

AGENDA
MARSHVILLE PLANNING BOARD
April 11, 2022 - 7 pm

In Attendance: Planning Board Members Tracy Stancil, Tom Appenzeller, and Nancie Mandeville; Co-Chairperson Rusty Johnson. Chairperson Susan Drake by Zoom. Board Member Francis Griffin did not attend. 7 pm

Staff in Attendance: Ann Sutton, Town Clerk, and Jonathan Wells, Planning Administrator

Call To Order: Call to order by Chairperson Susan Drake.

Invocation and Pledge: Board Member Rusty Johnson gave the invocation. All gave the pledge of Allegiance.

Election of Officers: Susan Drake was nominated by Rusty Johnson to be Chairperson of the Planning Board. All agreed. Board Member Appenzeller made a motion to approve Susan Drake as Chairperson. It was seconded by Rusty Johnson. All ayes. Rusty Johnson was nominated to be Vice-Chairperson and Tracy Stancil seconded this nomination. All ayes. Susan Drake will be Chairperson and Rusty Johnson will be Vice-Chairperson.

Consent Agenda: March 14, 2022, minutes approved with changes. The changes will be an addition of statements of consistency for Rezoning Request #1 703 E. Union Avenue and Rezoning Request #2 7023 E Marshville Blvd.

Rezoning requests:

Table of Uses recommendation: Planning Administrator Jonathan Wells presented a summary of the Table of Use items that have been discussed. The board review these items again and discussed them. (Please see attached table). Board Member Johnson made a motion to send the changes to the Table of Use items to the Town Council. Board Member Appenzeller seconded the motion. All agreed.

Items included in the discussion:

- a. An ABC Store is already in the town. Board does not feel there is room for another one. ABC Store will not be in TMU.
- b. A commercial garden is too big for TMU. Community gardens can be in TMU.
- c. MSP is not conducive to Ambulance, Fire, and Rescue Stations. Also, Athletic Fields are too large for MSP. Add Athletic Fields to C-74.
- d. Auditoriums, Coliseums, or Stadiums belong in C-74.
- e. Bakeries allowed in MSP. (small bread shops)
- f. Bars allowed in MSP.
- g. Indoor batting cages added to IND.
- h. Nail salons added to Table of Uses separated from Beauty Shops.
- i. Boarding House was taken out of the Bed and Breakfast use. (not enough parking)
- j. Gas pumps to be left in TMU
- k. Fabric and Piece Goods Store OK.
- l. Family Care Center is not to be in AG or MFO districts.
- m. Furniture Framing will have a name change to Furniture Assembly/Woodworking.
- n. Hazardous/Radioactive Waste will not be allowed in any zone.
- o. Junk vehicle companies only in HIO District, (High Industrial Overlay).
- p. Grocery store added to IND.
- q. Electronic Gaming Operation not in C-74 but in IND district.
- r. Leave Vehicle Storage as Accessory Use.
- s. Landscape Services permitted in IND.
- t. Manufactured Home/Dwelling Sales permitted in IND.
- u. Market – Rural Neighborhood permit in MSP and IND.
- v. Recreational Vehicle Sales (new & used) in IND but not in TMU.
- w. Service Station (Auto Repair Services, Minor) not permitted in MS district.
- x. Group Care is licensed by State. Not to be in AG, MFO, SF's, R/MST, and MSP districts.
- y. Utility Substations are not permitted in MSP, TMU, or CIV districts.
- z. Beer, Wine, or Distilled Alcoholic Beverages will be left alone for now.

There was also a brief discussion of Special Events and Animal Shelters. These items will be continued at another meeting.

Board Member Johnson made a motion to send the requested changes/additions to the Table of Uses and new definitions to the Town Council for approval. Board Member Appenzeller seconded the motion. All agreed.

The consistency statements were read and "A" was chosen. The statement says; "The proposed Text Amendments to the Marshville Development Ordinance (MDO) are considered consistent with the Marshville Town Plan 2035 by continuing to meet one of

the adopted Goals of Sec. 6 (General Development Strategies) to 'Ensure that Marshville's development policies are conducive to the long-term vision of the future and adequately control the location and appearance of future development.'."

A motion was made by Board Member Johnson to approve the consistency statement "A". Board Member Appenzeller seconded the motion. All agreed.

New definitions: Planning Administrator Wells presented new definitions for Animal Shelter, Boarding Kennel, Veterinary Services, and Special Events Venue.
(See attached)

Chairperson Drake said that the Table of Uses review was to make sure that businesses, storage items, agriculture-type items, etc. were placed in the right zone. The Planning Board will go back and review definitions for the items in the Table of Uses for clarification of what is and is not allowed. Some items will coincide with the Town Ordinance and Code Enforcement.

Discussion and Development Trends: Planning Administrator Wells said the Town Council approved the rezoning of 7023 E. Marshville Blvd. which is currently Precision Pipe.

Mr. Wells reviewed the old Planning Board Rules and Procedures. He would like the Planning Board to review the rules with him so they can be updated.

