

**Zebulon  
Planning Board  
Minutes  
October 10, 2022**

Present: David Lowry, Michael Germano, Domenick Schilling, Stephanie Jenkins, Genia Newkirk, Joe Moore-Town Manager, Michael Clark-Planning, Lisa Markland- Town Clerk, Sam Slater-Attorney

Absent: Laura Johnson

David Lowry called the meeting to order.

**APPROVAL OF AGENDA**

Domenick Schilling made a motion, second by Michael Germano to approve the agenda. There was no discussion and the motion passed unanimously.

**APPROVAL OF MINUTES**

Stephanie Jenkins made a motion, second by Michael Germano to approve the September 19, 2022 Planning Board minutes. There was no discussion and the motion passed unanimously.

**NEW BUSINESS**

**A. Text Amendment 2023-01 Development Process Change, Public Hearing and Parks and Recreation**

Michael Clark explained proposed text amendments would convert the Joint Public Hearing to a Board of Commissioner Public Hearing, introduce the Parks and Recreation Advisory Board into the public hearing process and would provide clarification in Article Five regarding open space requirements and Article Six regarding the fee-in-lieu process.

The process changes for the Joint Public Hearing were discussed. The Board of Commissioners would be introduced to the case then would set the Public Hearing and refer the matter to the Planning Board and Parks and Recreation Advisory Board. Both Boards would review the application request in context of their plans with the Comprehensive Land Use Plan and Transportation Plan for the Planning Board and the Parks and Recreation Master Plan for the Parks and Recreation Advisory Board. Once both Boards made a formal recommendation the Board of Commissioners would hold their formal hearing with a possible decision.

The amendments to Articles Five and Six provided additional clarification pertaining to open space be the following:

- Separated out land dedication requirements
- Provided specific standards for Parks and Recreation Board
- Allowed for reduction in Parks and Recreation Impact Fee

Michael Clark stated the text amendment would give additional opportunities for public comment, a recommendation from the Parks and Recreation Advisory Board, increased transparency of the

Planning Board  
Minutes  
October 10, 2022

development process, implement the Parks and Recreation Master Plan and ensured a current timeline was maintained.

Staff recommended the approval of Text Amendment 2023-01.

David Lowry stated he was not in favor of splitting up the meetings.

There was discussion about how the meetings would be scheduled. Michael Germano expressed concerns about the meetings going very long if all the Boards met together. Domenick Schilling stated similar comments but also saw the value to having all the Boards in the same room.

Mr. Schilling proposed changing the meeting schedule where the Planning Board meet the first Thursday and Parks and Recreation Board the following Monday.

Stephanie Jenkins liked the collaboration with the Parks and Recreation Advisory Board but did not want to change the day of the Planning Board meetings.

There was discussion about the value of having all the Boards meet together.

Michael Germano stated if all the Boards met together the meetings would be overloaded with comments and would be difficult to come to a concise decision with so many people in attendance.

Stephanie Jenkins was not in favor of separate meetings.

David Lowry stated he would like to see the matter go back before the Board of Commissioners to discuss at a work session that would be more inclusive.

There was more detailed discussion about the meeting schedule. Domenick Schilling suggested having the Joint Public Hearing on the second Monday with all the Boards, the following Monday would be the Parks and Recreation Advisory Board meeting, the Planning Board would meet the fourth Monday and the following month the matter would go before the Board of Commissioners for their decision.

Stephanie Jenkins expressed concerns about the meeting schedule change with adding an additional Planning Board meeting.

David Lowry stated having the additional Planning Board meeting would give the Planning Board more time to make a decision on the matter.

Michael Germano made a motion to recommend approval of Text Amendment 2023-01 with the amendment to retain the Joint Public Hearings and each Advisory Board would retain their own independent meeting times. The motion died for lack of a second.

Stephanie Jenkins asked for clarification of the motion. Michael Germano stated the Joint Public Hearing would include the Planning Board and Parks and Recreation Advisory Board and the Planning Board would meet again at their regularly scheduled meeting.

