

**LAND USE PLAN WORKSHOP
Wednesday, March 26, 2003
4:00 p.m.**

Commissioners Present: Chairman Warren Judge, Vice Chairman John Robert Hooper, Cheryl Byrd, Renee Cahoon, Richard Johnson, Virginia Tillett, and Stan White

Staff Present: Planning Director Ray Sturza, Donna Creef, Dorothy Toolan

Planning Board Member: Chairman Elmer Midgett

The Chairman reconvened from their March 17 meeting at 4:15 P.M. The Chairman made a motion to revise the agenda to add a closed session for a personnel matter. Cheryl Byrd seconded the motion and it passed unanimously.

Ray Sturza reviewed the results from the workshops held by Mr. Harbeck and stated that staff is prepared to discuss three matters identified at the workshop that do not appear to have consensus: wastewater policy, marina policy, and aquaculture.

He submitted a revised version of the executive summary that includes recommendations submitted by Ms. Byrd. See attachment A.

Mr. Sturza reviewed all of the revisions that have been made to the land use plan since the last meeting with the Board of Commissioners. See attachment A.

Policy 43 – Wastewater. There has been a traditional reliance on on-site septic tanks as preferred method. There are other on-site systems and technologies that may evolve that will be just as effective. He noted that staff added a statement that policy may be reconsidered for newer technology.

Policy 35 - Marinas. Staff asked for direction regarding how to proceed with language regarding marinas. Mr. Sturza stated that staff recognizes that Dare County is surrounded by water and it plays an important part on the economy. He feels marinas have an environmental impact on our waters, and the Board will have to decide how to proceed with this matter.

Policy 23 - Aquaculture. Mr. Sturza asked the Board for direction as to how to address the matter. A negative statement, if included in the land use plan, could make CAMA decide not to issue a permit for an aquaculture project.

WASTEWATER –POLICY 43

Commissioner Cahoon – will statement included lead to central sewage? Rather than using statement “on-site systems,” she supports using “individual systems.”

Commissioner White asked how this would effect the Stumpy Point grant that the county has applied for. Staff explained that Policy 44 includes a statement that would support a system for Stumpy Point. White feels that if a septic system develops that would enhance the environment and water quality, it should be considered and he does not want to exclude this option

Commissioner Byrd agrees with Commissioner White and has provided language to address this. See Attachment B, page 24.

Commissioner White suggested a change for policy 43 for proactive purposes.

Commissioner Johnson has a problem with changing this ordinance. He feels each instance should be addressed individually.

Donna Creef suggested adding or changing an implementation strategy to address this.

Vice-Chairman Hooper asked about the agencies the use the land use plan before issuing permits. Staff stated that before issuing a major permit, up to 24 agencies use the land use plan.

The Board agreed to revise Implementation Strategy 2 to read “the entirety of unincorporated Dare County” and add “publicly owned.”

MARINAS – POLICY 35

Mr. Sturza gave an overview of the policy as currently included in the updated plan.

Commissioner Byrd suggested adding another clause as shown on Attachment B, page 19.

Mr. Sturza feels this is regulatory language and suggested including this in the zoning ordinance.

Commissioner Cahoon suggested using conditional use permits for marinas.

Mr. Sturza felt this could be added as an implementation strategy and suggested examining shoreline and zoning ordinance for proper location or exclusion of marinas.

Regulations are needed per Commissioner Johnson.

AQUACULTURE – POLICY 23

Aquaculture has been part of the land use plan since 1976. It has been a sleeper in previous plans, but there seems to be some controversy.

Commissioner Byrd – Has a concern that locations being sited for aquaculture may not be in an area that the public wants.

Vice- Chairman Hooper – Feels there is lots of research that needs to be done. Marine Fisheries is protecting our water. He strongly supports aquaculture.

Commissioner White – Encourages aquaculture and agrees that Marine Fisheries can regulate the waters.

Commissioner Cahoon feels language stating “the impact of introduced species will not have a negative impact” should be included.

Consensus of the Board to amend the policy and add this language to the policy.

Commissioner Byrd asked about the use of wording when talking about mooring. Creef gave the definition included in the plan.

