

**Zebulon
Planning Board
Minutes
September 20, 2021**

Present: Laura Johnson, Michael Germano, Stephanie Jenkins, David Lowry, Joe Moore-Town Manager, Michael Clark-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Sam Slater-Town Attorney

Absent: Gene Blount, Jessica Luther and Joshua Robinson

Laura Johnson called the meeting to order at 8:37 p.m.

APPROVAL OF AGENDA

Michael Clark suggested deferring the election of officers to the next meeting since three members were not present.

Michael Germano made a motion, second by Stephanie Jenkins to recess the agenda as amended with the removal of election of officers. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Michael Germano made a motion, second by David Lowry to approve the June 14, 2021 minutes. There was no discussion and the motion passed unanimously.

Stephanie Jenkins made a motion, second by Michael Germano to postpone the meeting to September 27, 2021 at 7:00pm. There was no discussion and the motion passed unanimously.

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Present: Laura Johnson, Michael Germano, Jessica Luther and Joshua Robinson, Stephanie Jenkins, David Lowry, Joe Moore-Town Manager, Michael Clark-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Eric Vernon-Town Attorney

Absent: Gene Blount

Laura Johnson called the meeting back to order at 7:00 p.m.

NEW BUSINESS

A. TA 2022-01-A Downtown Building Regulations

Michael Clark explained this was an amendment to Section 3.5.3 of the Unified Development Ordinance to require staff review of exterior modifications and alterations of buildings in the

Downtown Core (DTC) district. The regulations would ensure modifications kept with the character of the Downtown Core District.

David Lowry asked if the wording was corrected to include the Planning Director or his designee to approve the modifications. Michael Clark explained the definition of the Planning Director included their designee.

It was explained that once a renovation or façade improvement was made that was when the designation regulations would apply. If the regulations were approved, Staff would work with the North Carolina Mainstreet Program for design assistance.

Any appeals to the design regulations would go before the Board of Commissioners and Planning Board to request conditional zoning approval. An appeal or variance would go before the Board of Adjustment.

Stephanie Jenkins made a motion, second by Joshua Robinson to recommend approval of TA 2022-01-A Downtown Building Regulations. There was no discussion and the motion passed unanimously.

B. TA 2022-01-B New Art Related Uses

Michael Clark explained this was an amendment to Sections 4.2.3 4.3.5. and 9.4 of the Unified Development Ordinance to authorize and regulate art galleries and artisan studios as independent uses. Examples of art galleries and studios from other cities were shown.

David Lowry stated the definition of art was broad. Staff explained the definitions were consistent with the Planner's Definitions published by the American Planning Association.

Under the current regulation, art studios were not allowed. With the proposed regulation an art gallery or studio would be an allowable use.

David Lowry made a motion, second by Michael Germano to recommend approval of TA 2022-01-B New Art Related Uses. There was no discussion and the motion passed unanimously.

C. TA 2022-01-C New Uses – Pawn Shops and Vape, Tobacco, and CBD Shops

Michael Clark explained this was an amendment to Sections 4.2.3, 4.3.5, and 9.4 of the Unified Development Ordinance to authorize and regulate pawn shops and vape, tobacco, and CBD shops. The amendments were in response to concerns regarding concentrations of certain uses downtown. The proposed two new use classifications would be a pawn shop and another for vape, tobacco, and CBD shops.

There were currently three vape shops in downtown Zebulon. A map showing the existing pawn shops, vape, tobacco, CBD shops and churches/preschools was shown. The radius was set to 300ft and would prevent similar businesses from going downtown.

All existing businesses would be grandfathered under the previous regulation. The process was explained if a shop closed for six months or more the shop would be non-conforming and would be required to comply with the new regulation.

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Michael Germano asked why this proposed amendment had a 300ft restriction and not .25 mile like the games of skill regulation. Staff explained 300ft was the approximate radius of a downtown block and would allow for more than one similar shop to remain downtown.

There was discussion about ways to avoid clustering similar uses in the downtown area. Uses such as bars and drinking establishments were also mentioned. Staff explained bars and drinking establishments created a vibrancy and brought people into the downtown area.

Staff clarified that games of skill establishments were required to be one half mile from other games of skill establishments and 1,000 feet from select uses such as religious institutions and childcare facilities.

Michael Germano made a motion, second by Jessica Luther to recommend approval of TA 2022-01-C New Uses – Pawn Shops and Vape, Tobacco, and CBD Shops increasing the distance from 300 ft. to one-half mile.

There was discussion about the one-half mile distance restriction.

