

TOWN OF HUDSON REGULAR MEETING

July 18, 2023

In Attendance:

Members Present: Mayor Janet Winkler, Mayor Pro Tem, Rick Shew, Commissioners: Larry Chapman, Jim Engelman, Jeff Link, and Ann Smith

Members Absent: Commissioner Barry Mitchell

Others Present: Town Manager, Jonathan Greer, Chief of Police, Richard Blevins, Town Attorney, Jonathan Green, Town Planner, Teresa Kinney and Town Clerk, Tammy Swanson

Call to Order:

Mayor Janet Winkler called the July meeting to order, and Mayor Pro Tem, Rick Shew, led the group in the Pledge of Allegiance and opening prayer. Janet welcomed everyone to the meeting.

Discuss/Adjust Agenda:

Janet presented the July agenda, and there were no additions or changes requested.

Motion: (Jim Engelman/Rick Shew) to approve the agenda as presented. Unanimously approved.

Public Comment for Items Not on the Agenda:

No one signed up for public comment.

Approval of Minutes:

Motion: (Rick Shew/Jim Engelman) to approve the minutes, as presented, for the June 20, 2023 Regular Meeting, and the July 3, 2023 Personnel Committee Meeting and Closed Session. Unanimously approved.

myFutureNC Presentation and Resolution Adoption:

Jonathan introduced Dr. Kim Case, and stated that she would be making a presentation about myFutureNC. myFutureNC's mission is to ensure North Carolina remains economically competitive now and into the future by having 2 million citizens, ages 25-44, hold an industry valued credential or postsecondary degree by the year 2030.

Kim explained that myFutureNC is a statewide nonprofit organization focused on educational attainment, and is the result of a cross-sector collaboration between North Carolina leaders in education, business, and government. She shared a video presentation with the Board, giving the mission, background, and commitment of the organization. Kim reviewed the entities in the County that are supporting the Attainment Goal, and she encouraged the Board to support the Goal as well.

Jonathan presented a resolution for the Board to review and adopt to support the myFutureNC Attainment Goal.

Motion: (Jeff Link/Jim Engelman) to approve the resolution, as presented, in support of the myFutureNC Attainment Goal. Unanimously approved.

The resolution was approved as follows:



Resolution to Support the myFutureNC Attainment Goal

- WHEREAS,** myFutureNC is a statewide non-profit organization focused on educational attainment and is the result of cross-sector collaboration between North Carolina leaders in education, business and government; and
- WHEREAS,** North Carolina has the goal that 2 million North Carolinians will have a high-quality credential or postsecondary degree by 2030; and
- WHEREAS,** The Town of Hudson is committed to ensuring that 51% of individuals ages 25 - 44 have a postsecondary degree or credential by 2030; and
- WHEREAS,** The Town of Hudson agrees that North Carolina faces a gap between the projected needs for citizens with high-quality credentials or postsecondary degrees and the attainment of those high-quality credentials or postsecondary degrees.


NOW, THEREFORE, BE IT RESOLVED THAT:


The Town of Hudson supports and endorses the attainment goal of myFutureNC that 2 million North Carolinians should have a high-quality credential or postsecondary degree by 2030; and

The Town of Hudson supports and adopts the local educational attainment goal of 10,959 individuals with a high-quality credential or postsecondary degree by 2030 in Caldwell County; and

The Town of Hudson along with leaders in business, education, state and local government, and community organizations will continue to foster collaboration to achieve the goal by developing an action plan, defining success with measurable outcomes, executing on the action plan, and sharing successful practices with MyFutureNC and peer communities.

Adopted this the 18th day of July, 2023 by The Town of Hudson.

Signed: 
Janet Winkler, Mayor

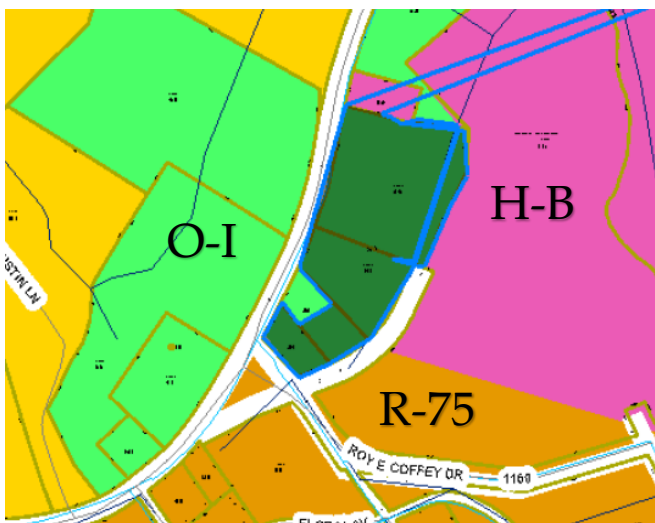
Attest: 
Tamra Swanson, Town Clerk

Janet asked for a motion to open the floor for public hearing.

Motion: (Larry Chapman/Rick Shew) to open the floor for public hearing. Unanimously approved.

Town Planner, Teresa Kinney, presented the following background information for the rezoning.

A. Background

Applicant/ Property Owner(s):	Glenn T. Hickman Heirs c/o Elaine Tapper 212 Mt. Herman Rd, Hudson	
Current Zoning:	O-I: Office & Institutional (ref. attachment C)	
Proposed Zoning:	R-75 High density residential (ref. attachment C)	
Total Acreage requesting to be rezoned:	4.96+/- acres	
Current Land Use of the proposed parcels:	Residential High Density	
Property Owners, Address and PINS of the parcels requesting to be rezoned.	See Attachment B.	

