

The Town Council of The Original Town of Nashville held a Regular Meeting on Tuesday, August 20, 2024 at 7:00 PM in the Nashville Town Council Chambers, 114 W. Church St. Nashville, NC.

Members Present: Brenda Brown, Mayor
Kate Burns, Council Member
Larry Taylor, Council Member
Bill Lumppp, Council Member
Xavien Harrison, Council Member

Absent:

Staff Present: Randy Lansing, Town Manager
Francis Rasberry, Town Attorney
Louise Bennett, Town Clerk
Brian Booth, Library Director
Tressa Rudd, Finance Director

Nancy West-Brake with the Nashville Graphic and Dave Cruz with the Rocky Mount Telegram were present from the media.

1. CALL TO ORDER BY MAYOR BROWN

Mayor Brown called the meeting to order at 7:00 pm.

2. PLEDGE OF ALLEGIANCE & INVOCATION

Mayor Brown led the meeting in the Pledge of Allegiance and Invocation.

3. APPROVAL OF MEETING MINUTES

- a Meeting Minutes - Review and approve the August 6, 2024, Town Council meeting minutes.

Review and approve the August 6, 2024, Regular Town Council meeting minutes.

Council Member Harrison made a **MOTION** to approve the August 6, 2024 Town Council meeting minutes. Council Member Burns **SECONDED** the motion. The **MOTION PASSED**. 4-0

4. PUBLIC COMMENTS

James Baker, 103 East Green Street, Nashville, stated that he had been before the Council several times about the pothole on Green Street. It had been filled with gravel, but it is washing away. With school starting next week, he feels that this is a hazard and feels it should have been fixed before school started. He also expressed concerns about the asphalt on Green Street between Alston and Collins, it is busting up from where a water main had been busted when Cloudwize was putting in fiber optic lines.

5. NEW BUSINESS

- a Zoning Ordinance Amendments - Open and hold a scheduled public hearing on the amending Chapter 18 "Land Use Regulations" in the Nashville Code of Ordinances, and implement the changes, updates, and amendments with the passage of Ordinance 2024-09.

[Text Amendment Summary](#)

The Planning Director advised that the Town of Nashville hired Mr. Michael Harvey, with N-Focus Planning and Consulting, to amend the Nashville Land Use Regulations ordinance, Chapter 18 of the Nashville Town Code, to provide for conditional zoning districts, write additional definitions, update the table of allowable uses, and to provide clearer language to many regulations and requirements in the ordinance. Mr. Harvey reviewed and discussed the updates, amendments, changes, and new definitions he recommended with the Planning Board and Town Council at a joint meeting on June 26, 2024, and made several more changes and additions based on the review and discussion with the Board and Council.

Michael Harvey with N-Focus went through the updates that N-Focus recommended for the Town of Nashville. The council had some questions but felt that they would have more once they had reviewed the 200-page document further. The Council received the information on August 16, 2024. It was decided that the Council would email questions to Michael Harvey and then a work session would be scheduled before a Public Hearing and vote on Ordinance 2024-09 amending Chapter 18, Land Use Regulations (the zoning ordinance) would take place.

Council Member Burns made a **MOTION** to continue Ordinance 2024-09 amending Chapter 18, Land Use Regulations, aka the zoning ordinance, in the Nashville Code of Ordinance. Council Member Lumpp **SECONDED** the motion. The **MOTION PASSED**. 4-0

- b Golden Leaf Reimbursement - Review and approve repayment of a \$21,638 grant overpayment from the Golden Leaf Foundation on the Town's grubbing and clearing project in the Nashville Business Center with Budget Amendment #8.

[BA-8](#)

Town Manager Randy Lansing advised that the Town received notice on August 2, 2024, from the Golden Leaf Foundation, that the Town was overpaid on its first SITE Development Grant for grubbing and clearing in the Nashville Business Center by \$21,638. He had worked with Suzanne Keil, Program Specialist with the Golden Leaf Foundation, and verified an overpayment had been received. It was a math error in the calculation of the final disbursement to the Town of Nashville. The grant award was \$188,513 but the total project costs were only \$166,875. The difference of \$21,638 was mistakenly requested and paid by Golden Leaf. Golden Leaf is requesting reimbursement of the \$21,638 overpayment. Wanting to stay in good standing with the Gold Leaf Foundation, he recommends the Town repay the money. Finance Director Tressa Rudd recommends that \$21,638 of the \$134,075 the Town received from the recent sale of Lot-4 in the Nashville Business Center to Build Labs be used to repay the overpayment out of fund balance.

