

**TOWN OF HOLDEN BEACH
PLANNING & ZONING BOARD
REGULAR MEETING
APRIL 27, 2021 – 2:00 P.M.**

The Planning & Zoning Board of the Town of Holden Beach met for their Regular Meeting on Tuesday, April 27, 2021 at 2:00 p.m. in the Town Hall Public Assembly. Present were Chairperson Vicky Myers; Vice Chairman Mark Fleischhauer; Secretary Tracy Thomas; Regular Members Bob Hunter and Greg Shue; Planning Director Tim Evans; and CZO Rhonda Wooten.

CALL TO ORDER

The meeting was called to order at 2:00 p.m.

ROLL CALL

Alternate Member Pallas was out of town.

Alternate Member Stu Atwell has moved away and is no longer a member.

PUBLIC COMMENTS ON AGENDA ITEMS

There were no public comments.

SWEARING IN OF MEMBER BY HEATHER FINNELL, TOWN CLERK

Regular Member Shue was sworn in.

**DISCUSSION AND POSSIBLE ACTION ON NORTH CAROLINA GENERAL STATUTE CHAPTER 160D
UPDATE – CONSIDERATION OF CONSISTENCY STATEMENT**

Chairperson Myers read aloud the description: The new Chapter 160D of the North Carolina General Statutes consolidates current city- and county-enabling statutes for development regulations (now in Chapters 153A and 160A) into a single, unified chapter. Chapter 160D places these statutes into a more logical, coherent organization. While the new law does not make major policy changes or shifts in the scope of authority granted to local governments, it does provide many clarifying amendments and consensus reforms that will need to be incorporated into local development regulations. Chapter 160D is effective now, but local governments have until July 1, 2021, for the development, consideration, and adoption of necessary amendments to conform local ordinances to this new law. All city and county zoning, subdivision, and other development regulations, including unified-development ordinances, will need to be updated by that date to conform to the new law.

Beginning in 2019 the State Legislature created Chapter 160D for development regulations. clarified the laws, made minor changes such as definitions and removed unclear terms. It tightened up the conflict-of-interest terms for staff and governing boards. 160D is already effective, but we need to change our ordinances to conform to the law before July 1st. Staff, being Tim Evans and Rhonda Wooten have done the large task of making the changes throughout our ordinance which you see in red in the packet. Our job today is not to change the ordinance further, but to create and approve a consistency statement. The change is required by law.

Planning Director Evans stated that the State gave a short window to amend the ordinance by July 1st. During the fall of last year, he approached the Board of Commissioners and explained the situation. Because of COVID and the matter of following statues and incorporating in the ordinances, the task was placed in the Planning and Inspections Department. Until about a month ago, Rhonda and myself spent quite a bit of time each week going through every section of the ordinance and comparing it with the entire statue as well as the regulatory changes and statutory references changes. During this time, we also took the opportunity to incorporate the other ordinances that had already been approved, but not made it into the book yet. During this time because we do not have a unified development ordinance we had to go outside the ordinance into other sections. The other sections are outside of the zoning board official capacity, which will be explained to the Board of Commissioners. Once we had it completed, we sent it to the Town Attorney who also made some changes and meet the criteria for 160D. We are now before This Board for a consistency statement with the Land Use Plan.

Regular Member Hunter stated that he wanted to commend Chairman Myers for all the work she had done.

Regular Member Hunter made a motion to approve the Town of Holden Beach Statement of Consistency and Zoning Recommendation. Seconded by Secretary Thomas approved by unanimous vote.

COMMENTS

Chairman Myers stated the next meeting is May 25th at 2:00 p.m.

ADJOURN

Secretary Thomas made a motion to adjourn; seconded by Regular Member Greg Shue and approved by unanimous vote.



Rhonda Wooten