- 1. Purpose:** The applicants would like to obtain approval to rezone the four parcels mentioned above from O-I (office and institutional) to R-75 (Residential High-Density). This request is considered a downzoning meaning that the current zoning is less restrictive than the existing and proposed uses, which are residential. A rezoning to R-75 will mean the only uses allowed hereafter will be residential in nature and no longer any office activity,

nor commercial activity. The Planning Board is to make a recommendation to Town Commissioners as to whether changing the zoning district from O-I to R-75 is appropriate based on location within town, surrounding uses, access to infrastructure – roadways and utilities, and referencing the future land use as found in the adopted **Town of Hudson Comprehensive Plan 2022**. The insurance agency will remain O-I so that it will be conforming.

2. Legal notification: All surround property owners have been notified by letter via USPS, the property has been posted with signs signifying a rezoning request is taking place, and a public hearing notice will run in the paper for the upcoming public hearing for the has run in the Lenoir News Topic meeting the hearing notice requirements.

3. Surrounding Zoning: Proposed rezoning parcels are entirely by Highway Business (HB), Office and Institutional (OI) with additional Residential R-75 along Roy E. Coffey Road and Mount Herman Road (see Reference ____).

4. Surrounding Land Use: within 100' are as follows.

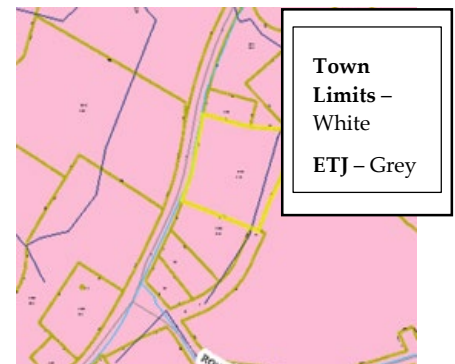
North: Quadplex apartments, church and Christian school, electrical shop and welding shop, all along Mount Herman Road.

South: Caldwell County Community College and Technical Institute (CCCTI East: Caldwell County Community College and Technical Institute (CCCTI)

West: Insurance Agency, Mixed Use Residential with some mixed commercial activity.

5. Jurisdictional Information: All properties to be rezoned are located the Town municipal limits.

6. Infrastructure: The properties have access to the Mount Herman Road thoroughfare; water, sewer, and gas are all in proximity to the acreage.



7. Natural Resources:

Floodplain – None of the properties to be rezoned are located in the AE-100-year flood zone nor the AE-FW (floodway) non-encroachment area.

Watershed – The parcels are not located in the WSIV- PA (protected area).

8. Impacts on local infrastructure and/or facilities:

Traffic – No change in traffic flow.

Schools – The request is a residential rezoning request and should have no implications on local schools.

Emergency Services –There is no immediate impact on needed emergency services.

9. Required reviews by other agencies:

- Local: The applicant must provide information that the property can meet all zoning requirements and subdivision requirements for a single-family residential home on one of the tracts to be developed. Other elements are parking, setbacks; lot coverage will be reviewed at such time. A new recombination survey plat is proposed along with deeds for the development of one new single family home.
- Local: Any new additions of building and new structures will require a building permit (Caldwell County Building Inspections) and water sewer connections will be required from City of Lenoir Utilities and electrical from Duke Power.
- State: Other than State Building Code here should be no formal state agency review needed.

Federal: None required on this site.

10. Zoning Analysis:

The request is to rezoning the property from O-I (office and institutional) to R-75 (Residential 75 high density) below you will find excerpts from the zoning ordinance examining the intent of each of the districts.

Section 80.8 Office and Institutional District The Office and Institutional District is designed to provide a wide range of professional and economic office space, as well as space for public and quasi-public uses. The regulations are intended to provide for adequate traffic access and parking facilities in addition to prohibiting any use which, because office/institutional nature of this district.

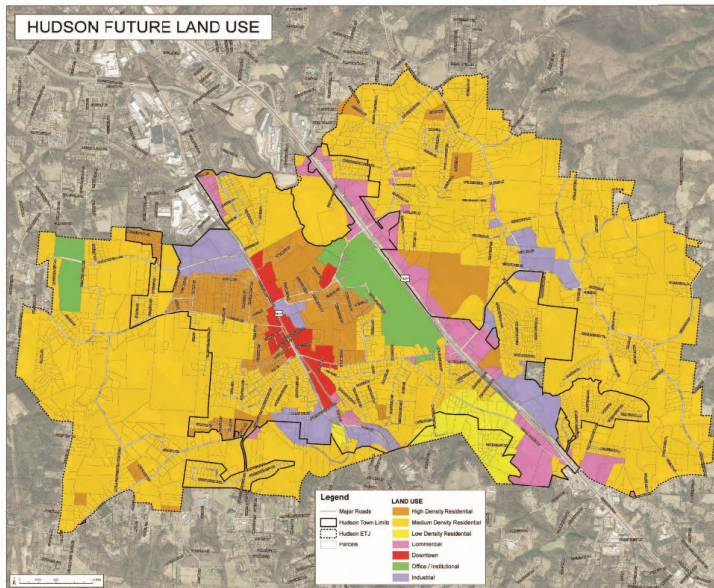
Section 80.5 R-75 Residential High Density District. The R-75 Residential High Density District is established in which the principal use of land is for high-density single-family, two-family and multi-family residences, along with limited home occupations and public and private community uses. The regulations are intended to prohibit any use, which, because of its character, would interfere with the residential nature of this district. It is expected that municipal water and sewerage facilities will be available to each lot in such districts, or a reasonable expectation of such service in the near future.

11. Future land use implications:

Upon making Land Use recommendations the Planning Board should reference the newly adopted **Town of Hudson Comprehensive Plan 2022** (as amended), for guidance. The

July 18, 2023 Regular Meeting

Comprehensive Plan provides recommendations to guide the physical growth and development of the Town for the next 15-20 years. The parcels requesting to be rezoned are slated to remain Office and Institution per the Future Land Use Map (see attached) found in the Comprehensive Plan. Current land use of these properties are residential with one lot that contains an insurance agency (which will remain O-I and will be subdivided out as a single parcel). The proposed rezoning is a downzoning to a more restrictive land use zoning district of R-75. The rezoning will make all the residential uses conforming and allow one additional home to be added. If in the future, the property owners want to discontinue the use of residential to allow for uses that are more intensive they can always request a rezoning to a different zoning district.



