

2018.08.27 PB meeting minutes

VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
WESLEY CHAPEL TOWN HALL
6490 Weddington Road, Wesley Chapel, NC 28104
August 27, 2018 – 7:00 PM

The Planning Board of Wesley Chapel, North Carolina met in the Town Hall at 6490 Weddington Road, Wesley Chapel in North Carolina.

Planning Board Members Present: Chair John Souza, Chuck Adams, David Boyce, Michael Kenary

Planning Board Member Absent: Sandra Ells and Alternates Ty Jaiyeoba, Deb Bledsoe and Vince Gahren

Others Present: Clerk Cheryl Bennett; Planning/Zoning Administrator Shelley Williamson

1. Pledge and Invocation

Chair John Souza led the Pledge of Allegiance and David Boyce gave the invocation.

2. Public Comment - none

3. Additions, Deletions and Approval of Agenda

The item for “Council Member Attending – Presentation, Discussion” was deleted, and the item for “Text Amendment – Solar Generating Facility draft” was postponed to next month. Michael Kenary motioned to adopt the amended agenda, David Boyce seconded the motion.

The motion passed unanimously.

4. Election of Vice Chairman and Oath of Office

Chuck Adams nominated Sandy Ells to be the vice chairman. David Boyce seconded the motion.

The motion passed unanimously.

5. Approval of Minutes

Chuck Adams motioned to approve the July 23, 2018 minutes, David Boyce seconded the motion.

The motion passed unanimously.

6. Text Amendment - Land Use Plan Amendment Process - draft

Shelley Williamson reviewed the revisions made to the draft text amendment including separating the process with the Land Use Plan map change being first, and a re-zoning being second. The deadlines for the amendment process include the same deadlines as with the zoning

process. After discussion the Board asked to notify property owners within a half mile and also for the community meeting the applicant would provide written notice to owners within a half mile. Ms. Williamson expanded the section for the applicant to provide needed justification for any amendments based on changing conditions, including a color-coded land use map of the area and a written report referencing significant changing situations in the area. Discussion was held on allowing specific land uses/development plans since the town cannot hold them to specific uses for a re-zoning or land use plan amendment. The applicant will have to provide stamped addressed letters to the Village for mailing and a list of property owners. Letters will also be requested to be sent to occupants when the owner lives out of town. An applicant can submit for a CUP and a re-zoning at the same time for a specific use. In item 1 the Village was removed as an entity that could initiate the process. Questions arose as to when presentation of specific land uses or plans can or should be permitted. Chair Souza questioned why a land owner would go through two steps and not just go to a re-zoning. Questions will be posed to the attorney as to whether we can require a LUP amendment process prior to a zoning change for changes from residential to commercial, and when can an applicant show “pretty pictures” of specific uses, and if you can disallow them. The Board wanted to require the applicant to follow through on a specific use shown. They also wondered if presentation of specific uses could be dis-allowed.

7. Text Amendment – Construction & Sales Trailer draft

Michael Kenary recommended the text amendment (incorporated herein) with the addition of the word “trailer” to the Section 4.7.2 revision; with the statement of reasonableness that the proposed text amendment is reasonable since it removes confusing, contradictory provisions and requires a level of review and permitting appropriate to potential impacts of the activity, and the statement of consistency that the proposed text amendment is consistent with the Future Land Use Plan as it more properly manages construction activity and is in the best interest of the public. David Boyce seconded the motion.

The motion passed unanimously.

AMENDED AS FOLLOWS (*proposed changes with all new proposed text shown in **bold, underlined, and italicized type and** text to be deleted being ~~struck out~~*):

ZONING ORDINANCE

1. Article 2 of the Zoning Ordinance *Definitions of Terms Used in This Ordinance* is hereby amended by **adding** the following in alphabetical order:

Office Trailer. See *Construction Trailer*.

Sales Trailer. A structure standing on wheels towed or hauled by another vehicle and used for neither overnight nor year-round occupancy at the construction site of a residential subdivision on a temporary basis for the purpose of selling homes constructed within the subdivision.

2. Changes to the “Table of Uses” Section 5 of the Zoning Ordinance is amended as follows: **DELETE** from current matrix, “Temporary Structures (other than Residences)” as a conditional use in All districts with supplemental regulations 4.7; 6.10.4 **and substitute “Temporary Structures” as permitted in All Districts with supplemental regulations at 4.7.2**

USE	SUPPLEMENTAL REGULATION SECTION NUMBER	R-80	R-60	RA- 40	R- 40	RA- 20	R- 20	B- 1	B- 2	L- 1	O- I
Temporary Structures (Other than Residences)	4.7, 6.10.4	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs

1. Insert new matrix

USE	SUPPLEMENTAL REGULATION SECTION NUMBER	R- 80	R- 60	RA -40	R - 40	R A- 20	R- 20	B-1	B- 2	L- 1	O- I
Temporary Structures (Other than Residences)	4.7.2	Xs	Xs	Xs	Xs	Xs	Xs	Xs	Xs	Xs	Xs

Commented [CB1]:

4. Section 6.10.4 (Conditional Use standards for Office Trailers) is hereby amended as follows:

~~a.10.4 Office Trailers~~ **DELETED**

~~a) That the proposed uses will be compatible with the general characteristic of the area with respect to the structure's location. b) Relationship to and impacts upon adjoining and nearby properties and the adequacy of proposed measures to minimize any adverse impacts. c) That the use may be allowed for a maximum period of six (6) months. Extensions of this period may be granted only after a public hearing is held in accordance with Section 12.1. d) No office trailer shall be used for residential purposes.~~

5. Revised 4.7.2. to allow construction, field, and sales offices trailers in subdivisions to be approved by the Zoning Administrator for a period of one (1) year and may be renewable.

8. Other Business – Continuing Discussion

- Subdivision Ordinance/Prevent Clear Cutting & Retention of Existing Vegetation

This item was delayed since Deb Bledsoe was absent.

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9. Other Business – Update on Projects

The conservation subdivision ordinance was approved by council, it is on the website, and copies have been given out to those who requested it.

A subdivision plat was approved Feb. 18, 2018; two weeks ago the developer asked to revise the final plat primarily for changes initiated by Union County Public Works, also the surveyor made some other corrections and a written block of verbiage was added. There is no provision for any ministerial changes in our ordinance. Section 309.4 requires the Zoning Administrator to prepare a report to the Mayor for Council to make the decision that the new plat is in substantial conformity with the original approved final plat and the lots are in full compliance with the Zoning Ordinance. It will be on the Council's September 10, 2018 agenda. Chair Souza said he would like to see the plat. The developer wanted to remove building envelopes from the plat, but the ordinance requires them to be shown.

An issue arose with a stormwater pond on a home owners parcel, and the Board agreed they would want to require that stormwater ponds should be on common open area. An amendment will be needed for this.

10. Adjourn

David Boyce motioned to adjourn, Chuck Adams seconded the motion.

The motion passed unanimously.

The meeting ended at approximately 9:45 pm.

Respectfully submitted,

Cheryl Bennett, Clerk

Chairman John Souza