



**YADKIN COUNTY
PLANNING BOARD**

Meeting Minutes
November 13, 2012

Members Present

Jerry Hutchens, Vice Chairman
Dean Swaim
Teresa Swain

Members Absent

Barry Hennings, Chairman
Steve Brown
Mark Hollar (Alternate)

Others Present:

Mike Poston, Services & Development Director
Dawn Vallieres, County Planner

Guest

Bill Myers
Kyle Myers

Call To Order

Vice-chair Jerry Hutchens called the Meeting to order at 7:05 PM.
The attendance and quorum were noted.

Alternate Board Member

No alternates were needed for this meeting.

Minutes Approved

Some clarification of accessory uses on page 2 of the previous minutes was requested and given. The Board voted 3 - 0 to approve the September 10, 2012 Minutes as submitted.

Public Comments

Mr. Bill Myers spoke regarding the proposed zoning ordinance text amendment that would allow small auto sales as a conditional use in RA. He said that he was in favor of it and if this had been available seven or eight years ago he wouldn't have had to buy a lot zoned CB. He currently has three cars out on his lot. There was discussion about DMV requirements for dealers.

Old Business

Director Michael Poston led the discussion on the proposed text amendments to the zoning ordinance.

We have a group of six amendments. Two are new to the Board, these came from the County attorney. We have had several requests for small scale auto sales and a request for restaurant as an accessory use at a rodeo/horse show facility similar to the conditional accessory use for a winery. We have had requests about solar farms.



**YADKIN COUNTY
PLANNING BOARD**

Meeting Minutes
November 13, 2012

Staff put together some criteria for these uses. These standards have to be met to be able to be approved. Not only does this give a pathway for approving, it also creates some standards to protect the neighbors.

Amendment 1. Civil remedies, if you have a zoning violation it would be a civil misdemeanor. The county cannot adjudicate these cases. We would have to get an attorney to take this to trial which does not happen very often. Adding civil fines would allow the County to charge a fine of \$50 for each violation. Each day would be considered a separate violation. It is an enforcement tool. We do not immediately hand out violations, we send a letter and try to remedy the situation through informal means and work with the property owners. The next step is to issue the notice of violation, the landowner has 30 days to abate the situation or appeal the violation. The current set-up does not have a deterrent to it.

Amendment 2. Another recommendation is reduced Junk vehicles from 6 to 3. A junked vehicle has to be one that is not licensed and not operable. Even if it looks terrible, if it can move under its own power it is not a junked vehicle. If it is partially dismantled, it would be considered junk.

Amendment 3. The only temporary use in the ordinance today is for commercial tent. There is no mechanism for permitting temporary uses. The list of temporary uses is not all inclusive. When describing these uses, it is important to note that customary accessory uses would not be subject to this: for example, the church having a fundraising dinner would not need to get a permit. Generally, commercial properties would already have the facilities (parking, bathrooms) needed and many of these uses might already be permitted in a commercial area. Director Mike Poston discussed the standards of the proposed text amendment.

Amendment 4. We have had several requests asking for rezoning RA properties for small scale auto sales. We have done one with conditional zoning, as community business conditional district; however, future requests are not likely to be consistent with the Future Land Use Map to support a rezoning. It is not unreasonable to allow the use. It would be better to permit as a conditional use permit rather than to rezone and risk issues of spot zoning or being inconsistent with the Future Land Use Plan. Proposed criteria are similar to other conditional uses. Director Mike Poston discussed the standards of the proposed text amendment. The Board of Adjustment could add additional conditions if needed for a particular piece of property.

Amendment 5. Horse show/ rodeo accessory uses were discussed. We have one request for a restaurant as an accessory use. The facility already has catered food service as an accessory use during functions and they see an opportunity for an expansion of the food service as opposed to only when there is an event. Horse show/ rodeo use is similar to a winery as far as being a destination for agritourism. Each accessory use would still have



**YADKIN COUNTY
PLANNING BOARD**

Meeting Minutes
November 13, 2012

to go through the Board of Adjustment for a Conditional Use Permit on a case by case basis. This is the same language that currently exists for the wineries.

Amendment 6. Solar Farms were discussed. Solar farms typically require large acre, fairly level tracts. Rural areas work really well for this. This is a type of use that could easily revert back to agricultural lands. Director Mike Poston discussed the standards of the proposed text amendment.

Addition of these items to the table of uses was discussed. Director Mike Poston asked if there were any questions on the amendments. Discussion ensued.

A motion was made to make a favorable recommendation on the zoning text amendments to the County Commissioners. Motion was seconded. The vote was unanimous 3/0 in favor.

New Business

We have had an application for the vacant alternate position on the Board. Her name is Resha Peregrino-Brimah from East Bend. She was born and raised in Yadkin County. She has an MBA. She and her husband own their own web design business. Her application will go before the County Commissioners next week.

Board Comments

Vice-chair Jerry Hutchens thanked Mr. Myers for coming to the meeting.

Adjournment

Vice-chair Jerry Hutchens called for a motion to adjourn. The motion was made and seconded. The Board voted 3 - 0 to adjourn. There being no further business, the meeting was adjourned at 8:15 PM.

Respectfully Submitted,

Dawn Vallieres
Secretary to the Planning Board

Approved on _____ 2012

Chairman