The vote was 3 to 3 with Michael Germano, Jessica Luther and Joshua Robinson voting in favor and Laura Johnson, Stephanie Jenkins and David Lowry voting opposed. The motion dies due to lack of a majority vote.

David Lowry made a motion, second by Stephanie Jenkins to recommend approval of TA 2022-01-C New Uses – Pawn Shops and Vape, Tobacco, and CBD Shops increasing the distance from 300 ft. to 1,000 ft. There was no discussion and the motion passed unanimously.

D. TA 2022-01-D, Design Regulations for Vehicle Dominate Uses

Michael Clark explained this was an amendments to Sections 4.3.5, 4.4.7, and 5.3.1 of the Unified Development Ordinance to establish design regulations for vehicle dominate uses.

Design examples of what was currently allowed and what would be allowed under the proposed text amendment were shown

The proposed regulations included auto repair facilities, oil change businesses and drive-thru establishments. All financial service establishments with drive-thrus would be included. If a business was torn down and rebuilt it would be classified as new construction and would be required to meet the new regulations.

David Lowry expressed concerns about franchises not wanting to do alternate designs and could pose a potential negative impact. Michael Clark spoke about how developers and franchise owners had options with Town's regulations and the importance of the architectural character representing the future of Zebulon.

Jessica Luther made a motion, second by David Lowry to recommend approval of TA 2022-01-D Design Regulations for Vehicle Dominate Uses. There was no discussion and the motion passed unanimously.

E. TA 2022-01-E, Corrections to the Unified Development Ordinance

Michael Clark explained this was an amendment to Sections 3.4.5, 3.4.6, and 3.4.7 to correct minimum setback distance in Industrial Districts; Section 4.2.3 to clarify residential uses in DTC Zoning District; Section 4.3.5.G to clarify vehicle location standards; Section 5.3.1 to correct design exemptions; Section 5.1.4 to correct lot access; Section 5.3.1 to correct applicability of design standards; Section 5.3.2 to correct design standards; Section 5.3.3 to correct design standards; Table 5.8.4.H and Section 5.8.7 regarding guest parking; and Section 9.4 to correct definitions of “Best Management Practices” and “Major Variance (Watershed)”.

It was clarified that medical office buildings were classified as commercial.

The parking regulation gave specific parking locations to allow emergency services vehicles to be able to access neighborhood streets.

There was discussion about neighborhood guests parking in amenity center parking areas.

David Lowry inquired about downtown parking. The Town did not require any parking in the Downtown Core and Downtown Periphery within the UDO, but there were 400 parking spaces in the downtown area.

Josh Robinson spoke about the public safety issues with parking. Staff was exploring parking options where there was existing infrastructure and working toward a solution going forward.

David Lowry made a motion, second by Michael Germano to recommend approval of TA 2022-01-E Corrections to the Unified Development Ordinance. There was no discussion and the motion passed unanimously.

F. Parks & Recreation Impact Fee Study

Michael Clark explained this was a request to adopt the Parks & Recreation Impact Fee study and recommend a fee. The study considered impact fees on new development to supplement the expected costs of park projects related to growth as identified in the Parks and Recreation Comprehensive Master Plan.

Staff explained what would be needed in the year 2030 to maintain the existing quality of services in the Parks and Recreation Department.

The Town proposed development impact fees of \$3,000 for a single family detached home and \$2,500 for a multi-family home. The current greenway impact fee would be replaced by the proposed Parks and Recreation fee.

Developers had been notified of the proposed impact fee.

Michael Germano made a motion, second by Josh Robinson to recommend approval of the Parks and Recreation Impact Fee Study. There was no discussion and the motion passed unanimously.

G. Budget: Fee Schedule Update

Michael Clark explained this was a request to amend the Fee Schedule to remove the Greenway Impact Fee of \$500 per dwelling and replace it with a Parks and Recreation Impact Fee of \$3,000

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per single family dwelling unit and \$2,500 for multi-family dwelling units. The fee would be paid at the time of plat for any new residential developments moving forward. This fee schedule update would provide consistency with developer impact fees.

Joshua Robinson made a motion, second by Jessica Luther to recommend approval of the Fee Schedule Update.

There was discussion to make the impact fee effective immediately.

Joshua Robinson amended his motion and Jessica Luther amended her second to make the impact fee effective immediately. There was no further discussion and the motion passed unanimously.

Michael Clark provided an update to the Planning Board.

It was stated the next Planning Board meeting would be used for Planning Board elections and training.

David Lowry made a motion, second by Michael Germano to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 14th day of March 2022.




David Lowry—Chair


Stacie Paratore, CMC—Deputy Town Clerk