



Planning Board Report

Town Council Retreat
January 20, 2010



Planning Board Report Outline

1. Responsibilities, Coordination & Teamwork
2. Planning Board Accomplishments
3. State of LR Plans
4. Other Activities
5. Questions



Responsibilities, Coordination & Teamwork with CE & TP



Town Planner / CEO Duties

1. Planning Work

- Performs variety of planning work such as long range, land use, and current planning
- Interprets and applies master plans, codes and ordinances
- Prepares text amendments
- Serves as staff to Planning Board and related boards and commissions
- Makes recommendations to elected officials through Town Management

2. Research Work

- Conducts various types of research of manual or computer records, codes, ordinances, etc.;
- Reviews and recommends code or ordinance amendments
- Participates in a variety of projects collecting and analyzing data and making staff recommendations

3. Outreach

- Works with neighborhoods on various issues and problems
- Assists with defining problems and identifying optional solutions
- Assists citizens with Town procedures

4. Information Management

- Establishes, maintains and updates maps, prepare visual aids, or perform other related tasks
- Verifies accuracy of data base information

5. Zoning Ordinance Work

- Consults with citizens, property owners, contractors and others
- Interprets zoning and local ordinance and code regulations
- Checks to determine violation corrected; follow-up, using diplomatic approach, to ensure individual understands responsibility to correct; issues warnings and citations when required
- Logs complaints indicating complaint, person calling, findings, resolution, and or other actions required. Communicates with person lodging complaint by calling and sending written documentation on progress and/or resolution

6. Board of Adjustments and Variance Work

- Reviews applications for variances to zoning regulations; explains process to person requesting variance; reviews applications for completeness and accuracy; verifies list of property owners surrounding affected property; attaches map and site surveys; prepares Board of Adjustment agendas; attend meetings and answer questions.



Planning Board Duties

1. Research Work

- Acquire & maintain info needed to assess past trends, present conditions & forces that change conditions

2. Planning Work

- Prepare, amend, revise comprehensive coordinated plans for development of the Town including location, character & extent of streets, bridges, waterways, parks, playgrounds, open spaces, and public utilities
- Establish principles and policies for guiding action in the development of the area including the expenditure of public funds on public structures or facilities

3. Zoning Ordinance

- Prepare & recommend ordinances or amendments promoting development along the lines indicated in the comprehensive plan including zoning ordinance & subdivision regulations.

4. Permit Applications

- Determine whether proposed developments referred to it conform to the principles & requirements of the comprehensive plan & to make recommendations concerning them
- To make other recommendations which it sees fit for improving development of the area

5. Outreach

- To keep the council and the general public informed & advised as to matters subject to its review & consideration.

6. Other

- To perform any other duties which may lawfully be assigned to it.
- In carrying out such powers and duties the board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the council. It may accept and disburse such contributions for special purposes and projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget.



Mutual Support TP & PB/PAG

| ACTIVITY | Town PLANNER | PLANNING BOARD |
|----------------------------|---|--|
| PERMIT APPLICATIONS | <ul style="list-style-type: none"> • Confer with permit applicants & answer questions about the application process • Review permit applications for completeness, compliance with building code & zoning ordinance • Prepare & present SOF and TP/CE recommendation to PB & TC • Answer questions at hearings PB & TC | <ul style="list-style-type: none"> • Review permit application packets • Review CE SOF's & TP/CE recommendations • Conduct quasi-judicial hearings for conditional use & non-exempt subdivision applications per the applicable conditions stipulated in the code • Document findings & recommend action to Town Council |
| ZONING ORDINANCES | <ul style="list-style-type: none"> • Monitor changes in federal & state statutory requirements that affect ordinance • Monitor compliance problems & variance requests to identify ordinance issues • Bring ordinance issues & amendment needs to the attention of PB; • Work with PB on amendments as needed. | <ul style="list-style-type: none"> • PB serves as the planning agency for the preparation & revision of zoning ordinance • Monitor & evaluate legislative changes, compliance issues, zoning trends & best practices to identify new needs. • Initiate a SOW where a new or amended ordinance is needed. Coordinate with TP as appropriate. |
| PLANNING WORK | <ul style="list-style-type: none"> • Research topics assigned by PB such as best practices of other municipalities • Draft proposed ordinances to implement PB's proposed policies & action items • Prepare minutes for all public meetings of PB/PAG per open meeting law • Assists in preparation & tracking of PB/PAG operating budget | <ul style="list-style-type: none"> • Acquire / maintain information needed to assess past trends, current conditions & future forces for change • Maintain & improve the quality & currency of Town LR Plans • Prepare & revise comprehensive & coordinated plans for physical development / redevelopment of area (general location, character & extent of streets, bridges, waterways, parks, playground, open spaces & public utilities) |



