

**WALKERTOWN PLANNING BOARD MEETING
WALKERTOWN BOOE HOUSE
NOVEMBER 07, 2017 3:00 P.M.**

MINUTES

CALL TO ORDER

Chairman Robert Butler called the Planning Board meeting to order at 3:00 p.m. with the following being members in attendance: Chuck Anas, Keith Fulp, Jerry Pegram, Planning Board Coordinators Town Manager Scott Snow and Town Clerk Rusty Sawyer. Also in attendance, from Winston-Salem/Forsyth County Planning, Project Planner Gary Roberts and Town Attorney Bo Houff.

DETERMINATION OF QUORUM

Yes, Chairman Robert Butler confirms a Quorum (4) is present.

APPROVAL OF AGENDA

Keith Fulp moved, and Chuck Anas seconded, for approval of the agenda as presented. The vote was unanimous.

APPROVAL OF MINUTES

1. September 5, 2017

Keith Fulp moved, and Jerry Pegram seconded, for approval of the September 5, 2017 minutes as written. The vote was unanimous.

PUBLIC SESSION - Please limit your talk to 3 minutes. Non-Agenda Items only.

The Public Session was opened by Chairman Butler at 3:02 p.m.

With no speakers coming forward Chairman Butler closes the Public Session at 3:02.

BUSINESS AT HAND

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

Robert Butler introduces Project Planner Gary Roberts, with WS/FC Planning.

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

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 Board?

Robert: If UDO-22 passes would the town get SIDA back?

Gary: Not automatically.

Bo: If approved, the petitioner could request a Site Plan Amendment to add gravel surfaces to be considered pervious.

Robert: Will Church's Daycare still need SIDA?

Gary: No.

Robert: Any other questions from the Board? *NO.*

With no more questions from the Board, the **Public Hearing** is opened @ 3:16 to those wishing to speak for or against WA-UDO 22.

My name is Scott Kehianian representing the petitioner "All In Self Storage".

Small businesses often need additional parking, in particular those the Town of Walkertown. In watershed areas, businesses can only use a small portion of their acreage for building or developing using impervious materials. After they have used up their buildable space the remaining property can only use pervious materials for parking.

NC dropped gravel as an example of impervious material for stormwater rules in 2015.

Any of those businesses who wish to use more of their land for parking would benefit. Now, those businesses must use only grass or mulch. Moving vehicles on wet mulch damages the ground.

We only need a small parking pad area and driveway. Permeable concrete is too expensive.

This change in the ordinance would greatly benefit many smaller businesses and the patrons of the business.

Robert: Any others wishing to speak? *No.*

With no other speakers coming forward Chairman Butler closes the **Public Hearing** at 3:20.

Robert: Any questions from the board?

Keith: Would this encourage people to quit using asphalt?

Gary: Some would not use asphalt. Could have more parking on gravel.

Bo: Rather than a text amendment to the UDO, you would have more control on a case by case basis with Special Use zoning requests. You could approve or deny. General Use doesn't have a paving permit.

Jerry: Is this a request for a gravel driveway or for parking everywhere.

Bo: This would apply jurisdiction wide. You are making a recommendation to the Town Council who has the final say.

Scott Kehianian: I am wanting to gravel a 100" X 200" parking pad.

Robert: Do I have a motion? *NO MOTION from Planning Board.*

Chairman Butler makes the motion.

**MOTION: TO RECOMMEND TO THE TOWN COUNCIL APPROVAL OF
WA-UDO-22
AN ORDINANCE AMENDING CHAPTER C OF THE WALKERTOWN
UNIFIED DEVELOPMENT ORDINANCES TO ALLOW GRAVEL
SURFACES TO BE CONSIDERED PERVIOUS**

BY: ROBERT BUTLER

SECOND: KEITH FULP

VOTE: 2 FOR APPROVAL, 2 DENY

MOTION FAILS

ROBERT BUTLER & KEITH FULP: APPROVAL

CHUCK ANAS & JERRY PEGRAM: DENY

(BUTLER, FULP, ANAS, PEGRAM)

2. PUBLIC HEARING – WA-UDO 23

AN ORDINANCE AMENDING CHAPTERS A AND B OF THE WALKERTOWN UNIFIED DEVELOPMENT 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

Robert Butler introduces Project Planner Gary Roberts, with WS/FC Planning.

Gary: I am handing out a corrected Permitted Uses Table (Chapter B, Article II, Section 2-4 Permitted Uses – Table B.2.6)

“A” stands for “Board of Adjustment” approval for 5 years then renewal.

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?

Keith: Would this bring the town in line with Winston-Salem?

Bo: Yes, in line with Winston-Salem and stricter than Forsyth County.

With no other questions from the Board, the **Public Hearing** is opened @ 3:43 to those wishing to speak for or against WA-UDO 23.

With no speakers coming forward Chairman Butler closes the **Public Hearing** at 3:43.

Robert: Any other discussion from the Board? *NO.*

If the board wishes to make a MOTION OF NO CONSIDERATION to postpone making a recommendation this would be the time to do it.

Do I have a motion and recommendation to make to the Town Council?

**MOTION: TO RECOMMEND TO THE TOWN COUNCIL APPROVAL OF
WA-UDO-23
AN ORDINANCE AMENDING CHAPTERS A AND B OF THE
WALKERTOWN UNIFIED DEVELOPMENT 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: KEITH FULP

SECOND: CHUCK ANAS

VOTE: UNANIMOUS

(FULP, ANAS, PEGRAM)

PUBLIC SESSION- Please limit your talk to 3 minutes. Non-Agenda Items only.
The **Public Session** was opened by Chairman Robert Butler at 3:44.

With no speaker coming forward the **Public Session** was closed at 3:44 p.m.

ANNOUNCEMENTS:

Town Council Public Hearing will not be in November. Moved to December 14th.

ADJOURNMENT:

On a motion by Jerry Pegram and seconded by Chuck Anas, the meeting was adjourned at 3:45 p.m. by unanimous vote.

(FULP, ANAS, PEGRAM)

REGULAR PLANNING BOARD MEETING

FIRST TUESDAY OF MONTH @ the BOOE HOUSE – 3:00 PM

Submitted by: RUSTY SAWYER
Town Clerk