



Town of Franklinton

Board of Commissioners
Town Hall 101 N. Main St.
January 16, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Arthur Wright, Commissioners John Allers, Tasha Hatten, Alvin Holden, Judy McArn, and LaTasha Wilder, Town Manager Zachary Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Town Planner Chris George, Public Works Director Brad Kearney, Captain Justin Hastings, Carey Johnson with The Franklin Times, and citizens

Mayor Wright called the Board of Commissioners meeting to order. Commissioner Hatten led the Pledge of Allegiance.

Approval of Agenda

Mayor Wright stated to add to the agenda a Closed Session after the Board of Adjustment meeting. Commissioner McArn made a motion to approve the agenda with the addition of the Closed Session. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

Approval of Minutes

Commissioner Wilder made a motion to approve the following minutes: December 19, 2023 Regular Meeting and December 19, 2023 Closed Session. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Consent Agenda

- a. Town Holiday Schedule for 2024
- b. Town Fund Balance Policy
- c. Franchise Agreement

Commissioner Allers made a motion to approve the Consent Agenda. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Public Comments (Three-minute time limit)

Rhonda Carper, 15 Laurel Lane, thanked Mr. Kearney and the Public Works crew on the paving work on Bowen St. The street looks great, and Ms. Carper is sure the residents are thankful for the work done so far. Ms. Carper wanted to take a moment to recognize a couple that has lived in Franklinton all their lives, Walter and Mary Yarborough. This couple has

taught at the Franklinton Middle School site for many years and are some of the 1st teachers of color in Franklinton, which is a part of our Town history. The Yarbroughs have impacted many in Franklinton. Ms. Carper would like the Town and the school to come together in honoring this couple for their investment. Ms. Carper also wanted to recognize former Chief of Police John Green. Mr. Green was the first man of color to serve as Chief of Police in Franklinton and took his job seriously. This is again part of our Town's history. Ms. Carper proposed to the Town to have a way to honor our citizens regularly. She feels this action will promote pride and for new citizens to get to know our residences. Ms. Carper gave the example of someone like Mr. Bernie, who runs the community garden. Recognition would give the opportunity for people to connect and get involved.

Agenda Items

- d. A Rezoning Petition to rezone the property located at 304 Wilson St. (Parcel ID 009369) to the Residential Single-Family Medium-A Zoning District (RSM-A) from the Residential Single-Family Medium Zoning District (RSM).

- i. Staff Presentation

Zachary Steffey

The Town of Franklinton has received a rezoning request for 304 Wilson Street (Parcel ID 050320). The rezoning request is to change the zoning of the property located at 304 Wilson Street from RSM Residential to RSM-A Residential to allow for the construction of a duplex. The property is surrounded by properties zoned RSM Residential. The lot dimensions and lot area (.32 acres) of "Lot 2" which was created out of Parcel ID 009369 appear to meet the minimum lot size and dimensional requirements of the RSM-A Residential Zoning District. Lot 1, which was created by dividing Parcel ID 009369 appears to meet the minimum lot size and dimensional requirements of the RSM Residential Zoning District.

The Planning Board of the Town of Franklinton met at 6:00 PM on Monday, January 8, 2024 and voted 5-0 to forward a favorable (5-0) recommendation of the proposed rezoning to the Board of Commissioners. The Planning Board also found the proposed rezoning to be reasonable and consistent with the adopted Comprehensive Plan of the Town of Franklinton.

The Board of Commissioners are asked to consider whether to approve or deny the rezoning request for 304 Wilson Street (Parcel ID 050320) with the proposed Statement of Reasonableness and Consistency.

- ii. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Mr. Michael Hurt, 110 Timberlake Dr., Youngsville, NC 27596, the applicant for the proposed rezoning, guided his son, Malcolm Hurt, to present to the Board of Commissioners the rezoning proposal. The goal of the rezoning is to build a duplex that would provide affordable housing for residents. The projected rent would be about \$1200.00 a month and would be a 2-bedroom housing option. Mr. Hurt is looking to provide homes for teachers, firefighters, and police officers.

Commissioner Wilder commended and thanked Mr. Hurt for including his son in this process. Ms. Wilder stated that her one question was going to be if this new build was going to be an affordable housing option, and this question was answered.

- iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Allers made a motion to close the Public Hearing. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

- iv. Vote on Rezoning

Board of Commissioners

Commissioner Allers made a motion to approve the Rezoning Petition to rezone the property located at 304 Wilson St. (Parcel ID 009369) to the Residential Single-Family Medium-A Zoning District (RSM-A) from the Residential Single-Family Medium Zoning District (RSM) and that the rezoning is consistent with the adopted Comprehensive Land Use Plan of the Town of Franklinton, that the proposed rezoning is reasonable, and that the proposed rezoning is in the best interest of the public. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

- e. Text Amendment to amend the provisions of Article 156.4 Subsection 4.5.4 Standard for Specific Temporary Uses, Subsection F.

- i. Staff Presentation

Zachary Steffey

Members of the downtown business community have expressed concerns about the Town's food truck ordinance as it is currently written. Town staff have developed a proposed text amendment to address the concerns and to clarify permissible food truck activities within the zoning districts of the Town.

The proposed text amendment prohibits a food truck from remaining on the same parcel in the downtown C-2D zoning district for more than 24 hours. The existing provisions limiting food trucks to parcels where the ownership of the parcel is the same as the ownership of the food truck will remain in effect. The text amendment limits the number of days that a food truck can remain on a parcel in the C-2D zoning district to five days per month. The text amendment clarifies that when a property is town controlled (via a MOA, MOU, or other public private partnership agreement) then the property shall be considered "public property" when interpreting the ordinance.

The Planning Board of the Town of Franklinton met on Monday, January 8, 2024 at 6 PM and voted (5-0) to forward a favorable recommendation to the Board of Commissioners. The Planning Board determined that the proposed Text Amendment is consistent with the adopted Comprehensive Land Use Plan of the Town of Franklinton.

The Board of Commissioners are asked to consider approving or denying the proposed Text Amendment 2024.01.01 and to approve, modify, or deny the Statement of Consistency & Reasonableness.

- ii. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner Hatten seconded the motion. The motion was approved by a vote of 5-0.

Commissioner Wilder had a question regarding the number of days per month mentioned in the Text Amendment. Does this mean that if the days are consecutive or is it 5 days and then food truck would have met their limit? Ms. Wilder asked for an example of how this would run. Mr. Steffey stated that the way the Text Amendment is written, operation would be for 5 days total within a month. This Text Amendment is in response to some of the concerns of the Downtown business community. There is concern about the investments that are being made by the brick-and-mortar businesses in Downtown. These businesses are concerned with food trucks parking and not making that same level of investment; essentially undercutting the investments made by brick-and-mortar businesses. These concerns were brought to the staff's attention, and this is how the staff arrived at the 5 day per month time frame.

Commissioner McArn asked if there would still be the requirement to apply for a Special Events Permit with the use of a food truck. Mr. Steffey stated that a permit would still be required.

Commissioner Wilder stated she was concerned that 5 days is not enough time for food truck operation, especially if something is being offered that Downtown is not currently offering. Although, businesses will experience competition.

Commissioner Hatten inquired as to where the amount of 5 days per month came from. Mr. Steffey answered that the 5 days per month would give food truck vendors one day each weekend of the month. The goal is to not have the

Downtown full of food trucks. The Town is also limited to what kind of food trucks can come in and could compete directly with brick-and-mortar businesses. This is a good problem to have, but it is a difficult issue to navigate. This amendment appears to be a good compromise, but we can modify it if there is consensus to do so.

Commissioner Wilder explained that if a business had a food truck just on the weekends (Friday and Saturday) they would reach that 5-day limit before the end of the month.

Commissioner Allers asked if the business hired a different food truck each day would that restart the 5-day count. Mr. Steffey said this Text Amendment would be just in conjunction with the owners of the property and the food truck. The current ordinance in place states that the owner of the property had to be the owner and operator of the food truck as well, which is pretty limiting, but after the requests of business owners, we've been asked to put more limitation on this ordinance. This amendment would address those concerns of business owners.

Commissioner Wilder confirmed that business owners who do not own the property could not do food trucks. Mr. Steffey answered that the business would have to complete a Special Event Permit application for the food truck if they did not own the property.

Mr. Steffey stated that this is a tricky amendment, and he does not know that there is a right answer that will make everyone happy with how it is written. The Town is trying to find the best middle ground for this ordinance.

