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Town of Lake Lure

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Minutes of the Regular Meeting of the Zoning and Planning Board

Tuesday, June 21, 2011

Lake Lure Municipal Center

Vice-Chair Paula Jordan called the meeting to order at 9:30 a.m.

ROLL CALL

Present: Paula Jordan
Donnie Samarotto
John Wisniewski
Ric Thurlby
Bruce Barrett
John Moore, Town Council Liaison

Also Present: Suzy Smoyer, Planner/ Subdivision Administrator, Recording Secretary
Shannon Baldwin, Community Development Director
Sheila Spicer, Zoning Administrator
Mike Egan, Community Development Department Attorney
Chris Braund, Town Manager

APPROVAL OF THE AGENDA

Shannon Baldwin recommended changes to the agenda. The amended agenda was approved upon a motion made by Mr. Wisniewski and seconded by Mr. Samarotto.

APPROVAL OF THE MINUTES

The minutes of the May 17, 2011 regular meeting were approved as amended upon a motion made by Mr. Samarotto and seconded by Mr. Wisniewski.

The minutes of the June 2, 2011 regular meeting were approved as amended upon a motion made by Mr. Wisniewski and seconded by Mr. Samarotto.

ELECTION OF OFFICERS

Mr. Samarotto nominated Paula Jordan to serve as chair of the Zoning and Planning Board. Mr. Wisniewski seconded the motion. All were in favor.

Mr. Wisniewski made a motion to nominate Donnie Samarotto. Bruce Barrett seconded the motion. All were in favor.

NEW BUSINESS

(A) Discuss Geotechnical Analysis & Report Requirements of the Zoning Regulations

Shannon Baldwin gave an overview of the directive from Town Council. They requested that the Zoning and Planning Board make a recommendation addressing the geotechnical analysis and report requirements in the Zoning Regulations. Sheila Spicer went over the memo in the packet. She explained that a property owner, who is also a professional engineer, had to request a variance to the geotechnical analysis and reporting requirements because a literal interpretation of the regulations would not allow a different engineer to sign off on the recommendations of geotechnical report. In other words, according to the regulations, the engineer that makes recommendations will also have to monitor the project to ensure that the recommendations are followed. In this specific case, the property owner did not have the original engineer monitor the project because it resulted in a financial hardship. After approving the variance, the Board of Adjustment made a motion to recommend that Town Council direct the Zoning and Planning Board to address this issue. Mr. Baldwin explained that this is an opportunity to introduce the issue to the Board and that staff can study the issue in more detail. Bruce Barrett suggested a simple text amendment that would replace the word "the" with the word "a" when referring to the engineer responsible for monitoring the recommendations. After discussing the topic in more detail, Chris Braund suggested creating a small task force to study the issue and return with a recommendation. Ms. Spicer asked for Mr. Barrett's expertise on this task force. Mr. Barrett agreed to help. **Ric Thurlby made a motion to allow the task force to study the issue in more detail. Mr. Samarotto seconded the motion. All were in favor.**

Discuss Roles and Responsibilities of Zoning and Planning Board

Shannon Baldwin informed the Board that staff and Town Council have discussed the roles and responsibilities of the Zoning and Planning Board. Mr. Baldwin gave an overview of the General Statutes that enable the city to create a Planning Board and outlines the duties of a Planning Board. Mr. Baldwin explained that historically, Lake Lure Zoning and Planning Board have been more focused on the regulatory aspect than the planning aspect, though it had done significant planning in the course of developing ordinances. Mr. Baldwin explained the Planning Board's involvement with the creation of the Comprehensive Plan (Comp Plan). Mr. Baldwin handed out the table of contents for the Comp Plan to show the Board the various elements of this plan, each serving a guide for the Town. He explained that the Comp Plan should be a living and working document that changes as the community changes. The Town Manager explained that there are a lot of qualified people interested in serving on a planning and advisory board or committee. There has been a discussion of the feasibility of expanding the Zoning and Planning Board to include more members or to add committees. There have been an

increasing number of requests from Town Council to the Zoning and Planning Board. The Town Manager suggested that the Chair and the Board consider how to organize the Board to focus more on planning. Some Boards assign a role or expertise to each Board member. Some Boards also create ad-hoc sub-committees to address an issue. They may also want to consider expanding the Zoning and Planning Board. The Board should consider how they would like to evolve. Commissioner John Moore noted that he believed that there was a consensus with the Town Council that 7 members of the Zoning and Planning Board would be too many. Mr. Braund mentioned that economic development is an important element of the Comprehensive Plan. There has been a lot of discussion of how economic development is handled. Mr. Baldwin explained that the Comprehensive Plan is a hefty document that analyzes various elements and outlines an approach to facilitate outcomes. Ms. Jordan explained that she and the entire Z&P Board at the time had served on the steering committee for the Comp Plan. It is a very good idea to get to know the document. She suggested that everyone take a look at the document and decide what elements of the Comp Plan appeal to them. Overtime, each member could become an expert on a particular element. Mr. Baldwin explained that staff is available to support the Board members in reviewing and even presenting each element. There was a brief discussion about existing boards and committees that may be implementing various sections of the Comp Plan. There should not be overlap, but rather a tie-in with these existing groups. The Board decided to study this issue and discuss at the next meeting.

OLD BUSINESS


(A) Amendment to the Zoning Regulations to allow Conditional Zoning

Mike Egan gave a brief explanation of conditional zoning. He went over the benefits of conditional zoning. He explained that it is a voluntary process. Conditional zoning can limit the uses from a general zoning district and can modify development standards. Suzy Smoyer gave an overview of the review process and explained additional changes recommended by staff. Ms. Spicer updated the Board on the staff's recent visit to the Brevard Planning Department. Brevard has utilized conditional zoning for five years. Mr. Wisniewski asked how the old campground property across the street was zoned. Ms. Spicer informed him of the current zoning and the ability for any future to developers to request a rezoning. The Board continued to request small changes to the ordinance, all of which were documented by staff. **Mr. Samarotto made a motion to recommend approval of the ordinance with the changes noted. He also noted that the ordinance was neither consistent nor inconsistent with the Comprehensive Plan.**

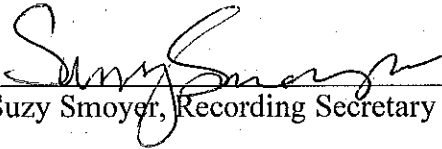
ADJOURNMENT

Mr. Wisniewski made a motion seconded by Mr. Samarotto to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 11:08 a.m. The next regular meeting is scheduled for Tuesday, July 19, 2011 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST



Paula Jordan, Chair



Suzy Smoyer, Recording Secretary