



City of Southport

PLANNING BOARD MINUTES
April 19, 2012

MEMBERS PRESENT: Tish Hatem, Donnie Joyner, Dale McPherson, Marie Dailey, Richard Bandera, Fred Guerrina, Martha Johnson

STAFF PRESENT: Amy Nelson, Planning Director
B. Wayne Strickland, Building Inspector
Michele Windham, Deputy City Clerk

Board of Aldermen Buddy Barnes
Liaison: Mary Ellen Poole

Mrs. Tish Hatem, Chairman, called the meeting to order at 7:00 p.m.

Mr. Dale McPherson pronounced the invocation.

3. Approval of Minutes: March 15, 2012 regular meeting

Mrs. Martha Johnson motioned, seconded by Mr. McPherson to approve the March 15, 2012 regular meeting minutes. ***Unanimous vote; motion carried.***

4. Approval of Agenda

Mrs. Johnson motioned, seconded by Mr. Fred Guerrina to approve the agenda. ***Unanimous vote; motion carried.***

5. Public Comment

There was no public comment.

6. Old Business

Chairman Hatem advised the Board on the status of the Unified Development Ordinance (UDO) text amendment relating to Self-Service Ice Vending Machines; the proposed text amendment was submitted to the Board of Aldermen who referred it back to the Planning Board for further consideration regarding permitting as a stand alone business, size restrictions and setbacks. Chairman Hatem indicated the committee had reconvened to discuss the Board of Aldermen suggestions and the committee recommends the following:

- Remove: Page 2 (c)

- Remove: Page 3 (3)
- Add: Page 2 (h) *if the main business ceases to operate the machine must be removed within 30 days.*

Chairman Hatem asked Board members to give consideration to permitting the use as a stand alone business and the required parking as suggested by the Board of Aldermen.

Mr. Guerrina pointed out the Highway Commercial (HC) zoning district extends northward beginning at 12th and Howe Streets. He suggested a zoning change from HC to Business District (BD) for the Howe Street corridor from 12th Street to Robert Ruark Drive. He stated his opinion a stand alone ice vending machine would be better suited in HC zoning district, as a conditional accessory use in the BD zoning district and he voiced support of the use.

The Board discussed parking requirements. Mr. Strickland noted consideration should be made for vehicles towing boats and stacking capabilities provided. He suggested the possibility of adding a stipulation permitting the machines only in the HC zoning district extending northward from Robert Ruark Drive.

Mr. Richard Bandera raised concerns to setbacks, noise of the units and lighting at night. Mr. McPherson emphasized positioning of the machine on property so as not to cause a disturbance to neighboring properties. Mrs Nelson referred the Board to Article 18 Buffer Strips and Landscaping and Article 16 Parking Requirements of the UDO.

A review committee was scheduled for April 24, 10:00 a.m. in order to continue discussion.

7. Discussion: Tree Ordinance

Mrs. Nelson presented for discussion a proposed revision to Chapter 18 of the Southport Code of Ordinances, Tree Preservation. She stated the emphasis is to protect trees on public property, especially Live Oak trees and encourage people to protect trees on commercial lots and in subdivisions. The ordinance would not affect single family residences. She pointed out the proposed enforcement/penalties section of the ordinance would require replanting of a tree removed in violation of the ordinance and a civil penalty paid to the City's Tree Mitigation Fund established for maintaining the trees in Southport.

Mr. Guerrina stated he felt the language relating to single family development was confusing. Mrs. Nelson indicated she would clarify the language.

The Board discussed the size of preserved trees, process for designation of a Legacy Tree, the City maintaining an inventory of trees on municipal property and if protected trees on single family sites would be identified.

Mr. Guerrina asked if the proposed ordinance was a recommendation from the Forestry Committee. Mrs. Nelson responded the Forestry Committee reviewed the ordinance and were pleased with it. Mr. Guerrina suggested reprinting the ordinance in one color and removing the strikeouts.

Mrs. Johnson questioned the striking of *Building Inspector* from the Ordinance and replacing with the *Planning Director or Public Services Director* in Section 18-2 through 18-5. Mrs. Nelson explained it is more common for the Planning Director and Public Services Director to oversee the regulations. Mrs. Johnson, Mr. McPherson and Chairman Hatem expressed their opinions the decision making should be the responsibility of the Public Services Director.

8. Other Business

Mr. McPherson outlined the history of the street end of Rhett Street and his belief the street end was taken from the City by the State Legislature and a 99 year lease process. He suggested the Planning Board make a recommendation to the Board of Aldermen to direct the City Attorney to research the property title of the street end. He emphasized his position with a motion to ask Aldermen to look into the problem of losing City property at the end of Rhett Street. Mr. Guerrina seconded the motion. Mrs. Johnson expressed confusion about the motion. Board consensus; the Planning Board will not make a recommendation to the Board of Aldermen. Mr. McPherson will present his concerns to the Board of Aldermen.

9. Announcements

Alderman Poole stated a reminder about the April 21 City Clean Up.

Mrs. Nelson reminded everyone to vote for Southport in the *Great Main Streets* contest being held by the North Carolina American Planning Association.

Adjournment

There being no further business, a motion to adjourn was made by Mr. McPherson seconded by Mrs. Johnson. ***Unanimous vote; motion carried.*** The April meeting of the Planning Board adjourned at 8:11 p.m.

Submitted by Michele Windham
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