Commissioner McArn stated that she thinks this is a good compromise. Mr. Steffey stated that if this Text Amendment was found to be too restrictive, they could come back to it later and revise.

Commissioner Allers wanted to confirm that if there are different food trucks working on different days that the number of days would count separately for each food truck. Mr. Steffey stated that each food truck would have to apply for a Special Event Permit unless the owner of the food truck was the same as the property owner. That is where the ordinance would apply. The number of days is flexible. The biggest concern the Town is trying to address is that someone would not be able to park their food truck indefinitely. This is the primary concern. Mr. Steffey stated that he expects to get more pushback from brick-and-mortar businesses as the number of days increases for food truck operations, and so the Town is looking for that compromise.

Commissioner Hatten suggested 10 days so that every weekend would be open but still have some limitations on the amount of food trucks.

Commissioner Wilder stated that she is trying to think of that happy medium for both kinds of businesses. Mr. Steffey stated that the UDO is meant to be a flexible document, so this item can always be brought back up for revision if needed.

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Holden made a motion to close the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Text Amendment

Board of Commissioners

Commissioner McArn made a motion to approve the Text Amendment to amend the provisions of Article 156.4 Subsection 4.5.4 Standard for Specific Temporary Uses, Subsection F as written. Commissioner Allers seconded the motion. The motion was approved by a vote of 5-0.

f. ABC Board Appointments

i. Appointment of ABC Board Members

Board of Commissioners

The Board of Commissioners received ballots to select who they would like to appoint on the ABC Board. There were 3 applicants and 3 vacancies. Mr. Pridgen received all the ballots and announced the appointed candidates as follows:

Taylor Sullivan, McCray Harris, and Annie Howerton

Commissioner Allers approved the appointments for the ABC Board. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

g. Tree Committee Terms and Appointments

i. Set Terms for Committee Members

Board of Commissioners

The Board of Commissioners received ballots to assign terms to the current Tree Committee that was appointed December of 2022. Two of the terms were 1-year terms which would rotate off after terms were set. This would leave 2 vacancies. Mrs. Sheila Allers respectfully declined to reapply. The following were the terms set:

Rhonda Carper – 3 Years (Term ends Dec. 2025)

Thomas McCray Harris – 3 Years (Term ends Dec. 2025)

Kristen Jones – 2 Years (Term ends Dec. 2024)

Judy McArn – 1 Year (Term ends Dec. 2023)

Judy McArn reapplied for the Tree Committee. She was selected for reappointment with a 3-year term with the reappointment (Term ending Dec. 2026). No new applicants were up for consideration. There is one vacancy remaining.

ii. Appointments of Tree Committee Members

Board of Commissioners

Commissioner Allers made a motion to approve the terms and appointments to the Tree Committee. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

h. Board of Commissioner Assignments

i. Mayor Pro Tem

Board of Commissioners

Commissioner Holden nominated John Allers for Mayor Pro Tem. There were no other nominations.

Commissioner McArn made a motion to assign Commissioner Allers as Mayor Pro Tem. Commissioner Hatten seconded the motion. The motion was approved by a vote of 5-0.

ii. Kerr-Tar COG Representative

Board of Commissioners

Commissioner McArn is currently representing the Town with the Kerr-Tar COG and she stated that she would be glad to continue in this role. There were no other nominations.

Commissioner Allers made a motion for Commissioner McArn to continue to represent the Town of Franklinton with the COG. Commissioner Hatten seconded the motion. The motion was approved by a vote of 5-0.

iii. CAMPO Executive Board

Board of Commissioners

There was some discussion of Commissioner Allers taking the lead on this representation and having Mayor Wright to be the backup representative.

Commissioner McArn made a motion to assign John Allers to represent the Town of Franklinton with CAMPO with the Mayor as a backup representative. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

iv. Franklin County Economic Development Commission

Board of Commissioners

Mr. Steffey stated that he has been attending these meeting to give updates on the Town of Franklinton, and he will continue to do so if the Board of Commissioners preferred that arrangement.

v. Greater Franklin County Chamber of Commerce

Board of Commissioners

Commissioner Allers nominated Commissioner Wilder to represent the Town of Franklinton with the Greater Franklin County Chamber of Commerce. There were no other nominations.

