

**TOWN OF MIDWAY
PLANNING AND ZONING BOARD
MINUTES
AUGUST 28, 2012**

CALL TO ORDER

Planning and Zoning Board Chairman Jackie Edwards called the meeting to order.

Planning and Zoning Board members present were: Jackie Edwards, Lynn Griggs, LeeAnn Thomas, and Charles Waddell. Absent: None. Planning Consultant Vagn Hansen and Town Clerk Linda A. Hunt were present.

PUBLIC COMMENT

There were none.

APPROVAL OF MINUTES

On motion by Board member Charles Waddell, seconded by Board member LeeAnn Thomas, the Board voted unanimously to approve the minutes of the July 31, 2012 meeting as presented.

ADOPT AGENDA

On motion by Board member LeeAnn Thomas, seconded by Board member Charles Waddell, the Board voted unanimously to adopt the agenda as presented.

PLANNING BOARD CASES

There were none.

OTHER BUSINESS

REVIEW OF ARTICLE 16 – FLOOD DAMAGE PREVENTION

Planning Consultant Vagn Hansen gave an overview of Article 16 – Flood Damage Prevention of the proposed Town of Midway Land Development Ordinance as follows:

Statutory Authorization

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Findings of Fact

1. The flood prone areas within the jurisdiction of the Town of Midway are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and

impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

Statement of Purpose

It is the purpose of this Article to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas.

Objectives

The objectives of this Article are to:

- (1) Protect human life, safety, and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business losses and interruptions;
- (5) Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (7) Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

Provisions for Flood Hazard Reduction

General Standards - In all Special Flood Hazard Areas certain provisions are required.

Specific Standards – In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided additional provisions are required.

Standards for Floodplains Without Established Flood Elevations

Within the Special Flood Hazard Areas designed as Approximate Zone A and established in Section 16.5.2, where no Base Flood Elevation (BFE) has been provided by FEMA, other certain provisions shall apply in addition to the provisions of section 16.6.1.

Standards for Riverine Floodplains With BFE But Without Established Floodways or Non-Encroachment Areas

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a special Flood Hazard Area on the FIRM or in the FIS report certain requirements shall apply to all development within such areas.

Floodways and Non-Encroachment Areas

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in 16.5.2. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity or floodwaters that have erosion potential and carry debris and potential projectiles. In addition to standards outlined in Sections 16.6.1 and 16.6.2, certain other provisions shall apply.

Standards for Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Section 16.5.2, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Section 16.6.1 and 16.6.2, all new construction and substantial improvements shall meet additional requirements.

Mr. Hansen recommended the Board review the proposed Article 16 – Flood Damage Prevention in more detail and give him feedback on questions or concerns about the proposed Article.

The purpose of this item was for review only.

DISCUSS SECOND PUBLIC INPUT MEETING FOR PROPOSED TRANSPORTATION AND ACCESS MANAGEMENT PLAN

On April 16, 2012, Town Council unanimously approved the contract with Kimley-Horn and Associates, Inc. for transportation and access management planning services for the main transportation corridor in Midway.

The first public input meeting for Midway residents to hear Kimley-Horn’s presentation by Mr. Jonathan Guy on the proposed preliminary plan and to view the plan was held on June 26, 2012 at the Midway Fire and Rescue Department. Both Mr. Guy and Planning Consultant Vagn Hansen were on hand before and after the presentation to answer any questions or to talk to residents about any concerns they had. The input Kimley-Horn took the concerns expressed by the residents at that meeting into consideration and adjustments have been made to plan.

Mr. Hansen reported the second public input meeting for the updated transportation and access management plan is scheduled to be held on Tuesday, September 25, 2012, at 7:00 p.m. at the Midway Fire and Rescue Department located at 228 Midway School Road in Midway. Kimley-Horn and Associates will provide the proper notices of the second meeting.

REPORTS

ZONING ADMINISTRATOR’S REPORT

Planning Consultant Vagn Hansen reported he had issued three zoning permits and a sign permit for the new Dollar General Store. Mr. Hansen also noted the water line problem at Dollar General has been resolved.

Mr. Hansen said the new owner of the Midway Commons Shopping Center has been having some work done on the parking lot and has made some improvements to the appearance of the shopping center.

TOWN MANAGER’S REPORT

There were none.

REPORTS FROM PLANNING BOARD MEMBERS

There were none.

ADJOURNMENT

On motion by Board member Charles Waddell, seconded by Board member LeeAnn Thomas, the Board voted unanimously to adjourn the meeting.

Jackie Edwards, Chairman

Linda A. Hunt, Town Clerk