Commissioner Cahoon – asked for clarification about beach driving and beach nourishment. How will one effect the other? Staff says that there could be a conflict down the road that may have to be addressed.

Commissioner Johnson – Asked if there is anything in the language that would hurt jetties at Oregon Inlet? Staff reported that the plan actually advocates jetties at Oregon Inlet.

Commissioner Tillett - Commended staff for working hard on the plan. Also appreciates extra effort made by Commissioner Byrd.

Commissioner White – Thanked Glenn for his help in the process

Vice-Chairman Hooper – Feels it is time to start zoning.

Commissioner Byrd – referred to Attachment C. Asked the Board to consider Policy 10 and suggested that the Board ask the CRC to designate the Skyco wellfield as a public water supply AEC.

Commissioner Cahoon asked how this would impact property that is leased for well sites.

Mr. Sturza suggested making this an implementation strategy #4 to nominate the Skyco wellfield for AEC status.

Vice-Chairman Hooper asked is there is technical data to support this measure.

Mr. Sturza said that a nomination is made and then technical data is gathered to determine if designation is needed.

It was the consensus of the Board to add this to the plan.

Commissioner Byrd feels that under policy 11, the County needs a Carrying Capacity study. Donna Creef said that it is included in the plan as an implementation strategy.

Policy 25 – Commissioner Byrd suggested adding language to limit development in maritime forest areas other than Buxton Woods. The Board took no action on this matter.

Policy 29 – Implementation Strategy – Commissioner Byrd said the wording bothered her and she asked for clarification as to who was seeking funding. It was the consensus of the Board that this language (the implementation strategy) should be removed and the following language added: “Seek state funding for this type of inventory.”

Commissioner Cahoon – regarding mitigation, she is comfortable with wording in the current plan.

Commissioner Tillett – references to various agencies will need to be removed in the final document. Staff stated this was their intent.

Policy 56 –Affordable housing. Commissioner Tillett asked for a synopsis of what the County is stating in this policy. Staff stated that the County recognizes it as an issue and encourages public/private partnerships.

Commissioner Tillett questioned whether an affordable housing project would be able to obtain a permit for a central sewage plant. Mr. Sturza feels there is enough latitude in the plan for it to be approved unless it is located in an AEC. Implementation strategy may be needed to allow this. It was the consensus of the Board to add an implementation strategy to address this matter.

Johnson feels a definition is needed for “Affordable Housing” and the County needs to identify projects that have public money contributed to them as falling into this category.

Chairman Judge feels this needs to be tied to an ordinance. Mr. Sturza suggested that Implementation Item 2 be amended to include “a publicly funded or endorsed project.”

Commissioner Hooper – Policy 46

Cannot support this item and would like to delete the language making reference to the Task Force. It was the consensus of the Board to change the word "support" to "consideration" and eliminate the "Task Force"

Policy 48

Commissioner Hooper feels that it needs to be clarified that the County is not in the road business. Consensus of the Board that language be added to designate the state's role in this matter by deleting the sentence related to assessments.

Commissioner Byrd –

Policy 34 – Stormwater management – would like this to be more proactive. The wording bothers her. It was the consensus of the Board to leave wording alone and omit date in Implementation Strategy 1 and change date in Strategy 4 to 2004/2005.

Policy 60 – Suggested making an exception for historic area or structure. No change made by the Board.

Suggested adding Policy 60A - Redevelopment Plan – she feels a policy or an implementation strategy is needed. No action taken by the Board. This will be addressed separately by the Planning Board and staff.

Byrd discussed concerns with land classifications. See Attachment D. No changes made by the Board.

Commissioner Byrd made a motion to hold a special meeting to hold a public hearing on April 30 at 7 p.m. for the draft 2003 land use plan. Seconded by Johnson. Unanimous.

At 7:05 p.m. Commissioner Hooper made a motion, pursuant to NCGS 143- 318.11, to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Seconded by Commissioner White. Unanimous.

The meeting reconvened at 9:00 p.m. and the Chairman reported that there was no action to report. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

By: Frances W. Harris
Frances W. Harris, Clerk

APPROVED:

Warren Judge

By: Warren Judge, Chairman
Dare County Board of Commissioners