Commissioner Allers made a motion for Commissioner Wilder to represent the Town of Franklinton with the Greater Franklin County Chamber of Commerce. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

2. Reports

a. Town Manager Report, Staff Reports (included in packet)

- i. The Town would like to recognize the winner of the Downtown Decorating Contest, Archer + Pratt. This initiative raised a lot of awareness for our Downtown businesses during the Holiday season.
- ii. Public Works are collecting Christmas trees and have delivered some of those trees to the Family Bees-ness Farms. The animals enjoy these trees, and they help keep the animals healthy. This is a nice partnership that allows us to repurpose the trees.
- iii. Mayor Wright and Commissioner McArn organized a ceremony to honor Thompsons Feed and Seed with a proclamation and recognition of their years of service with the Town of Franklinton.
- iv. The Town's Social Media stats have gone up 638% in March to December of 2023.
- v. Public Works did a good job of repurposing the hay in Downtown. The staff is also planning on repurposing the tunnel for Winter and then for Valentines Day.
- vi. The Rail Trail Meeting has been rescheduled to Thursday, February 22, 2024 at Town Hall at 6:00 PM – 8:00 PM for public engagement.
- vii. Saturday, January 20th the MLK Day march will be at 11:00 am from MLK Blvd. to First Baptist Church

b. Advisory Board Reports (included in packet)

3. Upcoming Meetings

- a. January 19, 2024 - Franklinton Chamber of Commerce at 11:00 AM at Town Hall
- b. Martin Luther King, Jr. March – January 20, 2024 at 11:00 AM beginning at Martin Luther King, Jr. Blvd.
- c. February 1, 2024 – Tree Committee Meeting at 10:00 AM at Town Hall
- d. February 12, 2024 – Planning Board Meeting at Town Hall at 6:00 PM
- e. February 19, 2024 – Town Hall closed in observance of Presidents' Day
- f. February 20, 2024 – Board of Commissioners Meeting at Town Hall at 7:00 PM

Commissioner Allers made a motion to recess the Board of Commissioners Meeting. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Commissioner Allers made a motion to resume the Board of Commissioners meeting. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

Commissioner Holden made a motion to enter into Closed Session. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Commissioner Allers made a motion to come out of Closed Session. Commissioner Hatten seconded the motion. The motion was approved by a vote of 5-0.

Adjournment

Commissioner Holden made a motion to adjourn the Board of Commissioners meeting. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

X Arthur Wright
Arthur Wright
Mayor

X Lauren Chandler
Lauren Chandler
Town Clerk



Town of Franklinton

Board of Adjustment
Town Hall 101 N. Main St.
January 16, 2024, 7:00 PM

MINUTES

Those in Attendance: Mayor Arthur Wright, Commissioners John Allers, Tasha Hatten, Alvin Holden, Judy McArn, and LaTasha Wilder, Town Manager Zachary Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Town Planner Chris George, Public Works Director Brad Kearney, Captain Justin Hastings, Carey Johnson with The Franklin Times, and citizens

Mayor Wright called the Board of Adjustment meeting to order.

Approval of the Board of Adjustment Agenda

Commissioner McArn made a motion to approve the Board of Adjustment agenda. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

Agenda Items

- a. Consideration of a Special Use Permit for a vehicle sales business at 4078 US 1 HWY Parcel ID 008913 located in the (C-3H) Highway Commercial Zoning District.
 - i. Vote to Open Evidentiary Hearing

Board of Adjustment

Mr. Pridgen reminded the Board of Adjustment and the citizens that this is a quasi-judicial hearing. All speakers must be sworn in to give testimony and the Board of Adjustment are only to consider professional, competent evidence presented. Mr. Pridgen asked the Board of Adjustment if there were any conflicts of interest of prior conversations made on the item for discussion before this hearing. The Board of Adjustment answered that there were no conflicts of interest or prior conversations.

Commissioner Holden made a motion to open the Evidentiary Hearing. Commissioner Hatten seconded the motion. The motion was approved by a vote of 5-0.

Mr. Koito was sworn in by Mrs. Chandler.

- ii. Presentation of Special Use Permit

Zachary Steffey

The Town of Franklinton has received a Special Use Permit application from JPN Auto Import LLC for Parcel ID 008913 located at 4078 US Highway 1. If approved the Special Use Permit would allow for the operation of a vehicle sales business at the property. The property is located within the ETJ of the Town in the C3H Highway Commercial Zoning District. Vehicle sales are considered a Special Use in the C3H Highway Commercial Zoning District. Properties to the north, west, and south are zoned C3H Commercial and properties to the east across the railroad ROW are zoned RSM Residential. The subject property is approximately 1.54 acres according to the Franklin County GIS.