Planning Board Accomplishments January 2009 - 2010



1/20/09 Planning Issues

1. CAMA grant \$ spent; still work to do
2. Lack “Comprehensive Plan” framework
3. Multiple LR plans & “stand alone” processes
4. LR Plan elements inconsistent &/or incomplete
5. “Shelf” plans lack implementation programs/projects
6. Interdependencies & synergies between plans unknown
7. Plans not integrated or linked to priorities, CIP and budgets

Potential for promises we cannot keep, “inconsistent” zoning decisions, partially funded programs that fail &/or wasted resources



PB Ongoing Improvement Goals

1. Community & applicants served promptly & fairly
2. PB review processes defined, repeatable & consistent with all applicable provisions in the Town Code
3. Recommendations to Town Council timely, actionable & supported by well documented findings per Town Code
4. Ordinance text is clear, fair & consistent with current statutory requirements & LR Plans
5. LR Plans are integrated with each other (synergies & interdependencies are identified & acted upon)
6. Each LR Plan conforms to the planning “Template” with respect to content & development process



PB Accomplishments 2009

1. Separated & clarified different types of PB work
 - Review work (permit applications for conditional uses & subdivisions)
 - Planning work (LR plans, policy & process recommendations, proposed ZMA's &/or ZTA's)
 - PAG (***PB members plus project team leads***) coordinates planning projects
2. Corrected & cleaned up CAMA LUP
3. Established LR planning “bookshelf” concept
 - Integrating existing plans – Work-in-process
 - Filling in missing pieces – Work-in-process
 - Moving toward standard “Template” – Work-in-process
4. Ordinance work:
 - Side yard setback (removed non-conformities created in 2000) – Completed
 - Wireless Infrastructure for cellular services - Completed
5. Increased transparency & community outreach
 - Educational workshops (David Owens workshop on planning; CE / PAG workshops on side-yard-setbacks, wireless & wind)
 - Pre-public hearing workshops (side-yard-setbacks, wireless)



Long Range Plan “Template”

1. Scope & Statement-of-Work

- Identifies the problem, opportunity or statutory requirement to be addressed
- Defines what's in & what's out of scope for this LR Plan or planning coordination project
- Describes work to be done, interim milestones & plan deliverables

2. Goals / Desired Future State

- Describes the result that implementation of the plan will attain 5-20 yrs in the future

3. Current State Assessment

Fact gathering & analysis of trends, issues &/or changes in:

- Development / redevelopment activity
- Community demographics / needs / expectations
- Infrastructure capacity / condition / compliance
- Natural systems / environmental resources
- Technology developments / capabilities
- State or Federal regulatory climate

4. Proposed Policies & Action Items

- Recommended strategy, master plan, “roadmap or blueprint” to accomplish stated goals
- Recommended solutions, design criteria, guidelines & decision making frameworks
- Recommended improvements to operational processes & procedures
- Recommended Ordinance additions or changes

5. Review & Approval Process

- CE, PAG, PB, TC

6. Implementation Plan

- Amend Ordinance, put new processes into practice, execute recommendations as needed



State of LR Plans



CAMA LUP Update Project

1. **Scope** – Update TOSS LUP per CAMA requirements
2. **Goals / Desired Future State** – Maintain existing land use policies & preserve the character of Southern Shores
3. **Current State Assessment** – Town approaching full build out; shift to redevelopment; demographics becoming more diversified; infrastructure maintenance & upgrade issues emerging
4. **Proposed Policies & Action Items** – Work-in-process
5. **Review & Approval Process** – Work-in-process
 - CE, PAG & Planning Board
 - Town Council
 - State of NC
 - Adjacent municipalities (Kitty Hawk, Duck, Dare County)
 - TOSS Public Hearing & Town Council adoption of LUP
 - Send adopted LUP to State
 - State notifies TOSS when CRC certifies LUP
 - File certified LUP with State
6. **Implementation Steps** - Possible ZMA &/or ZTA's