Council Member Harrison made a **MOTION** to approve Budget Amendment #8 authorizing reimbursement of \$21,638 to the Golden Leaf Foundation. Council Member Burns **SECONDED** the motion. The **MOTION PASSED**. 4-0

6. COUNCIL COMMENTS

Council Member Kate Burns stated that she would not be at the September 17th, 2024,

meeting.


7. TOWN MANAGER'S REPORT

Town Clerk Louise Bennett stated that she had sent out an email to the Council about a survey asking questions in reference to the redesign of the Town's website. She asked the Council if they had not already done so to please fill out the survey.


8. ADJOURN

a Mayor Brown asked for a motion to adjourn.

Council Member Harrison made a **MOTION** to adjourn at 8:12 PM. Council Member Lumppp **SECONDED** the motion. The **MOTION PASSED. 4-0**


Brenda Brown, Mayor

ATTEST:


Louise Bennett, Town Clerk



N-Focus Zoning Updates to the Town of Nashville Zoning Ordinance

Sec 18-22 State of Emergency for suspension of zoning permits during the state of emergency or natural disaster.

Sec 18-23 Definitions our ordinances did not have any terminology.

Sec 18-54 Accessory Building: It was brought to N-Focus's attention that we have several property owners with more than one accessory building in the rear yard. N-Focus has made recommendations that all accessory buildings on a corner lot must meet the corner setback of the specified zoning district, along with our previous wording, which is five feet from any existing building and six feet from the side and rear property line. Mr. Harvey, will go over the updated proposal for accessory building during the Council session.

Sec 18-57 Site Triangle Our ordinances did not have anything in it establishing a site triangle at the corner of intersections.

Sec 18-58 Fence Regulations It was brought to N-Focus's attention that we need to start addressing fences in the Town. Currently, our zoning ordinances do not have anything to regulate how fences look or permit them. Since so many owners are installing them, I thought it would be beneficial to have some guidance and wording in the ordinance for them. Mr. Harvey has provided guidance for height and placement requirements. He has also provided insight materials and restricted materials.

Sec 18-61 Sidewalks previously our ordinance only allowed sidewalks on one side of the road. After recommendations from last workshop sidewalk will be required on both sides of the street for new streets in the Town.

Sec 18-86 Division of zoning districts Adding the CZ zoning district to our zoning districts. This has been added so that the Town can utilize Conditional Zoning.

Sec 18-89-Dimensional Requirements: Mr. Harvey changed our front setback for an R-15 from 35 to 30 feet and added the R-6M Manufactured Home Zoning District to our ordinances.

Sec 18-90 Conditional Zoning District: Mr. Harvey will go into further detail with the Council that evening on this use. Adding this use will remove the Special Use Quasi-Judicial.

Sec 18-108 Watershed overlay District (WS) Mr. Harvey, has gone in and made some minor changes to our Watershed Overlay District to reflect NC State Statues. We will be revisiting this in the near future.

Sec 18-109 Special Use Permit Mr. Harvey has made updates and eliminated several SUP in our ordinance. He has also made recommendation to have the Board of Adjustment hear these request moving forward. If approved with no changes the Town Council will no longer hear these request.

(7) Conditional district and CZ not allowed

Airports, General Aviation, Heliports;

ii. Banquet Hall / Meeting Facility / Retreat Center / Conference Center;

iii. Theater (indoor or outdoor);

- iv. Motor Vehicle (maintenance, repair, sales and service);
- v. Seafood Preparation, Packaging, and Distribution;
- vi. Slaughterhouse;
- vii. Starch, Vegetable Fats and Oils Manufacturing;
- viii. Manufacturing, Assembly, Processing, and Distribution Uses Land Uses (inclusive);
- ix. Extractive Land Uses (inclusive);
- x. Massage Business;
- xi. Sexually Oriented Businesses / Adult Establishments (inclusive);
- xii. Short-term Rental, Non-host Occupied;
- xiii. Telecommunication Land Uses (inclusive);
- xiv. Solar Facilities; and
- xv. Waste Management Land Uses.

