

ERWIN BOARD OF COMMISSIONERS
REGULAR WORKSHOP MINUTES
JANUARY 27, 2020
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Pro-Tem Baker presiding, held its Regular Workshop in the Town Hall on Monday, January 27, 2020 at 6:00 P. M. in Erwin, North Carolina.

Board Members present were: Commissioners William Turnage, Randy Baker, Alvester McKoy and Melinda Alvarado.

Board Members absent were: Mayor Patsy Carson, Commissioners Ricky Blackmon and Thurman Whitman.

Town Manager Snow Bowden and Town Clerk Cynthia Patterson were present.

Mayor Pro-Tem Randy Baker called the meeting to order at 6:00 P. M.

Commissioner Alvester McKoy gave the invocation.

Those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Turnage made a motion to approve the agenda as is and was seconded by Commissioner McKoy. **The Board voted unanimously.**

PROPOSED TEXT AMENDMENT TO B-2 (HIGHWAY BUSINESS) ZONING DISTRICT IN THE CODE OF ORDINANCE SECTION 36-272 & SECTION 274

At our December Planning Board meeting we discussed some issues that the Planning Board wanted to address with our ordinance. We discussed the need to make some changes, and it was decided that we start with proposing some changes to our B-2 (Highway Business) Zoning District. I have included the current copy of our B-2 Zoning District to this packet. I have also attached the proposed changes to our B-2 Zoning District in this packet.

The consensus of the Planning Board was to recommend this proposed text amendment be approved. With the recent passing of some new laws involving planning/zoning in North Carolina (160D) I felt like this proposed amendment deserved some discussion before setting a public hearing. If this proposed text amendment is ready for a public hearing we will have to advertise it and set it for our March 5th, 2020 regularly scheduled Town Board meeting.

After some discussion it was agreed upon the board, that the Planning Board, Staff and Board of Commissioners need to take and look at what would be allowed as a permitted use where it will not run the risk of it jeopardizing the existing use. Need to have some perimeters and developmental guidelines in our general provisions that ensures that if something goes in as a permitted use it will not cause any harm or jeopardize any capability of the zoning district.

Mr. Bowden stated that he will begin working on a checklist and will try and have it to the Planning Board by the March meeting.

**PROPOSED TEXT AMENDMENT INVOLVING ACCESSORY STRUCTURES IN
OUR RD ZONING DISTRICT OF THE CODE OF ORDINANCE SECTION 36-419**

Our current ordinance allows for lots that have a primary structure on them to have an accessory building/structure on them that does not exceed 40% of the total area of the principal structure. Each developed lot up to 15,000 square feet is permitted one accessory building. For each additional 15,000 square feet a lot they are allowed an additional accessory structure/building. These standards apply to our zoning districts inside Town Limits and in our ETJ.

The proposed text amendment would allow secondary structures on lots larger than eight acres in our RD zoning District. The secondary structure could not exceed 80% of the total size of the principal structure on the lot. The secondary structure would still need to follow the guidelines set forth in Section 36-419(b).

The consensus of the Planning Board was to recommend this proposed text amendment be approved. This proposed text amendment was advertised and the public hearing is set for February 6th, 2020.

Commissioner Baker informed Mr. Bowden of one change to the proposed text amendment. Item B states: Each accessory structure shall not exceed 40 percent of the total area of the principal structure **unless located on a lot greater than eight acres. If the lot is larger than eight acres the accessory structure shall not exceed 75 percent of the total area of the principal structure.** At no time shall the total area of accessory use exceed 25 percent of the rear yard.

Should state the following: Item B: Each accessory structure shall not exceed 40 percent of the total area of the principal structure **unless located on lots at least eight acres and/or greater. If the lot is eight acres and/or greater the accessory structure shall not exceed 75 percent of the total area of the principal structure.** At no time shall the total area of accessory use exceed 25 percent of the rear yard.

**AMEND MAXIMUM BUILDING HEIGHT IN CERTAIN AREAS WITHIN
TOWN LIMITS**

Town Staff recommends that we change our maximum building height in certain areas within Town Limits. At the moment, 35 feet is the maximum building height. This maximum building height might be a hindrance in efforts to recruit a hotel to locate in Erwin. After our discussion at our last Planning Board meeting Town Staff believes that this proposed language is in line with a proactive change to our rules and regulations.

The consensus of the Planning Board was to recommend this proposed text amendment be approved. With the recent passing of some new laws involving planning/zoning in North Carolina (160D) I felt like this proposed amendment deserved some discussion before setting a public hearing. If this proposed text amendment is ready for a public hearing we will have to advertise it and set it for our March 5th, 2020 regularly scheduled Town Board meeting.

Proposed amendment

The maximum height of any structure shall be the same as required by the underlying zoning district unless otherwise stated herein. Buildings located within the areas identified Medium Intensity, High Intensity, Downtown, and Employment Center Land Use Classifications are exempt from the district height requirement if they conform to the following:

- A. Highest point of the building shall not exceed 80 feet.
- B. Fire Code Official shall certify that the building is designed and equipped to provide adequate fire protection. All buildings that exceed maximum building height of 35 feet shall provide automatic sprinkler system in accordance with the North Carolina State Building Code.

The board was in favor of this proposed amendment.

MEETING STRUCTURE


Mr. Bowden informed the board that we will not have a February Workshop. We will communicate with you to let you know when we will have the workshops or not. These meetings will be used mostly to discuss legislative decisions and other things.

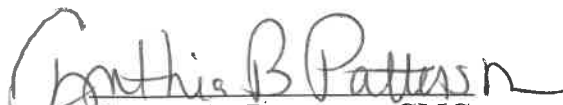
The board felt like the purpose of these workshops are for legislative decisions of this board. Quasi-judicial information should not be heard however upcoming text amendments and possible rezoning is allowed, anything a board member feels that needs to be brought before the board prior to our open public meetings.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 6:39pm and was seconded by Commissioner McKoy. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY CYNTHIA B PATTERSON TOWN CLERK


Randy Baker,
Mayor Pro-Tem


Cynthia B. Patterson, CMC
Town Clerk