



**BOARD OF COMMISSIONERS
MINUTES
October 10, 2023
Continued Meeting & Public Hearing
7:00 PM**

Mayor Huneycutt welcomed everyone and asked the town clerk to call the roll. Commissioner Brett Barbee, Commissioner Joey Carpenter, Commissioner Lanny Hathcock, Mayor Chris Huneycutt, Commissioner Latoya Jackson and Commissioner Bud Smith were all present. Ms. Georgia Osborne-Harvey was also present.

Public Hearing: Text Amendment Change on Article 4, Section 423(a) in the Unified Development Ordinance (UDO)

The purpose of this purpose of this public hearing is to hear comments for or against a text amendment change to the Town of Oakboro's UDO, Article 4, Section 423(a). Mayor Huneycutt asked if anyone was present to speak for or against the public hearing.

Mr. Jay Voyles of 151 S. Main Street stated he was present to answer any questions since he was the chairman of the planning and zoning board and had written the amendment the board had in front of them. He shared that it was the planning and zoning board's original intent to restrict R9 zoning in subdivisions. The purpose of R9 zoning is to make use of the infrastructure already in place. Mr. Voyles stated that it would still be up to the town board to make a final decision on any rezoning.

Commissioner Bud Smith asked how many requests have we had regarding this R9 area. Mr. Voyles stated that he couldn't recall any that have come up since the request from Matthew Whitley on East Third Street.

Discussion continued with Chief Smith, Mr. David Heath, Mr. Jay Voyles and the board. Some of the discussion included why the East Third Street property even came to the Board of Commissioners if the UDO stated that it was against the policy to rezone the property. Mr. Voyles stated that anyone has a right to bring a rezoning application before the board and ask for the rezoning as long as they pay the fee and follow the steps. Mr. Voyles also stated that this went to the Board of Commissioners because this was one change to the UDO that they felt was needed and shouldn't have been worded this way in the beginning. Mr. Heath shared it was because the board was on a strict time frame to get the UDO read and adopted and this was something that was missed.

Commissioner Smith stated that when you don't have the exact wording of how things are to be followed that you must make hard decisions and make some people happy and some not based on the situation. He felt like it could get controversial. He's concerned it will become who you know and what you know if this amendment is made.

Mayor Huneycutt stated he would like to see the temporary manufactured homes, duplexes, and triplex dwellings removed from the UDO.

Commissioner Smith feels that the way the UDO is written, the request to change zoning on East Third Street shouldn't even have come to the Board of Commissioners. Several commissioners agreed.

Commissioner Smith asked if the planning and zoning board was all in agreement over this issue and Mr. Heath said they had different opinions and Mr. Voyles said it was a split vote.

With no other discussion, the public hearing was declared closed.

There was a motion from Commissioner Hathcock to change the UDO text from the following "old" wording to the "new" wording:

OLD:

IT IS THE POLICY OF THE TOWN NOT TO REZONE ANY PROPERTY FROM RA, R-20 or R-15 to R-9 AFTER July 1, 2022. The Medium to High Density Residential (R-9) district was established to accommodate a wide range of residential dwelling types at higher densities. Development patterns consist primarily of residential neighborhoods and supporting uses located adjacent to the historic Town core and infill development. **The district accommodates single-family detached homes and associated accessory uses as well as temporary manufactured homes, duplex and triplex dwellings.** It also allows supporting uses like public safety facilities, parks, educational uses, and utilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's neighborhood character.

NEW:

IT IS THE POLICY OF THE TOWN NOT TO REZONE ANY PROPERTY FROM RA, R-20 or R-15 to R-9 AFTER July 1, 2022. The Medium to High Density Residential (R-9) district was established to accommodate a wide range of residential dwelling types at higher densities. Development patterns consist primarily of residential neighborhoods and supporting uses located adjacent to the historic Town core and infill development. **The district accommodates single-family detached homes and associated accessory uses.** It also allows supporting uses like public safety facilities, parks, educational uses, and utilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's neighborhood character.

Commissioner Jackson seconded the change. There were four yes votes and one no vote. The motion carried.

Closed Session


Commissioner Barbee made a motion to go into closed session. Commissioner Jackson seconded. Voted and carried unanimously.

Commissioner Hathcock made a motion to go back into open session. Commissioner Carpenter seconded. Voted and carried unanimously.

Open Session

During closed session, no action was taken.

Commissioner Barbee made a motion to adjourn. Commissioner Carpenter seconded. Voted and carried unanimously.



Christopher N Huneycutt, Mayor



Leslie H. Murray, Town Clerk/Finance Officer