested language for the introduction in the survey that is more inviting. The Board also suggested adding Mr. Baldwin's name to the

telephone number provided on the survey and to add directions for submitting the survey. Mr. Baldwin agreed with all of these suggestions and stated the survey would be amended.

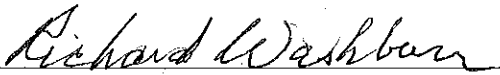
Commissioner Pitts gave a brief update on the status of the proposed regulations pertaining to residential vacation rentals. He stated Town Council will most likely vote on the proposed regulations at their September meeting. Mr. Bush suggested that Town staff hold informational meetings after the regulations are adopted.

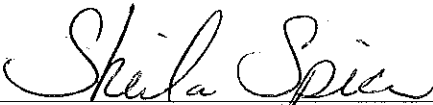
ADJOURNMENT

Mr. Bush made a motion seconded by Mr. Brodfuhrer to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 11:10 a.m. The next regular meeting is scheduled for Tuesday, September 22, 2009 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST


Richard Washburn, Chairman


Sheila Spicer, Recording Secretary