Applicable Comprehensive Plan Goals:

Overall, the Town of Hudson currently allows for medium and high-density residential development that encompasses both single and multi-family housing. The Comprehensive Plan expressed that citizens would they would like to continue to encourage these types of development and would like to further the allowance of high density residential surrounding downtown and transitional areas between commercial / industrial areas along HWY 321 across from CCC&TI.

Goal 1: Future Land Use Recommendation for Growth Management -Residential

4. Evaluate appropriate types of residential dwellings within residential zoning districts. a. Preserve established neighborhoods and encourage single and multi-family infill development in appropriate areas.
- b. Continue to encourage low and medium density developments as well as allowing high-density development with adequate site improvements such as providing open space, paved parking, landscaping, and buffering.

Staff recommends approval of the proposed rezoning based on the following information:

July 18, 2023 Regular Meeting

1. The request to rezone the subject parcel from O-I (office and institutional) to R-75 (Residential high density) is consistent with the future land use of residential development and growth management recommendations in the **Town of Hudson's Comprehensive Plan 2022**. The Future Land Use Map and Zoning Map can be updated to recommend the rezoning if approved.

NCGS 160-D Recommendations to Approve or Deny the Rezoning Request:

Consistency Statement – for Chair or their designee to read based on Recommendations of above 1.

When adopting or rejecting any zoning amendment, the Planning Board and governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan (i.e. **Comprehensive Plan**) that is applicable, and briefly explain why the board considers the action to be taken to be reasonable and in the public interest. The statement shall be one of the following:

1. A statement approving the proposed zoning amendment and describing its consistency with the plan; for promoting industrial development.
2. A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment; or
3. A statement rejecting the proposed zoning amendment and describing its consistency or inconsistency with the plan.

NCPIN	AcctName1	AcctName2	MailAddr1	MailAddr2	MailAddr3	MailCity	MailState	MailZipCode	Column1	FullPropAddress	ZoningInfo
2767243468	HICKMAN GLENN T HEIRS		C/O ELAINE TAPPER	212 MOUNT HERMAN RD		HUDSON	NC	28638		471 DOGWOOD ST	HUDSON: R-75
2767252888	AMBASSADOR BAPTIST CHURCH		239 MT HERMAN RD			HUDSON	NC	28638		239 MT HERMAN RD	HUDSON: R-85
2767256459	TRIPLETT THOMAS SCOTT ET AL		230 MT HERMAN RD			HUDSON	NC	28638		230 MT HERMAN RD	HUDSON: H-B
2767250560	H & H HOMES LLC		PO BOX 392			HUDSON	NC	28638		225-1 MT HERMAN RD	HUDSON: O-I
2767351317	CALDWELL TECHNICAL INSTITUTE		1000 HICKORY BLVD			HUDSON	NC	28638		155 ROY E COFFEY DR	HUDSON: H-B
2767257205	HICKMAN GLENN T HEIRS		C/O ELAINE TAPPER	212 MOUNT HERMAN RD		HUDSON	NC	28638		218 MT HERMAN RD	HUDSON: O-I
2767148767	HICKMAN GLENN T HEIRS		C/O ELAINE TAPPER	212 MOUNT HERMAN RD		HUDSON	NC	28638		215 MT HERMAN RD	HUDSON: O-I
2767244802	JACKSON PERRY Y	JACKSON MARJORIE	218 MT HERMAN RD			HUDSON	NC	28638		202 MT HERMAN RD	HUDSON: O-I
2767244942	HICKMAN GLENN T HEIRS		C/O ELAINE TAPPER	212 MOUNT HERMAN RD		HUDSON	NC	28638		208 MT HERMAN RD	HUDSON: O-I
2767256013	TAPPER ROBERT	TAPPER ELAINE	212 MOUNT HERMAN RD			HUDSON	NC	28638		212 MT HERMAN RD	HUDSON: O-I
2767257744	TRIPLETT THOMAS SCOTT	TRIPLETT DENITA W	230 MOUNT HERMAN RD			Hudson	NC	28638		0 MT HERMAN RD	HUDSON: O-I

TO: Adjoining Property Owner(s)

FROM: Teresa Kinney, Senior Planner, CZO
teresa.kinney@wpcog.org

DATE: June 23, 2023

**SUBJ: Public Hearing Notice Rezoning RZ2023-01-
Glen Hickman Family Heirs and others**

July 18, 2023 Regular Meeting

**Town of Hudson Planning Board, Thursday,
July 13, 2023 at 6 pm and
Hudson Town Commissioners Tuesday, July
18 at 6 pm, 2023**

Location: Town of Hudson, N.C. 550 Central Street, Hudson, NC

NOTICE OF PUBLIC HEARING(s)

Town of Hudson, NC

The public shall hereby take notice that on, **Tuesday July 18th, at 6:00 pm**, the Hudson Town Hall will hold a Public Hearing public hearing regarding at the Hudson Town Hall, Meeting Chambers, at 550 Central Street, NC.

The Hudson Planning Board will hear these same cases on **Thursday, July 13th, 2023 at 6:00 pm** at the Hudson Town Hall. The Planning Board will make a recommendation to the Board of Commissioners.

