

Burnsville Planning Board
Workshop
Saturday, September 13, 2014

The Burnsville Planning Board, with members Dean Gates, Jeffery Merck, Woody Ryan, Randy Banks and Harrison Tyner present, held a special workshop on Saturday, September 13, 2014, in the Town Hall. Also in attendance were town staff members Anthony Hensley, George Nero and Kim Johnson; Mayor Theresa Coletta; and Town Council member Ron Powell. Chairman Dean Gates who presided called the meeting to order stating the purpose of the meeting was to define boundaries and uses for the C-1, C-2 and C-3 districts.

Dean Gates presented a background presentation and examples for each Zoning district. Planning Board members discussed boundaries lines and uses allowed and not allowed in each Zoning District.

C-1 District- Harrison Tyner made a motion to accept boundary lines on Exhibit A for the C-1 district, Randy Banks seconded and all agreed. Harrison Tyner also made a motion to accept allowed and not-allowed uses from Exhibit B for the C-1 district, Jeff Merck seconded and all agreed.

C-2 District- Harrison Tyner made a motion to accept boundary lines on Exhibit A, allowed and not allowed uses from Exhibit B for the C-2 district and also to eliminate gg: Tire recapping and retreading establishments and cc: outdoor theater drive-ins (Section 802-1 of existing ordinance) in the C-2 district, Jeff Merck seconded and all agreed.

C-3 District-Chairman Dean Gates commented that in the C-3 section of Exhibit B that proposals should meet or exceed provisions in Article 5 as well as Article 9 and all agreed. Harrison Tyner made a motion to accept boundary lines on Exhibit A, allowed and not allowed uses from Exhibit B and add Multi-family criteria to the C-3 district (same as the C-2 district of the current ordinance). Woody Ryan seconded and all agreed.

Topics that need to be discussed at the next regular meeting:

- Amendment to Sign Ordinance with regards to properties facing Main Street and Highway 19E.
- Change enforcement language concerning abandoned signs and buildings.
- Recommendation on zoning to be given to the the Town Council for the 2nd parcel at the Avondale property.
- Void to solid ratio in C-2 and C-3.

The next regular meeting of the Planning Board will be held on Tuesday, September 16, 2014 at 6:15pm. Being no further business Jeff Merck made a motion to adjourn, Woody Ryan seconded, meeting adjourned.

Recorded By:



Kim Johnson, Assistant to Public Works Director

Burnsville Planning Board
Regular Meeting
Tuesday, September 16, 2014

The Burnsville Planning Board, with members Dean Gates, Harrison Tyner and Randy Banks present, held their regular meeting on Tuesday, September 16, 2014, in the Town Hall. Also in attendance were town staff member Kim Johnson; Town Council members Judy Buchanan and Bill Wheeler; and guest Ginger Johnson. Chairman Dean Gates, who presided, called the meeting to order stating the purpose of the meeting was to consider regular business.

- Approval of Minutes- Minutes from the regular meeting held on August 19, 2014 and minutes from the Special Workshop held on September 13, 2014 were available. Randy Banks made a motion to approve the minutes from the regular meeting, Dean Gates seconded and all agreed. Harrison Tyner made a motion to approve the minutes from the Special Workshop, Randy Banks seconded and all agreed.
- Public Comment- There were no public comments.
- Staff Reports- There were no staff reports.
- Old Business- Dean Gates felt that the Workshop was a huge success. He was pleased with the accomplishments that were made. He has taken the newly re-zoned map to the NC Department of Commerce GIS department to have the map put into color and digital format. He would like for the Planning Board to hold an Open House prior to their regular meeting in October. The purpose of the Open House would be to provide the public with maps of the rezoned properties and permitted uses in each district. The Open House will be held from 5:00 – 7:00pm on Tuesday, October 21, 2014 in the Town Hall. Regular meeting to follow.
- New Business-
 - ✓ Board members discussed sending forth a recommendation to the Town Council regarding the second parcel at the Avondale property. Randy Banks made a motion to recommend to Town Council that the property be zoned in the C-2 district, Dean Gates seconded. Harrison Tyner did not vote due to conflict of interest, therefore motion did not carry due to lack of quorum.
 - ✓ Board members discussed concerns over the enforcement language concerning abandoned signs. Harrison Tyner made a motion to send forth amendment to Sign Ordinance as follows:
 - Abandoned Sign definition (Section 1.3) to read "A sign shall be considered abandoned when the business activity or firm, which such sign advertises, is no

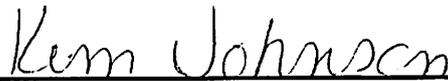
longer in operation for a period of 12 months or does not have a current business license.”

- Enforcement and Remedies (Section 1.9) add (g) Abandoned sign (see 1.3) shall be removed by owner within 30 days of notice by Zoning Administrator. After 30 days the sign shall be removed by Zoning Administrator at property owner’s expense.

