



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, FEBRUARY 27, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Call to Order

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

2. Determination of Quorum

Quorum was determined with all members present: Chair Ed Goscicki, Vice Chair Travis Manning, Board members Gordon Howard, Jen Conway, Jim Vivian, Chris Faulk, and Manish Mittal.

Staff present: Town Planner Robert Tefft, Town Administrator/Clerk Karen Dewey

Visitors: Rusty Setzer, Bill Deter, Chris Rabeau, Brent Lee

3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*

Chairman Goscicki read the conflict of interest statement.
No board members had a conflict of interest.

4. Approval of Minutes

A. January 23, 2023 Planning Board Regular Meeting

Motion: Board member Howard made a motion to approve the January 23, 2023 Planning Board Regular Meeting Minutes as presented.
Second: Vice Chair Manning
Vote: The motion passed with a unanimous vote.

5. Old Business

6. New Business

A. Discussion and Recommendation on a Text Amendment to Section D-917D, Supplemental Requirements for Certain Uses; Section D-919, Temporary Structures and Uses; and Appendix 1, Definitions, of the Town of Weddington Unified Development Ordinance.

Mr. Tefft presented the staff report: At the September 26, 2022 meeting, the Planning Board requested staff to prepare an amendment modifying the requirements for accessory uses and structures. Mr. Tefft reviewed the changes to the existing requirements and the revising of existing language.

In Section D-917D the proposed text amendment provides for a complete overhaul of the existing provisions. The structure of this section has been changed from a single list of all possible standards to a subdivided list that will facilitate easier access to standards that may or may not be applicable to individual proposals. Many of the existing standards, aside from their relocation, remain generally unchanged or have only been changed to provide for consistent phrasing and terminology. That said, there are a few new or substantially altered standards:

- While it was previously implied that accessory uses and structures were not to be located between the principal building and the road, it is now clearly stated.
- While accessory structures were previously allowed to match the height of the principal building, they are now limited to the lesser of 12 feet in height or the height of the principal building. There is an exception to this standard requiring two feet of additional setback for every one foot of additional height.
- Added a standard allowing for piers or docks when the lot is adjoining a body of water.
- Added a standard requiring accessory structures have consistent external materials as the principal building.
- Added a standard allowing for underground accessory structures.
- Added specific provisions concerning detached garages and solar panels.
- Added a standard requiring above-ground swimming pools to meet principal structure setbacks.
- Removed the standard requiring accessory uses and structures to have construction features that are residential in nature or character. This standard was determined to be ambiguous and in conflict with G.S. 160D-702(b).
- Removed the standard differentiating between the size of accessory structures on small and large lots. No distinction will exist given the size of the lot – only the relative size of the principal building will govern the size of the accessory structure.
- Removed the standard explicitly requiring compliance with the Code of Ordinances. Compliance with the Code of Ordinances is already required for all development, uses, etc. in all instances.
- Removed the standard regulating the size of accessory family dwellings separately from the size of all other accessory structure types as there was no apparent need for this distinction.
- Removed the standard requiring accessory family dwellings to retain a single-family appearance from the street. This standard was determined to be ambiguous and in conflict with G.S. 160D-702(b).

Section D-919, Temporary Structures and Uses:

The proposed text amendment will relocate existing language from Section D-917D.M.9 into the list of permissible temporary structures and uses. This language provided for the occupancy of a travel trailer, recreational vehicle, or licensed motor vehicle as an assessor family dwelling for no more than 30 days per calendar year. While this language could seem appropriate in its current location given that this is where accessory family dwellings are regulated, it is determined to be more appropriate that this language be located amongst the other temporary structures and uses that provide the appropriate framework for its regulation. It is noted that, aside from its relocation, the language being added to this section has not been altered from its current form.

Appendix 2, Submittal Requirements:

The proposed text amendment will relocate existing language from Section D-917D.M.10 into the existing definition for accessory family dwellings. Essentially, Section D-917D.M.10 already consisted of the current full definition of accessory family dwellings but included additional language that was not a part of the codified definition. This amendment adds that additional language to the codified definition. It is noted that, aside from its relocation, the language being added to this definition has not been altered from its current form.

The Board discussed changes to area requirements of accessory structures. The Board agreed to that accessory structures shall not cumulative exceed 50% of the gross floor area of the principal structure.

The Board discussed the definition of swimming pool and the considerations to be taken. The Board agreed to include a caveat that hot tubs, spas, whirlpools, and jacuzzies are excluded from the swimming pool definition.

The Board discussed detached garages and size. The board agreed that garages would not be addressed separately and would be included in the maximum gross floor area requirement.

- Motion:** Board member Faulk made a motion to forward text Amendment to Section D-917D, Supplemental Requirements for Certain Uses; Section D-919, Temporary Structures and Uses; and Appendix 1, Definitions, of the Town of Weddington Unified Development Ordinance to the town council with a favorable recommendation.
- Second:** Board member Mittal
- Vote:** The motion passed with a unanimous vote.

Land Use Plan Consistency Statement:

The proposed amendments to the Unified Development Ordinance are found to be generally consistent with the adopted Land Use Plan (Plan). However, while these amendments do not further any specific Goal or Policy of the Plan, they also do not act contrary to any specific Goal or Policy of the Plan, nor would they prevent the administration and implementation of the Plan, or preclude the fulfillment of the community vision as set forth in the Plan. Additionally, the proposed amendments are found to be reasonable in that they continue to improve upon the organization of existing ordinances and provide additional clarity for staff, appointed and elected officials, and residents.

7. Update from Town Planner and Report from the February Town Council Meeting

Mr. Tefft presented the update: The Council approved the text amendment the Planning Board recommended last month. They saw two pre-application presentations: Daryl Matthews presented an event venue at the John Walker Matthews property to help put money back into the historic home for preservation. Liberty Classical Academy made a presentation for a K-12 school. They are working on a traffic impact analysis. There has not been an application submitted for a multi-unit assisted care home at 6424 Antioch Court. They are working toward a traffic impact analysis. There may be an application for a 12-lot conventional subdivision on 19 acres on Ennis Road coming forward.

8. Board member Comments

Board member Faulk: Glad to be back, Happy New Year.
Board member Howard: Just happy to be here.
Chairman Goscicki: Happy to be here tonight.

9. Adjournment

Motion: Board member Conway made a motion to adjourn the February 27, 2023 Regular Planning Board Meeting at 7:52 p.m.
Second: Board member Howard
Vote: The motion passed with a unanimous vote.

Approved: March 27, 2023



Karen Dewey Town Administrator/Clerk

Ed Goscicki, Chairman