

To: Southern Shores Town Council (Hal Denny, Jodi Hess, George Kowalski, Jim Pfizenmayer, Kevin Stroud)

Copies: Interim Town Manager (Chief David Kole)

Town Attorney (Ben Gallop)

Town Staff (Pat Forrester, Carrie Gordon, Alvin Rountree, Merrie Smith, Bonnie Swain)

Planning Board (Mike Florez, Bill Gleason, Larry Lawhon, Bob Palombo, Jay Russell, Nancy Wendt, Sam Williams and ETJ Rep, Ed Overton)

From: Wes Haskett, Town Planner

Date: March 4, 2010

Re: Recap, PAG Working Session February 16, 2010

PB / PAG RECOMMENDED ACTIONS FOR THE TOWN COUNCIL - None

PAG MEETING RECAP FEBRUARY 16, 2010

The Planning Advisory Group working session convened at 6:55 pm. Planning Board Members Nancy Wendt, Bob Palombo, Sam Williams, Mike Florez, Jay Russell, alternate member Larry Lawhon, alternate member Bill Gleason, Code Enforcement Director Alvin Rountree, and Town Planner Wes Haskett were present.

Planned Agenda items for the meeting included:

1. Emerald Isle Stormwater Ordinance
2. Code Enforcement's recommended Height Calculation text amendment
3. Town Council's request for a text amendment which addresses tents and holes on the beach, and
4. Status reporting for long range planning projects.

Nancy Wendt asked for any additions or changes to the agenda. There were none.

EMERALD ISLE STORMWATER ORDINANCE

Nancy Wendt noted that Planning Board's Stormwater Management Report included a copy of the Emerald Isle, N.C. Stormwater Ordinance and confirmed that everyone had read it in preparation for the discussion. The group agreed that the Emerald Isle Ordinance would be a good base model for the Town of Southern Shores and discussed some of the pros and cons of the Ordinance as well as modifications that would be needed to adapt it to Southern Shores.. Once established, a Stormwater Ordinance for Southern Shores will:

1. Define what needs to be addressed.
2. Stipulate applicable standards.

3. Reference best management practices for new development, existing development, and any other projects such as road projects which impact stormwater management.

Emerald Isle's concept of thresholds for requiring an engineered stormwater plan when a development application is submitted could be applied to each of the four proposed stormwater districts within Southern Shores. Each district would be subject to different impervious limits, fill limits, and sculpting requirements. There are still some issues that need to be researched and addressed with respect to implementation of the Stormwater Ordinance. These include:

1. Defining the amount of remodeling work on existing development needed to trigger compliance with the Stormwater Ordinance.
2. Whether or not to include regulations to preserve water quality.
3. How to regulate stormwater retention ponds on private properties.

Wes Haskett will be meeting with the Town Engineer to review and discuss the Emerald Isle Stormwater Ordinance and he will discuss their findings with the Planning Advisory Group.

HEIGHT CALCULATION TEXT AMENDMENT

Nancy Wendt noted that the Code Enforcement Department brought this recommendation to the Planning Advisory Group over a year ago. Code Enforcement identified three problems with the current lowest of four corners method of height calculation.

1. The existing height calculation method is confusing.
2. It is not consistent with other Ordinances in the region.
3. It encourages fill or excavation practices that can create stormwater issues.

Code Enforcement recommends that maximum height be measured from the average of the four corners of the building and that the amount of fill be limited. The Planning Advisory Group agrees with the proposed text with one modification to the definition of fill. The modified text will be presented to the Planning Board at their March meeting.

BEACH TENTS AND HOLES TEXT AMENDMENT

Wes Haskett noted that the Town Council has asked the Code Enforcement Department to research the Town of Duck's Ordinance that regulates tents and holes on the beach. The Town of Duck's Town Code includes language that restricts the erection of a tent, cabana, or sunshade which prevents or disrupts the passage of emergency or ocean rescue vehicles and hampers ocean rescue service. It also restricts leaving unattended personal articles on the beach between sunrise and sunset which includes tents, poles, chairs, cabanas, umbrellas, and volleyball nets.

Finally, the language regulates excessive digging or mounding of sand which substantially alters the contour or shape of the beach area. The Planning Advisory Group agreed that a safety issue exists and noted that enforcement could become an issue. The main concerns of the group include not infringing on the rights of citizens and how to address rental beach equipment which is available from local realty companies. Wes Haskett will research these concerns and work on a draft that takes these concerns into consideration.

STATUS REPORTING FOR LONG RANGE PROJECTS

Nancy Wendt noted that in December, the project leads agreed to send Wes Haskett updated project sheets, statements of work, and narrative summaries of recent activity and progress for each of the long range planning projects. Keeping updated statements of work and progress

reports for long range planning projects is an obligation of the Planning Advisory Group and Town Staff in order to be able to provide current information to the citizens of the Town of Southern Shores. The Planning Advisory Group agreed to submit updates to Wes Haskett by the close of business on the third Monday of each month.

UPCOMING MEETINGS & PROPOSED AGENDA ITEMS

1. PAG working session March 1, 2010.
 - Transportation recommendation for Town Council.
 - Project progress reviews.
2. Planning Board meeting March 15, 2010.
3. PAG working session March 15, 2010.
 - Project progress reviews.

ADJOURNMENT

The PAG meeting adjourned at 9:25 pm.