

Minutes Planning & Zoning Commission
Tuesday, January 22, 2019
7:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Bob Caddell, Pam Carter, Steve Clark, Darrell Helms, Jim Hoy; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner
Commission Members Absent: Steve Smith
Others: Councilmember Rich Wise

Item #1 – Invocation & Pledge of Allegiance

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

Item #3 – Approval of Agenda

Motion was made by Commissioner Hoy and seconded by Commissioner Helms to approve the agenda. **Motion carried 6-0.**

Item #4 – Approval of Minutes – Open Session 11-27-2018

Motion by Commissioner Helms and seconded by Commissioner Hoy to approve open session 11-27-2018 minutes. **Motion carried 6-0.**

Item #5 – Election of Officers

Chair Page opened the floor for nominations for Chair for the P&Z Commission.

Motion by Commissioner Hoy and seconded by Commissioner Carter to elect Darrell Page as Chair. **Motion carried 6-0.**

Chair Page opened the floor for nominations for Vice Chair for the P&Z Commission.

Motion by Commissioner Hoy and seconded by Commissioner Helms to elect Pam Carter as Vice Chair. **Motion carried 6-0.**

Item #6 – Public Comment

Alan Burnette – Speaking on the behalf of trying to have a tattoo shop located in the Town of Midland. Realizes the decisions the Commission makes and have people coming to speak on behalf of and against, sometimes there is not a right or wrong but somewhere in the middle. In this case, it has been going on for months. We are not trying to build a wall, we would just like to have the right to put a tattoo shop in Midland without a lot of restrictions. Not asking for something illegal, it is legal and regulated by the State. A tattoo does not affect anyone but the individual. Ask that you keep an open mind and realize no one has come to speak against the tattoo shop topic.

Item #7 – Meeting Dates for Calendar Year 2019

Motion by Commissioner Hoy and seconded by Commissioner Carter to approve the 2019 BOA & Planning & Zoning Commission Meeting Schedule.

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2019 BOA* & Planning & Zoning Commission Meeting Schedule - 4th Tuesday
1/22/2019
2/26/2019
3/26/2019
4/23/2019
5/28/2019*
6/25/2019
7/23/2019
8/27/2019
9/24/2019
10/22/2019*
11/26/2019
12/24/2019
* BOA Meeting

Motion carried 6-0.

Item #8 – Planning, Zoning and Subdivision Reports

- a. **Zoning Permit Review**
 Ms. Watts reviewed the zoning permits issued since the November 2018 meeting.

- b. **Update on Projects**
 Fox Creek – platted phases 2 and 3; plan to have roads in phase 4 by April
 Cedar Creek – stream delineation and may lose a few lots; continue work on surveying
 Old Bethel School – staff met with a possible buyer; questions regarding sewer which is 3,200 feet away and cost of extending sewer would be the responsibility of the buyer
 Bethel Park – parking could be an issue; limited to two spaces per townhome; difficult because the roads and parking area are private and the previous approval from years ago
 Sealand Corp. – erosion control permit from State; working on site plan to re-submit back for review

Item #9 – Zoning Text Amendment

- a. **ZTA-2018-07 - Zoning Text Amendment – “Tattoo and Body Artist Piercing Parlor”** to Article 8 – Zoning Districts; Article 10 – Uses with Additional Standards and Conditional Uses

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Motion by Commissioner Hoy and seconded by Commissioner Carter to recommend to Town Council adding “Tattoo and Body Artist Piercing Parlor” to the Midland Development Ordinance, Article 10 “Uses with Additional Standards and Conditional Uses”, subsection 10.1-36 and to amend Table 8.1 Table of Uses to include the use as Permitted Based on Supplemental Standards in the C 24/27 and C 601 zoning districts with tattoo shop hours of operation will be no earlier than 8:00 a.m. and no later than 11:00 p.m.; not located within one (1) mile of an existing tattoo parlor and body artist piercing parlor with the distance being measured from property line to property line and buildings must conform to Highway Building Type Standards specified in Section 9.8; amending the Midland Development Ordinance consistent with the Town Plan 2030 Land Use and Comprehensive Master Plan, Revision 2, adopted October 8, 2013, and subsequently amended March 8 and October 11, 2016, April 11, 2017 and July 10, and September 11, 2018 as required by NCGS § 160A-383. This amendment is reasonable because the standards established by this amendment are consistent with goals and strategies listed within Section Six of the Town Plan 2030.

Motion carried 5-1. Commissioner Helms voting no.

Item #10 – Zoning Map Amendment

- a. **ZMA-2019-01 – Zoning Map Amendment** – Initial Zoning of ELF Construction, Inc. Property c/o Emma Albiza

Motion by Commissioner Carter and seconded by Commissioner Clark to recommend Town Council designate the subject property as NC 24/27 Commercial (C 24/27) 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 and October 11, 2016, April 11, 2017 and July 10 and September 11, 2018 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 an existing commercial use and is located near an intersection identified in the *Land Use and Comprehensive Master Plan* as a commercial node. This amendment will allow the subject property to be used in accordance with the standards of the “NC 24/27 Commercial” (C 24/27) Zoning District in the future. The amendment allows for the potential growth and expansion of the economic base of the Town.

Motion carried 6-0.

Item #11 – Adjournment

Motion was made by Commissioner Helms and seconded by Commissioner Hoy to adjourn the meeting. **Motion carried 6-0.**

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The meeting was adjourned at 7:06 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board