

**Planning Board Meeting
5-14-18
Council Chambers
6:30 pm
Minutes & General Account**

Planning Board Members Present: Art Wise, Chair; Sarah Glanville; Vice Chair; Eddie Oakley, Russ Walker, Lawrence Straughn (Alternate), Steve Monroe (ETJ), Robert Lichauer (ETJ), & Sherrie Richmond (ETJ)

Planning Board Members Absent: Ed Stafford & Richard Newbill (ETJ)

Town Council Representative: Council Member Rayborn

Staff Present: Kenny Cole, Matthew Johnson, and Sharen Apple

Visitors Present: Ronnie Hancock, Sandra Rodgers, Dennis Rodgers, Martha Wolfe, Jason Spangler, & Carol Brooks

1. **Call to Order-** Wise called the meeting to order.

2. **Roll Call-** Johnson took roll call as follows:

Art Wise- Present
Sarah Glanville-Present
Eddie Oakley-Present
Ed Stafford- Absent
Lawrence Straughn (Alternate)- Present
Russ Walker- Present
Richard Newbill- Absent
Steve Monroe- Present
Robert Lichauer- Present
Sherrie Richmond- Present
Council Member Rayborn- Present

3. **Approval of minutes from the April 9, 2018 meeting-** Lichauer made a motion to approve the minutes from the April 9, 2018 meeting. Monroe made a second to the motion. The motion passed by unanimous vote.

4. **Public Hearings:**

- Ordinance Update 2018-01- Updates to Article 2; Sec. 2.20-2 "Sidewalks along New Streets" of the Land Development Ordinance- Johnson presented the details of his staff report. He stated that it could be burdensome to require that new developments have sidewalks along both sides of the street. He noted that they were expensive to construct and it could be difficult to find enough available land. He had consulted with other municipalities to determine how they addressed the issue. Johnson stated that most of

them only required sidewalks along at least one side of newly constructed streets. He said that he was proposing that as the new standard.

He also stated that he had put language within the amendment to address issues related to watershed areas. The provision would allow the Technical Review Committee (TRC) to apply some discretion to projects built within the watershed critical area. It would allow them to forgo sidewalks in exchange for more storm water control items. He asked the Board if they had any questions.

The Board discussed the details of the amendment with Johnson.

Wise opened the public hearing to anyone that would like to speak in favor of the amendment. There was no one. Wise closed that portion of the public hearing.

Wise opened the public hearing to anyone that would like to speak in opposition of the amendment. There was no one. Wise closed that portion of the public hearing.

Wise asked if the Board needed any further discussion.

Straughn made a motion that the proposed zoning amendment be approved based on the following:

1. "The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Jamestown. The Planning Board further finds that the proposed zoning amendment is consistent with the comprehensive plan because it continues the ease of movement of pedestrians. And
2. The proposed zoning amendment is reasonable. The Planning Board considers the proposed zoning amendment to be reasonable because:
 - a. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is reasonable because there are areas that we need to adjust the pedestrian movement based on obstacles or other rules and laws. And
3. The proposed zoning amendment is in the public interest. The Planning Board considers the proposed zoning amendment to be in the public interest because:
 - a. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is in the public interest because safety of pedestrians is paramount"

Walker made a second to the motion.

Apple took a roll call vote as follows:

Sarah Glanville- Aye
Eddie Oakley- Aye
Lawrence Straughn- Aye
Russ Walker- Aye
Steve Monroe- Aye
Robert Lichauer- Aye
Sherrie Richmond- Aye

The motion passed by unanimous vote.

Straughn made a motion to recommend the approval of the amendment to the Town Council. Richmond made a second to the motion. The motion passed by unanimous vote.

- Ordinance Update 2018-02- Updates to Article 2; Sec. 2.23 “Regulations for Residential Detached Accessory Structures”- Johnson gave an overview of his staff report. He stated that the amendment had resulted from some issues that the Town had been faced with recently. He said that the purpose of the amendment was to promote orderly development of residential properties. He presented the details of the amendment to the Board.

