

Minutes Planning & Zoning Commission
Tuesday, April 24, 2018
7:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Pam Carter, Steve Clark, Mary Ann Evanoff, Edward Gregory, Ann Holland; Hilda Keeney, Planning and Zoning Clerk; Kassie Watts, Town Planner

Commissioners Absent: Danny Lee Page

Alternate Commissioners: Jim Hoy

Alternate Commissioners Absent: Steven Smith

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 6:08 PM.

Item #3 – Approval of Agenda

Motion was made by Commissioner Holland and seconded by Commissioner Carter to approve the agenda. **Motion carried 7-0.**

Item #4 – Approval of Minutes – Open Session 03-27-2018

Motion by Commissioner Hoy and seconded by Commissioner Gregory to approve open session 03-27-2018 minutes. **Motion carried 7-0.**

Item #5 – Public Comment – no comments forthcoming.

Item #6 – Planning, Zoning and Subdivision Reports

a. Zoning Permit Review

Ms. Watts reviewed the zoning permits issued since the March meeting.

b. Update on Projects

Banks Massey – exterior finishes near completion; porch on the front; installed fence for storage area

Allen’s Mini-Storage – hope to be up and renting in September

Wyndham Forest – continues to move forward

Fox Creek – had to redo all streets; roads should be durable when completed

Tucker Chase – status unchanged

C F Steele – continuing to make progress

Bethel Glen – issued few permits

Old Bethel School – written maintenance plan due to Town on Friday, April 27 identifying how the property will be maintained

Bethel Park – site plan has been submitted; will be holding a Technical Review Committee meeting on May 8

Dollar General – variance may be requested; code violation issued and may be appealed

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Item #7 – Zoning Map Amendments

- a. **ZMA-2018-04 – Zoning Map Amendment** – Property of Larry Wallace Engines, LLC, located at 391 NC Hwy 24-27 West - proposed zoning district is “Industrial” (IND).

Motion was made by Commissioner Holland and seconded by Commissioner Carter to recommend Town Council designate the subject property as Industrial (IND) to be consistent with the *Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2*, adopted October 8, 2013 and subsequently amended March 8, 2016, October 11, 2016 and April 11, 2017 as shown on the adopted Land Use Map appearing therein which covers areas outside the city limits of the Town of Midland, but lying within the area known as the Midland Service Area, as required by NCGS § 160A-383. This amendment is reasonable because the subject property is adjacent to other commercial and industrial uses and has significant frontage on a major thoroughfare where commercial and industrial uses are appropriate and where future utility infrastructure is expected. This amendment allows the subject property to be used in accordance with the standards of the Industrial (IND) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town and provides opportunities for local jobs for the community. **Motion carried 7-0.**

- b. **ZMA-2018-05 – Zoning Map Amendment** – Property of Darrell & Tamara Helms, located at 1777 Cal Bost Road - proposed zoning district is “Single Family Residential” (SFR).

Motion was made by Commissioner Carter and seconded by Commissioner Hoy to recommend Town Council designate the subject property as Single Family Residential (SFR) to be consistent with the *Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2*, adopted October 8, 2013 and subsequently amended March 8, 2016, October 11, 2016 and April 11, 2017 as shown on the adopted Land Use Map appearing therein which covers areas outside the city limits of the Town of Midland, but lying within the area known as the Midland Service Area, as required by NCGS § 160A-383. This amendment is reasonable because the subject property is developed as a single family residential use and is unlikely to redevelop as anything other than a single family residential use. This amendment allows the subject property to be used in accordance with the standards of the Single Family Residential (SFR) Zoning District in the future. **Motion carried 7-0.**

Item #8 MDO Overview – Part 1 of 3 – Articles 1-8 (PowerPoint Presentation)

Ms. Watts presented a review of Articles 1-8 of the Town’s MDO.

