



MINUTES
REGULAR MEETING OF THE TOWN
OF WALKERTOWN TOWN COUNCIL
DECEMBER 14, 2017
@ 7:00 P.M. IN THE BOOE HOUSE

Mayor Doc Davis **called the meeting to order** at 7:00 p.m. Present were the Mayor, Council Members Peggy Leight, Marilyn Martin, Randy Mendenhall, Sarah Welch and Town Manager Scott Snow and Town Clerk Rusty Sawyer. Also in attendance, from Winston-Salem/Forsyth County Planning, Project Planner Gary Roberts

The Invocation was given by Mayor Davis and the **Pledge of Allegiance** was led by Peggy Leight.

THE AGENDA WAS APPROVED AS WRITTEN BY MOTION OF RANDY MENDENHALL AND SECONDED BY SARAH WELCH. THE VOTE WAS UNANIMOUS.
(LEIGHT, MARTIN, MENDENHALL, WELCH)

APPROVAL OF MINUTES

- **NOVEMBER 9, 2017**
- **NOVEMBER 16, 2017**

THE MINUTES WERE APPROVED UNANIMOUSLY ON A MOTION BY MARILYN MARTIN AND SECONDED BY PEGGY LEIGHT.
(LEIGHT, MARTIN, MENDENHALL, WELCH)

PUBLIC SESSION

THIS SESSION IS FOR NON-AGENDA ITEMS ONLY AND IS LIMITED TO 3 MINUTES PER SPEAKER. WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

Mayor Davis opens the **Public Session** @ 7:04.

My name is George King and I would like to thank the town for the new heating and duct work for the Walkertown Area Historical Society. Great job! We can't thank you enough.

With no other speakers coming forward, the Mayor closes the **Public Session** @ 7:06.

BUSINESS FOR DISCUSSION AND/OR ACTION:

1. **PUBLIC HEARING – WA-UDO 22**

AN ORDINANCE AMENDING CHAPTER C OF THE WALKERTOWN UNIFIED DEVELOPMENT ORDINANCES TO ALLOW GRAVEL SURFACES TO BE CONSIDERED PERVIOUS

Doc: We welcome back from Winston-Salem/Forsyth County Planning, Project

Planner Gary Roberts.

Gary: (Gary includes an aerial view map of the Salem Lake Watershed Area in Walkertown)

Thank you Mister Mayor.

On November 7th the Walkertown Planning Board held their Public Hearing on the UDO 22 amendment. The vote was 2 to 2.

This text amendment is proposed by ALL IN SELF STORAGE to amend the definitions of Built-upon Area and Impervious Cover in Chapter C of the UDO to allow gravel surfaces to be considered as pervious rather than impervious. In 1989 the NC State Legislature approved legislation that gave authority to local governments to amend their ordinances to allow gravel surfaces to be considered as pervious material rather than impervious material (built-upon) from a storm water perspective. Only a few local governments have amended their local ordinances to allow this option. The Town of Kernersville is one of them. Winston-Salem and Forsyth County have not. The petitioner owns a recently constructed self-storage facility on Rocky Branch Road which was approved as a Final Development Plan in 2015 (WA-048). The site is located within the water supply watershed of Salem Lake. The approved site plan maximized the amount of impervious coverage (24%) without necessitating a request for Special Intense Development Allocation (SIDA) which allows up to 70% built upon area. The subject request would allow the petitioner to increase the amount of parking (gravel) on that site without triggering the need to apply for SIDA.

Staff emphasizes that the proposed UDO text amendment would not only apply to the petitioners property but to all properties within the Town's jurisdiction which are within the Salem Lake Watershed.

Staff would like to restate the original purpose of the watershed protection ordinance which is "to establish regulations which protect drinking water quality in Forsyth County". The City/County Utilities Commission currently has two sources of water supply. The Yadkin River supplies approximately 90% of our potable water and Salem Lake supplies approximately 10%. Salem Lake also provides a major county-wide recreational amenity including fishing, boating, and trails.

While gravel surfaces may have some degree of permeability as opposed to concrete or asphalt, gravel paving has historically been considered as an impervious surface because over time it becomes more compacted thereby allowing little rainwater to penetrate the surface. Also, the greater the depth of the gravel material, the less pervious it becomes. Staff also notes that parking areas in general, contribute more pollutants i.e. petroleum, asbestos, etc. than do other impervious surfaces such as rooftops.

