**17502**

**Roanoke Rapids City Council**

**December 2, 2014**

A special meeting of the City Council of the City of Roanoke Rapids was held on the above date at 4:00 p.m. at the Lloyd Andrews City Meeting Hall.

Carl Ferebee, Mayor Pro Tem

Suetta S. Scarbrough)

Carol H. Cowen)

Wayne Smith)

Joseph Scherer, MPA, MS, City Manager

Lisa B. Vincent, MMC, NCCMC, City Clerk

Kelly Lasky, Planning & Development Director

Emery G. Doughtie, Mayor

Ernest C. Bobbitt, Council Member

Mayor Pro Tem Ferebee called the meeting to order and stated the purpose of this meeting is to participate in training on the Conditional Use Permit process.

Planning & Development Director Lasky stated she felt it was important to have a refresher course on the often difficult Conditional Use Permit (CUP) process. She pointed out that our Land Use Ordinance provides for the Planning Board to review and make recommendations on these requests with the final decision rendered by City Council. She reminded Council members that unlike rezoning public hearings, quasi-judicial hearings are required for CUP requests. She stated all affected property owners within 100 feet of the request are notified and they are the only people other than the applicant allowed to speak. Planning & Development Director Lasky stated those wishing to speak must be placed under oath. She stated once the public hearing has been closed, no further evidence can be presented. She stated Council can recess the hearing before it is closed but must state the time and place for the reconvened hearing.

Planning & Development Director Lasky discussed the need for substantiated evidence rather than speculative opinions and hearsay. She reminded Council that they can visit the site alone but should not engage with parties on either side of the request. She also pointed out that should a Council member have a

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“fixed opinion” about a request and know that there is nothing that will change their mind, the member should recuse himself/herself before the public hearing which is allowed by North Carolina General Statutes.

Planning & Development Director Lasky reviewed the Findings of Fact and four motions required to be found true in order to grant a CUP permit *(as outlined in a sample CUP Evaluation Worksheet provided to Council members)*. She also distributed copies of a brochure entitled “A Citizens Guide to the Conditional Use Permit Process” with a promise to provide Council additional notes from this training session.

Motion was made by Councilwoman Scarbrough, seconded by Councilwoman Cowen and unanimously carried to adjourn.



1/6/15