Article 1 – Purpose & Authority

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- Outlines Purpose, Guiding Principles, Jurisdiction, Authority
- Relationship to Land Use Plan
- Interpretation of Ordinance
- Compliance
- Establishment of Official Zoning Map
- Interpretation of District Boundaries
- State of Emergency

Article 2 – General Provisions

- General Requirements – Street Frontage, One principle structure per lot, Lot Size, Lot Width, Yard Designation, Yard Dimensions, Through lots, Height Limitations
- Structures & Uses Limited in Yards – Fences, Signs, Outdoor Storage, Off-Street Parking, Architectural Features, Subordinate Structures, Backflow Preventers

Article 3 – Definitions

- Includes words and terms defined for the purpose of use in this Ordinance.
- Does not include definitions of all the “uses”.

Article 4 – Boards & Commissions

- Planning & Zoning Commission
 - 7 regular members and 2 alternate members
 - 3 year terms (no more than 5 consecutive terms)
 - Provides recommendations to the Town Council on Zoning Map Amendments (Rezoning), Zoning Text Amendments, and other matters on which the Council seeks advice.
- Board of Adjustment – consists of same members seated on P&Z Commission
- 3 year terms (no more than 5 consecutive terms)
- Hear and decide appeals from an order, denial of a permit or other written decision made by the administrative official (Appeal of Zoning Administrator’s Decision)
- Hear and decide variance requests from the zoning & flood control provisions of the MDO
- A 4/5ths vote is required to grant a variance, otherwise, a simple majority vote is required.
- Technical Review Committee - Comprised of
 - Planning, Zoning, and Subdivision Admin.
 - Public Works Admin. (Engineer)
 - Town Administrator
 - One member of the P&Z Commission
 - Other agencies (NCDOT, Fire, Concord Water and Sewer, Sheriff, other appropriate individuals)
 - TRC reviews site plans & subdivisions

Article 5 – Amendments to Development Ordinance & Zoning Map

- Zoning Text Amendment Process (Ordinance)
- Zoning Map Amendment Process (Map)

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➤ Conditional Zoning

Article 6 – Variances & Administrative Appeals

- Zoning Text Amendment Process (Ordinance)
- Zoning Map Amendment Process (Map)
- Conditional Zoning

Article 7 – Permits & Procedures

- Permit Approval Requirements, Fees, Expirations, CO's (Zoning, Special Events/Temporary Structures, Site Development Plans (large and small), Conditional Use Approvals
- Uses with Additional Standards
- Sign Permits
- Subdivision Plat Approval (Preliminary Plat/Final Plat, Minor Subdivisions)
- Floodplain Development and Certification Permits
- Stormwater Discharge Permit
- Watershed Permit
- Zoning Vested Rights Approval
- Notices and Public Hearings

Article 8 – Zoning Districts

- Agriculture (AG)
- Single Family Residential (SFR)
- Residential/Main Street Transitional (R/MST)
- Residential/Old Midland Transitional (R/OMT)
- Main Street Periphery (MSP)
- Old Midland Periphery (OMP)
- Main Street (MS)
- Old Midland (OM)
- Civic (CIV)
- NC 24/27 Commercial (C 24/27)
- US 601 Commercial (C 601)
- Industrial (IND)
- Traditional Neighborhood Development Overlay (TNDO)
- Mini-Farm Overlay (MFO)
- Scenic Corridor Overlay (SCO)
- Broadway Boulevard Corridor Overlay (BBCO)
- Tables showing the minimum lot sizes, lot widths, front, side and rear setbacks and other information such as open space requirements, density, building type requirements, etc.
- Also includes the Table of Permitted Uses

Item #9 Other Discussions

The Commissioners were reminded of the Board of Adjustment training session on Tuesday, May 22, 2018 at 6 PM.

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Item #10 – Adjournment

Motion was made by Commissioner Holland and seconded by Commissioner Gregory to adjourn the meeting. **Motion carried 7-0.**

The meeting was adjourned at 7:05 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board