Domenick Schilling asked what the Parks and Recreation Advisory thought about the proposed Text Amendment. Michael Clark stated they wanted to be part of the development process and wanted to be able to make a recommendation to the Board of Commissioners.

The Planning Board was unable to come to a consensus and did not make a recommendation to the Board of Commissioners.

**A. Text Amendment 2023-02 Public Hearing Notification**

Michael Clark stated NCGS 160D-602 required notice to abutting properties and presented the proposed text amendment to extend the mailed public hearing notification to 750 feet from the outer boundaries of a proposed request.

Staff recommended approving proposed Text Amendment 2023-02.

There were questions about who would pay for the cost of notification. Michael Clark confirmed the applicant would pay for the mailing costs.

Michael Germano expressed concerns with the mailing costs an individual could incur and asked what other municipalities were doing. Staff stated other municipalities' notifications ranged from 100 feet to 500 feet and Zebulon would be the largest radius in Wake County. Larger municipalities rolled the mailing costs into the application fees.

There was discussion about the notification radius for an annexation and the Planning Board agreed with including annexations in the text amendment.

Michael Germano made a motion, second by Stephanie Jenkins to recommend approval of Text Amendment 2023-02 including the modification to add the requirement for annexation. There was no discussion and the motion passed unanimously.

**C. Text Amendment 2023-03 Industrial Ground Signs**

Michael Clark presented the proposed text amendment to allow for ground signs for industrial uses.

Staff recommended approval of Text Amendment 2023-03.

Michael Germano stated there was no stipulation to limit someone from mounding the ground under the sign to make the sign taller and wanted to see an average elevation added. Staff would research the suggestion and would include it at the next meeting.

David Lowry asked for the ground sign graphics in the UDO to be corrected.

Domenick Schilling made a motion, second by Michael Germano to recommend approval of Text Amendment 2023-03 as amended with the modifications. There was no discussion and the motion passed unanimously.

**D. Text Amendment 2023-04 Multi-Family Dwelling Building Height**

Michael Clark presented the proposed text amendment to allow the Board of Commissioners to approve deviations to building heights. The current regulation prohibited an applicant from seeking adjustments in the conditional zoning or planned development zones. The text amendment gave the applicant the option to go before the Board of Commissioners to request that deviation.

Staff recommended approval of Text Amendment 2023-04.

Michael Germano would like to eliminate the height limit to encourage more density and affordable housing but stated the amendment was a good step in the right direction.

Stephanie Jenkins made a motion, second by Michael Germano to recommend approval of Text Amendment 2023-04. There was no discussion and the motion passed unanimously.

**E. Text Amendment 2023-05 Corrections to Article 10**

Michael Clark presented the proposed text amendments to correct errors in Article 10 of the UDO.

- 10.4.2 – corrects the composition of the Planning Board for in-Town and ETJ representation
- 10.4.3 – removed references to ex-parte communication for Planning Board
- 10.5.2.B – allowed the Planning Director to designate another staff person to chair TRC meetings
- 10.6.1.B.5 – provided clarification regarding duties for the Building Inspector (Wake County)
- 10.8.1.A – replaced “Town Attorney” with “Town Manager” for listed roles

Staff recommended approval of Text Amendment 2023-05.

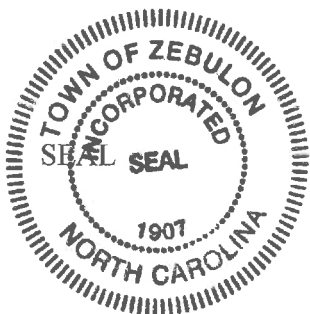
Michael Germano made a motion, second by Domenick Schilling to recommend approval of Text Amendment 2023-05. There was no discussion and the motion passed unanimously.

**DEVELOPMENT UPDATES**

Michael Clark stated there would be Joint Public Hearing meetings in November and December and provided development updates.

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

Adopted this the 14<sup>th</sup> day of November 2022.



David Lowry—Chair



Stacie Paratore, CMC—Deputy Town Clerk