Hearing 1. (See map attached) Rezoning RZ2023-01 Office and Institutional District (OI) to Residential-R-7.5 District: Glenn T. Hickman Heirs c/o Elaine Tapper, Robert and Elaine Tapper, Perry V. and Marjorie Jackson along with Edward and May Tapper (Power of Attorneys for the Glen T. Hickman Heirs) request a rezoning of the following properties: 202 Mt. Herman Road (portion of parcel NCPIN 2767244802), 208 Mt. Herman Road (entire parcel NCPIN 2767244942), 212 Mt. Herman Road (entire parcel NCPIN 2767256013), and 218 Mt. Herman Road (entire parcel NCPIN 276757205). The zoning request is to rezone from Office and Institutional (OI) to Residential 7.5 (R-7.5). for the purpose of making the zoning conform to the current and proposed uses of residential. The insurance office at 202 Mt Herman Road will be subdivided out and remain OI and a new recombination survey plat will be developed between all the properties to be rezoned.

Hearing 2. Zoning Text Amendment ZTA-2023-02

Update the permitted uses in the Highway Business Zoning District Section 80.11 I. Permitted uses.

For further information regarding this public hearing, or if you or someone you know needs any special assistance to come to the meeting, please contact, Teresa Kinney, Senior Planner, CZO at (828)-485-4238 or email teresa.kinney@wpcog.org or Town Clerk Tamara Swanson, 828-728-8272

Notified Property owners map



Section 80.8 Office and Institutional District The Office and Institutional District is designed to provide a wide range of professional and economic office space, as well as space for public and quasi-public uses. The regulations are intended to provide for adequate traffic access and parking facilities in addition to prohibiting any use which, because office/institutional nature of this district. I. Permitted Uses:

- a. Public or privately owned medical and dental clinics, and offices where medical or dental services are rendered.
- b. Funeral homes.
- c. Banks, loan offices and agencies.
- d. Business, professional, religious, charitable or fraternal offices or agencies and private clubs not engaged in retail sales to the general public or the maintenance of a stock of goods, merchandise or supplies on the premises.
- e. Libraries, art galleries, museums, music or dancing institutions or private and public schools.
- f. Municipal-owned auditoriums, cultural centers, and other municipal owned and operated recreational facilities. Municipal-owned auditoriums and cultural centers may provide an unlimited variety of mixed and accessory uses including but not limited to special events, business incubators, commercial kitchens, restaurants, artisans, residential, nano and micro-breweries, wine shops, craft beer sales, bottleworks operations, retail sales, and other related uses as deemed appropriate and approved by the governing board. Signage for municipal sites shall be flexible as approved by the Zoning Administrator. (NOTE ONLY: This section is applicable in the following zoning districts-Central Business, Highway Business, and Neighborhood Business)

- g. Publicly owned institutions, except jails, and other types of correctional institutions. This exception shall also include hospitals or institutions operated principally for the treatment of mental, alcoholic or narcotic patients.
- h. Customary accessory uses and structures when located on the same zoning lot as the principal structure, excluding however, open storage.
- i. Required parking surfacing. All parking and driveways facilities shall provide a paved surface of concrete or asphalt material. Concrete pavers, brick, pervious or semi-pervious materials (i.e., "turfstone") or similar material may be used if determined to exhibit wear resistance and load-bearing characteristics. Driveway connections for changes of use shall require NCDOT or Town approval before installation. **Section 111 Multi-family and Commercial Standards** provides additional standards for development.

II. Special Uses:

- a. Public utility and service uses.
- b. Group Commercial or Office Projects, subject to the provisions of Article X, Section 106 of this Ordinance.
- c. III. Dimensional requirements:
- d. Minimum Lot Area per Building: 7,500 sq. ft.
- e. NOTE: Any other dimensional requirements shall be the same as the R-75 District.

IV. Location of Accessory Structures:

- f. Accessory buildings shall not be erected in any front or side yard or within 20 feet of any street or highway line or within 10 feet of any lot line not a street or highway line. An accessory building or use shall be located in the rear yard provided it is located not less than 10 feet from the property line. In the case of a corner lot with reversed frontage or a lot with double frontage, no accessory building shall extend beyond the front yard line of the lots in the rear. Any open storage is strictly prohibited. Accessory structures used for signs shall comply with Article IX, Section 94.9 of this Ordinance.

V. Corner Visibility:

On a corner lot, within the area formed by the centerlines of the intersecting streets and a line joining points of such centerlines at a distance of eighty (80) feet from their intersection, there shall be no obstruction to vision between a height of two (2) feet and a height of ten (10) feet above the average centerline grade of each street.

VI. Off-street Parking and Loading Requirements:

Off-street parking and loading facilities shall be provided in accordance with Article XI, Section 110, of this Ordinance.

VII. Buffer/Screening Requirements:

Whenever any O-I District rear and/or side property line abuts upon a residential district with no intervening street or highway or natural buffer, any buildings or parking area use for O-I purpose shall construct and maintain a buffer as defined in Section 60.15 of this Ordinance.

Dumpster and Trash Containers shall be screened in accordance with section 109 of this ordinance (5/03)

Section 80.5 R-75 Residential High Density District. The R-75 Residential High Density District is established in which the principal use of land is for high density single-family, two-family and multi-family residences, along with limited home occupations and public and private community uses. The regulations are intended to prohibit any use which, because of its character, would interfere with the residential nature of this district. It is expected that municipal water and sewerage facilities will be available to each lot in such districts, or a reasonable expectation of such service in the near future.

I. Permitted Uses:

- a. All uses permitted in the R-85 district.

II. Special Uses: The following special uses are permitted when authorized by the Hudson Board of Adjustment after said board holds a public hearing:

a. Same as R-8

Comments:

Teresa stated that the Planning Board recommended approval of the rezoning at their meeting on July 13th. No surrounding property owners attended the Planning Board Meeting, and the Planning Board found the rezoning to be in line with the Town's Comprehensive Plan.

Jeff asked if all the homes involved with the rezoning are currently being lived in.

May Tapper, one of the applicants for the rezoning, stated that all the homes involved are occupied.

Ann asked if there will be more homes built.

May stated that they have a surveyor lined up, and plans are for a house to be built on some of the property.

Motion: (Jeff Link/Jim Engelman) to close the public hearing. Unanimously approved.

