



MINUTES OF
CITY OF CREEDMOOR
PLANNING BOARD MEETING
JANUARY 8, 2015
7:00 P.M.

PRESENT

Mildred Goss, Mike Allen, Chairman David Forsythe, Neena Nowell, Faye Ray, Ed Gleason and Steve Faucette. Also present were Michael S. Frangos, AICP, CZO, Planning Director; Robin Reif, City Clerk, and Lori Dutra, City Attorney

ABSENT

Dennis Lester

CALL TO ORDER

The meeting was called to order by Chairman Forsythe and a quorum was recognized.

APPROVAL OF AGENDA

Moved by Board Member Goss to approve the agenda; seconded by Board Member Faucette. Motion to approve the agenda received a unanimous vote.

APPROVAL OF MINUTES

Moved by Board Member Goss to approve the minutes of December 11, 2014; seconded by Board Member Faucette. Motion received a unanimous vote.

COMMENTS FROM THE PUBLIC

Mayor Moss was present to wish the board a Happy New Year, thank them for the work that they do and update the board members on the following:

1. SGWASA APA. Things are moving forward in a very positive way. Expecting that SGWASA will be on February LGC agenda which will pose the city to sign final paperwork in March.
2. Budget conversations will be held after the ratification of the deal which will affect what the Planning Board does in the year 2015 and going forward. Significant property tax reduction for citizens may be seen in addition to reduction in water and sewer rates.
3. Targeting economic development, investing in construction of commercial flex space and recruiting small businesses.

4. Looking at construction of community amenities. Community Center, Senior Center and additional indoor/outdoor recreation amenities. Public Safety center to house PD and CVFD. Environmental stewardship (stormwater) investments which ties into economic development and impacts ability to recruit businesses in to the community.
5. Board Retreat to be held after the closing of the SGWASA deal concurrent with the budget talks. Monopole will be up and old tank down by the end of May. State of the City address to be given January 20th.

Chairman Forsythe responded to the Mayor saying that he has steered our city through some difficult times then asked, wouldn't he like to steer it through some prosperous times and continue to participate and see the fruits of his labor. Mayor Moss responded by thanking the Chairman for his support.

RECOMMENDATION ON ZTA-2014-05

Planning Director Michael S. Frangos provided information on ZTA-2014-05

ZTA-2014-05: *Why firearms and why now?:*

1. Back in late 2012 a text amendment had been submitted from Yancey Washington exploring the possibility of an indoor range at the old shirt factory.
2. Then Planner Randy Cahoon stated that the current ordinance prohibited such use as it states that if a specific land use is not listed then it is prohibited.
3. The action toward the zoning text amendment is about preparation, completeness of the ordinance, and trying to be prepared for when another similar land use request may come in. No such request has been submitted since Mr. Washington's 2012 query.
4. Trying to avoid situations like the ceremonial funeral at Eake's cemetery which caused a lock down of Creedmoor Elementary. There was no procedure in process at the time of this event.
5. Increased enthusiasm for firearms nationwide through a desire for self-defense.
6. Desire for indoor recreation, ADA accessible opportunities for adults.
7. Legitimate use of land that our ordinance needs to provide for.
8. The City is pre-empted from regulating firearms. G.S. §14.?.04
9. City is looking to regulate discharge of firearms only.

Mr. Frangos then went over proposed revisions contained in the draft of Code of Ordinance §130.02 Discharge of Firearms and Other Weapons contained in the Planning Board's agenda packet. Mr. Frangos presented the NRA range siting regulation books used to plan construction of shooting facilities.

Board Member Gleason stated that the current ordinance in no way limited a police officer from discharging a firearm or a citizen from shooting an intruder with a licensed weapon. Ceremonial funerals are a legitimate problem and need to be added to the ordinance. The

parts that deal with the gun range would only be applicable assuming a gun range was permitted.

Mr. Gleason asked if thought was given to a gunsmith on Main Street purchasing a weapon outfitted to stop discharged ammunition to protect his business. Noise abatement is not addressed and there is no way to stop the concussion from firing within the gun shop from affecting adjoining businesses or even a building 50' away. Even outside of existing ranges you can hear the noise of discharging of weapons. The discharge could be done safely but would still be annoying.

Mr. Frangos responded that the existing noise ordinance addresses reasonableness of noise levels. Firearm discharge is similar to a contractor banging a hammer bothering adjacent residents, which was previously addressed in the current ordinance. One person's annoying is different from another's. But it is the Police Officer who responds responsibility to determine if its unreasonably loud or disturbing. Hours of operation will be considered under safety and management planning.

City Attorney Lori Dutra stated that, before thresholds could be addressed, consideration must be given to amending City Code 130.02 which currently prohibits discharge of firearms within city limits. That decision is to be made by the Board of Commissioners. Only then could land use regulations be amended to address noise issues, etc.

The Planning Board suggested that discharging BB guns, pellet guns and bow and arrows should be allowed.

Upon discussion of snail taps, Mr. Frangos distributed a copy of snail trap examples to the board members. A snail trap is a device used by gunsmith's and others to test fire weapons.

ADOPTION OF CONSISTENCY STATEMENT

City Attorney Lori Dutra reminded the board that they would be voting on a consistency statement only applicable to Creedmoor Development Ordinance amendments for zoning.

CONDITIONAL RECOMMENDATION

Suggestion was made to request of the Board of Commissioners that, if text amendments to the current ordinance are approved which allow for discharge of certain firearms, the board should then delay land use amendment decisions in order to give the Planning Board time to submit comment on proposed changes.

No decision was made to move forward by the Planning Board members. It was decided by the board to wait to see what action the governing board takes.

STAFF REPORT OF DEPARTMENTAL ACTIVITY

Planning Director Mike Frangos reported on the following items:

1. City plan 2035 was presented to BOC 1/5. Comment period continues to be open.

2. No site plan for Creedmoor Crossing Shopping Center out parcel #1 has been filed.
3. Planning has received one from Champs Tire for a remote parking lot.
4. Tomorrow is the deadline for Upper Neuse Clean Water Initiative grant application.
5. Sidewalk project design continues to move forward.
6. Recovery Road construction continues.
7. The major renovation of Food Lion was recently approved.
8. 15 or so houses under construction with another 10 currently under review.
9. Four to-be-built houses were sold in the Davenport Subdivision. (DR Horton builders).
10. NC-56 Corridor study public meeting to be held soon.
11. The NOV list was reviewed as presented to the board.

Board Member Goss reported that the old Jerry's Pizza has broken out windows. Mr. Frangos reported that Steve Colenda has inspected the building and found it to be structurally sound.

CHAIR

None.

ADJOURN

There being no further business before the Board, it was moved by Board Member Goss to adjourn; seconded by Board Member Ray. The motion received a unanimous vote. The meeting adjourned at 8:35 p.m.