Town Staff have reviewed the Special Use Permit application. Based on the Town Staff's review of the application, the following items are provided for consideration and discussion by the Board of Adjustment. The following items may be included as Special Use Permit conditions if deemed necessary by the Board and if agreed to by the applicant:

- Consider stipulating the hours of operation for the Vehicle Sales Business
 - Suggestion – 6:00 AM to 9:00 PM
- Consider requiring that all parking must be contained on-site and that no parking shall take place along the street or within the NCDOT ROW.
- Consider requiring that the driveway and all ingress and egress must be located on the subject property
- Consider requiring coordination with NCDOT and confirmation from NCDOT that the existing driveway is suitable for ingress and egress.
- Consider requiring that all lighting must be shielded to prevent light trespass onto adjacent properties and directed in a manner that does not create glare or constitute a hazard to motorists along US Highway 1.
- Consider requiring a letter from Franklin County Environmental Health that any septic tanks at the site are sufficiently sized to accommodate the proposed use.
- Consider requiring a dumpster or sufficiently sized trash receptacles must be located at the site.
- Consider requiring that all customer parking areas must be paved and brought into compliance with the applicable planting and screening standards contained within the UDO.
- Consider requiring that any vehicle repair or assembly activity must take place indoors.

The Board of Adjustment is asked to consider whether to approve or deny the Special Use Permit application for 4078 US Highway 1 Parcel ID 008913. The Board is asked to consider the Special Use Permit application based on the review standards set forth in the UDO:

1. Will not materially endanger the public health or safety if located where proposed; and
2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 156.4, USES; and
3. Will not substantially injure the value of the abutting land, or the special use is a public necessity; and
4. Will be in harmony with the area in which it is to be located; and
5. Is in general conformity with the Town's adopted policy guidance; and
6. Is configured to ensure pedestrian and vehicular safety; and
7. Does not result in conditions where public facilities and services are inadequate to serve the proposed use.

iii. Applicant Presentation and Comments

Izumi Koito

Mr. Koito has a current vehicle sales lot in Town, and he would like to move his business to this new location at 4078 US 1 HWY because the traffic would be slower and seems to be a better location for overall business.

Mr. Koito was not sure about the paving requirement. There was some discussion between the Commissioners, Town Manager, Town Planner, and Mr. Koito over the UDO requirement of paving. He thought that gravel would be permitted because his current business did not require paving. Having paved parking for customers is a requirement that falls under the Town's UDO and not under the Special Use Conditions. There would be a requirement of 3 paved parking spaces on

the lot for customers to park. The rest of the lot could be left gravel. Mr. Koito said he would have to discuss the paving requirement with the landowner as this would be an unexpected expense.

Mr. Pridgen stated that the Board of Adjustment could go ahead and vote on this item and if the applicant would like to withdraw then he would simply not sign the paperwork.

iv. Vote to Close Evidentiary Hearing

Board of Adjustment

Commissioner Wilder made a motion to close the Evidentiary Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

v. Vote on Special Use Permit

Board of Adjustment

Commissioner Allers made a motion to approve the Special Use Permit for a vehicle sales business at 4078 US 1 HWY Parcel ID 008913 located in the (C-3H) Highway Commercial Zoning District with the conditions set by Town Staff and the approval having been based on the review standards set forth in the UDO:

1. Will not materially endanger the public health or safety if located where proposed; and
2. Complies with all required standards, conditions, and specifications of this Ordinance,
including Article 156.4, USES; and
3. Will not substantially injure the value of the abutting land, or the special use is a public
necessity; and
4. Will be in harmony with the area in which it is to be located; and
5. Is in general conformity with the Town's adopted policy guidance; and
6. Is configured to ensure pedestrian and vehicular safety; and
7. Does not result in conditions where public facilities and services are inadequate to serve the proposed use.;

Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Adjournment

Commissioner McArn made a motion to adjourn the Board of Adjustment meeting. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

X



Arthur Wright
Mayor

X



Lauren Chandler
Town Clerk