

**Village of Misenheimer
Planning Board Meeting Minutes
April 1, 2021**

Board Members Present: Jeff Watson, Chairman
Jon Byers
Jamie Hammill
Lane Peeler
Regina Simmons

Staff: Anita Blair, Administrator
Erik McGinnis – Police Chief

Visitors: Mac McCarley, Legal Counsel

1. Call to Order: Jeff Watson called the meeting to order at 6:00 pm.

2. Introduction of Visitors: Chairman Watson recognized each person in attendance.

3. Approval of 04/01/21 Planning Board Agenda: Regina Simmons moved to accept the meeting agenda as presented. Jamie Hammill seconded the motion and it was approved by a 5/0 vote.

4. Approval of 10/01/20 Minutes: Jamie Hammill moved to accept the Planning Board minutes from 10/01/20 Planning Board meeting as presented. Jon Byers seconded the motion and it was approved by a vote of 5/0.

5. Public Comment Period: No public comments were offered.

6. Review Zoning Ordinance Revisions and Make Recommendations to Village Council Regarding:

**Chapter 160D Compliance
Article 6 – Sign Regulation Compliance**

In 2019, the NC Legislature adopted a new chapter for zoning regulations in NC, Chapter 160D. This was done in order to reorganize and consolidate county and municipal land use chapters into a logical sequence.

Local governments have until July 1, 2021 for the development, consideration, and adoption of necessary amendments to conform local ordinances to this new law.

Mac McCarley, Village Attorney, reviewed and edited the Village Zoning Ordinance making the needed revisions to comply with Chapter 160D. During this review, mistakes discovered were corrected, definitions were added, and the sign ordinance was rewritten to comply with the 2015 Supreme Court Ruling Reed v. Town of Gilbert which ruled that signs could no longer be regulated by content.

Mr. McCarley stepped through the proposed revisions with the Planning Board. The following two items were presented for discussion and decision:

1) Disallow bona fide farms in the Village. Mr. McCarley noted there is minimal land left in the Village for development. His experienced opinion was that the Village might want to retain what land is left for development. Planning Board members questioned how current farms and currently leased land would be affected. Current uses of the land regarding farms and leases would be grandfathered. This potential restriction would only prevent new farms.

2) Restrict flag sizes. Mr. McCarley suggested that we consider regulating the size of flags. This would prevent excessively large flags. Mr. McCarley offered to research flag sizes, if adopted, before the Village Council meeting.

Regina Simmons moved to recommend approval to the Village Council the changes proposed and the following conditions:

- 1) To delete "Bona fide farms" from table 3.5 Agricultural uses
- 2) By definition, restrict the size of flags

Jamie Hammill seconded the motion and it was approved 5/0.

A copy of the "track changed" proposed zoning revisions are available in the Village Office as part of the record of minutes.

7. Other Business: No other business was heard.

8. Adjournment: The Planning Board meeting was adjourned at 7:15 pm.

Chairman or Vice Chairman

Date

Anita E. Blair, Administrator/Clerk

Date