When the county wide watershed regulations were adopted, the Town of Walkertown was allotted 85 acres on which it could permit additional

development (up to 70% built upon area) on a case by case basis. Currently, the town has approximately 69 acres remaining to allocate as the Town desires. The petitioner has not yet exhausted this option of applying for SIDA.

In summary, the impervious coverage limitations for water supply watersheds are in place for the purpose of protecting the public's water supplies. Salem Lake is a public utility and recreational resource and these limitations have been in place for almost 30 years. The proposed amendment would permit extensive expansions of gravel parking areas on sites located within the watershed. From an enforcement perspective, it would be challenging for Inspections staff to ensure that the required "geotextile fabric" is installed underneath the gravel. Also, because no permit is required for paving, it would be difficult over time to monitor each site for compliance. While loosening the definition of what is considered impervious coverage would benefit some individual property owners and allow for additional development and potential tax base expansion, the cumulative, long term impacts to the water quality of Salem Lake are unknown. While the specific impacts are unknown, it is reasonable to deduce that allowing additional parking areas in the watershed would not enhance water quality and potentially could negatively impact drinking water quality. Therefore, Planning staff does not support the proposed text amendment.

Staff recommends denial.

Gary: Any questions from the council?

Marilyn: We have had a plan in place for thirty years to protect our drinking water. This could negatively affect drinking water.

Doc: The petitioner needs ½ acre of SIDA from the town. But to grant them SIDA the town would be "charged" for the entire site of 8 acres. Our Town attorney, Bo, has given us three options to consider. Deny, approve or delay/continue to consider a special use rezoning for the ½ acre site.

Scott: If you vote to change the UDO it would apply to all properties within the Town's jurisdiction, not just this site.

Peggy: If we chose the special use rezoning, gravel would be considered pervious but only by case by case basis.

Marilyn: I think we should continue until February to consider the special use rezoning option.

Scott: Are you making a motion to continue?

Marilyn: Yes.

Scott: You will be directing the Planning Board to make a recommendation to the Town Council. Gary can work with Bo to draft an amendment.

Gary: It doesn't have to be worded like the petitioner requested. It doesn't have to go back to the Planning Board.

Doc: We don't want to skip the full process.

Gary: I'll notify the petitioner and work with Bo for wording.

The **Public Hearing** is opened at 7:13 by Mayor Davis for those wishing to speak for or against WA-UDO 22.

With no speakers coming forward Mayor Davis closes the **Public Hearing** at 7:13.

**MOTION: TO CONTINUE UNTIL THE FEBRUARY MEETING OF THE
PLANNING BOARD WITH THE SPECIAL USE REZONING
OPTION**

BY: MARILYN MARTIN

SECOND: PEGGY LEIGHT

**VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)**

2. PUBLIC HEARING – WA-UDO 23

AN ORDINANCE AMENDING CHAPTERS A AND B OF THE WALKERTOWN UNIFIED DEVELOPMEMNT ORDINANCES REGARDING THE DEFINITION OF MANUFACTURED HOME, CLASS A AND LIMITING THE PLACEMENT OF THIS USE TO RS30, RS40, AND MH DISTRICTS AND REGARDING THE PLACEMENT OF CLASS B AND C MANUFACTURED HOMES

Doc: Gary, you're up again.

Gary: Thank you mayor.

On November 7th the Planning Board unanimously voted to recommend to the Town Council approval.

Manufactured Homes are distinguished from other types of housing (i.e. site built or modular etc.) in that they do not meet the NC State Building Codes but rather meet the Federal Housing and Urban development (HUD) codes. Because they do not meet the State codes, local governments may adopt additional requirements relating to location or appearance: however, this use may not be completely prohibited within a local jurisdiction.

The UDO currently divides manufactured homes into four categories with the Class A being what is commonly called a double-wide or a multi-sectional and the other three categories (Class B, C, and D) representing various types of single-wide homes. Class A Manufactured Homes are permitted in the YR, AG, RS40, RS30, RS20, RS15, RS12, RS9, RS7, and RSQ districts with a Board of Adjustment Special Use Permit and in the MH and MU-S districts as a use by right. These permits are typically approved for a 5 year period after which the property owner must apply to the Board of Adjustment for a renewal. The Town has requested that Planning staff prepare a UDO amendment which would limit the placement of Class A Manufactured Homes to the RS30, RS40, and MH district and to improve the appearance standards for any such new homes regarding the roof pitch and type of masonry underpinning.

