

**TOWN OF YADKINVILLE PLANNING BOARD
MONTHLY MEETING MINUTES
MONDAY, NOVEMBER 18, 2019
5:30 P.M.**

Yadkinville Town Hall
Commissioners Chambers
213 Van Buren Street, Yadkinville, NC 27055

**PLANNING BOARD MEMBERS
(PRESENT/ABSENT):**

Steve Brown – Chair - Present
Virgil Dodson - Present
Anna Howe – Vice Chair - Present
Mary Reavis - Absent
Tony Snow - Absent
R.J. Speaks - Present

TOWN OFFICIALS PRESENT:

Shelia Weathers – Assistant Town
Manager
Abigaile Pittman, Planning Director

A quorum was met, and the meeting proceeded.

1. CALL MEETING TO ORDER

Mr. Steve Brown called the meeting to order at 5:30 p.m.

2. APPROVAL OF MINUTES

Mr. RJ Speaks moved to approve the October 21, 2019 Planning Board meeting Minutes. Ms. Anna Howe seconded the motion and the motion passed unanimously.

Vote: 6/0

3. NEW BUSINESS

- ZTA-2019-05
 - Applicant: Ted Ashley
 - Amendment: Section 4.6.9. to amend Garbage and Refuse Collection regarding requirements for a dumpster

Planning Director Abigaile Pittman reviewed the proposed text amendment, referencing the staff report in the agenda packet. She stated that Section 4.6.9 of the Development Ordinance currently requires a dumpster for all nonresidential and multifamily developments regardless of size or whether the nonresidential use is industrial or other less intensive types of nonresidential uses such as office, service, institutional, or commercial. The applicant noted that the current dumpster regulation does not consider the cost of a dumpster pad and gated, screened dumpster area, or the impact on a small development site.

Ms. Pittman stated that the proposed text amendment revises the requirements for a dumpster for nonresidential development and for multifamily development. The amendment exempts the dumpster requirement for nonresidential uses

other than industrial, up to 2,500 square feet, but keeps the dumpster requirement for industrial nonresidential due to the typical size and type of waste associated with such uses. Multifamily uses of four (4) units or less would also be exempt from the dumpster requirement and may have up to four (4) trash cans. These smaller, exempt developments would still be required to indicate the type of garbage disposal on a site plan or preliminary plat submitted for approval; and would also be required to screen the solid waste receptacle area in accordance with the requirements of Section 4.4.7, which requires fencing or a wall and shrubs to provide an opaque screen.

Ms. Pittman stated that staff recommends approval of ZTA-2019-05, the request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Section 4.6.9 Garbage and Refuse Collection, to revise the requirements for a dumpster, based on the request being consistent with the Land Use & Growth Management Goal of the adopted Comprehensive Plan, and with the adopted Purpose & Applicability statements set forth in Section 4.6. Infrastructure Standards of the Town of Yadkinville Development Ordinance.

Virgil Dodson made a motion for the Planning Board to recommend approval of ZTA-2019-05, the request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Section 4.6.9 Garbage and Refuse Collection, to revise the requirements for a dumpster, based on the request being consistent with the Land Use & Growth Management Goal of the adopted Comprehensive Plan, and with the adopted Purpose & Applicability statements set forth in Section 4.6. Infrastructure Standards of the Town of Yadkinville Development Ordinance. Tony Snow seconded the motion. The motion was unanimously approved.

Vote: 6-0

- ZTA-2019-06
 - Applicant: Abigaile Pittman, Planning Director
 - Amendment: Appendix A and Section 3.3.2.C, to clarify the definition of a principal use.

Planning Director Abigaile Pittman reviewed the proposed text amendment, referencing the staff report in the Commissioners' agenda packet. She stated that, as part of regulating and enforcing the Development Ordinance, it is necessary to have clarity between the determination of principal uses and accessory uses. As currently written, the Ordinance allows the interpretation that the principal use of an undeveloped lot can include permitted accessory uses in the district that is zoned and creates conflict with the definition and regulation of accessory uses. To rectify this issue, two sections of the Ordinance require modification regarding the definition and use of the term 'principal use', striking the phrase 'or is proposed to serve'.

