

**Town of Smithfield
Planning Board Minutes
Thursday, February 2nd, 2023
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Debbie Howard
Wiley Narron
Ashley Spain
Brian Stanley
Doris Wallace

Members Absent:

Alisa Bizzell

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA Doris Wallace made a motion to approve the agenda; seconded by Debbie Howard. Unanimously approved

APPROVAL OF MINUTES for January 5th, 2023

Debbie Howard made a motion to approve the minutes, seconded by Doris Wallace. Unanimously approved.

NEW BUSINESS

ZA-22-04 Town of Smithfield: The applicant is requesting an amendment to Unified Development Ordinances, Article 10, Part VI, Stormwater Management that incorporates revisions mandated by the North Carolina Department of Environmental Quality.

Mark Helmer stated that the North Carolina Department of Environmental Quality (NCDEQ) updates its local program requirements for stormwater management from time to time. This year the Town was required to resubmit its local program to the NCDEQ for review. The local program consists of the following:

- New development plan review and approval
- Stormwater control measure (SCM) maintenance
- Rule enforcement procedures
- Public education
- Storm sewer system mapping
- Illegal discharge removal

As part of the Local Program review, the Town is required to update its stormwater management ordinance. NCDEQ has approved the draft ordinance and the Town has 6- months to adopt the new ordinance (May 1, 2023).

Current Rules:

- SF projects that disturb less than one acre are exempt
- MF, Commercial and Industrial that disturb less than ½ acre are exempt

Treatment:

- Developers provide onsite stormwater treatment if the development’s untreated nitrogen export exceeds 6lb/ac/yr. for residential or 10lb/ac/yr. for other land uses
- (No treatment requirements based on project built-upon area (BUA) density)
- Peak flow rate match required for 1yr, 24hr storm

Nutrient Offset

- Reductions not achieved onsite can be covered with nutrient offsets
- Developers fill in a form subsequently developed by DWQ to request local approval of nutrient offsets
- Offsets are obtained in units of pounds of nitrogen

New Rules:

Single family and duplex residential and related recreational development and expansion of development that disturbs less than one acre is exempt.

Development of an individual single-family or duplex residential lot that is not part of a larger common plan of development or sale and does not result in greater than five (5) percent built upon area on the lot is exempt from the provisions of this ordinance.

Commercial, industrial, institutional, multifamily residential or local government development that disturbs less than one half acre and does not expand existing structures is exempt.

Commercial, industrial, institutional, multifamily residential or local government development that disturbs less than one half acre and expands existing structures on a parcel but does not

result in a cumulative built-upon area for the parcel exceeding twenty-four (24) percent is exempt.

Development that disturbs less than the above thresholds are not exempt if such activities are part of a larger common plan of development or sale and the larger common plan exceeds the relevant threshold, even though multiple, separate or distinct activities take place at different times on different schedules.

Existing development or redevelopment if built-upon area is not increased is exempt from the provisions of this ordinance.

Treatment:

Developers provide onsite stormwater treatment for all cumulative built-upon area (BUA) if the project density > 24% BUA, and meet other low-density, high-density and other stormwater requirements of DEMLR's 02H .1003

Stricter onsite treatment requirements may apply where development falls under DEMLR Water Supply Watershed Rule.

Dedicated offsite regional SCMs may be used for stormwater treatment covering multiple otherwise unrelated projects

Projects meeting the definition of "runoff volume match" do not need to further address nutrient export. (Peak flow rate match not required)

Nutrient Offset:

Nutrient reduction needs not achieved following treatment requirements can be covered with nutrient offsets

Projects ≤ 24% BUA may meet nutrient rate targets entirely by nutrient offsets, but must also meet low density stormwater requirements of 02H.1003

Public road/sidewalk expansions may meet nutrient reductions entirely by nutrient offsets

SNAP tool can auto-generate the local government offset approval form

Offsets are obtained in units of pounds per year of nitrogen or phosphorus

Additional Requirements for HOAs:

The draft ordinance includes new strengthened language for stormwater operations and maintenance and special requirements for Homeowners Associations (HOAs). HOAs will be required to establish escrow accounts to ensure there are adequate funds for long term maintenance.

Debbie Howard asked for an example since residential and PUDs were excluded.

Mark Helmer said say someone has a 5-acre tract of land and they build a million-dollar house with a swimming pool and a 5-car garage and a ½ mile long driveway at some point they are going to hit that 5% and will trigger stormwater which means retention and nitrogen buydown. Mark Lane asked if he was correct in thinking it would change from 15% to 24%?

Mark Helmer said yes, likely not many subdivisions in the town limits will take advantage of that but most of them will want to do stormwater. You get more bang for your buck when you do stormwater.

Debbie Howard made a motion to recommend approval for ZA-22-04; seconded by Doris Wallace. Unanimously approved.

ZA-23-01: Town of Smithfield: The applicant is requesting an amendment to the Unified Development Ordinances, Article 8, Section 8.11 to change the maximum building height from 40 to 80 feet within the Heavy Industrial zoning district.

Staff is requesting the Planning Board recommend approval of the following amendments to the Unified Development Ordinance, Article 8, Section 8.11 to change the maximum building height from 40 to 80 feet in the Heavy Industrial District.

Mark Helmer stated that in 2001, the Town Council approved an amendment to Article 8, Section 8.11 to allow maximum building height of 80 feet in the Light Industrial District. This request was made by the Chris Johnson from Johnston County Economic Development to prepare for light industrial growth. Development needs have changed, and many industrial users are looking for taller buildings, up to 80-feet. At the time the amendment was approved, the town had no undeveloped heavy industrial sites and there was no need to change the heavy industrial height standard. In December 2022, the Town rezoned a parcel on Citation Lane from Light Industrial to Heavy Industrial. As with Light Industrial standards, a greater building height standard is needed. In the past with special use permits, the town could approve building height greater than 40 feet. No special conditions were ever added to such special use permits. Taller buildings have the potential to cast long shadows on adjacent properties and can be an issue for fire protection. The Fire Department is equipped with ladder trucks for fighting fires in tall buildings. The existing 40-foot building height is an impediment to industrial development.

Staff finds the zoning text amendment as proposed consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Doris Wallace made a motion to recommend approval of zoning text amendment, ZA-23 -01 , amending Article 8 , Section 8.11 to change the maximum building height to 80 feet in the Heavy

Industrial District finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest; seconded by Ashley Spain. Unanimously approved.

OLD BUSINESS: Social Media Policy

Mark Helmer asked that each board member sign a copy of the policy and have a witness sign after them. These policies are to be turned back in to Planning Staff.

Mark Helmer presented each board member with a draft copy of the Comprehensive Pedestrian Plan. He asked they review it and write down any questions they may have. We will bring it back before the board at the March 2, 2023 Planning Board meeting.

Mark Helmer went over the Planning Department Developmental Report.

Adjournment

Being no further business, Ashley Spain made a motion seconded by Debbie Howard to adjourn the meeting. Unanimously approved.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Julie Edmonds".

Julie Edmonds
Administrative Support Specialist