

**MINUTES
YANCEYVILLE PLANNING BOARD
JULY 31st, 2019
5:15 PM**

The meeting of the Yanceyville Planning Board was held at the Yanceyville Municipal Services Building on Wednesday, July 31st, 2019 at 5:15 p.m.

Board members present: Chairwoman: Patricia Price- Lea, Vice Chairwoman: Sylvia Johnson, Layton Everitt, and Julian Williamson

Board member absent: Darrell McLean

Also, present: Town Manager, Brian Collie, Town Clerk, Kamara Graves, Mayor Alvin Foster, and Reece Cobb

Item 1: Call to Order

Chairwoman Price- Lea called the meeting to order at 5:15 PM.

Item 2: Approval of Minutes- June 19th, 2019

After a short review, Chairwoman Price-Lea asked for a motion to approve the Yanceyville Planning Board minutes from June 19th, 2019 as presented. Chairwoman Price-Lea cited errors on page one Item Three: Zoning Discussion line 4 add “not” after must. She also requested on page one Item Three: Zoning Discussion last line to add a comma after “Establishments,”. She then cited on page two second paragraph fourth line to remove “to”. Chairwoman Price -Lea requested on page two paragraph two line eight to remove the apostrophe from property owner. Vice Chairwoman Johnson cited on page one Item Three: Zoning Discussion line 4 to add “in distance of”. After a final review, Mr. Everitt made a motion to approve the minutes with the corrections. The motion was seconded by Mr. Williamson and passed with a unanimous vote.

Item 3: Public Comment

None

Item 4: Zoning Discussion

Town Manager Collie updated the Planning Board on non- conforming uses. He explained that there are several properties within the Town of Yanceyville that are considered non- conforming uses. Non- conforming use means a nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located (for example, a commercial office building in a residential district may be a nonconforming use). The term also refers to the activity that constitutes the use made of the property (for example, all the activity associated with running a bakery in a residential zoned area is a nonconforming use.) A nonconforming use may be changed to a conforming use.

Thereafter, the property may not revert to a nonconforming use. If active operations of a nonconforming use are discontinued for a continuous period of six months, the property involved shall thereafter be used only for a conforming use.

Town Manager Collie explained that establishing the list of properties that are considered non-conforming is an attempt to safeguard and enforce the Town of Yanceyville's current Zoning Ordinance. The list will also help identify property owners who own property that is considered non-conforming. He noted that at this time Town Staff has started compiling the list of properties considered non-conforming per the current Zoning Ordinance adopted by Town Council on May 7th, 2019. Once the list is completed Town Staff and Planning Board Members will discuss and review before taking the recommendation/list to Town Council. Town Manager Collie added that the Zoning Ordinance is a living document that can be amended to fit the needs of the Town. Mr. Reece Cobb mentioned that there are gray areas in the Town of Yanceyville current Zoning Ordinance. Town Manager Collie explained that the Town is aware that in certain instances language in the Zoning Ordinance can be interpreted differently by individuals, and changes may need to occur to better suit the needs of the Town and citizens.

Town Manager Collie explained that several cities, towns, and counties throughout North Carolina have Secondary Zoning Districts relating to a Primary Zoning District. He noted that Mayor Foster is here to present the idea for the creation of Highway Business II or Secondary Zoning District in reference to Highway Business. Town Manager Collie explained that the Highway Business District in the current Zoning Ordinance has the most permitted uses in the table of uses. He explained that some of the permitted uses listed in the current Highway Business Zone located near a residential community could be more abrasive than others. A Secondary Highway Business District or Highway Business II would list the less abrasive uses that could potentially adjoin a residential community.

Mayor Foster thanked the members of the Planning Board for their time and dedication serving the Town of Yanceyville. Mayor Foster mentioned that he would like for the Planning Board to give their thoughts and ideas on the creation of a Secondary Zoning District in reference to Highway Business, because everyone has a different perspective and opinion. He explained that the idea to create such a district came out of a discussion with Mr. Reece Cobb over the intersection at North Carolina Highway 86 and Main Street where the new stop light is located. Mayor Foster noted that Town Council voted for the left side of NC Hwy 86 to remain Residential Suburban (R-12) and not Highway Business as the Planning Board recommended. It was an oversight by Town Council by not making the right side of NC Hwy 86 near the intersection uniform to the left side, Residential Suburban (R-12). He explained that Town Council viewed that area as a safety area. The area has a residential community backing the area, its primary location to Main Street, and the congestion of traffic in the area. Mayor Foster explained that the stop light was installed to help with traffic issues. He explained that the creation of the Secondary Zoning District in reference to Highway Business could in theory boost the Economic Development in the Town of Yanceyville as well as support property owners with the sale or market of their property. The Highway Business II or Secondary Zoning District list of permitted uses would be more restrictive than the current Highway Business Zone including more setbacks, additional screening, etc. which could protect surrounding property

owners. He mentioned that the addition of a Highway Business II or Secondary Zoning District could be beneficial to several property owners who own property within the Town.

Town Manager Collie explained that at this time the question at hand is, Does the Planning Board want to entertain the thought of creating a Secondary Zoning District in reference to Highway Business? Vice Chairwoman Johnson explained that the Conditional Use District mentioned in the current Zoning Ordinance addresses the needs of rezoning property in a particular area, and in the future when the Town grows possibly revisit the creation of a Secondary Zone for Highway Business. She stated that the infrastructure of the Town should be priority at this time. Town Manager Collie noted that having the ability to use the Conditional Use District is a good tool added to the Zoning Ordinance. It helps property owners rezone their property for a specific use, but it also hinders them in being able to market their property depending on the zoning district in which their property is located.

Mr. Cobb mentioned the intersection at NC Highway 86 and Main Street in conjunction with his property on Kimbro Road and NC Hwy 86 concerning traffic and safety issues. He explained, if 5,000 vehicles commuted back and forth through Yanceyville a day unless you put something special in Yanceyville that would draw people from out of Town you would still have the 5,000 vehicles commuting back and forth through Yanceyville. He questioned how would it create more congestion? Mrs. Johnson stated, she felt it would be very difficult for vehicles to pull out in that area on NC Hwy 86 as it already poses problems. Town Manager Collie stated that he would like to make a recommendation to speak with the North Carolina Department of Transportation in reference to that area of NC Hwy 86 on future potentials (driveway permits, etc.). He noted that it would be helpful for the Planning Board in future planning efforts and the need for secondary zoning districts. Town Manager Collie encouraged the Planning Board to review the table of permitted uses for Highway Business and highlight uses that would be less intrusive to a residential community.

Chairwoman Price-Lea asked for a motion. Mr. Everitt made a motion for the Planning Board to consider efforts of creating a Secondary Zoning District in reference to Highway Business review the table of permitted uses for Highway Business and highlight uses that would be less intrusive to a residential community as a recommendation from Town Manager Collie. The motion was seconded by Vice Chairwoman Johnson and passed with a unanimous vote.

Item 5: Other Business

Next meeting date Wednesday, August 21st, 2019 at 5:15pm

Item 6: Adjournment

After no further business, Chairwoman Price -Lea asked for a motion to adjourn. Mr. Everitt made a motion to adjourn seconded by Mr. Williamson. The motion passed with a unanimous vote.

Respectively Submitted:

Patricia Price- Lea, Chairwoman

Brian Collie, Town Manager, and Kamara Graves, Town Clerk prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.