

**CITY OF ELIZABETH CITY
PLANNING COMMISSION
REGULAR MEETING
Tuesday, January 2, 2018**

MEMBERS PRESENT

Ernest Sutton - Chairman
Johnson Biggs - Vice Chairman
Carlton O'Neal
Suzanne Stallings
Gary White

Also present were Matthew Schelly, Community Development Director; Cheryl Eggar, Planner; and Yvette Chamblee, Secretary to the Planning Commission.

Chairman Sutton called the Planning Commission meeting to order at approximately 4:30pm.

Chairman Sutton called for a motion to approve the agenda. Mr. White made a motion to **APPROVE** the agenda. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS AND WHITE. NONE OPPOSED. MOTION CARRIED.**

Chairman Sutton called for a motion to approve the Tuesday, December 5, 2017 Planning Commission minutes. Mr. White made a motion to **APPROVE** the Tuesday, December 5, 2017 Planning Commission minutes. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

Chairman asked Yvette Chamblee, secretary to the Commission, to read the **Statement of Disclosure** as follows:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial, and responsible to the public; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees, disclosure of interest in legislative action must be stated for public record, as per City of Elizabeth City Code of Ordinances Section 32.04. Any official act or action before the Planning Commission shall be publicly disclose on the record of the Commission the nature and extent of such interest and the Commissioner shall withdraw from any consideration of the matter if excused by the Commission pursuant to G. S. 160A-75.

Chairman called for a motion to amend the agenda to allow the Planning Commission members to nominate a Vice Chairman for the Planning Commission. Mr. White made a motion to **AMEND** the agenda to allow the Commission to select a Vice Chairman for the Planning Commission. Mr. O'Neal seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

Chairman Sutton opened the floor for nominations of a Vice Chairman for the Planning Commission. (Vice Chairman Sonny DiGirolamo passed away in November 2017.) Ms. Stallings nominated Mr. Johnson Biggs as a candidate for Vice Chairman of the Planning Commission. No other nominations were given. Mr. White made a motion to **CLOSE** the nominations for Vice Chairman of the Planning Commission. Mr. O'Neal seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.** Chairman Sutton congratulated Johnson Biggs on becoming the new Vice Chairman for the Planning Commission.

New Business is Case No.: TA-03-17 – presented by City of Elizabeth City to amend the Unified Development Ordinance to reflect enacted legislation by the 2017 General Assembly, specifically article II Interpretations and Definitions and Article X Subdivisions – Procedures and Standards by adding and updating language governing exempt and minor subdivisions; and Article VIII Amendments, Section 8-4 City Council Review and Adoption to add the requirement of a plan consistency statement; and Appendix 2 Certificates to update the Certificate of Survey and Accuracy.

Ms. Cheryl Eggar presented the following report:

In 2017 the NC General Assembly made several amendments to the General Statutes regarding planning and development regulations with the passage of Session Law 2017-10 (S131).

In Article 2 there was a modification to the Subdivision definition to add an exemption for divisions of land for estate purposes.

In addition to the heir division, a new type of minor subdivision was created that must have an expedited review.

The new class of minor subdivision must meet each of these standards:

- The tract must be larger than 5 acres and in single ownership.
- The division must result in no more than a total of three lots

- The resulting lots must have a permanent means of ingress and egress designated on the recorded plat.
- Each lot must meet the applicable lot dimensions requirements of the zoning district in which it is located
- This type of division may only be used once every ten years.

SL 2017-10 brought about a change to how Cities document consideration of approved plans when adopting zoning amendments and amended the plan consistency statements that are required when adopting zoning amendments. This amendment is reflected in Article 8, Section 8-4.

This concluded Ms. Eggar's report.

Chairman Sutton asked Mr. Schelly to give a brief overview of TA 03-17. Mr. Schelly's overview consisted of the following:

- Definitions of subdivisions with sub-definitions A through G;
- Major and Minor Subdivisions definitions with two sub-definitions under Minor subdivision;
- Minor Subdivision Procedures; and
- Consistency Statement.

Chairman Sutton called for a motion in regards to TA 03-17. Mr. White made a motion to **APPROVE** TA 03-17 changes pursuant to legislative mandates by the North Carolina General Assembly. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

New Business is Case No.: TA-04-17 – presented by City of Elizabeth City. This is proposed text amendment to the Unified Development Ordinance, specifically Appendix 2 Certificates to update the Certificate of Survey and Accuracy to reflect legislation enacted by the 2017 General Assembly.

Mr. White made a motion to **APPROVE** TA 04-17 changes pursuant to legislative mandates by the North Carolina General Assembly. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

STAFF REPORT

- Mr. Schelly questioned the appointment of a new member for the Planning Commission.
- Ms. Chamblee shared a card from Judy DiGirolamo, Sonny DiGirolamo's wife.

CHAIRPERSON'S REPORT

- Chairman Sutton commented Sonny DiGirolamo will be truly missed as a member of the Planning Commission.
- Chairman Sutton gave thanks to all members of the Planning Commission as well as staff for their diligent work effort to make 2017 Planning Commission meetings a success. Chairman Sutton also wished everyone a prosperous New Year.

MEMBER CONCERNS

Mr. White expressed appreciation for Mr. Johnson Biggs accepting the position of Vice Chairman of the Planning Commission.

Chairman Sutton called for a motion to adjourn the Planning Commission meeting. Mr. Biggs made a motion to **ADJOURN** the Tuesday, January 2, 2018 Planning Commission meeting. Mr. White seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, STALLINGS, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

The Planning Commission meeting adjourned at approximately 4:48pm.