

**MINUTES OF THE REGULAR
CONOVER PLANNING BOARD MEETING
April 15, 2008**

The regular meeting of the Conover Planning Board was held on April 15th, 2008 at the Conover City Hall.

PRESENT: Chairman Abernathy, Board Members Janette Sims, James Ten Kate, Joe Kaylor, Mary Jean Griffin, Ken R. Hilderbran, Steven Kiger, David Brown and Millie Baker

ABSENT: Board Member Michael Lingle

STAFF: Planning Director Q. Lance Hight
Planner Daniel Robinson
GIS Coordinator Erik Schlichting
Environmental Coordinator Terry Lail

Chairman Abernathy called the meeting to order at 7:00 p.m.

ITEM 1: Approval of Minutes

Chairman Abernathy presented the minutes of the regular meeting on March 18th, 2008.

Upon a motion from Board Member Ten Kate, Seconded by Board Member Sims: It was unanimously resolved:

That the minutes of the regular meeting on March 18th, 2008 be approved.

ITEM 2: Public Meeting – Zoning Text Amendment to Appendix A Division 2 – Accessory uses and outdoor screening

Mr. Hight opened and discussed the following item:

Planning Staff has found an inconsistency within the zoning ordinance which states that mobile trailer units may be used as accessory structures. This provision exists within the permitted uses of zoning districts B-2, B-4, M-1 and EM-1. In October 2006, the Planning Board recommended approval of the Façade Ordinance in which Section 22.16 (I) prohibits manufactured and mobile units as commercial structures. These proposed text amendments will ensure compatibility with the Façade Ordinance.

In addition, this portion of the ordinance also regulates the open storage of materials within B-2, B-4, M-1 and EM-1. The majority of commercial businesses in the City of Conover operate within an enclosed structure, meaning that all items related to the business, or items for sale are located within a building. However, some businesses openly store items. The current code states that any area devoted to open storage must be surrounded by a fence at least six feet in height. This provision does not require any form of screen nor states what type of fence must be installed. Staff has reviewed the requirements for open storage screening for other municipalities in North Carolina and found that many ordinances require opaque screening of outdoor storage. Staff recommends the following text amendments to provide for sufficient screening of openly stored commercial items.

Staff has reviewed the zoning text amendment and recommends approval to the Planning Board.

Chairman Abernathy then opened the Public Meeting.

No one spoke on the matter.

Chairman Abernathy then closed the public meeting.

Board Member Kaylor – There’s no mention of height. If something small was being stored could you have a shorter fence?

Mr. Hight – That’s correct. The ordinance we are replacing mandated the fence must be six feet tall. If someone doesn’t need to screen something six feet tall, we don’t want to make them. We just want sufficient screening.

Board Member Brown – Sufficient screening would be whatever is being stored cannot be visible?

Mr. Hight – That is the goal, however we need to be realistic just to do the best we can to provide screening that is suitable. There will be topographical cases where the street level is higher than storage area in which total screening might not be possible. This doesn’t pigeon hole us into numbers or types of screening, we want to be able to work with people to provide the best type of screening.

Board Member Sims – This would also include trash dumpsters?

Mr. Hight – Yes. We used this to provide for dumpster screening, but a chain link fence doesn’t give any screening. Having this in our ordinance will help us give us the actual language to screen dumpsters.

Board Member Ten Kate – If this passes, what kind of grace period will business owners have to come into compliance?

Mr. Hight – This will be only for new businesses or expansions current businesses. This would not be retro active.

Upon a motion from Board Member Kaylor, Seconded by Board Member Ten Kate: It was unanimously resolved:

That the Zoning Text Amendment be approved.

ITEM 3: Adoption of the Conover Planning Board Bylaws

Mr. Hight opened and discussed the following item:

As with most decision making boards that conduct meetings, the Conover Planning Board has a document containing bylaws. A copy of these bylaws are on file with the Planning Department. Unfortunately, the bylaws do not indicate the date of which they were approved and contain provisions of which the Planning Board does not currently practice. Planning Staff has developed draft amendments to the bylaws that more accurately reflect and clarify the way in which the Planning Board currently functions.

A draft of these bylaws was presented at the Planning Board Retreat in March. Changes and corrections that were suggested at the Retreat by the Planning Board Members have been included into the final draft.

Board Members Sims and Brown pointed out two grammatical errors.

Board Member Ten Kate – Will these bylaws state when they were adopted?

Mr. Hight – Yes, that will be added.

Chairman Abernathy – I would like to offer a suggestion. I would like add a phrase to Article VI Committees. I would like to ask the Board to consider adding “and have a minimum of one full year of service” to the sentence that starts “Planning Board members whose term is not set to expire within the year in question...” I really think it would be in the best interest to everybody to have somebody who has served at least a year on this reappointment committee.

Upon a motion from Board Member Sims, Seconded by Board Member Baker: It was unanimously resolved:
That the Planning Board Bylaws be approved with recommended changes.

Mr. Hight presented the permit report for March 2008.

Mr. Hight informed the Board of the new water restrictions.

Mr. Hight informed the Board of the action taken by the Council at their last meeting.

There being no further business, the meeting ADJOURNED at 7:31 pm.

David Abernathy, Planning Board Chairman

Q. Lance Hight, Planning Director