Ms. Pittman stated that the staff recommends approval of ZTA-2019-06, the request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Appendix A.4, to modify the definition of Principal Use; and Section 3.3.2.C to modify the language regarding principal uses, based on the request being consistent with the Land Use & Growth

Management Goal of the adopted Comprehensive Plan, and with the adopted Purpose of the Town of Yadkinville Development Ordinance.

Virgil Dodson made a motion for the Planning Board to recommend denial of ZTA-2019-06, a request to amend the Yadkinville Code of Ordinances, Title 9, Development Ordinance, Appendix A.4, to modify the definition of Principal Use; and Section 3.3.2.C to modify the language regarding principal uses. RJ Speaks seconded the motion. The motion was unanimously approved.

Vote: 6-0

- ZMA-2019-03
 - Applicant: Jay Martin, M2 & Company, LLC
 - Location: 1001 S. State Street (PIN 580612958045)
 - Request: From Residential Medium Density (RM) to Highway Business (HB)

Planning Director Abigaile Pittman reviewed the proposed zoning map amendment, referencing the staff report in the agenda packet. She stated that the subject property was recently purchased by M2 & Company and the applicant discovered that it was zoned RM-Residential Medium Density, making the applicant's insurance company a legal nonconforming use. Staff researched the property through the Yadkin County Register of Deeds and Tax Department records sites and found that the current 'base bank building' was constructed in 1974. Searching available Town records back to 2007 staff can find no information addressing the lot specifically. The only rationale seems to be that leaving the property in the RM zoning district allowed the HB-Highway Business zoning line to the north to be a straight line as it crossed S. State Street. Given concerns regarding the nonconforming status of the property, the applicant wishes to rezone the property so that the M2 & Company will be permitted by right by the Yadkinville Development Ordinance.

Ms. Pittman stated that the requested HB-Highway Business zoning district is intended for higher intensity, primarily commercial uses that are located adjacent to major highways and provide goods and services for the traveling public. The existing insurance company use of the property is permitted by right in the HB zoning district. If rezoned to HB, there would be no identified violations with regard to the current Development Ordinance.

Ms. Pittman stated that the staff recommends approval of ZMA-2019-03, to rezone the property located at 1001 S. State Street from RM-Residential Medium Density to HB-Highway Business, based on the request being consistent with the High Intensity land use classification of the Future Land Use Map; the Land Use & Growth Management Goal, and Land Use Strategy 1 (LUI) of the Comprehensive Plan; the intent of the HB-Highway Business zoning district; and because the existing building and its use has been consistent with the HB zoning district since the property was developed in 1974.

RJ Speaks made a motion for the Planning Board to recommend approval of ZMA-2019-03, the request to rezone the property located at 1001 S. State Street from RM-Residential Medium Density to HB-Highway Business, based

on the request being consistent with the High Intensity land use classification of the Future Land Use Map; the Land Use & Growth Management Goal, and Land Use Strategy 1 (LUI) of the Comprehensive Plan; the intent of the HB-Highway Business zoning district; and because the existing building and its use has been consistent with the HB zoning district since the property was developed in 1974. Anna Howe seconded the motion. The motion was unanimously approved.

Vote: 6-0

4. PUBLIC COMMENTS

There were no public comments.

5. OTHER BUSINESS

Shelia Weathers informed the Planning Board that Friday, December 13, 2019 will be Board Appreciation Day at the Tractor Museum.

6. ADJOURNMENT

Virgil Dodson made a motion for the Planning Board to adjourn. Ms. Anna Howe seconded the motion and the motion passed unanimously.

Vote: 6/0



Chair