

**Town of Mills River
Minutes of the Planning Board
Tuesday, February 18, 2020**

The Town of Mills River Planning Board met on Tuesday, February 18, 2020, at 7:00 PM in the Mills River Town Hall. Board members present were: Brian Kimball, Wayne Carland, Dennis Wilson, Carolyn Moore, Sherri Hill, Cheryl Janoski, Ryan Perry, Jim Foster, and Matt Holloway. Mills River Town Council members present were Randy Austin and Roger Snyder. Staff present were Town Manager Daniel Cobb, Town Planner Brian Burgess and Tax Collector/Deputy Town Clerk Aurelie Taylor. There are no open seats on the Board and a quorum was present.

Chairman Brian Kimball called the meeting to order and led the Pledge of Allegiance.

Adjustments/Additions to Agenda: None.

Carolyn Moore made a motion to approve the minutes from February 4, 2020; the motion was seconded by Sherri Hill and the motion passed by unanimous verbal assent.

Public Comment: No Public Comment.

Old Business:

A. Sign Ordinance Review -Town Planner Brian Burgess

Town Planner Brian Burgess went over a draft of a proposed ordinance, the text of which appears below:

ORDINANCE NO. 2020-??

**AN ORDINANCE AMENDING THE TOWN OF MILLS RIVER CODE OF
ORDINANCES**

CHAPTER 154 – ZONING

This Ordinance is enacted by the Town Council of Mills River, North Carolina pursuant to Chapter 160A of the North Carolina General Statutes. Town Council does hereby ordain and enact into law the following amendments to the Code of Ordinances for the Town of Mills River:

§ 154.260 CHANGEABLE COPY SIGNS.

~~Changeable copy signs are permitted by right in the MR-GB zoning district. In all other zoning districts a special use permit approval from Town Council is required as defined in §§ 154.138 and 154.180.~~

- (A) **Manual changeable copy signs.** Manual changeable signs must comply with the following standards:

- (1) In no case shall a manual changeable copy sign comprise more than 40% of the freestanding sign copy area, up to a maximum of 32 square feet.
 - (2) The copy area (background) must be one uniform color.
 - (3) The letters and numbers may be colored red or black.
- (B) **Electronic changeable copy signs.** Electronic changeable copy signs shall **not** be permitted in Mills River. Electronic changeable copy signs permitted before (Amendment adoption date) must comply with the following standards:
- (1) Shall be located on freestanding signs only.
 - (2) In no case shall an electronic changeable copy sign comprise more than 40% of the freestanding sign copy area, up to a maximum of 32 square feet.
 - (3) Messages shall remain in a fixed position for at least 8 seconds.
 - (4) Messages shall not contain flashing, scrolling, blinking or similar type movements. In addition messages shall not contain any animation.
 - (5) Message transition must be instantaneous.
 - (6) Electronic changeable copy signs shall have a black background screen. All lighted characters, letters, and numbers shall only be green or red in color.

There was much discussion about whether replacement of existing signs would be allowed if damaged or destroyed as well as an exemption for emergency services signs. Support for electronic changeable copy signs was expressed by Jim Foster.

Dennis Wilson made a motion that the Planning Board recommend that Town Council pass the ordinance as written in the draft copy. Brian Kimbal seconded the motion and the motion passed 5 for, 4 against. Jim Foster, Ryan Perry, Wayne Carland and Carolyn Moore voted against the motion.

B. Architectural Guidelines Review – Town Planner Brian Burgess

Town Planner Brian Burgess presented his staff report, the text of which appears below:

STAFF REPORT

Planning Board, Tuesday, February 18th, 2020

Title: **Moratorium – Commercial Development (Update)**

Suggested changes for the Commercial Development Design Standards to be discussed by Planning Board.

Speaker: Brian Burgess, CZO, Town Planner

From: Administration
Planning

Approved by: Daniel Cobb, AICP, CFM, CZO, Town Manager

Background

At the February 4th Planning Board meeting there was a discussion as to what, if any, adjustments should be made to the Town's standing architectural design guidelines. Various elements of the current ordinance were discussed with several recommendations outlined below.

