

**Town of Boiling Springs
Board of Planning & Adjustment Minutes
April 18, 2023**

ROUTINE BUSINESS

Chairman Martin called the meeting to order at 5:31pm

PRESENT

Chairman Chris Martin
David Wacaster
J.T. Scruggs
Bill Daves
Karma Harris
Alan McWhirter

ABSENT

Thomas Bates

Staff Present

Town Manager Justin Longino

Town Clerk Noah Saldo

Recognize Citizen's Present & Public Comment

no public comment

Minutes from the February 21st Meeting

Action: upon a motion by Mr. Daves, Seconded by Mr. Scruggs. it was unanimously voted to approve the February 21st, 2023, planning board meeting minutes as presented.

REGULAR BUSINESS

Consider Zoning Map Amendment Petition for Parcel 44091

Town Manager Longino presented:

ZONING MAP AMENDMENT

Options to Proceed:

1. Motion to recommend to Town Council that parcel 44091 be rezoned from R15 to R10.
2. Motion to recommend to Town Council that parcel 44091 not be rezoned.
3. Motion to table the request.

If there is a motion to rezone (or not rezone), a 'consistency statement' is needed. An example if the property is being rezoned: "Motion to rezone the property from R15 to R10. The request is consistent with the Future Land Use map and surrounding zoning districts"

Staff recommends Option 1.

SUMMARY

Katherine and Marvin Hoyle have requested their property be rezoned from R15 to R10. The parcel is located at 204-206 W. College Ave (on the corner of Wellington St and W. College).

Currently, two duplexes sit on the property. One was burned a year or two ago and has sat vacant. They plan to tear down the buildings and would seek to build two new duplexes.

The request is in line with the Future Land Use Map which shows this area as medium-density residential. Also, two parcels zoned R10 exist across W. College from this parcel.

From the Unified Development Ordinance:

The R-15 district is established as a district in which the principal use of land is for medium-density residential uses and associated public and private facilities typically associated with such districts.

The R-10 district is a district in which the principal use of land is for medium-density, one, two, and multi-family dwellings and associated public and private facilities typically associated with such districts.

Action: Upon a motion by Mr. Wacaster seconded by Mr. Daves it was unanimously voted to recommend to Town Council approval as it is consistent with the land use plan and the surrounding area.

Consider Zoning Text Amendment Petition

Town Manager Longino presented:

ZONING ORDINANCE TEXT AMENDMENT

Options to Proceed:

1. Motion to recommend the text amendment change as requested.
2. Motion to recommend denial of the request.
3. Motion to recommend a different change/wording.

Staff recommends Option 1.

SUMMARY

Ms. Keelee Jones has requested a change to [Section 8.10](#) of the Town's Unified Development Ordinance. The section applies to "exterior building material standards" and currently reads:

These standards shall apply to all nonresidential buildings in the B-1, B-2, and O&CS districts, as well as any other nonresidential building located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.

Ms. Jones purchased property on Machon Ave and plans to move her business, Magnolia Mill, into a new home on the two parcels she now owns. In working with a builder, she found the standards to be cost-prohibitive and somewhat excessive for the planned development sitting back off S. Main St and behind an existing business. She approached staff who worked with her on the requested change.

Staff supports this decision based on a discussion at the Town Council's recent planning retreat regarding the desire to ensure standards and ordinances are not too prohibitive to allow for additional business growth. Additionally, most businesses in Boiling Springs are located on Main St. or College Ave. The original intent of these standards was to ensure a positive first impression as visitors and residents drive these main corridors. The standards would still apply to parcels on these routes and additional standards would still apply to those parcels within the [Downtown Overlay District](#). Staff's evaluation of the change is that the impact will be minimal.

The amended text, as requested, is shown below:

These standards shall apply to all nonresidential buildings in the B-1, B-2, and O&CS districts, as well as any other nonresidential building located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.

Action: Upon a Motion made by Mr. Wacaster, Seconded by Ms. Harris It was unanimously voted to recommend to Town Council approval of the text amendment as

presented.

Discuss Recreational Vehicle Regulation:

Town Manager Longino presented:

DISCUSS RECREATIONAL VEHICLE REGULATIONS

Requested Action: Staff requests feedback from the Planning Board.

Staff would like to hear comments from Planning Board on the existing language and on the need for new regulations. Staff would take this feedback to Council for additional comments before deciding whether to propose an amendment at a future meeting.

SUMMARY

Town staff has encountered several instances of individuals living in recreational vehicles (RVs, campers, etc.) in the last year. Most of these have been RVs on existing residential lots (i.e. a second dwelling unit where someone is living in an RV in someone's backyard, behind their house). We currently have an ordinance that requires 'secondary dwelling units' to be separate water/sewer connections (i.e. an additional meter), but nothing that specifically prohibits a person living in an RV. State regulations point to a desire to restrict this type of behavior. However, they are vague and provide little specific guidance on the exact restrictions placed on a permanent or semi-permanent recreational vehicle living situation.

The exception to this issue of vague language is in the Flood Damage Prevention chapter of our Code of Ordinances where it states in [Sec. 14.9.2\(E\)](#):

(F) Recreational vehicles. Recreational vehicles shall either:

(1) *Temporary placement.*

- i. Be on site for fewer than 180 consecutive days; or
- ii. Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)

(2) *Permanent placement.* Recreational vehicles that do not meet the limitations of temporary placement shall meet all the requirements for new construction.

Staff is requesting feedback on whether or not the Planning Board would like to leave the current standards in place or have staff explore what restrictions we could implement to limit this behavior.

Planning Board members gave comments associated with Recreational Vehicle Regulations. The consensus of the board was to have staff come back with a proposal.

Chairman Martin declared the meeting Adjourned at 5:53pm.

X *Chris Martin*

Chris Martin
Chairman

X *Noah Saldo*

Noah Saldo
Town Clerk

