

**WORK SESSION MEETING OF
THE VILLAGE OF CLEMMONS PLANNING BOARD
August 1, 2022 MINUTES**

The Village of Clemmons Planning Board met on Monday, August 1, 2022 at 6:00 p.m. The meeting was held at Village Hall, Clemmons, North Carolina. The following members were present: Kevin Farmer, Lanny Farmer, Brad Hunter, Tressa Krenzer, and Tom Mekis. Members Rob Cockrum and Carolyn Miller were absent. Planner Nasser Rahimzadeh, Assistant Manager Amy Flyte, and Planning Technician Caroline Drake were also present.

I. CALL TO ORDER

Chairman Brad Hunter called the meeting to order at 6:06 p.m.

II. APPROVAL OF MINUTES for June 21, 2022 meeting

Lanny Farmer made a **motion** to approve the June 21, 2022 minutes as presented. Tressa Krenzer seconded the motion which was unanimously approved.

III. REVIEW OF MINUTES for July 19, 2022 meeting

Planner Rahimzadeh advised that the minutes for July 19, 2022 did not need approval since there was no quorum present at that meeting, but there were draft minutes available as a summary of the unofficial meeting.

IV. CHANGES AND/OR APPROVAL OF AGENDA

There were no changes to the agenda.

V. ANNOUNCEMENTS

There were no announcements.

VI. PUBLIC COMMENTS

There were no public comments.

VII. BUSINESS

A. Election of Planning Board Officers for 2022-2023

Brad Hunter **nominated** Planner Rahimzadeh as Secretary of the Planning Board. Tom Mekis seconded the motion which was unanimously approved.

Kevin Farmer **nominated** Tom Mekis as Chair of the Planning Board. Lanny Farmer seconded the motion which was unanimously approved.

Lanny Farmer **nominated** Kevin Farmer (no relation) as Vice Chair of the Planning Board. Tressa Krenzer seconded the motion which was unanimously approved.

B. Village Councilmember Combest Presentation to the Planning Board

Councilmember Mike Combest made a presentation to the board about “Planning Board Basics” (attached hereto as Exhibit A and incorporated as part of the minutes). He pointed to educational resources from the University of North Carolina School of Government. He highlighted specific sections from the UDO, particularly the exhibits as well as the purpose statement. He advised creating an assessment checklist for proposed developments to assist with decision-making.

C. For Consideration of Zoning Map Amendment for real property owned by 30S Equity, LLC from GB-S (General Business – Special) to GB-S (General Business – Special) for property addressed 0 Gentry Lane, PIN 5893-04-0489, consisting of 1.35± acres as shown on a site plan located in the Village of Clemmons Planning Department and on the Village of Clemmons website (**Zoning Docket C-249**).

Planner Rahimzadeh introduced Zoning Docket C-249, a plan for a 10,000 sq. ft. commercial building on Gentry Lane with restaurant and retail uses and additional requested uses. He noted that the ordinance typically allows no more than 33% of parking in front of the building, but that the limit can be exceeded such as in this case if there are verified topographical issues and proper screening is provided. The site plan has a 50’ streetyard on the side facing I-40 per Village Point Design Guidelines. Lanny Farmer inquired about sidewalks and considerations for pedestrian circulation. There are no stormwater management devices on-site because there are nearby off-site devices to which the on-site stormwater will divert. Chairman Mekis inquired about the reasoning for requiring the TIA and what the process would be if the uses change in the future. Tressa Krenzer noted the placement of the dumpster seems appropriate for the site layout. Kevin Farmer requested clarification regarding the GB-S to GB-S request. Planner Rahimzadeh clarified that changes in density to the site plan require that site plan go through the original approval process again, and the original site plan for the site was for a 7,000 sq. ft. building. The petitioner also narrowed down the requested uses from the original approval. Lanny Farmer expressed he wanted to ensure the site is pedestrian-friendly, especially with apartments nearby and its location within the Village Point Area.

