Minutes
Newton Planning Commission
January 28, 2004
Council Chambers
City Hall

The regular meeting of the Newton Planning Commission was held at 7:30 p.m. on January 28, 2004 in the Council Chambers at City Hall.

Members Present: Brevard Arndt
Gary Corne
Kent Elliott
Clinton Sigmon
Ken Simmons
Stan Winstead

Members Absent: Tony Jarrett (Mr. Jarrett has resigned from the Planning Commission. His position is now vacant.)

Staff Present: Glenn Pattishall, Planning Director

Others: None

Chairman Arndt called the meeting to order.

Item 2: Introduction of New Member

Chairman Arndt introduced Ken Simmons as the replacement for Tom Dixon, who was elected to City Council. Mr. Simmons will serve out the remainder of Mr. Dixon's term, which is two years.

Item 3: Approval of Minutes November 25, 2003 Meeting

Chairman Arndt asked for consideration of the minutes of the November 25, 2003 meeting. There being no corrections, he ruled that the minutes were approved as presented.

Item 4: Public Hearings

Chairman Arndt called to order a Public Hearing on Text Amendment #2003-04 Water Supply Watershed Regulations and asked Mr. Pattishall to make a presentation. **Mr. Pattishall** read from a December 10, 2003 memo from Alex Fulbright concerning the Watershed Protection Overlay District amendments. He explained that currently the City has one watershed district that it regulates, that being Lake Norman. However, with the annexation of the City's raw water intake on the Jacob Fork River off of Hwy.10 West, the state has indicated that the City should adopt watershed regulations for that site as well. Mr. Pattishall explained the logic that when the property was annexed in 1995, that it was the only property that the City annexed and that it was owned by the City and the City, at that time, had no plans for any kind of

development and needed no regulations. However, the state has indicated that the property should have watershed regulations. He stated Mr. Fulbright has worked closely with the state in developing proposed amendments to the watershed protection regulations.

He stated that the proposed amendment would revise the existing regulations to add the Jacob Fork Watershed as a WS3 Watershed, which is more restrictive than the WS4, which is currently that of Lake Norman. He indicated that the zoning ordinance uses an overlay for watershed protection districts. In other words, the existing zoning stays in place; however, these are additional regulations that apply to property within the boundaries of these areas. He displayed a map showing the two different watersheds and then displayed a map of the Jacob Fork Watershed. He explained the critical area and the balance of the watershed designations in the Jacob Fork Watershed. Mr. Pattishall explained that under the new regulations, there would be essentially three different types of regulations: Residential Density, Nonresidential Density, and High Density Option.

Mr. Pattishall explained that under the Residential Density, there are densities with curb and gutter and densities without. He stated that without curb and gutter, densities would be higher in all of the watershed districts. He indicated that for residential areas there would be a 30 foot stream buffer. Mr. Pattishall then explained Nonresidential Density, that without curb and gutter, the built upon area could be increased significantly as opposed to with curb and gutter. He stated that any development with curb and gutter is not an option in the Jacob Fork Watershed Critical Area, or Balance of The Watershed. Mr. Pattishall then explained the High Density Option, stating there was a 50 foot stream buffer and the built upon area could be increased dramatically if engineering controls were in place. He explained the engineering controls and how they affected runoff and water quality.

Mr. Corne remarked on the appeals procedure in that the appeals from any decisions by the City Council or the Board of Adjustment do not go to Superior Court as would be typical in appeals but rather goes to the State Environmental Management Commission.

With no further discussion, **Chairman Arndt** closed the public hearing. Motion was made by **Mr. Corne**, seconded by **Mr. Sigmon**, and unanimously adopted that the proposed ordinance amendment be recommended to the Council for approval.

Item 5: Old Business – Discussion of Area Specific Plan #1

Mr. Pattishall reviewed the draft of topics that would be included in the new land development plan for Area #1 currently under study. He also displayed a draft map showing recommended land use plan designations for future development in the planning area. He reviewed the rationale for the recommendations, specifically topographic limitations, access, existing development, proximity to water and sewer or lack thereof, existing zoning and development patterns, as well as future thoroughfares and connectivity issues. He also reviewed the work elements that were remaining that needed to be done and stated that the staff would hopefully have something for the Planning Commission to consider in the near future in terms of a draft text document with supporting maps.

Item 6: New Business- Discussion of Future Area Specific Plans

Mr. Pattishall mentioned that part of the work element for the Planning Dept. and for Mr. Fulbright, the Long Range Planner this year, was to complete two area plans. He recommended that Study Areas #2 and #4 be next. After general discussion, there was consensus of the Planning Commission that the staff move forward with plans for Areas #2 and #4.

Item 7: Reports

Mr. Pattishall reviewed the December and year end Code Enforcement, Permit Reports, and stated that in recent Council action the Council had approved the cemetery for New Jerusalem Baptist Church and also had approved the NC Hwy. 10 Land Development Plan amendment and rezoning for Dale Lafone property on Hwy.10 West.

Item 8: Adjournment

With no further discussion, meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Glenn J. Pattishall/AICP
Secretary

ds