

Public hearing/action regarding rezoning case RZ-01-14

(applicants: Walter and Linda Properties, LLC; location: proposed site is 6143 Lake Brandt Rd., approximately 3/8 of a mile south of Hwy. 150 West)

Attachment(s): yes

MEETING DATE: APRIL 8, 2014

STAFF COMMENTS / RECOMMENDATION:

The staff report and 3/24 Zoning Board minutes are attached and staff will present the case. The ZB's 3/24 recommendation was: "Feulner made a motion to recommend approval of rezoning case #01-14, CU-RS-40 to AG based on its consistency with the Community Character Preservation section of the Comprehensive Plan. The motion was seconded by Whitacre and carried unanimously."

As a reminder, rezoning decisions must be made based on:

- our current development ordinance;
- our comprehensive plan (per NCGS 160A-383 below); and,
- "any other officially adopted plan that is applicable."

Council must "approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest." The statement will be provided to the applicant as formal notification of the rezoning decision.

§ 160A-383. Purposes in view.

Zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.

The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to

(over)



AGENDA ITEM

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prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city. (1923, c. 250, s. 3; C.S., s. 2776(t); 1971, c. 698, s. 1; 2005-426, s. 7(a); 2006-259, s. 28.)

NOTES:

TOWN COUNCIL COMMENTS / ACTION:





Reduction in Guilford County early-payment tax discount rate

Attachment(s): yes

MEETING DATE: APRIL 8, 2014

STAFF COMMENTS / RECOMMENDATION:

The attached request letter is self-explanatory. The county's request is that the town ratify the change and approve the reduction in the discount tax rate to 0.5% for our town taxes.

The history concerning the discount rate is that a 2% rate was attempted in 2004 among several municipalities within the county, but ultimately only a 1% rate was approved June 2004.

A further rate reduction to 0.5% would necessitate adoption of a resolution (draft attached) regarding the change. If Council is agreeable to the change, one motion to both approve the reduction and revise the resolution would be sufficient.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



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Council budget amendment #6 for interim planning (FY13-14)

Attachment(s): yes

MEETING DATE: APRIL 8, 2014

STAFF COMMENTS / RECOMMENDATION:

The interim planning arrangement continues to work well during the process of recruitment for the Town Planner position. The manager requests a budget amendment in the amount of \$12,000 to maintain sufficient planning services, and the expectation if for someone to be hired this month. Funds remain from the town hall exterior improvements project to cover these costs.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



Public Safety Committee request regarding town water needs

Attachment(s): no

MEETING DATE: APRIL 8, 2014

STAFF COMMENTS / RECOMMENDATION:

Water has been a recent topic of conversation at Public Safety Committee meetings. Station #9 gave a fire-fighting video presentation at a 1/9 Council meeting (relevant minutes below), and the Public Safety Committee discussed the presentation at its 1/15 meeting (relevant minutes below). The committee requested that the town "provide an update of any forward progress on town water issues which were presented and discussed on 1/9." As a follow-up at the committee's 2/19 meeting (relevant minutes below), the group discussed its desire for a plan of action to the committee or to develop another subcommittee to review.

The committee's request is general regarding water, but two different angles discussed were: 1) future municipal water exploration (updating the past efforts and study in that regard), and/or 2) improvements to town fire protection. The topic is on the agenda to provide the committee with a response and to simply determine whether there is current interest in exploring either of these further.

From 1/9/14 Town Council minutes:

SUMMERFIELD FIRE-FIGHTING VIDEO PRESENTATION: Chief Chris Johnson stated that "water points," such as ponds, are places where water can be retrieved in order to combat fires. There were 14 water points in the Summerfield Fire District, which can drop to 8 during droughts and water points are also affected by freezing weather. Water and personnel availability on fire scenes affect insurance ratings (ISO) for homeowners.

Johnson showed a video and described the process of extracting water from a water point and explained the fire equipment, uses, water capacity, process at a fire site, and the amount of water needed to put out a fire. He explained water retrieval difficulties due to access to water points, traffic issues, manpower, equipment, time requirements, distances between water points and fire sites, and personnel safety issues. Johnson noted fewer tankers are needed when hydrants are available, and water supply is a serious safety concern. He has been on scenes that could have been mitigated given an adequate supply of water.

Johnson would like to convene a water committee as a sub-committee of the Public Safety Committee to examine this critical safety issue. He stressed the safety of citizens and his crew.

The following was discussed: access related to water points and ISO ratings; location of water points; other options including water towers; numbers of full-time and part-time employees and volunteers; and background information on previous water alternative studies and efforts. Johnson felt a new study needs should be done to see what options are available and most appropriate. Whitaker noted the Town's engineering contractor, Anderson & Associates, also approached the town at their own initiative regarding water and recommended looking into future water needs.



From 1/15/14 Public Safety Committee minutes:

Chief Johnson video presentation and town water system: Committee discussed with Chief Johnson regarding his 1/9/2014 presentation of video at the town hall on the town's water system. Chief provided the committee with an overview of the presentation he gave. The meeting included a Q&A. During the meeting, water towers were discussed. Chief Johnson recommended the town bring in engineers to access for any water towers or other systems. Chief Johnson proposed developing a water committee at meeting. No next steps for moving forward with a water system/plan were proposed at the meeting.

Steve Kingsbury discussed the option for the fire department to meet with homeowner associations to educate the need of water/service. Committee agreed to revisit discussion of town's water system/concerns. Chief Johnson noted that for water ponds to be used, the fire trucks must be able to access ponds within 30 feet of said pond. Personnel is the fire station's greatest need next to access to water. Summerfield Fire Station rating is currently 6. Ratings affect a residents home insurance costs.

**Request:* Committee requested that the town provide an update of any forward progress on town water issues which were presented and discussed on 1/9/2014. Committee requested update before the April 16 Safety Committee meeting. Don Wendelken motioned and Cheri Picket seconded.

From 2/19/14 Public Safety Committee minutes:

Don Wendelken proposed looking at water issue to the town council with a fire safety approach; using the engineer to identify the needs and communicating with the fire station in order to identify the water systems needed; to tap into the future. Discussion of health issues for residential, including wells drying up, commercial development, and water use. Water system scope project needs to be broad, assessing the residents' needs, fire safety, etc. Rick Hall noted the advantage of developing a small, separate or sub-committee that has the expertise to address water issues. First study, when safety committee was developed, its purpose was to address the water issues. The news of the town's water issue being addressed caused a negative movement on reviewing the town's water issue. Currently, town size has increased to almost 11k residents, which would also need to be considered when reviewing/discussing a plan for water. Safety Committee moves date for town to provide next update from April to May 21.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



**Four proclamations: A) National Volunteer Week; B) CPA Week;
C) National Day of Prayer; and D) Municipal Clerks Week**

Attachment(s): yes

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STAFF COMMENTS / RECOMMENDATION:

Items 11. A, B, C, and D are self-explanatory proclamations. These will be read aloud, but no action is required.

NOTES:

TOWN COUNCIL COMMENTS / ACTION: