**Town of Weddington**

**Regular Planning Board Meeting**

**Monday, October 26, 2020 – 7:00 p.m.**

**Weddington Town Hall\***

**Weddington, NC 28104**

**Minutes**

**Page 1 of 3**

*\*PLEASE NOTE: DUE TO THE CURRENT STATES OF EMERGENCY RELATED TO COVID-19, THE GOVERNOR'S EXECUTIVE ORDER NO. 121 PLACING LIMITS ON CERTAIN GATHERINGS AND REQUIRING CERTAIN SOCIAL DISTANCING METHODS, AND THE IMPORTANCE OF ENSURING THE SAFETY OF TOWN RESIDENTS, STAFF, AND THE PLANNING BOARD, THE MEETING WILL BE CONDUCTED VIRTUALLY AND HAVE LIMITED PHYSICAL ATTENDANCE. THE MEETING WILL BE LIVE STREAMED ON SOCIAL MEDIA.*

1. **Open the Meeting**

Chairman Prillaman called the meeting to order at 7:00 p.m.

1. **Determination of Quorum**

Quorum was determined with Chairman Brad Prillaman, Vice Chairman Walt Hogan, Board members Tami Hechtel, and Ed Goscicki, in person, Board members Jen Conway and Steve Godfrey on Zoom. Board member Jim Vivian arrived at 7:35 via Zoom.

Staff: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey, and Town Attorney Kevin Bringewatt via Zoom

1. **Approval of Minutes – September 28, 2020 Planning Board Regular Meeting Minutes**

***Motion***: Vice Chairman Hogan made a motion to approve the September 28, 2020 Planning Board Regular Meeting minutes.

***Second***: Board member Goscicki

***Vote***: The motion passed with a unanimous vote.

1. **Old Business**
   1. **Discussion of Tree Save and Tree Replenish Requirements Text Amendment**

Ms. Thompson presented the same text that was reviewed at the last planning board meeting. She held a discussion with the Union County Arborist and reviewed changes per that discussion. She added that any new major or minor residential development will have the tree ordinance apply. There will not be tree surveys or tree mitigation plans to keep this simple. The planning board agreed to include this in the UDO and follow the approval timeline for that.

1. **New Business**
   1. **Discussion and Consideration of Minor Subdivision - 218 Weddington Road**

Staff received an application from Syl Stewart Plyler and Terry F. Plyler for a minor subdivision approval for property located at 218 Weddington Road (parcel 061500072C). It is a total of 7 acres and is zoned RCD residential conservation district. The resulting lots are approximately 5 acres and 1.505 acres (Tracts A and B) and an open space lot (Tract C) of .163 acres. The two buildable lots meet the minimum size requirement, the minimum front, side and rear yard setbacks and are at least 120’ wide at the established front setback. Tract A meets the requirements for panhandle lots. The proposed minor subdivision is in general conformity with the Town of Weddington Zoning and Subdivision Ordinances; therefore, staff recommends approval.

Board member Goscicki asked if the pan handle was a part of tract A. Ms. Thompson responded that the applicants decided to connect the panhandle rather than opt for an easement. The plans will be updated to reflect that.

***Motion***: Vice Chair Hogan made a motion to approve the minor subdivision at 218 Weddington Road.

***Second***: Board member Hechtel

***Vote***: The motion passed with a unanimous vote.

* 1. **Review of Unified Development Ordinance Section 7**

Mr. Bringewatt presented the UDO Section 7-Zoning Regulation.

Section D-701 covers the purposes of zoning regulations. Deleting this language from the town ordinance and relying solely on identical language from the state statute is being considered. The purpose statement provides background and the language is already in the Weddington Land Use Plan.

Board member Goscicki prefers the detail given as it will set the general framework and intent of the section, so if there is future disagreement on how they are enforced, this language can be used as a resource.

Board member Hechtel asked if it is realistic to believe applicants will actually read the Land Use Plan. The intent may be lost. Ms. Thompson replied that Land Use Plan consistency statements are required, and she agrees this language is repetitive.

Mr. Bringewatt responded that purpose statements should be light, and the town can fall back on state statute language.

Chairman Prillaman agreed that the language should be left out, keep it simple. Developers use the Land Use Plan to base their plans on.

Vice Chairman Hogan suggested referencing the Land Use Plan to direct people to read it.

The Planning Board agrees to reference the Land Use Plan and to omit the repetitive language of the state statute.

Section D-702: Mr. Bringewatt stated that this language is straight from the state statue. He notes the limitations the state puts on the town. The town cannot regulate architectural standards.

Board member Goscicki pointed out the double negative in the first sentence of the second paragraph.

Section D-703 lists the zoning districts. Currently in the town there is conventional zoning, two conditional zoning districts, B-1 CZ and B-2 CZ. This section will additionally allow property owners to create conditional zoning on a site-specific basis with specific rules found in the table of permitted uses. Some uses are only allowed through the conditional zoning process. All regulations and conditions may be incorporated since it is a legislative process. The council has the authority to modify.

Board member Hechtel expressed concern that this would leave a door open for development. Mr. Bringewatt explained that this isn’t allowing any unregulated development. Any applicant can ask for a change and anything can be considered, but not automatically approved.

Board member Goscicki pointed out the chart for yard requirements has no minimum lot width or size for CZ. Ms. Thompson noted that the chart will be fixed.

Section D-704 is regarding incentives and will be reviewed another time.

Section D-705-Quasi-judicial zoning decisions. This is from the state statutes.

Section D-706-Zoning conflicts with other development standards. This is not significant for discussion

The Planning Board agreed to make the changes to the purpose statements, referencing the town’s Land Use Plan and deleting language that is already in the state statute, and to add corrections to the tables.

1. **Update from Town Planner and Report from the October Town Council Meeting**

No report.

1. **Board member comments**

Vice Chairman Hogan: Thank you everybody.

1. **Adjournment**

***Motion:*** Board member Goscicki made a motion to adjourn the October 26, 2020 Planning Board Regular Meeting at 7:58 p.m.

***Second:*** Vice Chairman Hogan

***Vote:*** The motion passed with a unanimous vote.

Adopted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Brad Prillaman, Chairman

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Karen Dewey, Town Clerk