

# CAROLINA BEACH

Planning and Zoning Commission

Thursday, September 9, 2021 - 6:30 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



---

## MINUTES

### CALL TO ORDER

Chairman LeCompte called the meeting to order at 6:30 PM.

### PRESENT

Chairman Deb LeCompte

Vice Chairman Wayne Rouse

Commissioner Jeff Hogan

Commissioner Ethan Crouch

### ABSENT

Commissioner Melanie Boswell

Commissioner John Ittu

Commissioner Todd Piper

### ALSO PRESENT

Planning Director Jeremy Hardison

Planner Gloria Abbotts

### APPROVAL OF MINUTES

1. August 12, 2021 – P&Z Minutes

**ACTION:** Motion to approve the minutes as written

Motion made by Vice Chairman Rouse, Seconded by Commissioner Hogan

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

### STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Hardison reported the following statistics for the past month:

#### Permitting

- 24 permits (renovation, repair, grading, additions, fence)
- 11 residential new construction
- 5 certificates of occupancy

#### Code Enforcement

- 7 complaints received
- 6 resolved

### Demos in Progress

- 406 Birmingham Avenue
- 1419 Mackerel Lane
- 509 Raleigh Avenue
- 233 Florida Avenue
- 1616 Bowfin Lane (house moving)
- 1420 Pinfish Lane
- 319 Spartanburg Avenue
- 1417 Bonito Lane

### Complete Demos

- 219 Myrtle Avenue
- 506 Canal Drive

### New Business

- Paint2Party – 1401 North Lake Park Boulevard, #70

### Coming Up

- Special Use Permit (SUP) extension – September Council
- Minor Planned Unit Development (PUD) standards – September Council
- Text amendment: Mixed Use Commercial-Residential – September Council
- Variance: 511 Harper Avenue – September 20
- Variance: 206 Lake Drive – September 20
- Conditional Zoning: The Proximity – September Technical Review Committee (TRC)
- Conditional Zoning: 8 townhome units at 905 Basin Road – public meeting stage
- Conditional Zoning: Neighborhood Business Mixed Use project at 702 South Lake Park Boulevard, 106 Sumter Avenue, 701 South 2nd Street – public meeting stage September 22

### **PUBLIC DISCUSSION**

**ACTION:** Motion to open public discussion

Motion made by Chairman LeCompte, Seconded by Commissioner Hogan

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

No one requested to speak.

**ACTION:** Motion to close public discussion

Motion made by Chairman LeCompte, Seconded by Commissioner Hogan

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

### **DISCUSSION ITEMS**

2. Conditional Zoning to consider a pickleball court located at 209 Peninsula Drive in the R-2 zoning district. Applicant: Terry Wyckoff

Mr. Hardison presented the details.

#### Conditional Zoning (CZ) District

- Zoning district change
- Site plan
- Specific use
- Additional conditions that may be placed on the approval
- Community meeting is required

#### Conditional Zoning

- A CZ district allows a particular use to be established only in accordance with specific standards and conditions pertaining to an individual development project.
- Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and the entire community, which cannot be predetermined and controlled by general district standards.
- Specific conditions may be suggested by the owner or the Town, but only those conditions mutually acceptable to both the owner and the Town may be incorporated into the CZ.
- Any conditions or site-specific standards imposed are limited to those that address the conformance of the development and use of the site to:
  - Local/state/federal requirements
  - Officially adopted plans
  - Those that address the impacts reasonably expected to be generated from the development or use of the site

When evaluating an application, the Commission shall consider the following:

- The application's consistency to the general policies and objectives of the Town's Coastal Area Management Act (CAMA) Land Use Plan, any other officially adopted plan that is applicable, and the zoning ordinance
- The potential impacts and/or benefits on the surrounding area and adjoining properties
- The report of results from the public input meeting and public comments

#### Why?

For vacant lots not occupied by a primary use (single-family structure), an approval requires it to go through the CZ district process.

#### Background

- March 12 – purchased by applicant
- March 25 – spoke with applicant about his intentions of installing a pickleball court
- March 29 – emailed the CZ process
- May 5 – received a phone call re: installing a court
- Followed up with a notice of violation letter

## 209 Peninsula Drive

- R-2 zoning district
- Purpose: single-family residential use and other compatible uses
- The intent is to discourage any use which, because of its character, would not be in harmony with the residential community and would be detrimental to the residential quality and value of the district
- The R-2 zoning district allows for private tennis courts with the approval of a CZ district
- Has an impact similar in nature, function, and/or duration similar to another use

Mr. Hardison reviewed a map of surrounding uses.

