

IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, February 6, 2008 at 7:00 p.m. in the Commissioners Meeting Room of the Iredell County Government Center (Old Courthouse) at 200 S. Center Street in Statesville, NC.

MEMBERS PRESENT

Eric Fields, Chairman
Dr. Jackie Grigg, Vice-Chairman
Anita Johnson
Gene Mahaffey
Jeff McNeely
Kristi Pfeufer
Harold Pruitt
Jerry Santoni
Thomas E. Stephens
Alan Williams

STAFF PRESENT

Katrina Hewitt
Ron Smith
Steve Warren
William Allison
Stephanie Whitlock

MEMBERS ABSENT

Harry Tsumas, Jr.

At this time, Chairman Fields called the meeting to order.

MINUTES: Dr. Grigg made a motion to approve the 1/2/08 meeting minutes. Mr. Pruitt seconded said motion and all agreed. **VOTES: 9-0.** (NOTE: Ms. Johnson not present at this time.)

PROPOSED AMENDMENT TO THE IREDELL COUNTY ZONING ORDINANCE; SR 56.

SAWMILLS: Mr. Smith stated that we have a request from an applicant to create an amendment to allow sawmills in a rural district. Based on the Board's comments from the previous meeting and communication with the applicant, the staff has made recommendations, which appear in red text.

SR 56. Sawmills

In the RA district, rural sawmills shall be permitted as Special Use and shall meet the following minimum standards:

- A. There shall be a minimum separation of five hundred (500) feet between any existing residence or any residence under construction and any building or non-vehicular equipment used in conjunction with the sawmill.
- B. There shall be a minimum undisturbed buffer of one hundred (100) feet from any property line.
- C. Screening shall be provided around the entire operation, including the road side and but excluding the driveway area, as provided for in Section 12.1 of the Iredell County Zoning Ordinance.
- D. All driveways must connect to a public road and shall be treated with a hard surface for any portion within twenty (20) feet of the public travel way.

All driveways must connect to a public road, must be graveled, and shall be a minimum of twenty-five (25) feet wide and a maximum of thirty-six (36) feet wide. In addition, any portion of the driveway within twenty (20) feet of the public road travel way must be treated with a hard surface that meets NC DOT standards.

- E. One free-standing sign shall be permitted, not to exceed six (6) feet in height and sixteen (16) square feet in copy area. No wall signage shall be permitted.
- F. A site greater than three (3) acres shall be located on a thoroughfare as referenced in Section 11 Appendix A & B of the Iredell County Zoning Ordinance.
- G. The applicant shall provide a letter from the Building Inspections Department verifying that all building code regulations have been discussed.
- H. The applicant shall provide a site plan, per Section 14 of the Iredell County Zoning Ordinance, detailing the location of all structures, parking, and outdoor storage areas.
- I. The applicant must provide documentation of adequate fire suppression methods to be used at the site.

Definitions:

Rural Sawmill. A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products and which has a maximum lot size of ten (10) acres and a maximum activity area of five (5) acres.

A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products; which has a maximum activity area of five (5) acres and excludes manufacturing, fabrication, wholesale, and kiln drying.

Industrial Sawmill. A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products and which has a minimum lot size over ten (10) acres and a minimum activity area over five (5) acres.

A mechanized facility or operation where logs are sawn, split, shaved, stripped, chipped, or otherwise processed into wood products; which includes, but is not limited to, manufacturing, fabrication, wholesale, and kiln drying.

Buffer. Open space, either man-made or natural vegetated area, used to physically and visually separate a use or property from another and to provide protection from noise, odor dust, fumes, glare, or unsightly storage. An appropriate buffer may vary depending on uses, districts, and size.

Activity Area. The area occupied by any structures, driveways, parking, storage areas, both open and enclosed, and any other function of a use.

Kathy Sparks explained that they proposed this amendment due to all the problems they recently had with their small sawmill operation that was located on property in North Iredell that was rezoned to M-2 CUD but there were State Building Code Violations that could not be met. Ms. Sparks stated that this has been a hardship on her family and they just feel that this type of use should be allowed in the RA zoning.