D. Rules for Legislative Hearings

Planner Rahimzadeh proposed a change to the rules for legislative hearings that would eliminate rebuttal time. He advised that it seemed like the rebuttal period has been used as more of a question-and-answer session or as time for additional new speakers that repeat points that have been made earlier in the hearing. Chairman Mekis expressed that he liked when in the past a timer has been visible for everyone to see and when the timer is paused for questions. Kevin Farmer opposed removing rebuttal time completely without trying other methods of keeping

order first. Tressa Krenzer expressed that offering some rebuttal time is good. Chairman Mekis favored a change that would remove the specification of 3 minutes allotted per speaker in order to increase flexibility among speakers for the 6 minutes of total rebuttal time each side has. Brad Hunter proposed that bullet points may be needed to help simplify the rules. Planner Rahimzadeh advised that he could revise the language of the rules and present it at a future meeting.

E. Amendments to Rules of Procedure

Planner Rahimzadeh proposed a change to the rules of procedure to align with recent changes to the Unified Development Ordinances regarding Planning Board quorum. The amendment would remove the requirement of five (5) members for quorum and instead require a simple majority. He also revised the rules to specify that a meeting can still be held without quorum but no action can be taken at such a meeting.

Chairman Mekis proposed a **motion** to change the wording for quorum from five members to a majority of actual members. Kevin Farmer made the motion as presented and Lanny Farmer seconded the motion which was unanimously approved.

F. Disclosures Discussion

Planner Rahimzadeh proposed including a part of the agenda for disclosures regarding projects, including site visits and meetings with petitioners in order to increase transparency. Chairman Mekis inquired how to determine what kind of interactions should be disclosed, such as driving by the site. Lanny Farmer stated the difference between public right-of-way and going onto private property seemed like a reasonable distinction to him. Kevin Farmer proposed that there be a written policy regarding the disclosures. Planner Rahimzadeh agreed to draft one for review at a future meeting.

G. Staff Report – Next scheduled meeting on August 16, 2022.

The next scheduled Planning Board public meeting will be on Tuesday, August 16.

VI. ADJOURNMENT

Kevin Farmer made a **motion** to adjourn at 7:36 p.m. Tressa Krenzer seconded the motion which was unanimously approved.

Respectfully submitted,



Caroline Drake, Planning Technician



Nasser Rahimzadeh, Secretary

What the Village Council--- and ultimately the Village --- Need from the Planning Board



Some Planning Board Basics.....

Address 3 Basic Questions

- ✓ What does the Planning Board do?
- ✓ Where does the Planning Board learn how to do what must be done?
- ✓ How does the Planning Board do what must be done?

Address 3 Basic Questions

✓ What does the Planning Board do?

✓ Where does ~~the Planning Board~~ learn how to do what must be done?

Each Planning Board Member

✓ How does the Planning Board do what must be done?

Answers to these 3 Questions are best found at 3 Sources:

1. **'Coates' Canons NC Local Government Law: Planning Board Basics'**
2. **Village of Clemmons Unified Development Ordinances (UDO)**
3. **North Carolina General Statute 160(D): Local Planning & Development Regulation**

First, go to.....

- **'Coates' Canons NC Local Government Law: Planning Board Basics'**

Google the title or go to:

<https://canons.sog.unc.edu/category/land-use/zoning/>

then go immediately to:

[Planning Board Basics](#)

By: [Adam Lovelady](#) Published on: 01/07/22

<https://canons.sog.unc.edu/2022/01/planning-board-basics-2/>

(Visit Web Site.....)

Second, go to.....

- **Village of Clemmons Unified Development Ordinances (UDO)**

Google the title or go to:

https://library.municode.com/nc/clemmons/codes/unified_development_code

(Or go to: Village of Clemmons Homepage...then to 4 step process ---

(Visit Municode Web Site.....)