## Details

- Property: 75 feet by 148 feet
- Court: 60 feet by 30 feet
- Located: 42-foot front, 25 feet from east side, 16-foot west side, 45 feet from the water
- Proposed 6-foot fence around the court
- Three parking spaces are required to be delineated on the site
- An asphalt or concrete apron will be required from the edge of pavement to the property line
- The property is located in an area of environmental concern
- The State (CAMA) requires that no improvements can be located within 30 feet from the water
- The property is in an AE 10 flood zone
- The ordinance requires that provisions shall be made to compensate for impervious surfaces and drainage runoff containment
- No lighting is proposed

## Community Meeting

The applicant can place conditions on the project to help mitigate the impacts and concerns from the neighboring properties. The applicant is proposing the following conditions:

- Access to the court by keypad or similar device
- Posted hours of play to daylight hours
- Signage indicating the court is for private use of registered users of this community
- Provide bike racks and golf cart parking; would have to accommodate vehicles per code
- Court will not be open for play when there is an event at the community garden, which is adjacent
- Registered members only – eligible members are from Pleasure Cay/Harbour Point/Otter Creek area
- Provide a noise barrier around the court (phase two)

## Staff Considerations

- Provide a 5-foot landscape buffer around perimeter of the property
- No outdoor lighting shall be installed

## Code Requirements

- Must meet N.C. Building Code, CAMA, and flood regulations
  - Provide a bathroom and handicapped parking space
- Delineate a minimum of three 9-foot-by-18-foot parking spaces with a concrete or asphalt apron
- Must obtain proper permits to install the court, fencing, and other improvements on the site

## Future Land Use Map: Low-Density Residential

- The primary use is single-family residential, such as many of the Town's established neighborhoods
- Neighborhood amenity that is supported by a single-family neighborhood
- Support expansion of recreational opportunities

Chairman LeCompte opened public discussion.

Applicant Kelly Wyckoff of 204 Peninsula Drive addressed the Commission. (Details were inaudible due to technical difficulties.)

Billy Mack Strickland of 306 Peninsula Drive said the applicants stated at the community meeting that they didn't know the process for getting the pickleball court approved but that there are documents showing Mr. Hardison had given them information. Mr. Strickland said the applicants had no regard for permits and issues such as runoff. He said approving this would set a bad precedent for the single-family community or anywhere else in Town, and he cited concerns about traffic, especially due to the location in a cul-de-sac. Mr. Strickland said the Town should enforce guidelines and not let some people have special rights.

Michael Dennis of 210 Peninsula Drive said the applicants have constantly improved their property and turned a vacant lot into a beautiful space. He said this is not a commercial or public pickleball court but something for the neighborhood. Mr. Dennis said he urges the Town to use common sense and disregard all the conditions because he thinks they are not necessary for a private person. He said he is in favor of the pickleball court and wishes the Town would show compassion for people who have gone through a lot trying to create something good for the neighborhood.

Rick Both of 206 Peninsula Drive said while he and his wife are not pickleball players, they do not believe traffic or noise from the court will be a problem. He said most of the neighbors believe the improvements the applicants have made to this property have increased neighboring property values. Mr. Both said the applicants took a vacant, neglected lot and made it beautiful. He said he'd rather have a pickleball court there than a large house causing more traffic and congestion. Mr. Both said imposing conditions such as a bathroom and more asphalt for parking spaces would decrease neighboring property values and be the biggest mistake the Town could make. He said he strongly urges the Town to recommend approval of the pickleball court with no conditions on the lot because it's a good thing for the neighborhood and the Town.

Jason Mauldin of 116 Teakwood Drive distributed materials to the Commission. He said he previously knew nothing about pickleball but has done some research and found out that courts in residential areas are often associated with noise complaints and lawsuits. He said he went to a pickleball court in Wilmington and measured the noise level at 75 decibels, which is equivalent to being next to a busy highway. Mr. Mauldin said he specifically purchased a house in a single-family neighborhood so it would be quiet. He said he does not want to hear a pickleball court when waking up in the morning or in the evenings when trying to relax. Mr. Mauldin said experts say pickleball courts should not be built next to existing houses, but if they are there should be significant noise reduction measures. He said he wants to see noise addressed before approval because there would be no way to address it after approval. Mr. Mauldin said he is concerned about property values because there are many people who don't want to live next to a pickleball court. He said the court has already hosted a private party with a DJ that lasted for five hours, creating noise so loud he could hear it over the TV in his living room. Mr. Mauldin said it is a quiet neighborhood and should remain that way, and the court is unnecessary because the Town already provides these facilities.

