

DRAFT
Smithfield Planning Board Minutes
Thursday, December 7, 2017
6:00 P.M., Town Hall, Council Chambers

Members Present:

Chairman Stephen Upton
Oliver Johnson
Michael Taylor
Eddie Foy

Members Absent:

Daniel Sanders
Teresa Daughtry
Mark Lane
Ashley Spain

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant
Stephen Wensman, Planning Director

Staff Absent:

CALL TO ORDER

Mr. Upton identified the members of the board. He asked that each board member please pull microphones down and speak loudly and clearly into them. Mr. Upton also reminded the board that the next Town Council Meeting would be held on January 2, 2018 at 7pm and the next Planning Department Meeting would be held January 4, 2018 at 6pm.

AMENDMENTS TO THE AGENDA

Planning Board member Mark Lane requested the minutes from November 2, 2017; case RZ-17-04 Thomas Concrete be corrected. The record states the motion to approve was unanimous. This is incorrect as he voted no. The correct changes have been made.

APPROVAL OF MINUTES FROM November 2, 2017

Eddie Foy made a motion, seconded by Oliver Johnson to approve the minutes as written.
Unanimous

INTRODUCTION OF STEPHEN WENSMAN, AICP, ALA, PLANNING DIRECTOR

APPROVAL TO OPEN THE PUBLIC HEARING ZA-17-05

Eddie Foy made a motion, seconded by Michael Taylor to open the Public Hearing.
Unanimous

ZA-17-05 Town of Smithfield:

Mr. Helmer stated the applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance Article 5, which will allow for administrative approval of site plans and final plats when found to meet or exceed minimum development standards of the UDO. The proposed ordinance amendment will be a return to the process that was in place prior to UDO updates that were adopted on August 2, 2017. The proposed zoning ordinance amendment will serve to create:

- A time and cost saving development friendly process
- Simplified review process that is allowed by State statute
- Opportunities for express review of existing development expansions
- A reduction in City Council's work load
- A reduction in required paper work for both applicant and staff

Major preliminary subdivisions and planned unit developments will still require Planning Board review and Town Council approval. Special Use permits will still require Town Council approval with no Planning Board review and recommendation required.

A multi-disciplinary technical review committee as described in Article 5.5.4, that may include but is not necessarily limited to, the City Manager, Planning Department, Public Utilities Department, Fire Department, Johnston County Building Inspections and the North Carolina Department of Transportation will continue to review major site plans for compliance with published standards. Upon site plan approval, the UDO Administrator will issue a certificate of zoning compliance in accordance with Article 5.5.5 of the Town of Smithfield UDO.

Mr. Foy asked who the UDO Administrator was.

Mr. Wensman stated that he was the UDO Administrator.

Mr. Foy asked if the Planning Board was deciding to accept the amendment to the UDO or were they recommending it to Town Council.

Mr. Helmer stated the board would review and recommend the amendment of the UDO.

Mr. Foy requested that the board be notified when changes take place such as this text amendment and any approvals approved by Town Council.

Mr. Wensman said it was his intention to give regular updates to the Planning Board about what staff has been doing. We typically give reports to the administrator every week; we can condense that down and give those same reports to you all for what we've done in terms of approvals.

Mr. Upton asked what was considered a major subdivision.

Mr. Helmer said a major subdivision is one that creates more than three lots or requires an extension of public infrastructure.

Eddie Foy made a motion to close the Public Hearing for ZA-17-05, seconded by Michael Taylor Unanimous

Oliver Johnson made a motion to approve ZA-17-05, seconded by Eddie Foy.

Old Business:

No Report

New Business:

A presentation and discussion on upcoming text amendments that will include development standards for flag lots and cul-de-sac street lengths.

Mr. Wensman said as you all know we have a new UDO. We're supposed to review the UDO on a quarterly basis for needed changes. I have a growing list of items that need clarification and possible changes. The changes are typographical errors, definitions that don't align with the use table which can cause confusion and questions for both staff and applicants. There are uses that should be defined that aren't; which again can leave a lot of questions. There are parts of the code that are in conflict with each other. Standards are different in different parts of the code which contradict one another. Tonight, staff would like to begin to initiate that process. We would like to begin doing so as time allots on agendas, not necessarily waiting to make changes once per quarter. We have quite a few things we want to get through, throughout the New Year. You'll see this process where we're going to introduce the topic, hopefully deal with it at the next meeting for recommendation to the Town Council. I recently have dealt with a subdivision of a flag lot that led to some questions.