Mr. McNeely asked Ms. Sparks if five days a week would be enough to operate and Ms. Sparks stated they would not want to exclude Saturday but she also stated that they never worked on Sunday.

Mr. McNeely asked about hours of operation and Ms. Sparks stated during the winter months 7am – 6pm and during the summer 6:30am – 7:30pm. Mr. Smith stated that the zoning amendment requires a Special Use Permit and any site specifics would be regulated by the Board of Adjustment and he felt hours of operation could be addressed by the Board of Adjustment. Mr. McNeely stated that he would like to see no operations on Sunday be added to part of the conditions.

At this time, Ms. Sparks reviewed the requirements per SR 56 and agreed to the definitions of rural sawmills and industrial sawmills. Mr. Mahaffey stated that he would like to see the five acre activity area requirement in the definition be changed to three acres. Ms. Sparks stated that she didn't have a problem with that.

Mr. Smith stated that Mr. Tsumas sent him an email with some concerns and Mr. Smith reviewed the comments and the following were some concerns: (D) likes the hard surface but it needs to be 100' in length with an attachment of surge rock to the end of the road. (I) should read that the applicant has a fire suppression plan.

The Board further reviewed the requirements of SR 56. Mr. Fields stated that he thought (J) should be added with the hours of operation and days of operation on a case by case basis by the Board of Adjustment. Mr. McNeely wanted to have a (K) stating no business on Sundays.

At this time, Mr. Smith went through a punch list of the changes to SR 56:

- Everything in “red” will be used where it should substitute what's in black
- In (I) change “methods” to “plan” and add “as approved by the Fire Marshal”
- Add (J) to say day and hours of operation will be established by the Board of Adjustment on a case by case basis
- Add (K) to say there will be no operation on Sunday
- Change the maximum activity area of a rural sawmill from five acres to three acres
- Change the table to make a definite distinction between “rural” and “industrial” to show “rural” as a special use in RA and “industrial” as a permitted use in M-2 (also in the definitions)
- Change (D) to reflect the twenty feet of hard surface and 80 feet of surge stone

Mr. Stevens asked Ms. Sparks if she was agreeable with all the above changes and she stated she was in agreement.

Dr. Grigg made a motion to recommend approval with the above stated changes. Mr. Mahaffey seconded said motion. All agreed. **VOTES: 9-0.** *NOTE: Ms. Johnson was not present.*

Ms. Johnson is now present.

PRESENTATION OF THE PROPOSED PERTH ROAD AREA STUDY: *A copy of the study is available for review at:*

<http://www.co.iredell.nc.us/Departments/Planning/forms/perthstudyreport11.pdf>

Mr. Warren stated that the Board reviewed this study at the previous meeting and it was being presented tonight for public input and staff is asking the Board to make a recommendation to the Board of Commissioners.

Mr. Warren stated that Ms. Robbi Grayson was here to speak to the Board as a business owner (Perth Landscaping) in regard to the Study. Mr. Warren stated that Ms. Grayson's business is currently grandfathered in but may have to come before the Board in the future for rezoning if the Study doesn't designate her property as commercial. Chairman Fields asked why the staff didn't designate the property commercial and Mr. Smith stated in the past there was a request to rezone this property that was denied by this Board because of traffic safety impact and because of other issues on this corridor. He also stated they were not looking for commercial usage in this area and we felt like if we were not going to give commercial status to others we were not going to give to any. Mr. Smith stated that he had previously said we would work with non-conforming uses that had issues with access and safety. Mr. Smith stated that the study has not been adopted yet and he felt that was the primary reason Ms. Grayson was here to address the Board. Mr. Smith stated that he didn't want to see the Plan changed once it was approved but if the Board disagrees they can make the change now.

Mr. Warren stated that he believes in the recommendations of this area study that this area is mostly built out and is residential in nature. Mr. Warren stated that they had factored in the nearness of the commercial centers around the parameters of the study when they made their recommendations. Chairman Fields stated that he would like to hear from the staff and answer any questions the Board has before Ms. Grayson addresses the Board.