Jim Engelman read the Consistency Statement as follows:

Approval Recommendations and Consistency Statement:

On July 13th the Planning Board along with Planning Staff recommended approval of the proposed text amendment as it is consistent with the **Town of Hudson's Comprehensive Plan 2022** based on the following:

Goal 1: Future Land Use Recommendation for Growth Management -Residential

4. Evaluate appropriate types of residential dwellings within residential zoning districts. a. Preserve established neighborhoods and encourage single and multi-family infill development in appropriate areas.

b. Continue to encourage low and medium density developments as well as allowing high-density development with adequate site improvements such as providing open space, paved parking, landscaping, and buffering.

Motion: (Rick Shew/Ann Smith) to approve rezoning #RZ-2023-01 to rezone the Elaine Tapper property from O-I to R-75 as requested by the owners, as recommended by the Planning Board, and based on the findings of the Consistency Statement. Unanimously approved.

Public Hearing: Text Amendment ZTA-2023-02:

Janet asked for a motion to open the floor for public hearing.

Motion: (Larry Chapman/Rick Shew) to open the floor for public hearing. Unanimously approved.

Background

In 2022 there were many text amendments taking place. During the CBD business district text amendment, the old permitted uses (no prohibited) we not transferred from CBD to Highway Business in error. This text amendment is being requested to clean up that section of the ordinance.

Hearing 2. Zoning Text Amendment ZTA-2023-03

Update the permitted uses in the Highway Business Zoning District Section 80.11 I. Permitted uses.

I. Permitted Uses:

All uses permitted in the (CBD) Central Business District.

Animal hospitals or veterinary clinics, but excluding open kennels on the premises

Planning Board Recommends this portion be removed as a permitted use and moved to Special Use. Automobile parts and supplies, repair garages, excluding open storage of wrecked vehicles.

Automobile parking lots and structures.

Automobile washing establishments.

Bakeries and other establishments manufacturing prepared foods and miscellaneous food products.

Billboards, in accordance with Article IX, Section 94 and 95 of this Ordinance.

Boat works and sales.

Building supply and equipment sales with under cover storage.

Bus stations.

Business colleges, barber and beauty colleges, art schools, music and dance studios and similar uses.

Convenience stores with gas pumps, provided such pumps are located at least 15 feet from all property lines.

July 18, 2023 Regular Meeting

Customary accessory uses and structures when located on the same lot as the main structure, excluding open storage.

Dairy bars and ice cream manufacturing for retail sales on the premises only.

Fabricating shops, for example, wood products, textiles including furniture and metal products, not to exceed 15 employees. Excluding open storage

Funeral homes or mortuaries.

Greenhouses or horticultural nurseries.

Hotels, inns and motels.

Locksmiths and gunsmiths.

Nursery schools and kindergartens, provided that at least 200 square feet of outdoor play area is provided for each child, provided further, that such area shall be enclosed by a sturdy fence at least five (5) feet in height.

Nursing homes. With less than nine patients. Greater than 10 patients require a special use permit process.

Hotels, inns and motels.

Locksmiths and gunsmiths.

Medical facilities

Plumbing, electrical shops, but excluding open storage.

Printing, publishing and reproducing establishments.

Sign painting and fabricating shops.

Trucking terminals, gas/convenience stores selling gasoline/fuels

Tailor and dressmaking shops.

(Planning Board Recommends removal from the uses all together) Tire recapping and retreading shops exclusive of outdoor storage.

Retail establishments such as department, clothing, fabric, variety, floor covering, paint, antique, art goods, gift, music, toy, sporting goods, book and stationery, magazine, candy, tobacco, pet and hobby and craft stores, but not excluding similar retail outlets.

Service stations, provided that all gasoline pumps and other stationary equipment shall be located at least twelve (12) feet behind the property line, provided further that on all sides where such stations abut residential districts, a six (6) foot high fence and suitable landscaping shall be provided.

II. Special Uses:

The following uses are permitted when authorized by the Hudson Board of Adjustment after said board holds a public hearing:

All special uses permitted in C-B.

Bowling alleys and skating rinks, miniature golf courses, riding stables, and other commercial recreational facilities.

(Planning Board Recommends this use be moved to permitted use) Drive-in restaurants.

Drive-in Theatres, subject to the following:

No part of the theatre screen, projection booth, or other building shall be located closer than 500 feet to any residential district nor closer than 50 feet of any property line or public right-of-way; and no parking space shall be located closer than 100 feet to any residential district;

The theatre screen shall not face a major street or highway, and reservoir parking space off the street shall be provided for patrons awaiting admission in an amount of not less than thirty percent (30%) of the vehicular capacity of the theatre.

(Planning Board Recommends Removal of this section from Highway Business to Industrial Districts) Wholesale storage of gasoline and oil products, including bottled gas and oxygen, provided the permit is obtained from the Bureau of Fire Prevention as required by the Fire Prevention Code.

Wholesale and warehouse establishments except for the storage of uncured hides, explosives, oil products, gas storage, etc.

Mixed uses, that is, buildings erected for both dwelling and business purposes, provided such buildings shall be furnished with side yards on each side of the building measuring not less than 8 feet in width, provided, however, that this regulation shall not apply to the street side of a corner lot.

Group Commercial Projects, subject to the provisions of Article X, Section 106 of this Ordinance.

Planned Unit Developments

Assembly halls, coliseums, event centers (outdoor, indoor) and similar structures.

Nursing homes and related medical facilities over ten (10) patients.

Commercial and self-storage facilities

Residential and commercial building sales lot

Motion: (Ann Smith/Jeff Link) to close the public hearing. Unanimously approved.

