

MINUTES OF MIDWAY TOWN COUNCIL SPECIAL MEETING HELD ON OCTOBER 15, 2015 AT 6:00 P.M. AT TOWN HALL, 125 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

CALL TO ORDER

Mayor Norman Wilkes called the meeting to order and welcomed everyone present.

Councilors present were: Mike McAlpine, John Byrum, Keith Leonard, Robin Moon, and Todd Nifong. Absent: None. Town Manager Ryan Ross and Administrative Support Specialist Cindy Ramsey. Town Attorney Jim Lanik and Town Clerk Linda Hunt were absent.

No members of press were in attendance.

LAND DEVELOPMENT ORDINANCE

Town Manager Ryan Ross commented that the purpose of this Special Meeting is to discuss, review and take possible action on the proposed Land Development Ordinance (LDO).

Councilor Mike McAlpine asked that if Council had any comments or amendments for consideration on the LDO, to be sure to call out the Article, Section and Page number of the item so everyone can follow along.

Councilor John Byrum said he had asked Town Planner Erin Burris if there were any towns that Benchmark had contracted with that had similar Land Development Ordinances and she had replied there are several that do.

Councilor Byrum spoke about Article 2.1 (Administration - General), Subsection B (Organization), Subsection 3 (Election and Terms of Officers) on Page 2-1. Mr. Byrum said he would like to set a precedent for term limits, i.e. limiting to two or three and then require a three year break before being eligible to serve again.

Councilor Moon said his concern is whether there would even be enough people interested in serving on the Planning Board to be able to rotate term limits.

Town Manager Ryan Ross said term limits vary by different towns, such as two two-year terms than two years off; two four-year terms, then four years off; two three-year terms, then four years off, etc.

Councilor Byrum asked the Council to think on the possible idea of term limits.

Councilor Todd Nifong commented he was in favor of the Planning and Zoning Board electing the Chairman and Vice Chairman among themselves.

The following is a list of possible changes in the LDO and a list of items where clarification is needed from Town Planner Erin Burris as discussed by Town Council:

ARTICLE 1 – GENERAL PROVISIONS

Section 2.5 Ordinance Administrator – Page 2-5

Item B-3 Additional Duties

Add f) Maintain hard copies of all complaints

ARTICLE 4 – ZONING DISTRICT STANDARDS

Section 4.1 – Measurement and Computation – Page 4-3

Item D-10 **Delete**

Section 4.2. Dimensional Standards

Table 4-1 – Minimum Dimensions for Single-Family Residential Development – **Page 4-5**

Change

- A. Minimum Lot Size (square feet) for RH¹ from 10,000 to **15,000**
- B. Minimum Lot Width (feet) from 125 to **100**

Table -2 – Minimum Dimensional Standards for Duplex Dwellings – **Page 4-6**

Change

- A. Minimum Lot Size (square feet)² from 60,000 to **40,000**
- B. Minimum Lot Width (feet) from 125 to **100**

Section 4.3 – Cluster Development

E. Permitted Density

Table 4-5 Permitted Density in Cluster Developments – **Page 4-17**

Change

Dwelling Units Per Acre – from 4 to **3**

Section 4.4 Accessory Structure Regulations – Page 4-19*

Questions:

- A. Size – Numbers 1 and 4
- B. Location – Number 1

Section 4.5 Accessory Dwelling Unit Regulations – Page 4-20*

Questions:

- A. Size
- B. Number

* Can the items on pages 4 – 19 and 4 – 20 be designated to apply only to RH? Need clarification from Town Planner

Section 4.6 Planned Unit Development District Standards

J. Residential Design Standards – **Page 4-24**

2. Garages – Need **clarification** on a) below:

- a) *Garages may not extend toward the street past the front building wall with the longest plane on the ground floor. Porches shall not be considered the front building wall.*

Section 4.7 Core Commercial Overlay District Standards

F. Standards for Fences and Walls - **Page 4-36**

- 2. *Uncoated chain link fences are prohibited in any location visible from a public street. **Delete***

ARTICLE 5 – USE REGULATIONS

Section 5.7 Accessory Use Regulations

- B. Home Occupations - **Pages 5-5 and 5-6**
Delete numbers 2, 3, 5, and 9

Section 5-9 Manufactured Homes

- I. The electrical meters servicing the manufactured home is mounted (attached) directly to the manufactured home. **Need clarification. Does this apply for new trailer parks or existing trailers being replaced? Page 5-7**

- J.** In addition to the requirements for all manufactured homes above, Class A manufactured home shall meet the following additional criteria: **Need clarification. Does this apply for new trailer parks or existing trailers being replaced? Page 5-7**
1. The manufactured home has a length not exceeding four (4) times its width, with length measured along the longest axis;
 2. The manufactured home has a minimum of one thousand two hundred (1,200) square feet of enclosed and heating living area.

ARTICLE 6 – GENERAL USE STANDARDS

Section 6.1 Fences and Walls

C. Height Requirements for Fences and Walls - Page 6-1

1. Residential – **Change fence height to 8 feet**
2. Nonresidential – **Change fence height to 8 feet**

Section 6.2 Screening

C. Items to be Screened – Page 6-3

1. Large waste receptacles (dumpsters) and refuse collection points (including cardboard recycling containers; **Will this apply to just new businesses coming in or with change of ownership of current businesses? Need more clarification. Would be too restrictive to require current businesses to screen dumpsters in.**

Section 6.3 Outdoor Screening – Page 6-3

C. Screening – Need Clarification

Section 6.6 Driveway Standards – Page 6-5

Residential Driveways - Delete

Section 6.8 Solid Waste Facilities – Page 6-6

- B.** Location – **Need clarification. Will this apply only to new buildings or also current businesses? Would current buildings be grandfathered in?**

It was the consensus of Town Council to stop after completion of review of Articles 1 through 6 of the proposed LDO though Article 6 and to continue with the LDO discussion beginning with Article 7 at another special meeting of the Town Council.

On motion by Councilor Robin Moon, seconded by Councilor John Byrum, Council voted unanimously to hold a second Special Meeting of the Town Council on Thursday, October 22, 2015, at 6:00 p.m. at Town Hall to continue the review and discussion of the proposed Land Development Ordinance.

ADJOURNMENT

On motion by Councilor John Byrum, seconded by Councilor Keith Leonard, Council voted unanimously to adjourn the meeting at 8:00 p.m.

Norman L. Wilkes, Mayor

Ryan Ross, Deputy Town Clerk