



YADKIN COUNTY PLANNING BOARD

Meeting Minutes
May 14, 2012

Members Present

Jerry Hutchens, Vice Chairman
Teresa Swain
Athalee Dinkins

Members Absent

Barry Hennings, Chairman
Steve Brown
Dean Swaim
Mark Hollar

Others Present:

Bob Clark, Interim Planning Director
Dawn Vallieres, County Planner

Guest

Tim Swain

Call To Order

Jerry Hutchens called the Meeting to order at 7 PM.
The attendance and quorum were noted.

Alternate Board Member

A quorum was present. There were no alternates needed at this meeting.

Minutes Approved

The Board voted 3 - 0 to approve March 12, 2012 Minutes as corrected. Discussion regarding who should sign corrected version, if staff could after the Board had voted to accept minutes as corrected.

Jerry Hutchens made the motion to continue the April 9, 2012 minutes to the June meeting. Teresa Swain seconded, The Board voted 3 - 0 to continue the April 9, 2012 minutes to the June meeting.

Public Comments

There were no public comments at this meeting.

Regular Meeting

Jerry Hutchens called the Regular Meeting to order at approximately 7:10 PM.

Announcement

Bob Clark announced that the County introduced County Planner Dawn Vallieres. Dawn started with the department on April 16, 2012. She has Masters and B.A. degrees in Geography, concentrating in Urban Planning from the University of North Carolina at Greensboro. She has several years experience in transportation planning.

He also announced the County had hired a permanent planning director, Michael Poston, who will start June 1st. Mr. Poston will be coming from the Catabwa County Planning Department. He has an MPA, and is AICP certified.



Old Business

Bob Clark passed out the proposed Access and Maintenance agreements statement he previously introduced to the board. There are currently 5 standard statements required on plats per the ordinance. Staff has been telling surveyors to include the statement. Unfortunately, staff policy often changes when staff changes. Formalizing the staff policy needs county attorney approval. Some surveyors have called and requested required statements. Some surveyors check online ordinance. If the statement is not in the ordinance, it can cause delays in plat review. It is a good idea to put the Access and Maintenance agreement statement in the ordinance to make it official. This is still open to suggestion.

Tim Swain commented that it would be a good idea to require this every time there is an easement.

Bob Clark explained subdivision rules and that often an existing easement is extended gradually.

Athalee Dinkins mentioned how many old easements are around and that we can't go back to address previous easements.

Bob Clark said that the subdivision ordinance may not be applied retroactively to existing easements. However, during a site plan review for commercial development it could be possible to address existing easements under the zoning ordinance. Clark suggested tabling the topic for now.

Teresa Swain made the motion to table the subject. Jerry Hutchens seconded the motion. The Board voted 3-0 and the motion was passed.

New Business

Bob Clark spoke on the subject of allowing single family residential as a conditional use in the MI-1 zoning district.

Teresa Swain asked if zoning had originally been determined based on existing land use.

Bob Clark replied "to some extent"- extra areas were zoned looking forward at future growth. The Board discussed the family who wanted to subdivide among family members and build a house, and the effect to others (agricultural areas currently being farmed west of Lydall and the US 421-Interstate 77 interchange). Their property is in a sparsely developed section with bona fide farms, chicken houses, and a few mobile homes. There are two possible options to permit this limited type of residential use:

- 1) Add a text amendment to the zoning ordinance to allow single family residential as a conditional use in MI-1 similar to the provisions in the HC Highway Commercial District.
- 2) The family could apply for a rezoning to RA designation.

Bob Clark discussed issues of spot zoning and the Land Use plan. Bob requested that the Board consider allowing this as a CUP.



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Tim Swain asked if they had ten acres would it be considered a bona fide farm.

Bob Clark said acreage is not the only requirement, and discussed examples of smaller bona fide farms. Bob also discussed preserving the future capability of a company to assemble large lots for manufacturing. Over time we would like to see these areas fill in with manufacturing. We are just introducing the idea tonight. The planning board should look at context. What will/might their requirements be? Bob pointed out that this parcel is in the center of the MI-1 zone, not at the edge, which does not lend itself to rezoning consideration.

Jerry Hutchens and Athalee Dinkins agreed that it would be a spot zoning if the county were to do that. Teresa Swain asked if the person realized the environment they would be building in.

Bob Clark said he had not spoken to that person, but to two older brothers who are handling the division of the mother's farm property among themselves. The sister wants to have a new home near her mother's old farmhouse. Having a house on the property would not necessarily stop a business from buying the lot and house for manufacturing purposes.

Tim Swain pointed out that allowing one house could cause the next person to want residential in the area.

Bob Clark said yes, but that could also happen in HB and CB zones and current policy allows that.

Teresa Swain asked if we were asking the Board to approve conditions.

Bob Clark said not at this time, and then covered conditions imposed for residential in HB and CB.

Tim Swain asked about procedure on these.

Applicants would have to prove they could buffer adequately, only larger lots would be able to meet setback requirements, likely would have to be 3+ acres. Bob Clark talked about sewer and water in the area and opportunities for manufacturing. Brown Road makes a nice boundary. We do not recommend shrinking MI-1 area. Areas are needed with good services and major highway access that are not predominantly residential.

Board discussed purpose of zoning.

Bob Clark said there is still the possibility of the house being built without any changes to the ordinance since the property is currently a bona fide farm.

Teresa Swain said that there are those who are trying to circumvent land use planning and find ways to reduce the plan; we do not want to let them. If we have to require guidelines and all these buffers would not that increase their costs just so they can build? We don't want to destroy future areas for manufacturing that so many people worked to get done.

Bob Clark said if policy was not in place in the HB and CB districts he would not have brought up the discussion. They may have a rezoning request.

Board indicated they were not in favor of a rezoning.



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Regarding the existing homes in the manufacturing zoning, Bob Clark said that there were provisions for non-conforming uses if they are burned etc, they can be replaced.

Teresa Swain pointed out the need to be careful and that the revised land use plan was done to tie up loopholes and keep farms as farms.

Bob Clark said that under the ordinance structure the property does not lend itself to large-scale residential development because of the Duke Power transmission lines running through a large portion. Should we not consider it?

Teresa Swain wants to stress that this is an industrial area consistent with the land use plan.

Teresa Swain made a motion to consent to direct staff to advise property owners of the Board's opinion.

Athalee Dinkins seconded, Board voted 3-0 in favor. Mr. Clark said he would inform the family.

Adjournment

Jerry Hutchens called for a motion to adjourn.

Teresa Swain motioned to adjourn.

Athalee Dinkins seconded the motion.

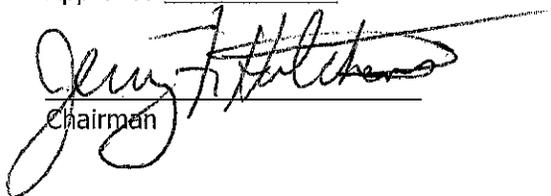
The Board voted 3 - 0 to adjourn.

There being no further business, the meeting was adjourned at 7:50 PM.

Respectfully Submitted,

Dawn Vallieres
County Planner

Approved 6-11-2012


Chairman