

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, July 9, 2018. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
Michael Barr Beth Midgett
Terry Gore II Charles Read, Jr.

MEMBERS ABSENT David Overton

AMENDMENT TO MEETING AGENDA

Chairman Finelli added the following to tonight's meeting agenda under New Business:
Update of Chapter 99 of Dare County Code, Parks and Recreation, Camping

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the June 11, 2018 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Charles Read seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

PUBLIC HEARING

Consideration of Zoning Amendments to Accessory Dwelling Units, Duplex Lot Size, and Multi-family Structures to Better Facilitate Workforce Housing, Outer Banks Chamber of Commerce

John Windley, Manager of Walgreens store/pharmacy in Kill Devil Hills and Town of Kill Devil Hills Commissioner and resident, spoke in support of the zoning amendments. Hiring staff becomes tougher each year and housing is one of the biggest challenges. Employees work multiple jobs and commute from Moyock, Grandy, and Columbia.

Mary Kelly, Nags Head resident and Human Resources Director for the Outer Banks Hospital spoke in support of the Chamber's recommendations. The hospital hires approximately 80 people per year with 40% of those moving here from other areas. When job candidates try to find housing in this area they may get discouraged and rescind their offer. The hospital requires that on-call physicians be able to return to the hospital within 30 minutes. They also have employees working multiple jobs.

Bob Peele, Chairman of the Board of the Outer Banks Chamber of Commerce, said the chamber formed a committee over a year ago to look into the housing issue. Zoning is a core issue toward addressing this. A number of zoning ordinances in the county and towns make it difficult to increase workforce housing. The 2016 NC State Economic Diversification Study found housing is a barrier to a strong economic strategy for the county. Changes to zoning density and lot size requirements were recommended. This issue is a year-round problem and is getting worse. The towns will also be contacted regarding this.

Duke Geraghty, Legislative Building Codes Chairman for the Outer Banks Homebuilders Association, supports the proposed amendments. This has been an issue the county has been dealing with for years and is a tough problem. It's time to make changes to accessory uses and multi-family regulations. Affordable housing is difficult to do with land prices and building codes and restrictions. Nobody has all the answers but we need to continue to work on this.

Rosemarie Doshier, East Lake resident, supports the proposed amendments. She applauds Dare County for taking the initiative in this matter and hopes the towns follow suit.

Malcom Fearing of Manteo provided a hand-out to the Planning Board members. Year-round housing is his family business and has been for years. In 2008, the CDC provided a study showing the need for approximately 3000 housing units. Using that number of units based on 15,000 square foot lots, 1000 acres of land would be needed for single family dwellings. The 2018 letter from the Chamber of Commerce requested a review of three items: Accessory Dwelling Units, Duplexes, and Multi-Family. I request you consider adding a fourth item: Group Development Zoning which would include, for lack of a better term, cluster type housing. 18 years ago, three 480 square foot houses were built on a 14,000 square foot parcel. They are small, attractive, and have people waiting to rent them. Septic is an issue but it works within a campground

and may work within cluster housing. Setbacks are also a consideration. This is an opportunity to move forward. There is a desire of the people of the county to do this.

Pat Broom is President of Phoenix Restoration, resident/property owner in Kill Devil Hills and Chairman-designate of the Board of Directors for the Outer Banks Chamber of Commerce. This is an important first step in addressing the housing issue. The Economic Diversification Plan put in place by Dare County identified affordable housing as a significant barrier. Not addressing this issue exacerbates it. When people use their home to provide Airbnb rentals, that increases the number of vacationers, adds to demand, and takes away from workforce housing.

The public hearing closed at 6:30 p.m.

There was a discussion between the Planning Board, Donna Creef, Bob Peele, and Karen Brown, Dare County Chamber of Commerce President, which included the following:

- Year-round workforce housing versus seasonal workforce housing.
- How to regulate workforce rentals versus vacation rentals.
- 3000 units equates to about 9000 people of which 1500 are J-1 Visa workers.
- This is just the *first* step in addressing workforce housing. It's a start.
- The potential of developing apartment complex housing.
- Continued compliance with the National Flood Insurance Program.
- Adding group housing developments as part of this discussion.
- Designating square footage of accessory buildings.
- Preventing two primary dwellings on one parcel.
- Lot coverage and set-back allowances for an accessory use dwelling.
- Parking, shared driveways, and density.

