

**PLANNING AND ZONING COMMISSON**  
**MINUTES**  
**May 3, 2011**

**ATTENDEES:**

Members  
Pam Buckley  
John Staley  
Peck Miller  
Lauren Taylor

Staff  
Jesse Houston  
Kay Stroud  
Bob Nelson  
Will Esham

**CALL TO ORDER – 7:00 PM**

**I. APPROVAL OF MINUTES:**

Minutes of April 19, 2011.

**MOTION/Taylor**                    **SECONDED/Staley**    Vote was unanimous (4-0).  
Record shows that Members Chris Shanahan, Joel Brous, & Tom Singman were absent this evening. Zoning Administrator Blaine Smith was also absent.

**II. DISCUSSION: - CONTINUED FROM PUBLIC HEARINGS OF 4/19/11**

1. Lighting Standards – Jesse Houston & Bob Nelson, Planning, presented a power-point program that showed examples of good and bad lighting. Peck Miller mentioned including an incentive other than amortization to bring existing conditions into compliance. Lauren Taylor commented the “site specific” nature of Ocean City and the difficulty to make all regulations one package.

**MOTION/Miller**                    **SECONDED/Staley**    Vote was unanimous (4-0) to advance the proposal to amend the regulation to Mayor and City Council with the condition that the amortization schedule be removed.

2. Open Unenclosed Outdoor Dining – More discussion ensued as to how to define “open, unenclosed.” Pam Buckley asked that the variance process be added to the language and to consider grandfathering of existing conditions. Jesse Houston added that the Special Parking Exception through the Board of Zoning Appeals was still in place to give applicants the ability to prove that a waiver was appropriate.

**MOTION/Taylor**                    **SECONDED/Miller**    Vote was unanimous (4-0) to advance the recommendation to Mayor and City Council for proposed amending.

**CITIZEN COMMENTS** – John Fager, Jay Taustin, Jeff Schoellkopf and Nolen Graves asked the Commission to comment on the outdoor dining recommendation even though public testimony was closed and were given permission by the Commission. Mr. Graves commented that a real notification problem exists and that many of the restaurant owners in Town had not known about the public hearing on April 19, 2011. After discussion it was determined that the Hotel/Motel/Restaurant Association and the Chamber of Commerce needed to be given explicit notification and that the public hearing would be reopened on June 7, 2011 in order to give opportunity for more public testimony.

**IV. ADJOURNMENT – 7:45 PM**

John Staley, Secretary      6/7/11  
John Staley, Secretary      Date