Board Members discussed the details of the amendment with Johnson. There was some concern about the specific definition of “Detached Accessory Structures” and whether citizens with existing structures would be required to bring them into compliance with the new amendment.

Several of the Planning Board Members were concerned about the detached structures being used for commercial use.

Wise opened the public hearing to anyone that would like to speak in favor of the amendment. There was no one. Wise closed that portion of the public hearing.

Wise opened the public hearing to anyone that would like to speak against the amendment. There was no one. Wise closed that portion of the public hearing.

Walker made a motion to strike “Section H” of the amendment that stated, “No accessory structure may be used as the location of a business, commercial enterprise, or otherwise non-residential use.”

Glanville made a second to the motion. There were 7 votes in the affirmative. There was one vote in opposition (Richmond).

Straughn made a motion that the proposed zoning amendment, with the deletion of section H, be approved based on the following:

1. “The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Jamestown. The Planning Board further

finds that the proposed zoning amendment is consistent with the comprehensive plan because it will enhance the existing residential uses and neighborhoods. And

2. The proposed zoning amendment is reasonable. The Planning Board considers the proposed zoning amendment to be reasonable because:
 - a. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is reasonable because it maintains individual property rights. And
3. The proposed zoning amendment is in the public interest. The Planning Board considers the proposed zoning amendment to be in the public interest because:
 - a. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is in the public interest because it maintains our small-town feel.”

Monroe made a second to the motion.

Apple took a roll call vote as follows:

Sarah Glanville- Aye
Eddie Oakley- Aye
Lawrence Straughn- Aye
Russ Walker- Aye
Richard Newbill- Aye
Steve Monroe- Aye
Robert Lichauer- Aye
Sherrie Richmond- Aye

The motion passed by unanimous vote.

Straughn made a motion to recommend the approval of the amendment to Town Council. Glanville made a second to the motion. The motion passed by unanimous vote.

5. **Update on previous month’s discussion of short-term rentals-** Johnson stated that he and the Town Manager had attended a discussion led by the League of Municipalities that focused on short-term rentals. He stated that through the course of the conversation, they learned that there was no clear, definitive answer to the problem at that time. He noted that the League of Municipalities planned to provide a model ordinance to address the issue in the future.

Johnson stated that he would like for the Planning Board to make a recommendation to Council on the issue even if it is to take no action on the issue until a later time.

Straughn made a motion to table the issue until the Planning Board had more information on how to address short-term rentals.

There was some discussion about addressing the specific issues faced by the Town of Jamestown with an ordinance in the future.

Straughn withdrew his motion.

There was discussion between Planning Board Members about tabling the issue.

Straughn made a motion to table the issue until the Planning Board had more information on the regulation of short-term stays. Walker made a second to the motion. The motion passed by unanimous vote.

6. Public Comment-

- Ronnie Hancock, 605 Havershire Drive- Hancock stated that Sherrie Richmond was the only one that seemed to be on the homeowner's side. He said that he was disappointed and frustrated that his neighbor was renting his home on a daily basis. Hancock stated that the Planning Board was not considering the homeowner in their decisions.

7. Other Business-

Glanville stated that she would like the minutes to reflect that there was an incorrect description of the Planning Board's recent meeting in the Jamestown News. The newspaper had stated that all the Planning Board Members owned rental properties in regard to their previous discussion on short-term rentals. Glanville said that was inaccurate and that all of the Members did not own rental properties.

Walker stated that he would also like to address something that was said during public comment. He noted that the citizen renting the Airbnb was also a homeowner. He stated that it was important to remember that there were homeowners on both sides of the issue.

Richmond said that she was concerned about how the short-term rentals were impacting the character of the neighborhoods in Jamestown.

Oakley told Johnson that there was a structure in Town that was dilapidated. Johnson told him that he would follow up on the complaint.

Glanville stated that the sidewalks that were maintained by NCDOT were in poor condition.

8. Adjourn- Straughn made a motion to adjourn. Lichauer made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 7:45 pm.