The Town has also requested staff to include in this amendment the removal of new Class B and Class C homes from all districts except MH, which is

comparable to the districts which these uses are permitted in within the City of Winston-Salem. While the vast majority of residentially zoned property within the corporate limits of Walkertown is zoned RS9 there are some properties located along the north side of Old Hollow Road between Camp Betty Hastings Road and Davis Road that are currently zoned RS30 and RS40. It is the opinion of the Town Attorney that this area would be sufficient to comply with the North Carolina General Statutes. The UDO now requires that Class A homes have a minimum roof pitch of 3.5 feet of vertical rise for every 12 feet of horizontal run. This amendment would increase the pitch to 5 feet. This is the standard roof pitch for modular homes and according to a local manufactured home dealer, this would increase the price between \$2,000 and \$4000. This amendment would also require that any new Class A homes be placed on a brick foundation. Going from a concrete block to a brick foundation would increase the price ~\$500. Any existing Class A, B, or C homes that would be made nonconforming by this amendment would have the option of applying to the Zoning Board of Adjustment for a renewal once the current approval expires.

Planning staff recommends approval of this text amendment.

Gary: Any questions?

Doc: Approval would be an upgrade in the appearance of the town. Some of these manufactured homes go back to the 60's.

Peggy: What would happen to A, B, C non-conforming MH's at the Board of Adjustments.

Gary: If they were on the wrong lot size and came up for their 5 year renewal, they're current zoning would be the wrong zoning.

Scott: If they have continued to keep their permit in place, they would be grandfathered in.

Doc: Any other questions from council? *NO.*

The **Public Hearing** is opened at 7:43 by Mayor Davis for those wishing to speak for or against WA-UDO 23.

With no speakers coming forward Mayor Davis closes the **Public Hearing** at 7:44.

MOTION: TO APPROVE WA UDO-23 AS WRITTEN.

AN ORDINANCE AMENDING CHAPTERS A AND B OF THE WALKERTOWN UNIFIED DEVELOPMEENT ORDINANCES REGARDING THE DEFINITION OF MANUFACTURED HOME, CLASS A AND LIMITING THE PLACEMENT OF THIS USE TO RS30, RS40, AND MH DISTRICTS AND REGARDING THE PLACEMENT OF CLASS B AND C MANUFACTURED HOMES

BY: RANDY MENDENHALL

SECOND: MARILYN MARTIN

VOTE: UNANIMOUS

(LEIGHT, MARTIN, MENDENHALL, WELCH)

3. PUBLIC HEARINGS

ORDINANCES: AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN, NORTH CAROLINA

(1.) **ORDINANCE ANNEXING PROPERTY OF:**
GENE & BERNICE FREEMAN – 5171 DAVIS ROAD

(2.) **ORDINANCE ANNEXING PROPERTY OF:**
JODY & BRENDA FREEMAN – 4620 PARADISE LANE

The **Public Hearing** is opened at 7:47 by Mayor Davis for those wishing to speak for or against an Ordinance annexing 5171 Davis Road and 4620 Paradise Lane.

With no speakers coming forward Mayor Davis closes the **Public Hearing** at 7:48.

MOTION: TO APPROVE AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WALKERTOWN, NORTH CAROLINA BY ANNEXING 5171 DAVIS ROAD AND 4620 PARADISE LANE

BY: PEGGY LEIGHT

SECOND: SARAH WELCH

VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)

4. SWEARING IN CEREMONY

1. Oath of Office for Council Member Margaret Leight
2. Oath of Office for Council Member Sarah Welch

Rusty Sawyer reads the Oath of Office at the Swearing In Ceremony for both Peggy Leight and Sarah Welch noting their many years of dedication and service to the Town of Walkertown.

5. APPOINTMENT OF PLANNING BOARD MEMBERS AND ALTERNATES

Doc: Chuck Anas has agreed to another 3 year term on the Planning Board. Alternate Jerry Pegram has agreed to a one year term on the Planning Board. He will fill the vacancy left by George King. We are appointing 3 Alternate Planning Board Members to one year terms, Steve Fowler, Vernon Brown and Roger Bailey. Do I have a motion from Council?

