

Zebulon
Joint Public Hearing
Minutes
June 8, 2015

Present: Robert S. Matheny, Dale Beck, Curtis Strickland, Don Bumgarner, Beverly Clark, Glenn York, Sidney Perry-Interim Town Manager, Lisa Markland-Town Clerk, Mark Hetrick-Planning, Julie Wilkins-Planning, Matt Watterson-Planning, Eric Vernon-Attorney
Planning Board Present: Wallace Jenkins, Kenny Waldroup, Gene Blount, Sam Hayes
Absent: Avon Privette, Larry Ray, Darrell Jones

Mayor Matheny called the meeting to order at 7:01pm.

Mayor Matheny declared the public hearing open and asked for staff report.

ZA 2015-06—Amendment to 152.195 Fee-In-Lieu

Julie Spriggs gave a PowerPoint presentation with a staff recommendation proposing a text amendment to implement a fee-in-lieu. Julie Spriggs explained that it would improve the coordination of roadway and sidewalk improvements and was supported by NCDOT. She continued by stating that the fee-in-lieu was different than the transportation impact fee.

The fee-in-lieu would be an optional item and would be based on the actual roadway improvement and the cost for installation and construction. It would be based on a sealed engineer estimate provided by the developer and staff would review and approve the estimate provided. There would no longer be a bond system used for the projects.

Julie Spriggs stated that it was proposed to be added to the ordinances immediately following the Transportation Impact Analysis and she reviewed the proposed text for the ordinance. The fee would be reviewed by the Technical Review Committee and overseen by the Public Works Director. All fees received for payment in-lieu would be used exclusively for design, land acquisition and construction of transportation improvements within the Town of Zebulon.

It was reiterated that it was optional for developers and if they choose to install the improvements then they could do that or they could pay the fee-in-lieu which would allow for the Town to do the work along with possible other projects at a later date. The proposed text would keep from having the work completed and then torn out at a later date when additional work that was planned was completed.

Mayor Matheny asked if either Board had any questions.

Kenny Waldroup asked what the time frame was for the use of the fee-in-lieu. Julie Spriggs said that was not for the fee-in-lieu but for the Transportation Impact Fee and the two were separate so one did not affect the other.

Wallace Jenkins asked about the fee-in-lieu estimate and if it would allow for the Town to go back and get additional money from the developer. Julie Spriggs stated that the Town could not do that. However, if staff thought that the estimate given was incorrect then they could negotiate with the developer prior to final approval from TRC. Once the check was written it was final

Mayor Matheny asked if there was an impact on Transportation Impact Fee. Julie Spriggs reviewed that process and one did not have to do with the other so the Fee-in-lieu was not affected.

Mayor Matheny asked if there was anyone who wished to speak. There were none.

The public hearing was closed and the matter was referred to the Planning Board for their recommendation.

ZA 2015-07—Amendment to 152.133 Setbacks for Accessory Structures

Matt Watterson gave a PowerPoint presentation on the staff proposal to amend the setbacks required for accessory structures. The current setbacks were 10' from the side and rear property lines. The setbacks for other surrounding communities were not as strict and staff thought it best to amend them since they were difficult for smaller lot sizes to have an accessory structure that did not end up in the middle of their yard.

The proposed setbacks would be three feet for side and rear yards and five feet from the principal structure. An accessory structure could not be located in the front yard. The square footage of accessory structures could not be any larger than 35 percent of the square footage of the principal structure.

Mayor Matheny asked if an accessory structure was built and it was connected to the principal structure with a walkway and roof would it still be considered an accessory structure. Mark Hetrick explained it would be part of the principal structure as long as it met the requirements of the building code. If they did not meet the building code requirements it would be considered an accessory structure.

Commissioner Strickland asked about metal carports and how they would be treated. Mark Hetrick said that they would be treated as an accessory structure and would have to meet the building code requirements and square footage requirements. They also required concrete footings and to be anchored. Permits were required for erecting the structure.

Mayor Matheny asked if either Board had any other questions. There were none.

Mayor Matheny asked if there was anyone who wished to speak on the matter. There were none.

Mayor Matheny declared the public hearing closed and referred the matter to the Planning Board for their recommendation.

ZA 2015-08—Amendment to 152.129 for zoning designations for Bar/Tavern/Nightclub/Lounge Activity

Matt Watterson presented that staff was recommending that the zoning for bars, taverns and nightclubs be changed to allow them in the central business, general business, heavy business, light industrial and heavy industrial with a special use permit. Currently, they were only allowed in the heavy business district. Matt explained that the current zoning was very different from what was allowed in other municipalities.

Mayor Matheny asked if either Board had any questions.

Kenny Waldroup asked why the restriction to heavy business was made by the previous Board. Matt stated that staff had not looked at why the zoning was restricted to heavy business but did consult with other municipalities and how they were zoned.

Matt Watterson said that there were people that had inquired about opening a business and were unable to do so since the zoning for where they wanted to locate their establishment was not allowed. Gene Blount asked what kind of business had been turned away. Matt explained that it was independent business owners not chain of any kind.

Kenny Waldroup asked about the special use designation and would it allow for setting hours of operation and the impact it might have on surrounding businesses. Mayor Matheny stated that was definitely allowed with the special use permit.

Mayor Matheny asked if there was anyone who wished to speak on the matter. There were none.

Mayor Matheny declared the public hearing closed and referred the matter to the Planning Board for their recommendation.

Commissioner Clark made a motion, second by Commissioner York to adjourn the meeting. There was no discussion but the motion passed unanimously.

7/6/15

Date



Robert S. Matheny—Mayor

Lisa M. Markland
Lisa M. Markland, CMC—Town Clerk