Ms. Johnson questioned whether on page 24 under Transportation, subsection (10), how we can require this with existing subdivisions and Mr. Warren stated it is hoped to be handled through grants then in agreement with the home owner associations. Chairman Fields stated he felt the wording "to require" should be used for new neighborhoods and add "to encourage" for old neighborhoods. Ms. Johnson also had concerns with Land Use (3), on page 24.

After further comments by the Board, Chairman Fields thanked the staff for a job well done and Mr. Stephens thanked the staff for the public forums held allowing the public opportunities to speak in regard to the study which helps with the process.

At this time, Ms. Grayson addressed the Board about possibly considering her property be designated as commercial. Ms. Grayson stated that she was here tonight out of respect for this study so she wouldn't have to come to the Board for rezoning after the plan was adopted. She felt that with all the improvements to the property and changing the entrance to the business it would alleviate traffic safety issues. Ms. Grayson stated the use is there and they are a service to the area and would like a community business status. Ms. Grayson further explained some of the changes she proposed to their property.

At this time, Chairman Fields declared a five-minute recess.

Chairman Fields called the meeting back to order. Dr. Grigg made a motion to recommend approval with the changes previously stated. Mr. Pruitt seconded said motion and all agreed. VOTES: 10-0.

SUBDIVISION ORDINANCE RE-WRITE: *A copy of the study is available for review at: http://www.co.iredell.nc.us/Departments/Planning/forms/Draft_Subdivision_Ordinance1-14-2008.pdf .*

Mr. Smith stated that over the last several months we have been working with Benchmark CMR, Inc. on the development of our new Subdivision Ordinance. We have had essentially the same ordinance since its inception prior to 1990. Mr. Smith stated that Richard Smith (Benchmark) will be making the presentation.

Richard Smith reviewed the ordinance and noted some of the major changes include:

- Major procedural changes in relation to the approval process. The SRC has been changed to the TRC (Technical Review Committee) and has been given a more holistic role.
- A traffic impact analysis and emergency services analysis are now required to gauge and propose improvements to the impact on surrounding infrastructure.
- Public water will be required when within a reasonable distance of a proposed development.
- Specific requirements have been developed for the maintenance of off-site septic easements.

Dr. Grigg asked if ever the developers were required to do an impact study on surrounding communities because all she can see in these ordinances is the developer only has to worry with their subdivision. Richard Smith stated that he has not seen that incorporated in a subdivision ordinance more from a zoning/land use ordinance. Mr. Santoni stated that he sees this ordinance more of a “micro” instead of “macro”; that it’s better for the developer and not necessarily for the County. Ron Smith reminded the Board that the subdivision ordinance is a technical document and a “macro” document is the Land Use Plan. Ron Smith stated that one method the County could look at is to require new larger subdivisions with a certain number of lots require a legislative approval meaning coming through this Board and the Board of Commissioners.

Mr. Santoni stated that he has several problems with this ordinance. Ron Smith stated that there are significant changes to this ordinance. Ron Smith stated that we are not on a time table and we want to do this right. He further stated that the staff is holding an informational meeting on February 18th during office hours and they are inviting surveyors and home builder associations to attend to voice their opinions. Ron Smith stated that any of the Board may attend but that he plans to present the comments from this informational meeting back to the Planning Board next month. The Board agreed to move the meeting time up at the next meeting to 6pm in order to give more time for discussion.

William Allison commented that there are numerous changes to this ordinance but that most of these changes are minor in his perspective.

MONTHLY COMMITTEE ASSIGNMENTS: Mr. Pruitt & Mr. Santoni volunteered to attend the February 20th Subdivision Review Committee meeting at 10:00 a.m. in the Building Standards Center. Mr. McNeely, Mr. Pruitt, and Mr. Stephens volunteered to go on the site visit for next month's request on Tuesday, February 19th.

ADJOURNMENT: There being no further business, Chairman Fields declared the meeting adjourned at 9:25 p.m.

Katrina Hewitt
Administrative Asst. II

Date Read and/or Approved