

**TOWN OF YOUNGSVILLE  
PLANNING BOARD MEETING  
Youngsville Community House -- 115 East Main Street  
May 7, 2019  
6:00 P.M.**

Chairman Donnie Tharrington called the meeting to order at 6:00 P.M.

In attendance were Chairman Tharrington; Members John Cyrus, Janice Pearce, Scott Anderson, Hank Lindwall, and Bob Martin; Planning and Zoning Administrator Bob Clark; and Board Clerk Sandi Fleming. Vice-Chairman Mark Hurt, Senior Planner Andy Thomas, and Town Administrator Phil Cordeiro, due to commitments elsewhere, were not present.

Chairman Tharrington welcomed all attendees and addressed Minutes transcribed of the meeting of the Board held on April 2, as continued to April 16, 2019, together with those of joint work sessions of the Planning Board and the Board of Commissioners conducted on April 2 and May 2, 2019, respectively, for presentation of and implementation strategy for the Downtown Strong Program organized by the North Carolina Department of Commerce.

Without additional discussion, the following Motion was made by Member John Cyrus, seconded by Member Janice Pearce, and unanimously carried:

**MOTION: The Minutes of the Planning Board meeting held on April 2, as continued to April 16, 2019, and of the joint work sessions of the Planning Board and the Board of Commissioners conducted on April 2 and May 2, 2019, respectively (presentation of and implementation strategy for the Downtown Strong Program organized by the North Carolina Department of Commerce), are approved, as presented.**

The next order of business was to officially amend the evening's Agenda to (1) allow consideration of text amendment proposal by Charles R. Richter, Jr., to precede review of YDO material by N-Focus representative Rick Flowe, and (2) remove, pursuant to scheduling conflicts, previously anticipated continuance of the ongoing meeting to May 21, 2019.

Planning Administrator Bob Clark introduced Mr. Richter as owner of All About Boats, Inc., located off U. S. Highway 1 North, and operator of a boat and RV storage facility along N. C. Highway 96 West, both lying within Youngsville's zoning jurisdiction. Mixed Use Section 309.1.3, Paragraph (e) 8, has for years labeled mini-storage as a permitted usage (no outdoor storage). Even where allowed, outdoor storage space for any structure within the MU District is limited to one thousand (1,000) square feet. The old Tom Togs building, about to undergo renovation, is, in fact, one of those sites, and pending approval are a number of additional plans encountering the same dilemma. Each of these business and property owners finds it nearly impossible to comply.

Mr. Richter, in the hope of expanding his Highway 96 facility, has considered request for rezoning to Commercial, a classification to which the limitation in question does not apply. It's in light of widespread effect that Zoning staff has suggested, instead, application for text amendment – revising a regulation dating back to 2007.

Members Anderson and Lindwall inquired as to what, precisely, constitutes mini-storage. Significant problems could arise in the event the owner of a small shed is allowed to declare it “mini-storage” and take full advantage of removal of outdoor storage limitation. Mr. Clark responded that only after Planning has approved a structure's site plan as such can it qualify under the Ordinance.

Member Anderson further questioned how approval of the new text might affect the proposed YDO. Mr. Flowe agreed that it will instigate minor adjustments to Article 10, Page 24, but that, overall, the amendment would be compatible.

Member Lindwall then directly acknowledged Mr. Richter and invited a personal overview of his request. Explanation was offered that the sale of RV's, and of boats, especially, is prolific. Youngsville's population is increasing rapidly, HOA's typically prohibit the parking of these vehicles in residential subdivisions, and there's growing demand for spaces in which to store them. He emphasized that his facility is orderly, contains no junk storage, and does not in any manner constitute an eyesore.

Mr. Flowe reiterated that such an amendment would not accommodate this scenario solely but will broaden the horizon for all Mixed Use sites. Administrator Clark reminded the Board that public hearing of the matter isn't scheduled until June 13, and that discussion could be tabled, if preferred, until its next regular meeting on June 4.

Motion was, nonetheless, made by Member Anderson, seconded by Member Cyrus, and unanimously carried, as follows:

**MOTION: Recommendation is hereby made for approval of text amending Mixed Use District Section 309.1.3, Paragraph (e) 8, of the Youngsville Zoning Ordinance to allow and include outdoor storage.**

Chairman Tharrington passed the floor to Mr. Flowe, who opened YDO review with revisions already administered to Article 2 since it was first introduced. Some of those changes apply to location of accessory structures. Building separation for principal structures remains at ten (10) feet. Going forward, however, detached accessory structures in all Districts, with exception of Urban Workplace, Shop-Front Commercial, and Attached Housing, shall maintain a minimum building separation of eight (8) feet, measured from the closest points of roof overhang. Any accessory building is subject to a minimum setback of seven and one-half (7.5) feet beyond the front and/or side street facing façade(s), and said structure must not be constructed closer than four (4) feet to the interior side and rear property lines. If the building exceeds the height of the primary structure situate on the underlying lot, it shall honor the same setbacks as are prescribed for that primary structure itself.

Administrator Clark illustrated that, in the event a homeowner constructs an accessory building alongside that of his adjoining neighbor, and both structures are situated merely three (3) feet from the lot line, as allowed under the current Ordinance, there would be a separation distance of only six (6) feet, which, in reality, violates Fire Code requirement of eight (8) feet. The four (4)-foot setback standard of the YDO has been drafted to rectify that specific oversight.