Dean Gates seconded and all agreed.

- ✓ Board members discussed the void-to-solid ratio in each district. Harrison Tyner made a motion to remove “on buildings in the central business district” (Article 9 Section 907) from the language and add “on all commercial buildings”, Randy Banks seconded and all agreed. Harrison Tyner also made a motion to insert to the end of Article 9, Section 907 “ Reference: to see Section 902 Building Orientation definition and picture”, Dean Gates seconded and all agreed.
- ✓ Board members discussed the Sign Ordinance in regards to properties facing Main Street and 19E. Dean Gates made a motion that properties zoned C-2 and fronting both Main Street and 19E with access from both streets may have one freestanding sign facing 19E (regulated by C2 sign criteria) and one freestanding sign (regulated by C3 sign criteria) for Main Street, Harrison Tyner seconded and all agreed.
- Next Planning Meeting- The next meeting of the Planning Board will be held on Tuesday, October 21, 2014 with an Open House for the public from 5-7pm and their regular meeting to follow. Being no further business, Randy Banks made a motion to adjourn, Dean Gates seconded, meeting adjourned.

Recorded By:



Kim Johnson

Assistant to Public Works Director

Burnsville Planning Board
Special Meeting
Wednesday, October 08, 2014

The Burnsville Planning Board, with members Dean Gates, Jeff Merck, Woody Ryan, Harrison Tyner and Randy Banks present, held a special meeting on Wednesday, October 8, 2014, in the Town Hall. Also in attendance were town staff members Anthony Hensley and Kim Johnson. Dean Gates, who presided, called the meeting to order stating the purpose of the meeting was to consider any and all issues deemed appropriate by the Planning Board.

- Dean Gates presented the board members with appropriate paperwork they will need for the upcoming Open House.
- Randy Banks made a motion to recommend to Town Council that the 2nd property in the Avondale parking lot be zoned to the C-2 district, Jeff Merck seconded, Dean Gates and Woody Ryan agreed, motion approved. Harrison Tyner did not vote due to conflict of interest.
- Harrison Tyner made a motion that the Planning Commission would like for Town Council to consider appointing 2 alternates to the Planning Board. These alternates will participate in all discussion, set in with Planning Commission but will not be able to vote, however this is considered training as a future Planning Commission member, Jeff Merck seconded, and all agreed.

Being no further business, Harrison Tyner made a motion to adjourn, Woody Ryan seconded; meeting adjourned.

Recorded By:



Kim Johnson
Assistant to Public Works Director

Burnsville Planning Board
Regular Meeting
Tuesday, November 18, 2014

The Burnsville Planning Board, with members Dean Gates, Jeff Merck, Woody Ryan, Randy Banks and Harrison Tyner present, held their regular meeting on Tuesday, November 18, 2014, in the Town Hall. Also in attendance were town staff members Anthony Hensley and Kim Johnson; Town Mayor Theresa Coletta; Town Council members Bill Wheeler and Ron Powell; and several visitors including Ginger Johnson, Judy Fuqua, Wanda Proffitt, Denise Cook, Jody Higgins, Joyce Watts, Jimmy Ray and others. Chairman Dean Gates, who presided, called the meeting to order stating the purpose of the meeting was to consider regular business.

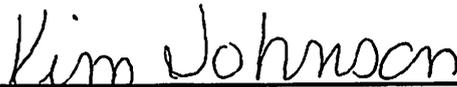
- Approval of Minutes- Minutes from the regular meeting held on October 21, 2014 were available. Harrison Tyner made a motion to approve the minutes, Jeff Merck seconded and all agreed.
- Public Comment- Denise Cook asked board members to consider attending a joint meeting between the Planning Board, Public Art Board, TRAC and Jack Mackey to be held on Thursday, December 18 at 10:00 am in the Town Hall. She stated the purpose of the meeting was to review the Public Art master plan. Planning Board members agreed on attending this meeting. The Public Art Board plans on hosting an Open House that evening from 5:00 – 7:00 pm at the Town Hall.
- Staff Reports- Anthony Hensley reported that the Design Review Committee will have a Zoning Compliance permit application to review in the coming weeks.
- Old Business- Dean Gates reported that a recommendation for re-zoning had been sent forth to Town Council and they have called a Public Hearing to be held on December 4, 2014.
- New Business- Board members discussed the towns existing ordinance in regards to backyard chickens. Mayor Coletta presented the members with handouts from her research on this matter. She has been in contact with the cities of Asheville and Durham and found that both allow backyard chickens with specific guidelines. Dean Gates and Jeff Merck also discussed different guidelines that they had also researched. Board members discussed these guidelines. Dean Gates called for a brief recess at this time. When the meeting resumed Dean Gates made a motion to submit following criteria to be put in form of a town ordinance upon review by the Town Council stating the following criteria:
 - ✓ 5 chickens per household.
 - ✓ No roosters.
 - ✓ Private consumption only.
 - ✓ 20 feet from all property lines and must be located in rear yard.
 - ✓ Separate coop with interior floor space of 5sf per hen.
 - ✓ Maximum height of 6 feet at highest point.
 - ✓ Must be fenced in with enclosed run of 10sf per chicken.