Mr. Upton asked where the subdivision was located.

Mr. Wensman said his geography of the city was weak but it is located in the ETJ, in South Smithfield off Mallard Rd. In this case we were trying to determine if the flag lot had the appropriate width on the street. As you'll see in my presentation it wasn't entirely clear, my mandate as Planning Director is to go with the least of standards according to the code, that's what I followed. We would like to clarify what those standards are. Everyone should have a copy of this presentation; I've tweaked it a little since it was submitted in your packet. I have an existing definition of a flag lot, it basically says flag lots have non-conforming frontage. The design standards in the code say flag lots are conforming.

Mr. Upton and Mr. Taylor spoke up and said they didn't see a copy of the presentation. Mr. Wensman said it was emailed to each board member. Mr. Upton asked that emails be handed to him instead of emailed. Mr. Johnson asked that the email be resent to him, he can't locate it.

Mr. Wensman stated this section of the code 10.108.147, is saying that flag lots have to meet all standards. However the definition states it doesn't have to meet standards. So they're in conflict with each other. I didn't have a lot of other parts of the code to go on, there's no definition of what street frontage actually is. When you look at the code, it has three or four different standards attached to it depending on the situation. In one case it is ten foot, in another twenty five and forty in another. It's hard to know which to go with, so in this particular situation we went with the least. We can talk about it tonight or at the next meeting, should we change the flag lot definition or should flag lots even be allowed? Some cities don't allow them, some do. If we're going to have a minimum street frontage, should it be ten feet, twenty five,

forty or some other width? Does it apply in all cases or should it be standard when it can be reduced.

Mr. Foy said he thought a flag lot was in a pie shape.

Mr. Wensman said no, it's a lot behind another lot with a small skinny handle to get to it. Essentially you'll have someone's front yard is someone's back yard.

So these are some of the questions we need to answer, we're going to make suggestions for an ordinance next month, at that point we would be looking for a recommendation.

Mr. Upton asked if Mr. Wensman is going to continue on or are we going to stop and continue later.

Mr. Wensman said following this meeting he will resend the presentation so you'll have the questions.

Mr. Wensman said the second text amendment we want to consider is for design standards for cul-de-sacs. Cul-de-sacs shall not exceed 750 feet according to 10.108.18. In the Engineering Design Standards it is 500 feet. In the Supplemental Regulations for Manufactured Home Parks it is 600 feet. That dimension is usually tied to, if the street is blocked, how far a firetruck can fight fire. I spoke with the Fire Chief John Blanton; he said anything fewer than 900 feet would be doable. It comes down to what length the Town prefers. 750 feet is probably more conservative to ensure the fire hose can reach there. Some towns like their cul-de-sacs to be shorter.

Mr. Foy asked if the cul-de-sac starts from when you turn in to the center point of the end.

Mr. Wensman said yes.

Mr. Upton asked if there was any need for the Planning Board to receive this when it was a safety issue.

Mr. Foy spoke up and said yes, I would like to take care of this at the next meeting.

Mr. Foy asked Mr. Wensman what length he personally would suggest and he said 750 feet is what's in our code, it's the minimum standard where others are more restrictive making them shorter.

Mr. Foy asked if there was a difference between a cul-de-sac and a dead-end.

Mr. Wensman said no, except in some cases dead-ends predate the current code where you put a cul-de-sac on it where you can turn around. There are dead-ends that don't have turn arounds on them.

We hope at our next meeting if our agenda allows we will bring text amendments forward on these two items and introduce other items. I'll give examples of what we will cover during the next meeting. We have something in our code that says street trees are required. It gives you a size of the street tree but then they can be substituted for under story trees. Under story trees are half the cost of a street tree. I imagine by default we're going to end up with under story trees instead of street trees throughout our city. We need to clarify what we want, ask for it and if there's an alternative, that it be the right alternative. We still have places in our code that mention conditional use permits instead of special use permits, so those are text errors. There are problems with the non-conforming use code. Minimum acreage for a PUD, is it 5 acres in one section and 25 acres in another, which is it? This is something I am taking seriously and we would like to get through the most important ones before they cause problems for all of us.

Oliver Johnson made a motion to adjourn, seconded by Eddie Foy. Unanimous.

Next Planning Board Meeting:

Our next Planning Board Meeting is scheduled for January 4, 2018 at 6:00 pm.

Oliver Johnson made a motion to adjourn the meeting, seconded by Eddie Foy.

Submitted this 8th day of December, 2017

Julie Edmonds
Administrative Assistant
Planning Department