Jim Engelman read the Consistency Statement as follows:

On July 13, 2023 the Planning Board and the Planning Staff both recommend approval of the proposed text amendment as amended as it is consistent with the Town of Hudson's Comprehensive Plan 2022 based on the following:

LAND USE AND GROWTH MANAGEMENT RECOMMENDATIONS

Goal 1. Update zoning and subdivision regulations to ensure they are compatible with the designated land uses outlined in this plan. a. Encourage commercial development within the Town, specifically retail and boutique establishments, restaurants, grocery stores, medical offices and recreational opportunities.

b. Re-evaluate the types of land uses that are allowed in the downtown (CB), Commercial, and Industrial zoning districts. i. Allowing upper-story apartments in downtown commercial buildings.

ii. Allowing murals on side and rear wall facades through town approval.

iii. Eliminating outdoor storage.

Motion: (Jim Engelman/Larry Chapman) to approve text amendment ZTA-2023-02 based on the Planning Board's recommendation and the findings of the Consistency Statement. Unanimously approved.

Teresa stated that we have received an application from the Hudson Fire Department to rezone their property to L-I (Light Industrial). They have grant funding available to purchase a new sign; however, their property is currently zoned Residential, and does not allow for the sign. Since Sattler is zoned L-I, we could carry this zoning to the Fire Department property, which would allow the sign.

Teresa requested that the Board call for a public hearing for the August 15, 2023 Board Meeting to consider this request.

Motion: (Ann Smith/Rick Shew) to call for a public hearing for the August 15, 2023 Board Meeting to consider the rezoning request submitted by the Fire Department. Unanimously approved

Special Event Resolution

Jonathan stated that at the June 20th meeting, the Board approved a Special Event Resolution for a street festival on August 19th. “In The Park Events” was the applicant for the event. Jonathan commented that at that time, no alcohol sales were part of the festival; however, Twisted Vine Winery is now wanting to participate. He presented an amended resolution that would allow alcohol consumption within the festival boundaries. The rest of the Festival Event remains the same as it was adopted in June (boundaries, time, and off-duty officer.) Jonathan added that Twisted Vine operates under their own ABC Permit.

Resolution

No. 7/23 #1

RESOLUTION PERMITTING SPECIAL EVENTS

WHEREAS, applications have been received by the Town of Hudson staff as per Town Code of Ordinance Chapter 11, Article 1, Section 11.5 (f) “Resolution for Special Event;” and

WHEREAS, said applications have been reviewed by the Town of Hudson staff and by the Hudson Board of Commissioners; and

WHEREAS, the following events are recommended for approval with conditions, if applicable:

Pop-Up Shop

Saturday, August 19, 2023

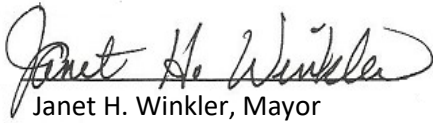
In The Park Events is coordinating special event, and has necessary insurance and staff. Vendors will begin setting up at 11:00am and exit by 9:00pm. Event opens to public at 3:00 pm and closes at 8:00 pm. This event will close Central Street between Municipal Street and Fairway Avenue. One wine vendor will sell alcohol under its ABC Permit, and consumption will be limited to the festival area. Only food from Health Department permitted food vendors and retail items. There

July 18, 2023 Regular Meeting

may also be face painting, balloon animals, and inflatables. In The Park Events will pay for an off-duty Hudson Police Officer between the hours of 3:00pm and 8:00pm.

NOW, THEREFORE, BE IT RESOLVED by the Town of Hudson Board of Commissioners that permission is granted for the special events as noted above with conditions cited.

Adopted this the 18th day of July, 2023.



Janet H. Winkler, Mayor

ATTEST:



Tamra T. Swanson, Town Clerk

Motion: (Larry Chapman/Jim Engelman) to approve the Special Events resolution, as amended, for “In the Park Events” Festival to be held Saturday, August 19, 2023. Unanimously approved.

Personnel Committee Meeting Report:

Rick Shew, Chairman of the Personnel Committee, stated that the Committee met on July 3rd, and discussed the following items.

Adding Police Ranks to the Pay Plan: Rick stated that the ranks for the Police Department had never been added to the Town’s Pay Plan. The Committee reviewed and approved a revised Pay Plan that included the ranks. Rick stated that Chief Blevins explained to the Committee that in getting the job position pay better balanced with the last pay increase, the ranks became skewed.

Jonathan explained that in practice, we have different ranks set up, and adding the ranks to the plan really doesn’t change anything except it helps the officers know where they fall within the pay scale.

Motion: (Personnel Committee) to add the Police Ranks to the pay scale as requested. Unanimously approved.

Closed Session: Rick stated that the Committee met in closed session to discuss employee qualifications, etc., for the Police Chief’s Position. Chief Blevins is planning to retire during this fiscal year.

Creation of Assistant Town Manager Position: Rick stated the Committee approved the creation of an Assistant Town Manager position. Rick commented that creating this position opens the Town Manager’s time up for other duties and projects. The Assistant Manager would oversee the Town Hall staff and the HUB Station staff. The Town Manager would oversee the Police Department, the Recreation Department, and the Public Works Department. Jonathan recommended Finance Officer, Shana Guy, for the position. Rick commented that the Committee approved moving forward with creating the position.

July 18, 2023 Regular Meeting

Rick stated that since the Committee Meeting, Jonathan has created the job description for the position. The Board reviewed the job description, and the pay scale for the position.

Jeff asked if the position would need to be posted.

Attorney Jonathan Green stated that if the position is just being created, it does not have to be posted.

It was suggested that the position be placed at pay grade 27 - \$80,000 annual salary, with a 6-month review.

Motion: (Rick Shew/Jim Engelman) to approve the creation of an Assistant Manager's Position, implemented at pay grade 27 - \$80,000 annual salary, with a 6-month review. Unanimously approved.

(Note: A copy of the Assistant Manager's Job Description will be included in the Personnel Policy.)

Jimmy Plunk announced Retirement: Rick stated that Jimmy Plunk, Assistant Public Works Director, has announced his retirement for the end of August of this year. Rick added that after Jimmy's retirement, the Department may be restructured to not include an Assistant Director.