Staff will work on proposed amendments to be presented at the August 13, 2018 Planning Board meeting.

OLD BUSINESS

-None-

NEW BUSINESS

Conditional Use Permit Application, Installation of Radio Station Tower and Transmitter Building, 2865 NC 345, Wanchese, East Carolina Radio Inc.

Rick Loesch of East Carolina Radio Inc. was present.

Noah Gillam said a conditional use permit application was received for the construction of a radio station tower and transmitter building. The Highway 345 zoning district allows radio towers as a conditional use in accordance with section 22-29.2 of the zoning ordinance, Wireless Telecommunications Systems. Mr. Loesch is in the process of completing the ordinance requirements. The tower he is proposing is a 75' monopole fiberglass tower mounted on a 4' base.

Rick Loesch discussed the requirements of section 22-29.2. The tower itself is the antenna and it includes a ground system so this cannot be located on an existing tower. The ground system has 120 each #9 size copper wires, buried underground 18", two degrees apart, that run 100' out which are tied to the tower. Nothing may be co-located on this tower because it would not support it structurally and would create interference for this frequency design. The FAA does not require lighting on structures less than 200' tall. They have an FCC license for the tower to be located at this site. The manufacturer has information to show compliance with all regulations. This information has been provided to a North Carolina engineer for their review and certification. The manufacturer now has an 85' tower which also complies with all regulations. The wetlands delineation has been provided by the Army Corps of Engineers. There is a NEPA environmental study that does historical investigation for Native American remains and/or historic structures. The only thing we don't have today is the certification from the NC engineer.

John Finelli asked if the application is for a 75' or 85' tower. Mr. Loesch said he only has knowledge of the 75' tower with the 4' base but is investigating why the manufacturer also provided information for the 85' tower. If the 85' tower will work better for the frequency (1530 AM), it could be a consideration. Noah Gillam said one of the conditions could be a *tower up to 90'* to accommodate an 85' tower and 4' base.

John Finelli asked how to address the requirements of section 22-29.2 that do not apply to this tower design. Rick Loesch said the 1530 AM designation is specifically tied to this style of tower. Donna Creef recommended sending letters to other tower owners in the area so that requirement can be met even though co-location is not an option. She also said the property survey needs to identify the existing uses and improvements within 1000 square feet. There is a vegetative screening requirement between the structure and the visible right-of-way. Mr. Loesch said there is marsh grass and scrub on the site. The equipment building is small and will have an 8' fence around it and the

tower base. The only vegetation that will be cut along the right-of-way will be the easement to enter the property and that will be gated.

Terry Gore made a motion to table the conditional use permit application until the Planning Board's meeting on August 13, 2018.

Charles Read seconded the motion.

Vote: Ayes – Unanimous

Update of Chapter 99 of Dare County Code, Parks and Recreation, Camping

Donna Creef said Chapter 99 of the Dare County Code of Ordinances has a set of regulations that conflict with Section 22-61 of the Zoning Ordinance and the Travel Trailer Park Ordinance. Chapter 99 shows regulations adopted in 1972. The zoning ordinance was adopted in 1975 and the TTPO in 1985. The proposed draft of changes should clear up any inconsistencies.

Michael Barr made a motion to recommend approval of the ordinance amendments to Chapter 99 as recommended by staff.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Discussion Regarding the Land Use Plan Update

Donna Creef and the Planning Board discussed the Vision Statement for the Land Use Plan. The 2009 Vision Statement was updated and reworded for 2018. The concepts are consistent but the 2018 statement uses declarative sentences that reflect current topics. The objectives for each management topic will be discussed at the August meeting.

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Terry Gore and seconded by Beth Midgett.

Vote: Ayes – Unanimous

The meeting adjourned at 7:40 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Sharon L. Flatt". The signature is written in a cursive style with a large initial 'S'.

Sharon L. Flatt
Planning Board Clerk

APPROVED: August 13, 2018

A handwritten signature in blue ink that reads "John Finelli". The signature is written in a cursive style.

John Finelli
Chairman, Dare County Planning Board