Sec 18-111 Standards for Temporary Uses

- 1. Standards for Temporary Uses
- 2. Modular Offices and Classrooms
- 3. Commercial Tents
- 4. Temporary Use Special Events
- 5. Temporary Use of a Residential Manufactured Home or Rec Vehicle
- 6. Temporary Health Care Structures
- 7. Temporary Use of Storage Units
- 8. Standards for Agricultural Land Uses
- 9. Standards for Assembly Land Uses

Banquet Hall Allowed in B-2 Zoning District as long as they can provide a site plan or parking agreement that the owner or tenant has permission to park in a public area while the business is closed.

Sec 18-224 Site Development and Construction Plan Approval Mr. Harvey has provided a site development plan for developers will have to submit before the Town will begin any review. Mr. Harvey recommended all site plans have the following items;

- i. Property boundaries with dimensions
- ii. PIN for property
- iii. Location of adjacent streets, right of ways, and utility easements
- iv. Dimensioned footprint and setbacks of the existing and proposed structures with gross floor area indicated

- v. Dimensions of existing and proposed impervious surfaces
- vi. Location and number of parking spaces
- vii. Location and size of buffer and landscape areas
- viii. Location of existing and proposed driveways and/or streets
- ix. Location of all flood zones
- x. Location of adjoining properties and both the existing zoning designation and use of these properties
- xi. Names and addresses of adjoining property owners
- xii. Number of stories and overall height of all existing and proposed structures
- xiii. Location of proposed stormwater facilities
- xiv. Location of existing and proposed dumpster and recycling containers
- xv. Generalized depiction or description of natural features on and immediately adjoining the site, including streams and other water bodies, steep slopes, areas covered by tree canopy, etc., and
- xvi. Other information determined by the Zoning Administrator as necessary to evaluate the request.

Sec 18-225 Special Use Permit Mr. Harvey, has set up a submittal requirement for SUP with the Town before they are to be heard by the Town Board of Adjustment. Pre-Application Conference, Plan Submittal, Staff Review, Action by the Board of Nashville Adjustment.

Sec 18-227 Development Agreements

Sec 18-251 Conditional Districts Zoning Mr. Harvey has set up a procedure for this map amendment. He will go into further details with the Board on how these map amendments will be done going forward.

Sec 18-283 Powers of the Board of Adjustment (4) Act upon Special Use Permits applications.

Sec 18-406 Subdivision Ordinance Street Trees within Residential Subdivision

Street trees are required along all street frontages for all new developments described at the following rate:

- i. One large maturing tree required for every parcel within a proposed residential subdivision. If overhead utilities are present, planting of one small maturing tree per property abutting a street is required.
- ii. In addition each proposed lot is required to have the following planted and/or preserved

within the front yard:

1. 2 understory trees within the front property area; or
2. A understory tree in each side yard separating each residence.

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BUDGET AMENDMENT
FISCAL YEAR 2024-2025

Budget Amendment #

8

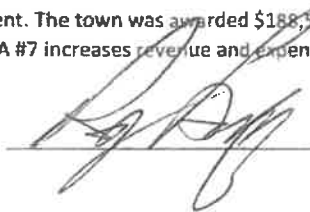
Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Fund	10- General Fund				
Revenues:					
10.335.0000	Misc. Revenue	\$ -	-	\$ 21,638.00	\$ 21,638.00
NET CHANGE IN REVENUES Fund 10					\$ 21,638.00
Expenditures:					
10.660.7300	Economic Development Capital Improvement	\$ -	\$ 21,638.00	-	\$ 21,638.00
NET CHANGE IN EXPENDITURES Fund 10					\$ 21,638.00

EXPLANATION:

BA #7 is for a repayment to Golden LEAF for overpayment. The town was awarded \$188,513, however total amount used for project was \$166,875. The difference of overpayment is \$21,638, BA #7 increases revenue and expenditures by \$21,638.

Approved by Town Manager

posted:



Date

8/20/2024

Approved by Town Council

Date

Item #:

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