Elmo Langley of 407 Tahiti Court said only people who live within 500 feet of the court knew about the community meeting instead of the neighborhood as a whole. He said the applicants had total disregard for zoning, permits, and homeowner association (HOA) covenants. Mr. Langley said if the Town approves this, then it could open up a can of worms for the rest of the R-2 zoning area. He said the applicants will pick and choose who plays there. Mr. Langley said there are codes he doesn't think the applicants can get around, such as parking and bathrooms, including handicapped accessibility. He said rules are rules, and people must obey them whether they like it or not.

Kristen Dunn of 905 Ocean Boulevard said dealing with the Town can be a difficult process, so she understands how the applicants feel with the rules changing and no one giving proper guidance. She said she has seen private basketball, volleyball, and pickleball courts at other homes and that noise was never an issue. Ms. Dunn said the community is about promoting a family lifestyle and being outdoors, and when the applicants started the process it was murky. She said the pickleball court will increase property values and is already being cited as an amenity in marketing materials about homes for sale in the neighborhood. Ms. Dunn said instead of working against residents, the Town should try to work with them a little better because otherwise residents may lawyer up from the start. She said there was good discussion and applicants listened to concerns at the community meeting, so she is for the pickleball court.

Kellie Dove of 114 Teakwood Drive said she built her home in the community in 2005 and likes to sit on the porch and use outdoor spaces while enjoying the quiet neighborhood. She said she is concerned about noise from the pickleball court.

Brennon Smith of 213 Teakwood Drive said there are 50 or more boat docks in the community with lots of accompanying noise, so the neighborhood is not really very quiet anyway. She said the pickleball court is an amenity that their generous neighbors are offering to fund for the community, costing the HOA nothing. Ms. Smith said she thinks it's a wonderful thing supported by the majority of neighbors.

She said she doesn't understand the need for three parking spaces when everyone is walking or biking, and those who have to use the bathroom can easily return to their homes. Ms. Smith said she is happy to see the addition of the pickleball court and thinks it improves property values. She said the court has brought the community together, and she wants to show agreement for it.

Christi Siegel of 217 Teakwood Drive said she is thrilled about the use of this space. She said she wishes it had come about a different way, but she doesn't think the Town should withdraw from this issue because of that. Ms. Siegel said it's a process that everyone can learn from together and that the court brings positivity to the community.

Kathie Heath of 211 Peninsula Drive said she has been nothing but thrilled with the idea, even though she doesn't play pickleball. She said people come on golf carts, ride bikes, or walk, and she doesn't think there will be issues with noise or traffic.

Alejo Cruz of 1542 Island Marina Drive said he is impressed with how the lot looks and praised the applicants for taking money out of their own pocket to do good for the neighborhood. He said he and his wife totally support the pickleball court.

Ashley Hunter of 221 Teakwood Drive said she is in support of the pickleball court and recommends against additional parking because that would promote driving there. She said she also does not support the addition of a bathroom because everyone in the neighborhood lives close enough to go home.

Ms. Wyckoff said there is already considerable traffic in the neighborhood due to delivery trucks and the nearby boat ramp, both of which have nothing to do with the pickleball court. She said they did exactly what was asked of them by inviting everyone within 500 feet to a community meeting, so there was no intent to withhold information or do something sinister or nefarious. Ms. Wyckoff said she is not sure codes and rules were specifically defined regarding this issue. She said it would be great if the Town had a liaison to come out to sites to assist residents with understanding the regulations for what they want to do. Ms. Wyckoff said they are not asking for special consideration, and she believes they have gone through the steps and been on track, so now it is necessary to find common ground to move forward. She said they are accessible and open to talking to neighbors about any concerns or ideas, and they are not drawing a hard line in the sand and refusing to tweak things. Ms. Wyckoff said regarding the mention of lawsuits, people can get on the Internet and find anything to support their opinions. She said the owner of another private pickleball court in the Town said noise isn't an issue. Ms. Wyckoff said many of the concerns are hypotheticals and that they are willing to address anything that happens down the line because they are reasonable people who want to foster a positive environment within the community. Ms. Wyckoff said she doesn't want to create animosity and thinks if they have to make concessions then some of the neighbors should also. She said the Town needs to foster the idea of creating cool spaces that promote beautification, camaraderie, and neighborhoods, and she will continue to try to promote things that bring the neighborhood together with or without the pickleball court. Ms. Wyckoff said she is asking Commissioners to send the message that they are

endorsing forward thinking.