The screenshot displays the Municode website interface for the Village of Clemmons, North Carolina. The page title is "UNIFIED DEVELOPMENT ORDINANCES VILLAGE OF CLEMMONS NORTH CAROLINA". The main heading reads "UNIFIED DEVELOPMENT ORDINANCES VILLAGE OF CLEMMONS NORTH CAROLINA". Below the heading, it states "Published in 2007 by Order of the Clemmons Village Council". The Municode logo is prominently displayed, with the tagline "POWERED BY CIVICPLUS". Contact information includes "info@municode.com | 800.262.2633 | www.municode.com" and "P.O. Box 2235 Tallahassee, FL 32316". The page also features a "PREFACE" section and a footer stating "The Unified Development Ordinances is the compilation of regulations that affect land use, including the Definitions Ordinance, the Zoning...". A sidebar on the left lists various sections, including "List of Tables", "SUPPLEMENT HISTORY TABLE", and "Chapter A - Definitions Ordinance" through "Chapter D - Subdivision Regulations".

Third, go to.....

- **North Carolina General Statute 160(D): Local Planning and Development Regulation**

- *The two best (essential?) places to get and read 160D are:*

1. Google: 'Annotated Text of Chapter 160D – UNC School of Government'

https://www.sog.unc.edu/sites/www.sog.unc.edu/files/Chapter%20160D_AnnotatedText_E_2.pdf

- *You will find a pdf copy of 160D that is reviewed, annotated, remarked, etc. It's a good start. Read to introduce, but don't get trapped by trying to become expert.....*

2. Google: Chapter 160D: A New Land Use Law for North Carolina

<https://www.sog.unc.edu/resources/microsites/planning-and-development-regulation/ch-160d-2019>

- *You will find a brief introductory discussion about 160D, and you will find Clicks to multiple very good resources, including: A Book, 13 Short Videos, A Checklist re Local Ordinances and Practices, etc.*

Visit NCGS Sites 1 and 2

We Should Have Done:

1. Answered at an Introductory Level, 3 Questions:

- a. What does the Planning Board do?
- b. Where does the ~~Planning Board~~ learn how to do what must be done?
Planning Board Member
- c. How does the Planning Board do what must be done?

2. Visited Essential Sites:

- Coates' Canons NC Local Government Law: Planning Board Basics
- Village of Clemmons UDO
- NC Statute 160D and UNC supporting sites

3. Laid Foundation for Essential and Continuing Growth and Expertise

A Practical Recommendation

Make Yourself --- Each Individual an Assessment Checklist



Something Like,

Assessment Checklist for Proposed Development . Plan #:

I. Compliance With:

** specific and intent*

1. ***Compass:**
2. ***UDO:**
3. ***General Ordinances:**
4. ***Fire:**
5. **Planning Board Recommendation:**
6. **Other:**

 = Yes
 = No

II. Development Impact On:

1. Neighboring House Values:
2. Infrastructure Impact:
3. Local Traffic Impact, A/AADT Count (include type):
4. Local Business Revenue:
5. Local Business Growth:
6. Quality of Life Factors:
7. Crime and Security:
8. Noise and Light Pollution:
9. Education/Schools:
10. Community/Social Events:
11. Storm Water:
12. Air Quality:
13. Neighborhood Character:
14. Fiscal Impact: Cost, Revenue, Trade-Offs:
- 15.

Comments, Questions, Follow-Up

Answers to these 3 Questions are best found at an online site called:

'Coates' Canons NC Local Government Law: Planning Board Basics'

✓ This site is authoritative, plain spoken, user friendly, comprehensive.....

➤ Here's What It Contains:

▪ Planning Board Duties and Responsibilities

- 1. Advise on Comprehensive and Land Use Planning.**
- 2. Advise on Initial Zoning.**
- 3. Advise on Zoning Amendments and Plan Consistency.**
- 4. Advise on Other Ordinances.**
- 5. (Perform) Additional Planning Duties.**



1. Prepare, review, maintain, monitor, and periodically update and recommend to the governing board a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
2. Facilitate and coordinate citizen engagement and participation in the planning process.
3. Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
4. Advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.
5. Exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.
6. Provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board.
7. Perform any other related duties that the governing board may direct.