

Agenda
September 11, 2014

REGULAR MEETING OF TOWN OF COLUMBUS
BOARD OF PLANNING AND ADJUSTMENT

RULES FOR PERSONS ADDRESSING BOARD MEMBERS

1. Each speaker will identify himself or herself by giving his or her **name and place of residence**.
2. Each speaker will be limited to speaking one time on any topic. When you are finished speaking, please step away from the podium and be seated.
3. Each speaker will be limited to **three (3) minutes** and each group's representative will be limited to a **maximum of ten (10) total minutes**. Each group is encouraged to designate a single spokesperson for their group.
4. Each speaker will confine himself or herself to the general question before the Council and avoid irrelevant comments.

PUBLIC MEETING
(4:30 PM)

Planning Board

1. Planning Board Call to Order
2. Approve Planning Board Minutes of April 10, 2014 Meeting
3. Public Comments
4. Consideration of Limiting Temporary Promotional Signs
5. Adjourn Planning Board Meeting

COLUMBUS PLANNING BOARD
Minutes of Regular Meeting
Thursday April 10, 2014

The Town of Columbus Planning Board met on Thursday, April 10, 2014 at 4:30 p.m., at the Columbus Town Hall, 95 Walker Street, Columbus, North Carolina.

Board Members Present: Kathleen Nowakowski
Mary Shambaugh
Joan Scoggins
Jimmi Buell
Joan Scoggins
Bevin Corbin

Staff Present: Jonathan Kanipe, Town Manager
Devon LaFromboise, Town Clerk

ROLL CALL AND RECOGNITION OF QUORUM

The meeting was called to order at 4:30 p.m. A roll call was taken and the Chairman acknowledged all present. Mrs. Shambaugh made a motion to approve the minutes of the November 14, 2013 meeting as written, Miss Buell seconded the motion, motion carried.

There were no public comments.

Consideration of Recommendation to Columbus Town Council regarding Zoning Text Amendment 01-2014 (Ordinance Amending the Columbus Zoning Ordinance)

Manager Kanipe briefly explained to the Planning Board that the proposed changes to the ordinance are a reflection of the changes to state law. Manager Kanipe went through the outline as prepared by him and Attorney Bailey Nager:

1. A key substantive change is that while appeals by the property owner must be filed within 30 days of receipt of a decision, other interested persons may have more time to file an appeal as their 30 days is not triggered until they have actual or constructive notice of the decision. Property owners now have the right to post a notice of a decision on their property as a means to put others on constructive notice thereby triggering the time in which they can appeal. These changes are all mandated by the new statute.
2. Another key change is that whereas before all decisions of the BOA required a 4/5ths majority to carry, now only decisions on applications for variances require the 4/5ths majority. All other decisions (e.g., appeals from determinations of the zoning administrator, decisions on conditional and special use permits) simply require a simple majority. Again, this is a change mandated by the new statute.
3. The new statute also lessens the standard for granting variances. The former requirement that the applicant show that in the absence of a variance no reasonable use of his or her property can be made has been eliminated.
4. The change to 154.082(C)(1) is just to fix an error in the old text where it said at the end that the decision was by the Town Council rather than the BOA. *This is an amendment resulting from a flaw in the Town's ordinance, and not mandated by state law.*

5. An additional requirement is added so that variances and conditional and special use permits get recorded in the Register of Deed's office. This is not a statutory requirement, but the county and many jurisdictions do this. This recordation will be at the applicant's expense.
6. Staff deleted a current section of the Zoning Ordinance as it relates to the Board of Planning and Adjustment (154.040(C)). It puts a 2-term limit on membership on the Board of Planning and Adjustment. *The Town has had significant issues the past few years in filling these appointed positions, and we have not been able to abide by this term limit. Staff recommends removal of this provision and has already done so from the draft ordinance as presented this evening.*

Manager Kanipe clarified the first three recommendations are state mandated and the last three are staff recommendations. Manager Kanipe reminded the Planning Board of the need of two motions: one for the statement of consistency and the other for the recommendation of approval to the Columbus Town Council.

Mr. Rome made a motion for the statement of consistency, the zoning text amendment is consistent with the Town of Columbus's comprehensive plan and zoning ordinance, and is reasonable and in the public interest, Miss Buell seconded, motion carried.

Mrs. Nowakowski made a motion to recommend approval of the proposed zoning text amendment identified as ZTA 01-14 to the Town Council, Mrs. Shambaugh seconded, motion carried.

Manager Kanipe reminded the Planning Board of the required Public Hearing on the changes to be held Thursday, April 17, 2014.

Mrs. Nowakowski and Manager Kanipe discussed general zoning questions, extra territorial jurisdiction, and how citizens are represented on boards with ETJ. Manager Kanipe clarified that any property zoning requires notification of adjoining property owners and property owners can speak with town staff and county staff.

Mrs. Scoggins asked Manager Kanipe to clarify the noise ordinance. The ordinance is vague and open to interpretation other than the time period of 11:00 p.m. to 7:00 a.m. Mrs. Scoggins and Mr. Rome would like to address the ordinance.

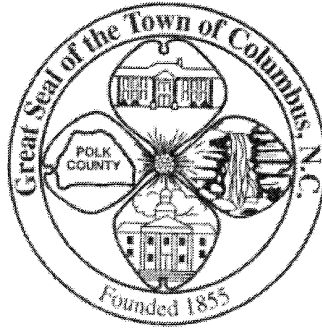
Mrs. Scoggins would also like to have a severe weather notification system and severe weather shelter. Manager Kanipe suggested the use of the CodeRed System for severe weather alerts. Bevin Corbin suggested a weather alert radio. Manager Kanipe suggested speaking with Polk County Emergency Management Department to work with the town.

Miss Buell asked if the town has received an update on any business interested in occupying the old Burger King location on E. Mills Street. The town has had no contact from the property owner.

There being no further business, Mr. Rome made a motion to adjourn, Mrs. Scoggins seconded the motion, motion carried. The meeting was adjourned at 4:55 p.m.

Chairman

Clerk



MEMORANDUM FOR PLANNING BOARD MEETING

September 11, 2014

To: Columbus Planning Board
From: Timothy J. Barth, Interim Town Manager
Re: Consideration of Limiting Temporary Promotional Signs
Date: September 8, 2014

Background

At the August 21 Town Council meeting the Town Council asked the Planning Board to consider further restricting temporary signs for promotional purposes.

In Chapter 154 .112K(3) of the Town Code it states, "Signs for promotional purposes by an individual business may be displayed on the premises and for a period not to exceed 30 days in a calendar year." The only problem is that if the business changes the temporary sign then that sign has an additional 30 days. So whenever a sign reaches its 30 day limit, a new one can replace it for another 30 days. The Town Council asked the Planning Board to consider whether the wording should be changed to limiting temporary sign to 30 days in a calendar year regardless of the wording. If changed, the ordinance would limit a business to putting temporary signs out for only 30 days per calendar year.

The amended wording for Chapter 154.112K(3) would be "Signs for promotional purposes by an individual business may be displayed on the premises and for a period not to exceed 30 days in a calendar year. Replacing one temporary sign with another is allowed but will not restart the 30 day count."

If you have any questions, please do not hesitate to contact me.