



The Shallotte Planning Board met for their regularly scheduled meeting on January 10, 2023 at the Shallotte Town Hall Meeting Chambers with Chairman Ron Johnson presiding.

Members Present: Robert Cox, Glenn Humbert, Richard Gannaway, Dennis Winters, Ron Johnson, Karmen Custer and Maria Paslick.

Members Absent: Chris Raynor and Melodie Bryant

Staff Present: Robert Waring and Debra Horn

Aldermen Liaison: Jimmy Bellamy

1. **Public Comments:** None
2. **Agenda Amendment:** Correct the date of last month's minutes from December 6th to December 13, 2022.
3. **Approval of Agenda:** Richard Gannaway motioned to approve the agenda with corrections, seconded by Dennis Winters. The motion passed 7 yes, 0 no.
4. **Approval of Minutes:** Karmen Custer motioned to approve the October 11, 2022 minutes as read, seconded by Richard Gannaway. The motion passed 7 yes, 0 no.
5. **Conflict of Interest Statement**

The Chairperson ask the Board members if they have any potential conflict of interest with the items on the agenda per NCGS 160D-109.

There was no conflict of Interest.

6. **(Planning and Zoning TXT 22-15)** Zoning Text Amendment – Staff Initiated Text amendment. Article 19: Lighting. The Board of Aldermen have directed staff to research possible amendments that would curtail the excessive light on residential lots.

The Town's lighting ordinances currently exempt single-family residential properties from regulation. The Town has received complaints regarding a large illuminated structure located on a residential property within the Town's Extended Territorial Jurisdiction (ETJ).

This text amendment was brought to the December Planning Board. The Planning Board, at their December meeting, elected to table this item with a request for more information.

Some of the findings since the December's meeting, were:

The Town's attorney reviewed the text amendment and provided the following input:

- The amendment should be placed in the Town's zoning regulations and would be applicable to properties in the ETJ
- Properties with existing lighting would be considered legal non-conforming uses (grandfathered)
- It is unlikely that the court would take up any action to enforce the ordinance and would thus limit the Town's ability to enforce the ordinance

Additionally, staff took a number of readings around existing developments in town which resulted in a fairly wide range of readings. These readings range from .1-.3-foot candles (FC) to 2 within suburban settings.

Note, a FC is (in very general terms) the amount of light produced from one candle as measured one foot away over a one square foot area.

Action Taken:

Glenn Humbert motioned to recommend denial of the Zoning Text Amendment TXT 22-15, Article 19: Lighting, to the Board of Aldermen. Motion seconded by Karmen Custer. The motion passed 6 yes 1 no. Maria Paslick voted no.

Planning Board Chairmen, Ron Johnson requested this motion come with the wording that members of the Planning Board are concerned about:

- This text amendment may be too large a hammer for the specific issues addressed and might not solve the specific problem at hand.
- Serious concern was raised about the effects of lightening, residential or commercial, on the attractiveness of Shallotte, particular downtown/heavy populated areas, for addressing light pollution. Ensuring that existing standards are up to date and consistent with keeping new neighborhoods as reasonably quiet with newer dark light standards as economically make sense.
- If Board of Aldermen wishes to pursue a larger matter the Planning Board is interested in working with the Aldermen. The Planning Board is not trying to put the issue to rest but this specific issue to rest for now.

Dennis Winters motioned that the Shallotte Planning Board adopt the Statement of Consistency with corrections, seconded by Robert Cox. The motion passed 6 yes 1 no. Maria Paslick voted no.

Old & New Business

- a. Monthly Planning Dept. Staff Report – No action required.

Adjournment

Robert Cox made a motion to adjourn, seconded by Glenn Humbert. The motion passed 7 yes 0 no.

Respectfully Submitted,

Debra White

Debra White,
Planning Board Clerk