Transportation Infrastructure

1. **Scope** – Town maintained roads, bridges, pathways
2. **Goals / Desired Future State** – Safe & efficient movement of pedestrians & vehicles into, out of & through TOSS
3. **Current State Assessment** – Work-in-process
 - Traffic Analysis (In Season vs. Off Season) – Completed
 - Roadway Surface Evaluation Study – Completed
 - Roadway Code Compliance Assessment – Work-in-process
 - Bridge Assessment – TBD
 - Pathway Assessment – TBD
4. **Proposed Policies & Action Items** – Work-in-process
 - Transportation Master Plan (road classification definitions & map) – Completed
 - Refine proposed policy statements & action items – Work-in-process
 - Proposed process for reviewing projects that affect roads, bridges, paths – Completed
 - Proposed ordinance & integrated guidelines/design standards for transportation, stormwater & subdivisions as they each affect roads, bridges & paths) – Work-in-process
 - Review & approval (CE, PAG, PB & TC) – Work-in-process
5. **Review & Approval Process**
 - CE, PAG, PB, SSPD, SSVFD, TC
6. **Implementation Plan** – Amend Ordinance & put new processes into practice



Stormwater Implementation Plan

- 1. Scope** – Town maintained roadways & NC 12
- 2. Goals / Desired Future State** – Stormwater does not obstruct Town maintained roadways or NC 12
- 3. Current State Assessment** – Completed
 - Vanasse Hangen Brustlin Study NC 12
 - Quible Drainage Study
 - Chichahauk Hydrogeologic Study
 - UNC CSI Analysis
 - Stormwater Policy Advisory Committee Report 4/24/07
- 4. Proposed Policies & Action Items** – Work-in-process
 - Map of Town waterways, drainage basins & roadway flooding problem areas
 - Design guidelines for roadways (require crowns & swales; eliminate/minimize curbing)
 - Design guidelines for driveways (require cuts & drains to retain runoff on lot)
 - Roadway project review process (incorporate stormwater improvements in roads projects)
 - Proposed stormwater project priorities for Town maintained roadways
- 5. Review & Approval Process** – Work-in-process
 - CE, PAG, PB, TC
- 6. Implementation Steps** – Possible ZTA & new processes



Water Resources Master Plan

1. Scope - TBD

- Ocean & sound waters (OSW district) plus all streams, canals, ponds & natural waterways or systems such as drainage basins that lie within the Town watershed

2. Goals / Desired Future State – TBD

- The quality of water resources within TOSS will be maintained at or above pre-development levels
- Prevent development/redevelopment projects permitted within TOSS from contributing to problems of: ***flooding, stormwater runoff, water quality degradation, erosion &/or sedimentation.***
- Existing impervious surfaces including roadways, pathways, driveways, parking areas & structures (public, private, residential & commercial) will be upgraded to new standards over a period of 10 years.

3. Current State Assessment – TBD

4. Proposed Policies & Action Items – TBD

- Map of Town water resources, drainage basins & natural flows
- Identification of problem areas due to flooding, water quality degradation or erosion/sedimentation
- Design guidelines for roadways & pathways – crowning, swales, retention ponds to filter out pollutants
- Roadway & pathway project review process to address water resource issues in all Town projects
- Policies & design guidelines for drainage of all impervious surfaces
- Lot disturbance guidelines for property development & redevelopment
- Erosion & sedimentation control & waterfront stabilization guidelines
- Water quality preservation & improvement guidelines