No one else requested to speak.

**ACTION:** Motion to close the public hearing

Motion made by Chairman LeCompte

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

Vice Chairman Rouse said while he is convinced the applicants have good intentions, the Commission should've heard about the pickleball court before it was built. He said it is not the Town's fault but is the responsibility of the applicant to understand the requirements of what they want to build, no matter what it takes. He said if this started happening all over the island, it would be a mess because there is a process that has to be followed.

Commissioner Hogan said he has a problem with the process going in reverse and that the reason for zoning and ordinances is to regulate what happens on a piece of property. He said if it's zoned a certain way and the owner wants to do something different, then they must go through the process and do the proper thing. Commissioner Hogan said he is also worried about setting a precedent of people building whatever they want and then asking for forgiveness.

Commissioner Crouch said while the issue arose due to unfortunate circumstances, he would like to move forward and evaluate the conditions under which this might be approved, although he does not want to set a precedent and believes it was the wrong way to do things.

Chairman LeCompte said the pickleball court would have to go through a CZ hearing regardless of whether things were done in the proper order, but she agrees that allowing forgiveness instead of permission could set a precedent for anyone to build whatever they want. She asked if the court would be an issue if it was behind the applicants' house. Mr. Hardison said it is an issue now because it's on a standalone lot where it is the primary use on that property. He said if it was on a property with a single-family home then the home would be the primary use and the court would be an accessory use.

Vice Chairman Rouse asked about the other pickleball court the applicant mentioned. Mr. Hardison said it's in the backyard of a residence in Seagrove.

Chairman LeCompte asked how the N.C. Building Code relates to requirements for a bathroom and parking spaces. Mr. Hardison said this comes into play because of how something is used and who is using it. He said neighborhoods with amenities such as pools and tennis courts have separate parking and bathrooms because once you offer these amenities to all neighbors, you have to provide these accommodations.

Commissioner Crouch asked about CAMA permits. Mr. Hardison said for any future improvements, such as a fence, the applicants would need a CAMA permit.



Vice Chairman Rouse asked what's next for the property if the pickleball court doesn't remain and what could go there if plans change. Mr. Hardison said if the court is approved, altering the use or failing to meet the conditions put in place would result in a CZ violation.

Vice Chairman Rouse asked about the parking and bathroom requirements. Mr. Hardison said because the use is on a standalone property, the use would have to support parking. He said the Building Code gets involved when more than one family is using the property, so accommodations must be made to provide bathrooms if it's being offered as a private neighborhood amenity.

Chairman LeCompte asked about stormwater requirements due to the impervious surface. Mr. Hardison said the Town asked the applicants to show a drainage plan, which they did on the site plan. He said if the court is approved, there would be a stormwater fee when applying for the permit. Mr. Hardison said they would need to ensure that the drainage leads away from the adjoining neighbors and out to the street.

Vice Chairman Rouse asked about ingress and egress for those with disabilities. Mr. Hardison said the handicapped space would have to be paved, and there would need to be a sidewalk leading from the space to the court.

Chairman LeCompte asked about the apron. Mr. Hardison said if the applicant is proposing gravel for the parking spaces, a concrete apron would be necessary as a protective buffer between the gravel and the street asphalt.

Commissioner Hogan questioned Ms. Wyckoff's contention that noise would not be a problem. He read from some of the information previously distributed, which cited that noise levels from a pickleball court could be 70 decibels about 100 feet away from the strike of the ball. Ms. Wyckoff said she has done basic decibel readings of hitting the ball on the court, and those ranged between 50 and 75 decibels, with most being in the 50-60 range. She said the decibel readings would likely be much lower from a neighbor's house.

