

Minutes Planning & Zoning Commission
Tuesday, September 25, 2018
7:00 PM Midland Town Hall
4293-B Hwy. 24/27E
Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Pam Carter, Steve Clark, Darrell Helms, Jim Hoy, Steve Smith; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner
Alternate Commissioner:
Others: Councilmember Rich Wise
Absent Commissioners: Edward Gregory

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 6:05 PM.

Item #3 – Approval of Agenda

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

Item #4 – Approval of Minutes – Open Session 08-28-2018

Motion by Commissioner Hoy and seconded by Commissioner Helms to approve open session 08-28-2018 minutes. Motion carried 6-0.

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 August meeting.

b. **Update on Projects**

Allen's Mini-Storage – working with property owner in preparation for road paving

Wyndham Forest – continues to move forward; not many lots left to be permitted and could be built out before long

Fox Creek – first phase almost built out; proof rolling on second phase; getting ready to final plat second phase

Tucker Chase – status unchanged

Old Bethel School – video cameras installed are working and have arrested multiple people for trespassing

Bethel Park – working with surveyor - had questions about the stormwater standards; discussed the insufficient parking

PVG Trucking Company – engineer working on site plan submitted

Sealand Corp. – preliminary review of site plan; received their temporary driveway permit from NCDOT

Announced a ribbon cutting for Champion Landscaping on Friday, October 26 at 11 AM.

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Item #7 – Zoning Map Amendment

- a. ZMA-2018-08 - Zoning Map Amendment – Miles & Carol Little –12400 Pine Bluff Road in Midland, NC 28107, Cabarrus County PIN# 5564-09-8861

Motion by Commissioner Hoy and seconded by Commissioner Carter to recommend Town Council adopt Ordinance #ZMA-2018-08, designating 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 located on a major thoroughfare where commercial uses are appropriate. This amendment allows 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 and provides opportunities for local jobs for the community. **Motion carried 6-0.**

Item #8 – 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

Motion by Commissioner Helms seconded by Commissioner Carter to table the discussion to the next meeting and ask staff to submit a listing of conditional use requirements. **Motion carried 6-0.**

Item #9 – MDO Overview – Part 3 of 3 – Articles 17-23 (PowerPoint Presentation)

Ms. Watts presented a review of Articles 17-23 of the Town’s MDO.

Article 17 – Sign Regulations

- Prohibited Signs (Snipe signs, windblown signs, flashing signs, signs in the ROW, etc.)
- Exempt Signs (Warning/security signs, government signs, incidental signs, address signs, flags, holiday lights/decorations, etc.)
- Permanent Sign Requirements
- Sign Table (Type, copy area allowance, illumination, minimum letter size, maximum number of signs, other requirements)
- Types of Signs (Monument, pole, temporary)
- Master Sign Plan – Criteria and Requirements
- Permitting, Non-conforming & Abandoned signs & Maintenance
- Administration
- Enforcement
- Interpretation

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➤ Suggested Design Guidelines

Article 18 – Flood Damage Prevention Ordinance

- Introduction – Purpose and Objectives
- Statutory Authority
- Floodplain Development Application, Permit and Certification Requirements
- Provisions for Flood Hazard Reduction
- Floodways and Non-encroachment areas
- Corrective Procedures
- Variance Procedures/Appeals
- Floodplain Administrator – Duties & Enforcement

Article 19 – Watershed Protection Ordinance

- Applicability and Jurisdiction
- Measurement and Computation
- Design Manual
- Administration and Procedures
- Standards (control measures, density shifting, Stormwater management controls)
- Regional Stormwater Control
- Maintenance
- Enforcement & Violations and Illicit Discharges

Article 20 – Soil Erosion & Sedimentation Control

- General Requirements
- Basic Control Objectives
- Mandatory Standards for Land-Disturbing Activities
- Design and Performance Standards
- Erosion and Sedimentation Control Plans
- Civil Penalties, Criminal Penalties and Injunctive Relief

Article 21 – Open Space

- Purpose
- Required Open Space Percentages based on zoning district and acreage
- Design and Location
- Types of OS (Squares, Parks, Forecourt, Greenways, Natural and/or Agricultural)
- Ownership, Maintenance
- Acceptable vs Non-acceptable lands for OS Designation
- Fee-in-lieu

Article 22 – Non-Conformities

- Purpose
- Application and Exceptions
- Dimensional Non-conformities
- Non-conforming Uses (Discontinuation, replacement)

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- Non-conformities associated with Manufactured Homes
- Maintenance and Repair

Article 23 – Administration & Enforcement

- Applicability
- Administrator as Enforcement Officer (General Duties)
- Violations
- Enforcement Intent, Procedure, Remedies
- Civil Penalties – Assessment & Procedures
- Other Powers and Actions
- Remedies Cumulative and Continuous
- Action by Others
- Removal of signs/structures

Item #10 – Adjournment

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

The meeting was adjourned at 7:14 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board