

**Town of Marshville
Town Council Meeting
Monday, January 25, 2016
Marshville Town Hall
201 W. Main St., Marshville**

Special Meeting

Council Members Present: Mayor Deese, Mayor Pro-Tem Morgan, Council Members Rowell, Carpenter, Staton, and Bivens.

Staff Present: Town Manager, Fern Shubert; Town Clerk/Finance Officer, Tonya Johnson; Planning, Zoning and Subdivision Administrator, Richard Flowe.

Call to Order/Invocation/Pledge of Allegiance

The meeting was called to order at 7:02 pm by Mayor Deese who welcomed everyone in attendance. The invocation was offered by Mayor Deese. The Pledge of Allegiance was given by everyone.

Purpose of the Meeting – *Richard Flowe - Update from Public Hearing*

Mayor Deese turned the Meeting over to Richard Flowe. Mr. Flowe reviewed the comments heard at the public hearing that was had on January 19, 2016. The Manufactured House Ordinance language was discussed. Mr. Flowe explained that it is considered in the Non-conforming Building Standard. There are to be no new mobile/manufactured homes on a vacant lot. However, if a mobile/manufactured home exists, it can be replaced if the replacement home is an upgrade from the existing structure.

Mayor Deese questioned NC state law and how the town is complying with state standards. Mr. Flowe explained that it is not a requirement to allow new homes on a vacant lot. Mr. Flowe clarified that the ordinance is only written to address the replacement of existing structures.

Council Member Bivens asked if Marshville would always have a trailer park, to which Mr. Flowe replied that there was no provisions in the new ordinance for a new trailer park to be built. It was also mentioned that only a modular style home could be placed on a vacant lot. Mr. Flowe raised the question as to whether or not the council wanted to allow manufactured houses in a district. Mayor Deese expressed that it seems to be killing a certain portion of the population and that manufactured housing may be all they can afford. Mayor Deese also stated that he believes that a trailer/manufactured house is decent housing and asked what council is going to do about people who can only afford manufactured housing.

Mr. Flowe raised the fact that if manufactured housing was going to be allowed then there needed to be a district chosen in which to allow it. Mr. Flowe explained that special use is a use by right and a different set of proceedings apply. Council Member Rowell asked if the use could be a conditional use. Mr. Flowe replied that it could but there would need to be standards developed. Council Member Staton clarified that the council is attempting to tell people what

they can or cannot put on their property.

Mr. Flowe stated that he had a lot of experience with manufactured housing. Council Member Carpenter suggested that being able to replace existing manufactured housing should not be changed. Planning Board Chair, Susan Drake, commented that if council selects a district it should be chosen carefully due to the effect on the conformity of houses in a neighborhood. Discussion ensued. Mr. Flowe then suggested that this be sent to the Planning Board to work on the standards and conditions.

Mr. Flowe asked if the council was still contemplating the February 1st adoption date for the Town Plan 2035, the Marshville Development Ordinance and new Zoning Map. The consensus of the council was that February 1st was the adoption date as planned.

Rezoning Requests

Mr. Flowe reviewed the zoning map requests from information heard at the public hearing. Mayor Deese stated that anyone in the ETJ area only pays taxes to Union County. The question was raised as to whether or not a business or industry in the ETJ would expect services (such as police protection) from Marshville. There were concerns raised about the effect on the citizens of Marshville and the resources. Discussion ensued.

Mr. Flowe asked the question of whether or not to hold to the current plan or to change the property as requested. Council Member Rowell suggested that the Huggins property be changed to C74, but the Moore property should be left alone. Council Member Staton stated that if that property zoning were changed, then it should be annexed. She expressed that the town should get something. Council Member Rowell stated that Marshville would have to provide services and that would be a long distance to go. Discussion ensued regarding the various requests to change zoning.

Mr. Flowe stated that ETJ meant that a permit would have to be obtained from Marshville and must meet the use conditions and standards. Mayor Deese commented that there would be some folks who would not like the changes. Mr. Flowe requested guidance from the council. Council Member Carpenter stated that if a rezoning was requested, all that has to be done is to apply for a rezoning. Mayor Deese stated that would put Marshville in a negotiating position. Mr. Flowe commented that the Town Plan was not always evident at meetings like the public hearing. He asked the council what he was hearing from it. It was the consensus of the council to leave the zoning map as is.

Mr. Flowe stated that a set of properties came in via a letter requesting that the zoning be SRF-1. It was the consensus of the council to grant the request.

Zoning - Solar Farm

Council Member Rowell brought up that there was a zoning request near the solar farm. Mr. Flowe explained that the owner had requested that additional property be included. If the solar facility wants to expand, there would need to be an application made for a new Special Use permit for the entire property based on the existing ordinance. The issue is that adding property was not part of the original deal. Mr. Flowe informed the council that a letter was sent explaining

the process of applying for a new Special Use permit. Mr. Flowe explained that under the proposed new zoning ordinance there would be no need for a new permit for the entire property. Discussion ensued.

Mayor Deese recalled that adjacent property owners were not thrilled about the solar farm. Town Manager Shubert explained that if the existing zoning was not changed in the new plan so it remained residential, once the plan was adopted the solar farm could not be expanded without going through the rezoning process unless a permit application was submitted before the plan was adopted, in which case the Board of Adjustments would consider the request for a Special Use permit. It was the consensus of the council to change the area for solar farm to not allow expansion unless the rezoning process was followed. Planning Board Chair Susan Drake, emphasized that planning and zoning is a process and will be constantly changing.

Adjourn


A motion to adjourn the meeting was made by Council Member Rowell. The motion was seconded by Council Member Staton and passed by unanimous vote. There being no further comments the meeting adjourned at 5:55 pm.

These minutes approved this 1st day of February, 2016.

By: _____


Franklin D. Deese, Mayor

ATTEST:



Tonya D. Johnson, Town Clerk