Commissioner Hogan said he would not have a problem with a court in use for an hour a day by one family, but he said opening it up to the neighborhood could result in people playing 12 hours per day. Ms. Wyckoff said ultimately the court is their private property, so they can change the code or otherwise restrict use if necessary. She said she is not offering use of the court to everybody in all three of the surrounding neighborhoods.

Commissioner Hogan said much of the applicant's assertions, such as the hours of the court and whether people will drive, are speculative. Ms. Wyckoff said she realizes there is a lot of speculation but added that it was frustrating because they thought they were checking the boxes. She said this is an opportunity for better communication and using words that everyone will equally understand. Commissioner Hogan said he understands the frustration but added that the job of Mr. Hardison and

his staff is to lead the applicant to the right answer. Commissioner Hogan said there are codes, ordinances, and zoning for a reason. Ms. Wyckoff said it wasn't perfect or ideal how they got to this point, but she doesn't think it will set a precedent for residents to throw caution to the wind. She said she had no idea she would be fighting for a pickleball court, especially when neighbors are overwhelmingly in favor of it.

Vice Chairman Rouse said he thinks what the applicants have tried to do is honorable and they have the support of many neighbors, but he cannot disregard those neighbors who spoke against the pickleball court. He said these people have invested money to buy a home, not anticipating that the rules would be changed.

Commissioner Crouch said he would only consider approving the pickleball court based on conditions.

Commissioner Hogan said as much as he thinks the court is an awesome thing, the Commission must vote on things that meet the harmony of the neighborhood. He said the applicants did not go through the process correctly, and he doesn't think he can vote in favor of it.

Commissioner Crouch said only four of seven Commissioners are present tonight, which will make it hard for the applicant to gain support for the CZ request.

Chairman LeCompte said the request still has to go to Council and that the Commission is just a recommending board. She said she hates seeing neighbor against neighbor on any issues and suggested that the applicants sit down with the opposing neighbors to try to come to an agreeable conclusion about conditions for operation so there will be some kind of consensus when this request reaches Council. Chairman LeCompte said HOAs have covenants to protect everybody in that development. She said she's on the fence because the process went backwards, and those who don't understand the process should seek guidance so they do understand. Chairman LeCompte said the concept of asking for forgiveness and not permission was not the proper way to go. She said she thinks it's admirable for the applicants to do something for their neighbors and that they've done a beautiful job, but they should include all neighbors in the process, not just those within 500 feet, and try to understand their concerns.

Vice Chairman Rouse and Commissioner Hogan both said the applicants did a great job improving the property.

Vice Chairman Rouse said the Town received emails about the pickleball court from people not in attendance tonight, and some of those were opposed to it. He said he worries about people having to live with an amenity that was not present when they spent money on their homes. Vice Chairman Rouse said he also has concerns about the message saying yes to this will send because he could not with integrity say no to the next person.

**ACTION:** Motion to deny the applicant's request for Conditional Zoning based on the inconsistencies with the goals and objectives of the adopted Land Use Plan but more specifically other long-range

planning documents and the potential impacts on the surrounding areas and properties from the results of the public input meeting or public comments

Motion made by Vice Chairman Rouse, Seconded by Commissioner Hogan

Voting Yea: Vice Chairman Rouse, Commissioner Hogan

Voting Nay: Chairman LeCompte, Commissioner Crouch

*Motion failed 2-2*

3. Consider amending Ch 40 Art VI Sec. 40-175, Sec. 40-177, to update the ordinance to provide protections for heritage trees. Applicant: Town of Carolina Beach

Council requested that staff and the Commission look at options for tree protection and preservation. Past discussions of a tree preservation ordinance led to a discussion about protecting heritage trees and focusing on stormwater. The intent of the ordinance is to encourage residents to protect and replace trees pre- and post-construction.

Ms. Abbotts presented the details.

#### Current Landscaping Requirements (Trees)

##### Article VI – Landscaping and Development Specification Standards – Benefits

- Maintains visual character and aesthetics and enhances property value
- Screening
- Air purification
- Reduces glare, heat, noise
- Prevents soil erosion
- Stormwater
- Habitat

#### Buffer Yard Definition

The width of the area for the required installation of landscaping and screening materials around the entire perimeter of all lot uses, excluding single-family residences and two-family dwellings

Staff has put together three options for the Commission's consideration and guidance. Option 1 (preserve and replace) would require a tree permit for any removal of trees within the Town along with the requirement of a tree survey to identify trees to be protected and replaced outside of the building footprint. Option 2 (replace) would require new construction and any expansions to the building footprint to provide a list of all trees on site and replace any heritage trees removed. Option 3 (incentive) allows the incentive of a flexible setback (up to 25 percent) to preserve a tree along with the option for a reduced stormwater fee by counting any trees preserved as impervious surface credit. Option 4 is maintaining the status quo and continuing to encourage tree planting.

