Well, I thought the town board meeting would be long, and I was right.  The town board meeting last Thursday was a marathon, going to about 10:45.  A lot of critical items were on the agenda, like moving the Mirror Lake dredging project forward.  South 4th Street parking was a hot topic, as well as the Chamber of Commerce building lease.  I, along with some board members, believe the impasse on the chamber lease is symptomatic of greater issues about room occupancy tax and related issues.  Nevertheless, the lease can possibly be separated from these other concerns and issues.

In my Mayor’s Report, I cited some disturbing news from Raleigh in that numerous bills in the process would greatly impair municipalities when it comes to zoning and land use planning.  I made our town commissioners aware of the situation by sharing the North Carolina League of Municipalities alerts to a number of troubling pending bills.

Commissioner Dotson asked to modify the agenda so that these bills could be discussed.  The board decided to set up a special board meeting on Wednesday, the 23rd, to discuss these pending bills.  Many towns and cities have already gone on record as opposing legislation that would strip them of authority to regulate land use and zoning in their communities.  These towns, along with members of our board, believe these decisions are best made at the local level, not in far away Raleigh.

As Commissioner Dotson put it, we have checks and balances at the local level concerning land use and zoning policies.  Put bluntly, if citizens do not like what local elected officials are doing in these areas, the residents can vote the officials out of office.  Amen.

Let me review several bills that the North Carolina League of Municipalities and Towns express concerns about.  First, there is the Omnibus HB 765 entitled Local Government Development Regulation.  In the opinion of many experts and officials, this bill would pave the way for unchecked development in towns.  What is so egregious to many locally elected officials, including me, is that elected officials could be personally sued for land use and zoning decisions under some vague fraudulent or negligent claims.  Whether valid or not, local officials would find themselves in court as defendants with their personal finances at risk.  As a modest retiree from education, I would be unwilling to expose my wife to such a potential financial family disaster.  I suspect there would be wholesale resignations or decisions to leave office if such a law was passed.  Even citizens on volunteer town boards might be in jeopardy.  In such a scenario, I cannot overstate the potential for municipal disruption and chaos.  By the way, state legislators do not and would not have such personal exposure.

Also in this bill is a requirement for local governments to permit five dwelling units per acre across the board.  That provision would pretty much gut a town’s ability to implement land use and planning that addresses local needs, such as watershed protection in sensitive areas such as we have here in Highlands.

Now, I can't go on to review all the proposed legislation that is in play in Raleigh.  Nevertheless, one bill in particular illustrates the concern of many local officials.  That bill is HB 9-Firearm Discharge Pre-empt Local Ordinance.  Currently, in our 6.5-square-mile town limits of Highlands, we have an ordinance that prohibits the discharge of firearms.  The ordinance pretty much goes hand in hand with no hunting prohibitions within the town.  HB.9 would allow the discharge of firearms on private property within a town’s limits so long as the bullets or shot did not leave the private property area.  I must ask, what could possibly go wrong with that? Not to mention the disruption of the peace in the town.  Skeet ranges could be permitted or private pistol or rifle galleries and ranges.  I am not saying these activities should be banned in all towns in North Carolina.  What I am saying is these zoning issues, as well as other town-sensitive issues, are best determined at the local level, not from distant Raleigh.

I will keep you posted as to what happens in the legislature.  One can look up HB 765 through a search engine such as Google.  Simply type in NC HB 765 or any of these: HB 9, SB 291, HB 372, HB 369, HB 627, HB 495, SB 713, and especially SB 736, which is called the Foundation Act Building NC Housing Future.  Sounds great, but read it for yourself.  It does have some positive provisions, such as a tax credit for converting STRs into affordable, long-term rentals.  On the other hand, there is the provision for permitting dwelling units on less than a quarter of an acre.  Some may see that as positive in certain cases, while others may not.