



September 22nd, 2020 Planning Commission Meeting Minutes

Call to Order

The meeting of the Planning Commission was called to order at 5:30p.m. by Chairperson Cecil Young.

ROLL CALL

Conducted by Planning & Zoning Administrator and quorum was present

Present:

Cecil Young

Tim Todd

Chris Brenner

Brantley Enloe

Donnie Parris

FOIA

Notice of the meeting with an agenda was publicly posted, published and forwarded to the media no less than 24 hours prior to adjournment.

Chairperson, Cecil Young, noted a correction to be made on the August 25th, 2020 minutes. Minutes stated Assistant Chairperson versus Chairperson. Chairperson Young asked for a motion for the minutes as amended of August 25th, 2020, to be approved. Brantley Enloe made a motion, Tim Todd seconded the motion, and the board voted all in favor.

New Business

A) Proposed Amendments to the Land Development Regulations

Discussion and Possible Action Pertaining to Recommendation of an Ordinance Amending Town Code, Appendix B, Land Development Regulations, Concerning Subdivision Streets and Roads to Town Council. Mr. Purchase introduced Town Attorney Danny Crowe to present the proposed ordinance to the Land Development Regulations regarding the subdivision streets and roads. Attorney Crowe stated to the board that he was asked by the administration to determine if and how the

Town can remove its responsibility of ownership and maintenance of streets and roads within subdivisions. Attorney Crowe had reviewed and identified each section of the Land Development Regulations that pertained to dedication, ownership or acceptance of streets and roads in subdivisions. The result was an ordinance that he drafted that identified each section of the Land Development Regulations that touches on ownership or potential maintenance of streets and roads in subdivisions. The attorney stated that the ordinance is to alter the wording in line with the idea being that the Town will not own or maintain streets, roads, sidewalks or curbs and gutters. Also, the perpetual ownership and maintenance of these shall be made by the subdivider, the County, State or Homeowner Associations. In eleven or twelve places where acceptance or dedication of streets was mentioned, the word acceptance was changed to a notice of completion. In the end the Town would not take ownership and would not have a maintenance responsibility. The attorney was available to answer any questions the board members may have. Several questions were raised to the attorney. A question was asked by Mr. Brenner. For existing H.O.A's, who would take over the maintenance of the roads. Attorney Crowe said there would be three categories of roads. Pre Land Development Regulations, second, subdivisions that have already been approved by the Planning Commission and the roads have been accepted by the town. In which case, the town would still maintain. The third one would be where the H.O.A. or the County would maintain. Mr. Young asked what would happen if the H.O.A does not maintain the roads. Attorney Crowe responded by saying that hopefully, the town could encourage the H.O.A to maintain the roads. The town can address that issue later. Mr. Enloe asked if there is a mandate requiring a H.O.A. Attorney Crowe stated that there is no requirement. The Town Council could consider the points raised by the board. Mr. Todd asked what if there is no H.O.A? Attorney Crowe said that this ordinance would encourage developers to create a H.O.A.. Chairperson Young asked if there were any more questions. Being none, he asked for a motion. Donnie Parris asked a question before the motion regarding the Section 6.25 Building Permits. The wording of the sentence where it says, "unless the street is giving access to the lot". Mr. Parris stated that the word "is" was confusing. The attorney agreed and said he would make the change before it would go to council and that the board could amend the sentence by deleting the word "is". Mr. Parris made a motion to amend sentence by deleting the word is, and was seconded by Mr. Enloe. All were in favor. Donnie Parris made a motion to recommend approval of the ordinance to Town Council and was seconded by Brantley Enloe. All were in favor.

Adjourn

Chairperson Young asked for a motion to adjourn. Brantley Enloe made a motion to adjourn and was seconded by Chris Brenner. The board voted unanimously to adjourn the meeting at 5:58pm.