



The Salisbury Planning Board held its regular meeting Tuesday, November 10, 2020, in the City Council Chamber at Salisbury City Hall at 5:09 p.m. (following Board of Adjustment) with the following being present and absent:

**PRESENT:** William (Bill) Burgin, Jayne Land, Patricia Ricks, John Schaffer, John Struzick, and Bill Wagoner

**ABSENT:** Tim Norris, Jon Post, Dennis Rogers

**STAFF:** Teresa Barringer, Graham Corriher, Catherine Garner and Diana Cummings

### **CALL MEETING TO ORDER**

John Schaffer, Chair, called the meeting to order.

### **APPROVAL OF MINUTES**

Minutes of August 25, 2020, were approved as submitted.

### **NEW BUSINESS**

#### **Text Amendments**

TA-02-2020: Proposed text amendments to Land Development Ordinance Chapters 1, 2, 4, 9, 14, 15, 17, 18 for compliance with new North Carolina General Statute 160D and other legislative changes.

Catherine Garner presented the legislative changes which have not received final formatting; this is a good substantial draft for legislative conformance. Many changes are the reference number change from 160A to 160D. Staff is in contact with the NC School of Government for clarification on some changes. Catherine anticipates hearing back from them before the public hearing in December. Once approved by City Council they will go live.

Catherine reviewed a few things that were authorized. Some edits were made to reflect some older legislation that was not updated in the ordinance at that time. NFocus studied the ordinance and recommended updates that have been incorporated as well.

- Historic Preservation Commission (HPC) appeals will now go to Superior Court instead of the Board of Adjustment. (N.C.G.S. 160D-947) This eliminates a conflict of interest for the City Attorney so he can represent the commission.
- Special Use Permits (quasi-judicial) will be heard at City Council only. (N.C.G.S. 160D-301) Planning Board can hold a public hearing, but nothing can be taken to City Council. This will streamline the process for applicants.
- Neighborhood meetings will now be required prior to submittal for a rezoning. (N.C.G.S. 160D-602) Salisbury has always encouraged people to reach out to neighbors and hold a public meeting so the first time they hear of it is not from city correspondence. As part of the submittal they will

submit materials that were a part of that meeting, a sign-in sheet and any questions they received. The city will generate a mailing list for them. An affidavit could be required regarding the mailings.

Next Steps

City Council will hold a public hearing December 1, 2020, for the required changes to be in compliance with state law. Online meeting requirements states that they will take action at the City Council meeting in January 2021.

After that, staff will begin preparing text amendments based on the committee work related to the NFocus study for review in 2021 by this board and City Council.

Recommendation to City Council

Bill Wagoner made a MOTION to approve staff's recommendation for the statutory changes to the Land Development Ordinance (LDO) that were presented today. Jayne Land seconded the MOTION with all members VOTING AYE. (6-0)

**Amendments to Rules of Procedure**

The statutory references have been updated. Evidentiary hearings have been removed. The APA Ethical Rules of Procedure was stricken and new language in favor of the state statute requirement added.

Jayne Land made a MOTION to adopt the amendments to the Salisbury Planning Board Rules of Procedure. Patricia Ricks seconded the MOTION with all members VOTING AYE. (6-0)

**OTHER BUSINESS**

John Schaffer no longer wishes to be a primary representative to the Technical Review Committee (TRC). He recommended that Dennis Rogers act as primary Planning Board representative to the TRC. An alternate will be nominated at the next meeting.

**ADJOURN**

The Planning Board meeting was adjourned.

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John Schaffer, Chair

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Diana Cummings, Secretary