

Planning and Zoning Board

Minutes

Thursday, February 18, 2021

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, February 18, 2021 for their regularly scheduled meeting via Zoom. Chairman Gherini called the meeting to order at 5:30 pm. Members present were Harrison Herbst, Wes Carter, Mike Page, Pete Page, Bill McCarter, Joe Papa and Kim Hartley. Member Sam Glover was absent. Staff members present were Planning Director Kevin Rothrock and Planning and Zoning Support Specialist Tammy Bentley.

Chairman Gherini asked if there were any changes to the agenda. *Mr. Papa made a motion to approve the agenda, seconded by Mr. Herbst. All members were in favor of the motion.*

Chairman Gherini asked if there were any changes to the January 21, 2021 minutes. *Mr. McCarter made a motion to approve the minutes, seconded by Mr. Pete Page. All members were in favor of the motion.*

1. Review and consideration of Chapter 16 and Chapter 17 Amendments consistent with 160D of NC General Statutes

Mr. Rothrock gave the staff report and Powerpoint presentation. In 2019, the NC General Assembly adopted sweeping changes for Land Use Law in North Carolina as a new chapter 160D in the NC General Statutes. These statute changes require each local government in NC (city and county) to modify their land use regulations consistent with 160D. Due to the onset of the Coronavirus pandemic, the deadline to adopt changes to local ordinances was extended from January 1, 2021 to July 1, 2021.

Planning Board member Bill McCarter volunteered and provided an update to the entirety of Chapter 16 - Land Use Ordinance. Mr. McCarter also updated Chapter 17, the Town's minimum housing standards. Once approved by Planning Board, the entire revised text will be brought to Town Council for a public hearing.

The effective date for these new changes is upon adoption, but not later than July 1, 2021.

Mr. Rothrock asked the Board if they had any questions. Mr. McCarter said that Class C needs to be removed from the Mobile Home definition.

Mr. Mike Page asked about the sleeping definition. Mr. McCarter said it came straight from the ordinance.

Mr. Mike Page asked about third-party down zoning, Mr. Rothrock advised this is when a third-party (neighbor) requests that a property's zoning district be changed from General

Business to Residential for example. Mr. Rothrock advised that this is no longer allowed, but that the Town can rezone property without the property owner's permission.

Mr. Mike Page, referring to section 16-23.6, asked the timeline for updating the Comprehensive Plan. Mr. Rothrock advised that any map amendment must state that it is consistent with the Comprehensive Plan with a statement of reasonableness. If the amendment is inconsistent with the Comprehensive Plan, the change must be noted on the map. Mr. McCarter said comprehensive plans never expire. Mr. Rothrock the practice has been to update every 10 years.

Mr. Rothrock suggested that 1.130 in the Permissible Use Table, 'C' be changed to 'Z' as these uses should be allowed by right. Mr. McCarter agreed. Mr. Rothrock also noted Section 16-21.2, Commercial Designs Standards, can no longer be applied to single family and duplexes in the downtown zoning districts. Mr. Rothrock advised these cannot be regulated by state statute.

Mr. Mike Page made a motion to recommend to Town Council to adopt as stated and asked if it is necessary to review Chapter 17. Mr. Rothrock said the Town rarely deals with minimum housing situations. Chairman Gherini asked Mr. Page to hold his motion.

Mr. Rothrock noted Section 16-3.5. Mr. McCarter said this language is straight out of the statute and that it affects all public boards and staff. Chairman Gherini asked if Board members should be polled before each meeting regarding conflicts of interest. Mr. Rothrock said this is procedural, that members have been recused. Mr. Rothrock said this was in the code, but the new language is cleaned up and includes staff.

Mr. Herbst advised there are several misspellings in Chapter 16. Mr. Rothrock asked him to email these to him and he will correct these.

Mr. Mike Page made a motion to recommend to Town Council to adopt the changes as incorporated and presented; eliminating Class C mobile homes, correcting misspellings and grammar, and changing any reference to 160A to 160D, seconded by Chairman Gherini.
All members were in favor of the motion.

Other Business

Chairman Gherini asked for an update on Rainey Lodge. Mr. Rothrock advised he thinks the weather is delaying the start. Mr. Rothrock advised that the Bass Lake project should commence soon in front the Rainey Lodge property, adding that it will be good to complete that before construction on the project starts.

Chairman Gherini asked about the development on the vacant Hanna lots off Pine Street and Laurel Lane. Mr. Rothrock said Mr. Steve Heatherington is considering a townhome project on the sites.

Chairman Gherini asked about surveyors at the corners 321 and Sunset. Mr. Rothrock said tree work is planned, but the cranes broke down at the old car lot site.

Mr. Papa asked about the Take Heart site. Mr. Rothrock said the footers are being redesigned due to the soil conditions.

Mr. Mike Page addressed the comments about out of town residents not getting public notices and said that the Blowing Rock Civic Association can take care of that. Mr. Page said they could subscribe to the Blowing Rocket where the public notices are published. Mr. Herbst noted that it is now easier than ever to be on one of these meetings. Chairman Gherini noted that during the Winkler Green Hill Subdivision meeting that 30-plus people were able to speak. Chairman Gherini said he agrees with Mr. Herbst. Mr. Mike Page noted that the seller of this property is the Country Club and that lots of people complaining were Country Club members. Mr. Page added that conservation easements are not the purview of the Planning Board nor can they control development requests.

Having no further business Mr. Herbst made a motion to adjourn, seconded by Ms. Hartley.
All members in favor of the motion.

Chairman Gherini adjourned the meeting at 6:20 p.m.

Chairman Gherini

Tammy Bentley
Planning & Zoning Support Specialist