Storage sheds, or other accessory fixtures, and fences are typical sources of additional permitting for residential lots. In the business realm, signage (Article 17) accompanies nearly all occupancies. For some reason, it's signs of a temporary nature that often surface as points of contention. Sandwich boards, for instance, do, despite public assumption to the contrary, require permitting; they should be removed during hours of closed business; and, to meet ADA regulations, they must provide a minimum of five (5) feet of sidewalk clearance along at least one side for unobstructed pedestrian access.

In furtherance of this line of thought, Mr. Clark solicited Board opinion as to the sixty (60)-square-foot allowance for temporary banners and flags, which, of course, must be tethered and/or anchored to resist movement. Member Anderson expressed approval of size and asked for clarification regarding allowance. "Do nine (9) units in a building create nine (9) sets of privileges?" Mr. Flowe interjected that, under the YDO, the occupant of a few hundred square feet of space merits the same privilege as the occupant of a thousand or more square feet of space. Privilege is granted per business or establishment and isn't based on unit square footage. "If, however, a plastic surgeon allows his wife to sell facials from his office, and they both want to advertise, they must combine the two (2) ventures into one (1) sign" – a single unit is allotted a single privilege.

Attention then shifted back to Article 2 and its most significant catch-22 – mobile homes. The YDO prohibits mobile home parks in all Districts. Manufactured homes can be replaced on private lots, subject to special standards requiring that singlewides be updated to multi-sectionals and stipulating conversion from personal to real property – the latter regulation, alone, having a major positive impact on the Town's tax base. Homes located within mobile home parks can remain, for a century, even, but they can't be replaced. Discussion was not concluded without reservation from Members Anderson and Lindwall regarding extent of regulation enforced by these specific standards.

Setback lines are yet another sometimes controversial issue. The build-to or setback lines for lots abutting thoroughfares shall be measured from the right-of-way line established by prescribed distances, as set forth on Page 15 of Article 2, from the centerlines of those thoroughfares. For major arterial roadways in Youngsville (North College Street, South College Street, U. S. 1-A South, Youngsville Boulevard South, Park Avenue, N. C. Highway 96 East, N. C. Highway 96 West, and Holden Road – unless inside the MS District), that line will be set at thirty-seven and one-half (37.5) feet from the centerline of the road.

Pools, as is clearly evident, are a gray area of the Ordinance. They should be installed in the rear or side yard, no closer than fifteen (15) feet to the property line, and, as a liability safeguard, must be enclosed by a fence or wall with a height of between four (4) and eight (8) feet. All gates shall open outward, away from the pool, and are required to be equipped with self-latching devices placed so that no child age six (6) or younger can reach over or through the fencing to maneuver or operate the clasp.

Article 9 sets forth all building and lot types permitted within the Town's zoning authority. Cookie-cutting destroys character, and these regulations offer a design range that encourages development and adds taste to flavor. It provides illustrative proof that, with a little building ingenuity, a four (4)-unit single-family attached townhome property can meet regulations and at the same time aggregately portray the outward appearance of a stately Southern mansion – such an option isn't at all farfetched in our Downtown area. It's interesting as well to note that the structure housing Charron's, on Main Street, constitutes, as we speak, both a store-front café and an overhead leased apartment. If utilized effectively, architectural blending can turn our Town's main artery into a photographer's wonderland.

Article 10 prescribes uses allowed, but subject to additional standards and conditions. Mr. Clark pointed out that the Nassau Street carriage house proposed to the Board in January is an example of such usage.

Wireless telecommunications (or cell) towers are generally referred to as the conditional use with the worst bite. Their services have become vital, they pay hefty costs associated with permitting, and they've made enormous strides in the way of design – height may be a factor, but the huge unsightly wire structures once constructed are fast fading into the past.

Argument persistently heats about legal status of adult entertainment and gaming establishments. The former is protected by the State, the latter relentlessly procures loop holes, and we need to provide adequate regulations for both. Additional concern surrounds application by hazardous industry, but, as Mr. Clark readily conveyed, Youngsville is fortunate enough to have local fire officials who are well informed when it comes to precautionary measures in that regard. All of these operations are a part of reality, and we must confront them in a professionally straightforward manner.

Article 8, and corresponding Table 8.1, Sections 1, 2, and 3, distributed at the ongoing meeting, are, according to Mr. Flare, home plate. Although stormwater management material and a final draft of the new Zoning Map may not be available prior to the Board's regular meeting on July 2, Members can on June 4 begin to tie all loose ends of the YDO, conclude revisions, and move toward recommendation for adoption.

It was recommended that certain topics be briefly revisited, one of them being “overlays” – the tool that trades density for quality. Mention was made of the inspection (or service and repair) station now located at the corner of Main and Cross Streets. Such a grandfathered operation can be maintained by its owner for as long as desired – should, on the other hand, there be need to expand, relocation is inevitable.

Upon receipt of no additional Board or public comment, Administrator Clark proceeded with his Around-the-Town Report. He confirmed that the Board of Adjustment has approved upfit by North Carolina Turf Care Corp. of the North Nassau Street property previously operated as Tom Togs, and, again, he forewarned that there are quite a few additional applications currently under review.

Upon proper motion, Chairman Tharrington adjourned the meeting at 8:55 P.M.