MOTION: TO APPROVE APPOINTMENT OF MEMBERS TO THE WALKERTOWN PLANNING BOARD

1. **CHUCK ANAS; PLANNING BOARD MEMBER TO THREE YEAR TERM COMMENCING JANUARY 1, 2018 AND CONCLUDING DECEMBER 31, 2020**
2. **JERRY PEGRAM; PLANNING BOARD MEMBER TO ONE YEAR TERM COMMENCING JANUARY 1, 2018 AND**

CONCLUDING DECEMBER 31, 2018

- 3. STEVE FOWLER, VERNON BROWN, AND ROGER BAILEY;
ALTERNATE PLANNING BOARD MEMBERS TO ONE YEAR
TERMS COMMENCING JANUARY 1, 2018 AND CONCLUDING
DECEMBER 31, 2018**

**BY: PEGGY LEIGHT
SECOND: SARAH WELCH
VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)**

Mayor Davis welcomes the new Planning Board members and thanks all the members of the Planning Board for their service to the town.

6. ADOPTION OF 2018 MEETING SCHEDULE

Doc: Does council have any conflicts with the 2018 schedule? *NO*.

**MOTION: TO ADOPT THE 2018 MEETING SCHEDULE AS:
FOURTH THURSDAY OF THE MONTH (EXCEPT HOLIDAYS)
7:00 P.M. @ THE BOOE HOUSE**

JANUARY	25
FEBRUARY	22
MARCH	22
APRIL	26
MAY	24
JUNE	28
JULY	26
AUGUST	23
SEPTEMBER	27
OCTOBER	25
NOVEMBER	15 – CHANGED DUE TO THANKSGIVING HOLIDAY
DECEMBER	13 – CHANGED DUE TO CHRISTMAS HOLIDAYS

**BY: RANDY MENDENHALL
SECOND: PEGGY LEIGHT
VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)**

7. FINANCIAL STATEMENTS

DECEMBER, 2017

Doc: We are completing our sixth month of the year which puts us at 50%.

Expenditures are under budget @ 31% and Revenue slightly behind @38%.

Unrestricted Funds @ \$3,093,814.61 and Restricted Funds @ \$911,790.43
for a Grand Total Fund Balance of \$4,005,605.04.

Scott: Revenue numbers will improve in January.

Randy: Is everything going to suit you Scott?

Scott: Everything is looking good and in order.

**MOTION: TO APPROVE FINANCIAL STATEMENTS FOR DECEMBER,
2017 AS PRESENTED**

**BY: PEGGY LEIGHT
SECOND: SARAH WELCH**

VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)

8. SET WORKSHOP MEETING DATE FOR JANUARY, 2018

Council agrees to hold the workshop on January 11, 2018.

PUBLIC SESSION

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WHEN SPEAKING TO ANY ITEM, PLEASE RESTRICT YOUR REMARKS TO THE SUBJECT AT HAND.

Mayor Davis opens the **PUBLIC SESSION** at 8:04.

Paul: The Walkertown Area Historical Society appreciates all the council has done for us and the maintenance on the museum. Thank you! The council has supported our volunteers. Your generosity has allowed us to collect, protect and preserve artifacts dating back more than a 100 years.

Doc: Thank all of you for preserving town history. We need more recorded oral history.

With no other speakers coming forward the Mayor closes the **PUBLIC SESSION** @ 8:07.

Doc: Please include our dear friend Tom Lane in your prayers. I'm very worried about him. He was in a lot of pain this afternoon.

ADJOURNMENT:

MOTION: TO ADJOURN REGULAR MEETING AT 8:09 P.M.

BY: MARILYN MARTIN

SECOND: SARAH WELCH

VOTE: UNANIMOUS
(LEIGHT, MARTIN, MENDENHALL, WELCH)

ANOUNCEMENTS:

Town Hall Closed – December 25th, 26th, 27th & January 1st, 2018

RECYCLING - every other week

January – 2018

ROUTE A – 8th & 22nd

ROUTE B – 2nd, 15th & 29th

Submitted by:

Rusty Sawyer

Town Clerk

Visit the Town's website at:
www.townofwalkertown.us