Add Free Personal Day to Town's Holiday Schedule: Rick stated that some agencies have added an additional holiday for their employees which they refer to as a "personal day." This holiday is taken at the discretion of the employees, either for their birthday or anytime they would like a day off. Rick suggested that the Town consider offering this to Town Employees.

Rick stated that it was mentioned during the meeting that the Town had previously had a holiday called a "Free Day," which could be used by employees to either observe holidays the Town did not observe, for birthdays, etc. The "Free Day" was eliminated when the Town decided to mirror the State's holiday schedule.

The Committee discussed adding the "Free Day" back to the holiday schedule, and made the following suggestions:

- The "Free Day" would need to be taken within a calendar year, and could not be carried over to the next year if not used.
- The "Free Day" could be used in conjunction with paid holiday leave, but could not be used to extend vacation leave, i.e., a 5-day vacation leave is scheduled by an employee – one of those days cannot be replaced with the "Free Day."
- The "Free Day" would need to be scheduled with the Department Heads just like any other vacation leave.

Rick stated that the Committee voted to add the "Free Personal Day" to the holiday schedule, with the holiday becoming available for employees to use beginning January 1, 2024.

The Board reviewed the following policy for the additional "free personal day."

PERSONAL OBSERVANCE LEAVE

Section I. PURPOSE

The Town supports a work environment that fosters respect and values of all people without regard to race, religion, color, national origin, sex, gender, gender identity, sexual orientation, age, disability, genetic information, political affiliation or status as a covered veteran in accordance with all applicable federal, state and local laws. There are different days of cultural or religious significance and days of personal

significance in our workforce. As such, the Town seeks to ensure that employees have an opportunity to observe these days.

Section II. AMOUNT OF LEAVE

Full-time employees will receive the equivalent hours of one full work day of Personal Observance Leave each calendar year (January 1-December 31).

Section III. USE OF LEAVE

A. When Leave Can Be Used Personal Observance

Leave may be used for any single day of personal significance. This includes, but is not limited to, days of cultural or religious importance. The day used for Personal Observance Leave does not have to be a day from the employee's own religious or cultural background. The total amount of Personal Observance Leave awarded to an employee must be utilized in one work shift. Employees may use Personal Observance Leave prior to exhausting any accumulated compensatory time.

Note: Personal Observance Leave may be used in conjunction with paid Holiday Leave but may not be used to extend Vacation.

B. Arranging to Take the Day of Leave

Employees should request Personal Observance Leave at least two weeks before the leave is needed. Regardless of the employee's religious or cultural background, any day that the employee identifies as significant qualifies under this Policy. Supervisors must not question whether an employee's identification of a particular day for Personal Observance Leave is sincere and legitimate. To the greatest extent possible, supervisors should allow employees to use the leave at the time requested. However, the supervisor or other manager may require that the Personal Observance Leave be taken at a time other than the one requested, based on the needs of the Town.

Supervisors are encouraged to accommodate employees who may want to recognize the same day for Personal Observance Leave. However, when necessary to avoid impact to agency services, supervisors may ask employees to take their leave on different days.

Section IV. Expiration

Unlike vacation or sick leave, Personal Observance Leave does not accrue and cannot be saved from year-to-year. If Personal Observance Leave is not used within the calendar year (January 1-December 31), it is lost for that year.

Comments:

Jim asked why it is just one day per year.

July 18, 2023 Regular Meeting

Rick stated that this really just gives the employees an option to have an additional holiday. It does not interfere with employees' other holiday leave.

Motion: (Personnel Committee) to add a free personal day to the Town's holiday policy. Unanimously approved.

Budget Revisions:

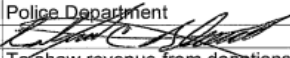
Jonathan presented the following
2 Budget Amendments:

#1 – The first Budget
Amendment is needed to
recognize money donated to the
Police Department to purchase
bicycles that were raffled during
the Kiddie Car Parade/Bicycle
Safety Event on the 4th of July.

#2 – The second Budget
Amendment is needed due to
price increases between budget
quotes and actual purchase for the
Recreation Department. A couple
of new purchases went above
budget.

Date:	July 11, 2023			
Department:	Recreation			
Dept Head Signature	Chuck Raby			
Purpose:	Quotes pre budget came in slightly higher.			
Revenue:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
				\$ -
				\$ -
				\$ -
				\$ -
	Total	\$ -	\$ -	\$ -
Expense:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-620-2333	Senior Citizens	\$ 1,000	\$ (1,000)	\$ -
10-620-3740	Capital Outlay, Equip. Rec	\$ 6,500	\$ 1,000	\$ 7,500
10-624-2330	Dept. Supplies-Optimist	\$ 3,000	\$ (450)	\$ 2,550
10-624-3740	Capital Outlay Equip. Optimist	\$ 5,000	\$ 450	\$ 5,450
				\$ -
				\$ -
				\$ -
				\$ -
	Total	\$ 15,500	\$ -	\$ 15,500

Motion: (Larry Chapman/Rick Shew) to approve both budget amendments as presented. Unanimously approved.

Date:	July 5, 2023			
Department:	Police Department			
Dept Head Signature				
Purpose:	To show revenue from donations to Bicycle Safety Event for purchase of bicycles to give away, then transfer same to Community Resources.			
Revenue:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-350-3347	Police Donations	2500	\$ 2,090	\$ 4,590
				\$ -
				\$ -
				\$ -
	Total	\$ 2,500	\$ 2,090	\$ 4,590
Expense:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-510-2336	Community Resource Supp.	\$ 1,000	\$ 2,090	\$ 3,090
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Total	\$ 1,000	\$ 2,090	\$ 3,090

Informal Discussion/Public Comment:

Reports:

- **Police Report:** (Included in the agenda packets.) Also included is a training report for the Police Department. Chief Blevins explained how hard it can be when we are short staffed for officers to get their training scheduled.
- **Planner's Report:**

Staff Report-Planning/Zoning Department, May-June 2023

Economic Dev, Zoning Ordinance, Subdivision, Watershed, Floodplain Enforcement.