Discussion

There were four primary areas of focus for the discussion at the previous Planning Board meeting: whether an entire building should have to comply or only certain street-facing facades, whether or not the MR-LI zoning district should be exempt from the standards, whether the 5,000sf dimensional threshold should be adjusted, and if the guidelines should prescribe specific material limitations. Staff has determined the following to be the consensus reached in these discussions.

- 1.) The entire structure should be required to comply with the design guidelines, rather than limiting the requirements to specific facades.
- 2.) The MR-LI zoning district should no longer be exempt from these requirements.
- 3.) The 5,000sf dimensional threshold should be abandoned.
- 4.) Add limitations on materials that might read:

Prohibited materials on all exterior walls.

- a. Concrete finish or precast concrete panel (tilt wall) that is not exposed with aggregate, hammered or sandblasted finish, or otherwise textured surfaces.
- b. Corrugated Metal panels or siding.
- c. Vinyl siding.
- d. Split shakes, rough-sawn or board and batten wood; or field-painted or pre-finished standard.

Policy Analysis

Architectural design standards are common within communities with zoning ordinances, and especially those with a historic town center or culturally significant geographic area. These standards are intended to protect, preserve, and maintain a certain character as a town evolves over time.

The standards listed above are also not unlike many municipal Overlay Districts. Overlay Districts are tools used to administer more specific zoning requirements to important or otherwise sensitive areas within a jurisdiction. Topics such as parking, architectural requirements, landscaping, and historic preservation are all common areas of interest when using an overlay district as a zoning tool.

Fiscal Impact

It is expected this work will be completed with Staff time and the Town's Planning Board. No additional funding is required at this time.

Recommendation

Staff recommends the development of an overlay district that would encompass any parcel with boundaries within 500ft of the corridors listed in the current Architectural Design Guidelines. This district will not impose any new zoning requirements on property owners, and will place the various requirements found throughout Chapter 154 (Zoning) into one simplified subsection. This will allow property owners to find the requirements currently impacting their property in one place, rather than needing to search the entire chapter for relevant regulations. This will also allow the Town to be more focused and specific about which areas it would like to focus upon.

Staff also recommends the discussion of the four proposed changes to the architectural design guidelines listed in the discussion section above, and to send forth a favorable recommendation for these amendments to Town Council for consideration.

Attachments

A. Architectural Design Guideline Requirements Impact Map

There was prolonged discussion on the four primary areas of focus in the Staff Report. Consensus on numbers 2 and 3 was reached; however, the number of facades to be regulated and what material limitation, if any, should be adopted caused much discussion and many questions. Concerns ranged from the cost of a large area of expensive materials to how to mitigate the look of metal buildings to the motivations behind Planning Board decisions. Town Planner Burgess's questions about accessory structures and the 500 foot buffer map elicited more discussion. Brian will bring a more detailed map to the March meeting.

Planning Board Chairman Brian Kimball made the comment that these questions are too complicated to work out the specifics at this meeting and asked Brian and Daniel to bring changes to the next meeting (March 3). The Board feels that they can agree on a recommendation at that meeting and the moratorium will not have to be extended. It is staff's belief that the findings of the Comprehensive Plan may direct Planning Board to look at architectural guidelines once again.

New Business: No New Business

Additional Items - Town Manager Daniel Cobb reported to the Board that the time frame for the Comprehensive Plan Steering committee is to present the plan for Planning Board review in the fall. They meet on the first Wednesday of the month at 6:30. There should be public workshops in April and August.

The Town Hall building loan was paid off.

Construction of the baseball field began yesterday.

As there was no further business to discuss, Sherri Hill made a motion to adjourn the meeting.
Cheryl Janoski seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Aurelie Taylor, CTC
Tax Collector/Deputy Town Clerk