



**MINUTES OF THE
PINEVILLE PLANNING BOARD
TOWN OF PINEVILLE, NORTH CAROLINA
THURSDAY, JANUARY 23, 2025**

The Pineville Planning Board held its regular meeting on Thursday, January 23, 2025, at the Town Hall Council Chambers located at 505 Main Street, Pineville, NC at 4:00 pm.

ATTENDANCE

Planning Board Members: Jim Knowles, Thomas White, Eric Fransen and Roshan Bhula were all in attendance.

Planning Director: Travis Morgan

Town Clerk: Lisa Snyder

Absent: Dusty Gilvin

CALL TO ORDER

Current Chair, Jim Knowles, called the meeting to order at 4:01 pm and established that a quorum had been met since four members were present and one member absent.

Chair Knowles requested a moment of silence.

Town Clerk Lisa Snyder gave the Oath to Roshan Bhula as this was his first meeting of the Planning Board.

ORDER OF BUSINESS

OLD BUSINESS. Approval of Minutes for the November 13, 2024, Regular Meeting – Chair Knowles called for a motion to approve the minutes from the November 13, 2024, regular meeting. There was no discussion on the minutes. A motion was made by Thomas White and seconded by Eric Fransen to approve the minutes as presented. There were ayes by all, and the minutes were approved as presented.

NEW BUSINESS. Planning Director Travis Morgan introduced a text amendment to the Zoning Ordinance to remove the owner-occupied requirement as it specifically relates to ADU's (accessory dwelling units). He advised that this is the first meeting to change the text of the existing ordinance, which is a general

ordinance amendment. This follows the legislative process. ADU's are also known as mother-in-law suites or secondary homes and are a subordinate to the main or primary home. They are increasing in interest and demand. He is requesting the Board's feedback/recommendation on this amendment.

The request began as a complaint received about 1005 Cone Avenue. Housing and rentals have been a perpetual item of interest and concern in Pineville. The applicant, Michael Stumpf, owns the property in town and that home has a secondary dwelling on the site, as well. Both are for rent. Mr. Morgan is recommending changing the terminology to accessory dwelling unit as that is the most common industry standard language currently. The applicant Mr. Stumpf requests the removal of the owner occupancy clause in the current ordinance.

Mr. Morgan contacted our town attorney, Cranfill and Sumner, for their legal opinion. Mr. Morgan further recommends that we side with her legal opinion and eliminate item "P" which states: the property owners on which the secondary dwelling unit is to be located shall occupy at least one of the dwelling units on the premises. Additional follow-up legal opinion letters are pending.

Board Member Eric Fransen asked how many properties are affected by this and whether they have the mother-in-law suite structure on site. Mr. Morgan replied that he is aware of one that is a rental. There are others in town such as in the Lakeview area. Chair Jim Knowles asked about the addresses for these properties and if this would pose a problem for the Fire and Police. There was general discussion on addresses and mail.

Applicant, Mr. Stumpf, outlined to the Board how he got to this point. He wants to add rentals that are affordable and well taken care of and according to the new legislation, he has the right to add an Adu on his property. He does not feel that the Board should tell him he cannot rent or lease it. Mr. Morgan added that the Board has possible options or former options, including downzoning, handling these on a case-by-case basis as in conditional zoning, or making stricter overall requirements. Recent state law changes may have limited local municipal options, however.

Board Member White added that there would be more cars per residence and on-street parking would increase. Would this be enforced by code enforcement? By removing the language suggested, what impact will this have on the town? Board Member Bhula replied that he is seeing a lot of ADU development in other areas with higher price-point neighborhoods. He does not think that this will make a dramatic change in town.

There was a general consensus that the Board would like additional attorney feedback and perhaps leave the legal concerns up to Town Council for them to ultimately make the decision. Planning Board expressed concern over having both primary home and accessory dwelling being for rent and recommended Town Council also discuss with legal counsel about what possible options and legal compliance were available. No other text changes such as dwelling size, location, or existing ordinance wording related to the ordinance were recommended

Board Member White moved to recommended the Accessory Dwelling Unit name change text amendment and recommended the revision of the owner occupant definition and section (F) of the below ordinance to "The property owner(s) shall occupy at least one (1) of the dwelling units on the premises unless the property owner has resided on the property for a period of not less than twenty-four (24) consecutive months", with Board Member Fransen providing a second. All ayes.

Mr. Morgan added that we will be discussing parking at our February work session. The Planning Board could meet again to review parking.

A motion to adjourn was made by Thomas White with a second made by Roshan Bhula. All ayes.

ADJOURNMENT was at 6:45 pm.



CHAIR

2/20/25

DATE



TOWN CLERK