The Planning Administrator will update the information of the Table of Uses changes. He will email it to the board members for review before he takes it to the council for approval.

A request was made to have a Board of Adjustments meeting in May to have elections of officers.

Public Comments: Tara Todd of 4732 Bothwell Drive, Marshville. Mrs. Todd said that she and her husband own a restaurant in Marshville, Ms. Allie's Cafe. They were denied a permit to serve alcohol within the restaurant. They do not want to be a bar but would like to serve alcohol with meals. Planning Administrator Wells stated that the Planning Board does not have the authority to make changes to the town ordinances. This must be done by the Town Council. Planning Administrator Wells is working with Mr. Todd. There is a use that states a "bar that also sells food" but not one that states a "restaurant that also sells alcohol". Ms. Allie's Café does not want to be considered a bar. Mr. Wells will continue to work to help the Todds.

Adjournment: Board Member Stancil made a motion to adjourn the meeting. Board Member Johnson made a second to the motion. All agreed. 10:00 pm

<p> Table 3 - Proposed Changes in Zoning Use (Continued Planning Board) APRIL 2022 </p>		<p> Table 3 - Proposed Changes in Zoning Use (Continued Planning Board) APRIL 2022 </p>
ABC Store (liquor)	Do not permit in TMU district	
Agricultural Production (Crops only)	Do not permit in TMU district	
Ambulance, Fire, Rescue Station	Do not permit in MSP district	
Athletic Fields	Do not permit in MSP district	
Auditorium, Coliseum or Stadium	Do not permit in C-74 district	
Bakery	Permit in MSP district	
Bars	Permit in MSP district	
Batting Cage, Indoor	Permit in IND district	Appropriate use in IND district
Batting Cages, Outdoor	Permit in AG, MFO, and IND districts	Appropriate use in listed districts
Beauty Shop (including nail salons)	Add underlined verbiage to left.	Align with beauty parlors
Bed and Breakfast (Tourist Home, Boarding House)	Permit in TMU district subject to A(10.1-8)	
Billiard Parlors, Bingo Games, etc.	Permit in CIV district	Appears to be appropriate use in CIV
Bowling Lanes	Do not permit in MS district	
Coin Operated Amusement	Do not permit in any district	Prohibit town-wide
Convenience Store (with gasoline pumps)	Do not permit in TMU district	
Electronic Gaming Operation	Do not permit in C-74 district but permit in IND district subject to S(10.2-15)	
Fabric or Piece Goods Store	Permit in MSP district	
Family Care Facility (Family Care Home)	Do not permit in AG or MFO districts	
Furniture Framing	Change use to "Furniture Assembly/woodworking, allow in same districts as present	
Grocery Store	Do not permit in IND district	
Group Care Facility	Do not permit in AG, MFO, SF, R/MST, and MSP districts	
Hazardous and/or Radioactive Waste (Transportation, Storage and/or Incineration)	Do not permit in HIO district	
Hospital	Permit in C-74 district	
Insurance Agency (carriers and on-site claims inspections)	Permit in MSP district	
Junked Motor Vehicle Storage as Accessory Use	Do not permit in AG, MFO, SF's, R/MST, TMU, or C-74 districts (permit only in IND district subject to A(10.1-22))	
Landscape Services with Outside Storage	Permit in IND district	
Manufactured Home/Dwelling Sales	Permit in IND district	Only district in which sufficient land/sites exist
Market - Rural Neighborhood	Permit in MSP and IND districts	
Nail salon	See "Beauty Shop" above	Uses are substantially similar.
Recreational Vehicle Sales (new and used)	Do not permit in TMU district but permit in IND district	
Service Station (Automobile Repair Services, Minor)	Do not permit in MS district	Does not seem to be appropriate land use in MS
Utility Substation	Do not permit in MSP, TMU, or CIV districts	Not appropriate use in listed districts
Zoo (petting)	New category	Separate "agritourism" discussion
Beer wine or distilled alcoholic beverages	Permit in MS district	

Recommended definitions

"Animal Shelter"

A facility used to house or contain seized, stray, homeless, quarantined, abandoned or unwanted animals and which is under contract with, owned, operated, or maintained by county, city, town or other municipality, or by a duly incorporated humane society, animal welfare organization as defined by NC General Statutes (NCGS Chapter 19A Article 32) or other nonprofit organization devoted to the welfare, protection, rehabilitation, or humane treatment of animals.

"Boarding Kennel"

A facility or establishment which regularly offers to the public the service of boarding dogs and/or cats for a fee. Such a facility or establishment may, in addition to providing shelter, food and water, offering grooming or other services for dogs and/or cats.

"Veterinary Services"

Service relating to veterinary medicine; concerned with or connected to the medical or surgical treatment of animals, especially domestic animals.

"Special Events Venue"

A facility for meetings or gatherings, providing either indoor or outdoor space for events such as reunions, weddings, conventions, anniversaries, or other similar ceremonies.

April, 2022