

**Town of Smithfield
Planning Board Minutes
Thursday, September 7th, 2023
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Mark Lane
Vice-Chairman Debbie Howard
Bryan Stanley
Alisa Bizzell
Doris Wallace
Wiley Narron
Ashley Spain

Members Absent:

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 July 13th, 2023

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

NEW BUSINESS

RZ-23-02 Johnson's Tire & Auto: The applicant is requesting to rezone a .53- acre portion of a 1.53-acre tract of land from the R-20A Residential-Agriculture zoning district to the B-3 Highway Entrance Business zoning district. The property considered for rezoning is located on the south side of NC Highway 210, approximately 100 feet west of its intersection with Skyland Drive. The property is further identified as a portion of Johnston County Tax ID# 15076014

Mark Helmer stated that Johnson's Tire is requesting a zoning map amendment to rezone 0.53-acres of their 1.53-acre property, located on the South side of NC Highway 210 about 100 feet west of the intersection of Skyland Drive and NC Highway 210, from R-20A (Residential-Agricultural) to B-3 (Highway Entranceway Business). Johnson's Tire and Auto expanded onto the 0.53 acre parcel a few years ago to use the space for parking. The expansion and use of the land for parking was done prior to site plan approval. The applicant has since received site plan

approval and has been in the process of meeting all the requirements: paving, landscaping, Nitrogen offset payment and rezoning.

The rezoning is consistent with the Comprehensive Plan.

Planning Staff recommends approval of RZ-23-02 with a statement declaring the request 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.

No board members had any questions or comments.

Debbie Howard made a motion to recommend approval of zoning map amendment, RZ-23-02, finding it 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.

ZA-23-10 Town of Smithfield: The applicant is proposing an amendment to the Unified Development Ordinance, Article 7, Section 7.44, Outdoor Vehicle Storage, Sales and Display to allow for automobile sales display areas to be identified with a perimeter area stripe in leu of individual stripped parking stalls.

Mark Helmer stated that the Town has been in litigation with Deacon Jones about parking lot striping requirements. To find a compromise solution that meets both the Town's needs and those of Deacon Jones, the attached draft ordinance was created. The Town currently requires cars on car sales lots to be either within a striped parking stall or withing a screened storage yard. One of the purposes of the regulation is to limit the number of cars on the lot to the number that fit within a striped parking lot or screened storage yard. Cars, therefore, cannot be within drive isles, or double parked. This ordinance will create a third option. The ordinance will achieve the following:

- The rectangular display areas will hold proportionally the same number of vehicles as if the parking lot were striped in a traditional manner.
- Vehicles within a display box will need to be parked uniformly within the box as if it were striped.
- The display boxes will afford the dealerships the ability to shift vehicles as needed within the box to perpendicular or angled parking to draw the attention of shoppers. It will allow the dealers to spread cars out or park them closer together but limit the number of vehicles within to the number that would fit if striped traditionally.
- The rectangular display areas will be accessed by a drive isle in a similar manner to traditional striping maintaining clear demarcation of drive isles for safety.
- The number of vehicles allowed within a box will be marked within the rectangle.

- The display areas will be demarcated by a 4" wide white painted line on all sides.
- Prohibits cars being displayed in parking lot driveway, drive isle or landscaped areas.

Bryan Stanley asked if the intent of the amendment was to get emergency services in?

Mark Helmer said yes, that is the intent.

Bryan Stanley asked if it was stated in the UDO how many items or goods a business can keep in their store or lot, because essentially that is what we're doing.

Mark Helmer said we're limiting the intensity of the use based on the size of the property.

Bryan Stanley asked if it would make more sense to strip the areas that are within the path of travel?

Mark Helmer said it's basically the same thing.

Debbie Howard doesn't agree that the Town should require Deacon Jones to stripe the parking lots.

Mark Helmer said well imagine going to Wal-Mart without striped parking stalls.

Mark Lane said that is different, Wal-Mart is a parking lot and this is a sales area.

Mark Helmer this is also a parking lot that we're referencing. We have dimensional requirements for parking. Each use has a certain amount of parking they must have. That number is identified through striping.

Debbie Howard said we're getting so technical that we will deter the ones that are grandfathered in that have gravel parking lots, from asphaltting their parking lots and I wouldn't because I have to stripe them. Or deter the ones that remodel the front of their building to make it look nicer because then I'll be required to spend even more money.

Bryan Stanley asked if Deacon Jones had a certain allotted amount of parking spaces for customers and employees?

Mark Helmer said yes, they have requirements for customer and staff parking.

Ashley Spain said these newer dealerships have their cars parked uniformed and the fronts of the vehicles are even. Out of the square footage of the parking lot, how many cars can legally be parked there without a stripe?

Mark Helmer stated if people know where the line is, they are less likely to cross it. By delineating parking people will work with that area that is designated.

Mark Lane asked how the Town came up with this concept?

Mark Helmer stated they looked at existing codes, the way our code reads is if you're parking a car on it then it's a parking spot. If it doesn't meet the standards for a parking spot meaning it isn't striped then it's non-compliant. Our intent is to apply that across the board to all surfaces that are parking cars.

Bryan Stanley understands where the Town is going with this and there isn't a one size fits all approach against a Deacon Jones versus a used car lot that only has 8 cars.

Mark Helmer said the board will be recommending to Town Council the approval of this or recommend some other proposal and Town Council will take that into consideration.

Mark Lane made a motion to remove all striping from this ordinance, access must be available for emergency vehicles and uniformity in the way they are displayed. Customer and employee parking must be striped., seconded by Ashley Spain. Unanimously approved.

ZA-23-11 Town of Smithfield: The applicant is proposing an amendment to the Unified Development Ordinance, Article 7, Section 7.30.1, Special Events that will remove the requirement for a temporary use permit for events held in town parks except when there is a planned street closure, or amplified sound after 9PM and 10 PM when associated with the Town Commons Amphitheater.

Mrk Helmer said Parks and Planning Staff are requesting the Planning Board recommend approval of the following amendments to the Unified Development Ordinance, Article 7, Section 7.30.1 to exempt special events in Town parks from temporary use permits except when there is a street closure or amplified sound after 9 PM (10 PM if associated with the Amphitheater).

Temporary use permits are currently required when special events:

- Have amplified sound.
- Have one hundred (100) people or more in attendance.
- Requires closure or blockage of town streets.
- Have food trucks on private property in accordance with Section 7.25.1
- have a likelihood of damage to public or private property, injury to persons, public disturbances or nuisances, unsafe impediments to pedestrian or vehicular travel, or other significant adverse effects upon the public health, safety, or welfare as determined by the Planning Director.

For special events in parks, the organizer already needs approval from the Parks Department to use the facilities and parks by nature are intended for gathering of people, loud noises. The draft ordinance would allow the Parks Department to approve all events within parks, exempting the requirement for a temporary use permit unless the event were to require a street closure or amplified sound after 9PM (10 PM for the Amphitheater).

Planning Staff recommend the Planning Board recommend approval of the zoning text amendment ZA-23-11 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Doris Wallace made a motion to recommend approval of zoning text amendment, ZA-23-11, amending Article 7, Section 7.30.1, exempting special events in parks from temporary use permits unless they require street closures or amplified sound after 9 PM (10 PM for the Amphitheater), 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: None

Adjournment

Being no further business, Alisa Bizzell made a motion to adjourn; seconded by Debbie Howard.

Unanimously approved

Respectfully Submitted,

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

Julie Edmonds

Administrative Support Specialist