- ✓ Must be in coop at night.
- ✓ Must maintain clean premises not to attract rodents.
- ✓ Leg banding with permit number.
- ✓ Must have proper ventilation.
- ✓ The coop must be covered.
- ✓ Must present with permit application a drawing of the coop and exercise yard and distance from property lines.
- ✓ Odor or failure to comply will result in permit being revoked.
- ✓ Portable coops will be allowed as long as they meet criteria in the ordinance.
- ✓ Accessory use for single family residents in C-2, C-3 and R-10 only.
- ✓ Inspection upon completion and annual renewal with inspection and fee.
- ✓ Town Council to establish permit fee.
- ✓ Cannot utilize any portion of your house, outhouse (garage, utility sheds, etc.) to satisfy criteria of this ordinance.
- ✓ No slaughter on premise.

Jeff Merck seconded this motion, and all agreed.

- Next Planning Meeting- A special meeting of the planning board will be held on Thursday, December 18, 2014 at 10:00 am at the Town Hall with Public Arts Board and TRAC. The next regular schedule meeting will be held on Tuesday, December 16, 2014 at 6:15 pm at Town Hall. Being no further business, Harrison Tyner made a motion to adjourn, Jeff Merck seconded, meeting adjourned.

Recorded By:



Kim Johnson

Assistant to Public Works

Burnsville Planning Board
Regular Meeting
Tuesday, January 20, 2015

The Burnsville Planning Board, with members Dean Gates, Jeff Merck, Randy Banks and Harrison Tyner present, held their regular meeting on Tuesday, January 20, 2015, in the Town Hall. Board member Woody Ryan was not present. Also in attendance were town staff members Anthony Hensley, Kim Johnson, Ronnie Tipton and Chad Fox; Town Mayor Theresa Coletta; Town Council members Bill Wheeler and Ron Powell; members of the Public Art Design Board; members of the Ingles Development Group; and several visitors. Dean Gates, who presided, called the meeting to order stating the purpose of the meeting was to consider regular business and meet jointly with the Public Art Design Board to discuss Public Art funding.

- Approval of Minutes- Minutes from the regular meeting held on December 16, 2014 were available. Jeff Merck made a motion to approve the minutes, Randy Banks seconded and all agreed.
- Public Comment- There were no public comments.
- Joint Meeting- At this time Armin Wessel called the Public Art Design Board meeting to order. Dean Gates made a presentation about public art and then opened the floor for open discussion between the Planning Board and Public Art Design Board. There was discussion among both boards concerning an ordinance for funding public art and what percent would be used for public art and Capital Improvements Plan from commercial and private developers. Members of both boards agreed that an ordinance needs to be sent forth to fund public art. Armin Wessel added that he feels public art will draw tourist in and enhance the businesses as well as the town. Dean Gates then directed Anthony Hensley to talk with the town's attorney concerning any legal matters in regards to the proposed ordinance. Dean Gates then made a motion to send forth a recommendation to Town Council to adopt 2% for art ordinance on all Capital Improvement Projects. Harrison Tyner seconded and all agreed.

Meeting was recessed for 5 minutes

- Public Comment- Armin Wessel suggests that the Capital Improvement Plan sidewalk project maintain the quality that already exists. He would like to see the brick used throughout the project. He also had concerns as to the lighting at the new Pizza Hut. He feels the lighting does not promote the dark skies. Armin Wessel also informed members that the Public Art Board would like to create a temporary art piece made of milk jugs as a community project. This event is scheduled for April 25, 2015 from 10:00am – 3:00pm.

The Planning Board meeting was recessed to allow the Design Review Committee to convene and review the Ingles Zoning Compliance Application (see Design Review Committee minutes).

The Planning Board meeting reconvened and continued with the agenda.

- Old Business- Dean Gates presented the board members with a copy of the Ordinance to add alternate board members. There was a brief discussion concerning duties and responsibilities of the alternate members.
- New Business- Dean Gates provided the board members with a handout concerning mobile homes. He asked that members review before the next meeting.
- Next Planning Meeting- The next meeting of the Planning Board will be held on Tuesday, February 17, 2015 at 6:15pm in the Town Hall. Being no further business, Randy Banks made a motion to adjourn, Jeff Merck seconded, meeting adjourned.

Recorded By:

A handwritten signature in black ink that reads "Kim Johnson". The signature is written in a cursive style and is positioned above a solid horizontal line.

Kim Johnson

Assistant to Public Works Director