Project	Issue	Status
Economic Development	Ongoing	
Economic Dev and plan review	<ol style="list-style-type: none"> 1. RPM is expanding adding a warehouse. Construction is underway- 2. Still open Discussion of pocket Community-on Huss Ave 3. Other movements for housing in works 4. Floodplain issues still pending 	Both projects are moving forward.
Zoning Changes to Central Business District	<p>Additional Changes coming for zoning ordinance</p> <p>Working on a new updated subdivision ordinance</p>	
Watershed/Floodplain and	<p>Ongoing violations</p> <p>Working on the Watershed Regulations annual audit for NCDEQ-In progress</p>	
Subdivision Regulations	Approved 2+ minor subdivisions of property. Dealt with a few other subdivision problems.	Ongoing
**Zoning Permits and compliance letters	23 permits issued so far this year majority being new houses, swimming pools, and accessory buildings.	Single Family House permits and home expansions, swimming pools, accessory uses, and sign permits
**Citizens requests permits and general discussion	<p>Phone Calls received (50+) Have decreased over the past few months. In addition, other elements of the job have stayed steady.</p> <p>This is where I have stayed busy...</p>	<p>Had several phone calls by citizens, realtors, surveyors, and developers.</p> <p>Business has picked up again.</p> <p>Met with business owners about expansions</p> <p>Met with folks about storage units and other business expansions.</p>
Zoning violations/floodplain	<p>1.111-115 Main Street –storage buildings in floodplain</p> <p>2.Shed and RV Living Violations on Pioneer Trail (ETJ)</p>	<p>In progress engineer is working on the project</p> <p>Violation notice completed and sent</p>

July 18, 2023 Regular Meeting

Action Items for Commissioners this meeting	<ol style="list-style-type: none"> 1. Call for Hearing for Zoning Text Amendment for permitted uses in Highway Business District 2. Call for Public Hearing for rezoning for several properties on Mt. Herman Road 	See attached
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- Finance Report (Note: Auditors will be here in August.)

TOWN OF HUDSON
MONTHLY FINANCIAL REPORT - June 2023

SUMMARY OF CASH ACCOUNTS		Current Month*	Last Month**				
Cash/Checking	\$	283,166	\$	514,545			
NC Capital Management Trust		2,934,485		3,141,643			
CD - First Citizens Bank		100,119		100,119			
	\$	3,317,771	\$	3,756,307			

	Budget 2022-2023	ACTIVITY THIS MONTH	ACTIVITY TO DATE	OPEN ENCUMBRANCES	Balance	%
REVENUES	\$ 4,699,930	\$ 743,150	\$ 4,791,956		\$ (92,026)	101.96%
EXPENDITURES	\$ 4,699,930	\$ 556,005	\$ 4,267,487	\$ 156,495	\$ 275,948	94.13%
REVENUES- AMERICAN RESCUE PLAN (ARPA)	\$ 1,182,049	\$ -	\$ 1,182,049		\$ 0	100.00%
EXPENDITURES- AMERICAN RESCUE PLAN (ARPA)	\$ 1,182,049	\$ 192,935	\$ 687,751		\$ 494,298	58.18%
REVENUES- CAP PROJECT HUD OPT PK	\$ 445,160	\$ 370,780	\$ 593,896		\$ (148,736)	133.41%
EXPENDITURES-CAP PROJ HUD OPT PK	\$ 445,160	\$ 88,330	\$ 747,593	\$ -	\$ (302,433)	167.94%
REVENUES-CAP PROJ STREETSCAPES	\$ 100,000	\$ 100,000	\$ 100,000		\$ -	100.00%
EXPENDITURES-CAP PROJ STREETSCAPES	\$ 100,000	\$ -	\$ -		\$ 100,000	0.00%
REVENUES- CAPITAL PROJECT HUB ST.	\$ 1,135,300	\$ 350	\$ 589,693		\$ 545,607	51.94%
EXPENDITURES- CP HUB STATION	\$ 1,135,300	\$ -	\$ 404,372		\$ 730,928	35.62%

NOTES:

- Property tax bills will be mailed at the end of July. The majority of property tax and solid waste collections occur during November through January. **Final collection rate for FY23 is approximately 98.3%.**
- There is a three month lag in sales tax distribution. Total Sales Tax Revenues for FY23 are estimated to be 8.4% over FY22.
- Most state-shared revenues are distributed quarterly. The first allocation for Powell Bill should be received in September 2023.
- Investment earnings this period were \$12,770.59; Total earnings for FY23 was \$124,041.41
- Revenue and expenditure activity reported for the month include accruals where no funds have either been disbursed or received as of June 30, 2023.

* Does not reflect all monthly adjusting entries
 **Reflects Monthly Closing Entries and Updated

Reminders:

- Third Thursday: 7/20: Music Bingo and Johnny's Pizza
- Robin Ramsey, Sen. Tillis' Office, Meet & Greet: 7/26, 9:30 am
- Hudson Hometown Concert: 7/28 (Featuring the Band *Afterthought*)
- Town Manager on vacation 7/29-8/5
- "Quilting As Art" Expo: 8/4-8/5

Closed Session:

Janet stated that the Board was going into closed session in accordance with N.C.G.S. 143-318.11(a)(5) – to discuss the purchase of property.

July 18, 2023 Regular Meeting

Motion: (Larry Chapman/Rick Shew) to go into closed session. Unanimously approved.

Return to Regular Session:

Motion: (Jim Engelman/Larry Chapman) to return to regular session. Unanimously approved.

Adjourn:

Motion: (Larry Chapman/Rick Shew) to adjourn the meeting. Unanimously approved.

Tamra T. Swanson, Town Clerk