

Planning & Zoning Meeting Minutes

19 December 2023

Meeting called to order at 6:35 p.m.

Pledge of Alliance-Rebecca Marasco

Moment of Silence-Rebecca Marasco

Roll Call

Members Attending: Rebecca Marasco, Luke Thomas, John Willard, Jim Fennemore

Absent: Jilana Wilson

Jim made a motion with a second by Luke to excuse Jilana's absence. Rebecca, Luke, John, Jim, Aye. None Opposed. Motion carried.

Staff Attending: Roseann Lamar-Town Clerk, Michael Wooleyhand-Town Manager

Attendees: Olusayo Fadiran

Adoption of Agenda:

John made a motion with a second by Jim to approve the agenda as presented. Rebecca, Luke, John, Jim, Aye. None Opposed. Motion carried.

Adoption of Minutes:

Jim made a motion with a second by Luke to approve the minutes as presented. Rebecca, Luke, John, Jim, Aye. None Opposed. Motion carried.

New Business:

- None

Old Business:

- Conditional Use-82 Pepperwood Drive-Short term rental, discussion ensued concerning issues that may arise if this were to be a short-term rental and who would be responsible for maintaining the property while the owner is in California. How many inspections will need to be done and how often. Currently landlords are required to get an inspection each time there is a new renter change. Does that stay the same. Concerns regarding rental being used for parties and what happens if rental gets damaged since Mr. Fadiran will not be living in the state to oversee rental unit. Discussion ensued. Mr. Fadiran stated that by using Vacasa Guest Works as his property manager that will ensure that the rental will be in good hands, will be properly taken care of. Will have a cleaning company coming in from Dover to

sanitize, will be using Service today to have the HVAC system checked every two (2) years. Mr. Fadiran wants to preserve the town and the development. In accordance with Ordinance #31-16 Regulating Rentals Section 3-C, the rental unit will be inspected every six (6) months. The committee discussed violations and the number of violations that would then in turn void the rental. Three strikes and the conditional use is revoked within a year. Citations would include noise ordinance, code enforcement violations, any time the police department may be called out to property. If conditional use is revoked in a calendar year, after the one (1) year is up the applicant can reapply again for another conditional use.

Jim made a motion to accept the Conditional Use request at 82 Pepperwood Drive for the use of a short-term rental and to recommend Conditional Use and to go before the Mayor and Council on the next meeting on January 8th, 2024. with the following stipulations:

-Mr. Fadiran must obtain a landlord license in accordance with Ordinance #31-16 along with two (2) property maintenance inspections be performed a year. -Stipulations will also include three (3) strike rule. Any police and/or code violations that may occur within the calendar year in which the Conditional Use will then be revoked. Once the Conditional Use has been revoked after the year is up Mr. Fadiran can apply for another Conditional Use if he wishes. Second by John to recommend Conditional Use to go before Mayor and Council on the next meeting January 8th, 2024. Second by John. Rebecca, Luke, John, Jim, Aye. None Opposed. Motion carried.

- Marijuana Ordinance (discussion)-Michael presented some alternatives to the ordinance and amending the Land Use and Development Code (LUDC). Discussion ensued. The committee is not in favor of having the manufacturing, processing or medical facilities being brought into town.
- Michael stated that Mayor Denison has decided to move forward with having the town attorney draft an amendment to the Land Use and Development Code (LUDC) to define marijuana establishments and add a conditional use. These facilities would be allowed in Commercial, Town Center and Light Industrial zones. Per legal advice cannot ban Marijuana from coming into a municipality.
- Rebecca questioned if they can be limited to just being in Light Industrial (LI) zoned areas, not being placed in Town Center (TC). Committee agrees that Town Center (TC) would not be a good place to place these types of facilities. Per legal advice cannot ban Marijuana from coming into a municipality.
- More discussion ensued on the subject and the committee understands that any time an amendment gets made to the Land Use and Development Code (LUDC) a public hearing must be held. The Committee would like to see the mayor attend one of the planning and zoning meetings.

Next Regular Meeting:

Wednesday January 24, 2024 @ 6:30 p.m.

Public Comments:

- None

Adjourned:

Luke made a motion with a second by John to adjourn the meeting at 7:26 p.m. Rebecca, Luke, John, Jim, Aye. None Opposed. Motion carried.

Roseann Lamar, CMC
Town Clerk