Chairman LeCompte asked if heritage trees must be a certain caliper before being replaced. She said a scrub oak the size of a finger could technically be considered a heritage tree. Mr. Hardison said this is a good point and that there should be a minimum. Commissioner Crouch suggested that the minimum

be 6-inch caliper and asked if that could be included in the definition of a heritage tree. Ms. Abbotts said yes.

Commissioner Hogan said he is in favor of Option 2 with the previously mentioned addition. He said it shows the Town cares about trees and wants them to be replaced while also reducing extra costs for homeowners.

Vice Chairman Rouse said he is in favor of this as long as it's in the verbiage that it's outside of the building footprint so that's not in question. He also suggested adding language about the condition of a tree being removed because some dead trees might have to go. Commissioner Hogan suggested using the term "healthy."

Commissioner Crouch said there should also be clarification that the new tree be a heritage tree.

Ms. Abbotts reviewed the suggestions: add to the heritage tree definition that it should be a minimum of 6-inch caliper, make sure it says outside of the building footprint, add that the heritage tree must be healthy, and include that the new/replacement tree be a heritage tree.

Commissioner Crouch asked how a "healthy" tree would be defined and said this could be ambiguous. Vice Chairman Rouse said maybe it would be better to specify that the tree not be dead. Chairman LeCompte said if it's dead, the property owner will need to take it down anyway. Commissioner Crouch said he is worried about creating a loophole. Ms. Abbotts suggested scratching the "healthy" verbiage.

**ACTION:** Motion that the Commission, whereas in accordance with the provisions of the North Carolina General Statutes, does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40, Article VI, Sec. 40-175, Sec. 40-177, to update the ordinance to provide protections for heritage trees (Option 2) is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans with the changes

Motion made by Commissioner Crouch, Seconded by Vice Chairman Rouse

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

#### 4. Update on stormwater ordinance and short-term rentals

Mr. Hardison said he has reached out to the County about getting information to help the Town develop a registration database for short-term rentals. He said the County does have that information but is not willing to share. Mr. Hardison said the County will give information on whether a specific property is paying room occupancy tax (ROT) funds but won't release any other data. He said he doesn't know where the State stands on registration, but it looks like it's not going to be allowed for the Town to do this on its own.

Commissioner Hogan said he thinks 90 percent of short-term rentals are through sites such as Airbnb or Vrbo that automatically collect and pay ROT, a process that was not in effect two years ago. He said

he thinks ROT dollars have gone up as a result of this, and while there may be some people finding a way around this, most are going through these two sites.

Chairman LeCompte said the goal is not so much regulating and seeing who is paying ROT but more for use in emergencies such as mandatory evacuations for storms and pandemics. She said the Town needs a way to make sure visitors are not here when they shouldn't be and that it's necessary to have direct contact with property owners instead of having to dig for that information. Chairman LeCompte said ROT funds are up 67 percent over last year.

Mr. Hardison said it looks like the State will likely support no regulation or registration for short-term rentals. Chairman LeCompte said it appears the Town is stuck. Mr. Hardison said he will continue to lean on the County to see if there is a different way to get the information.

Mr. Hardison said there is a State bill that says a community cannot be any more restrictive than the State with stormwater restrictions, and this could prevent the Town from requiring any additional stormwater regulations than what the State has. He said right now the Town has its own ordinance and is authorized to do so by the State, so the Town will be watching this issue closely. Mr. Hardison suggested that the Commission have a joint meeting with the Operations Advisory Committee to discuss stormwater and where the Town wants to go. Commissioners expressed support for this. Mr. Hardison said he will let the Operations Advisory Committee know and get back to Commissioners via email.

#### **NON-AGENDA ITEMS**

None

#### **ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Chairman LeCompte, Seconded by Vice Chairman Rouse

Voting Yea: Chairman LeCompte, Vice Chairman Rouse, Commissioner Hogan, Commissioner Crouch

*Motion passed 4-0*

The meeting adjourned at 9:25 PM.