5. Review & Approval Process - TBD

6. Implementation Plan – TBD



Wireless Infrastructure Plan

- 1. Scope - Completed**
 - Wireless cellular services
- 2. Goals / Desired Future State - Completed**
 - Wireless facilities are safe for residents, especially adjacent property owners
 - Effective in enabling access to wireless services for all residents & visitors
 - Respectful of aesthetic character of Southern Shores
- 3. Current State Assessment – Completed**
 - Signal “hole” between antennas on SS and Duck water towers
 - Ordinance does not permit wireless facilities where needed to fix the “hole”
- 4. Proposed Policy & Action Items – Completed**
 - Proposed Wireless Ordinance
 - Proposed permit application processes for new towers/antennas & for co-locations
 - Structural Design & Safety Standards (EIA, ANSI, TIA 222G)
 - Annual safety inspection & permit renewal process
- 5. Review & Approval Process – Completed**
 - CE, PAG, PB, TC
- 6. Implementation Plan – TBD**



Wind Generation Plan

1. **Scope – Completed**

- Public & private wind generation facilities that are smaller than utility scale

2. **Goals / Desired Future State – Completed**

Ensure that wind generation facilities in SS are sited, constructed & operated in a way that is:

- Safe for residents, especially adjacent property owners
- Encourages appropriate use of wind generation technology & products
- Respectful of the aesthetic character of Southern Shores

3. **Current State Assessment – Completed**

- Existing ordinance prohibits wind generation facilities & there are people who want it
- Federal & State programs offer incentives for individuals & businesses that use wind
- Technology & products exist for small scale wind facilities that could meet Town goals

4. **Proposed Policies & Action Items – Work-in-process**

- Proposed Wind Ordinance & permit application requirements
- Design & safety standards for wind facilities & for connections to grid
- Annual safety inspection & renewal process

5. **Review & Approval Process – TBD**

- CE, PAG, PB, TC

6. **Implementation Steps – TBD**



Other Long Range Plans

1. Coordinated Parks and Recreation Plan – Scheduled for 2010
2. Hazard Mitigation – Dare County
3. Reconstruction Plan – TBD



Other Activities



Pending ZTA's Initiated by CE

1. Subdivisions – Proposed by CE

- Differentiate between Major and Minor subdivisions
- Minor subdivisions to be administrative review only
- Major will still require Planning Board review & public hearing

2. Height Calculation Method – Proposed by CE

- Change from lowest corner to average of all 4 corners
- Lowest corner method is confusing & at odds with the rest of Dare County
- Lowest corner method can encourage excessive fill & grading on lots with holes or depressions

3. Lot Disturbance – Proposed by CE

- Prevent excessive fill &/or grading
- Prevent unwise siting of structures on lots with depressions
- Improve stormwater management at the lot level



Pending ZTA's Initiated by PB

1. Transportation Infrastructure

- Updated design guidelines & engineering standards for roadways including pedestrian safety zones, multi-use pathways & bridges
- Guidelines regarding the use of Town maintained roads by non-powered & electric powered vehicles.
- Improved coordination through roadway, pathway & bridge projects review process

2. Stormwater Management

- Improved design guidelines & engineering standards for roadways & for driveway runoff onto roadways
- Improved coordination through roadway, pathway & bridge projects review process

3. CAMA LUP

- Prepare ZMA & ZTA'S as needed once LUP certified by State of NC

4. Wireless – implementation & enforcement

- Implement & enforce the proposed Wireless Ordinance just passed

5. Wind Generation Facilities

- Draft ordinance to implement the Wind Team's proposed policies, action items & impacts to be mitigated. This includes stipulating the design & engineering standards that must be met by each facility

6. Underground Utility Lines

- Underground lines cannot be required unless the Power Co. fails to meet the NC Utility Commission's reliability standards for the delivery of power



Other Planning Board Projects

1. Community Outreach Tools & Processes
2. PB Practices & Procedures Manual
3. PB Selection & Succession Process
4. Volunteer Brochure & Application Form



Abbreviations

TC – Town Council

TM – Town Manager

TS – Town Staff

CE – Code Enforcement

CEO – Code Enforcement Officer

LR – Long Range (greater than 5 yrs)

LUP – Land Use Plan

PAG – Planning Advisory Group

PB – Planning Board

SOF – Summary of Facts

SOW – Statement of Work

SR – Short Range (less than 5 yrs)

ZMA – Zoning Map Amendment

ZTA – Zoning Text Amendment



Questions?