

Chair

Ray Cobb

Planning Director

Tonya Caddle



Commissioners' Meeting Room

124 W Elm Street

Graham, NC 27253

March 24, 2022 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD

AGENDA

Virtual-

<https://www.youtube.com/channel/UC1QADkhkyUpac9rMs42imjA>

Members Present

Ray Cobb
Rodney Cheek
Bill Poe
Vaughn Willoughby
Eric McPherson
Sandy Ellington-Graves
Arthur Hall
Stephen Dodson
Debra Hyder
Anthony Pierce (initially via
Zoom, later in-person)

Members Absent

Blake Cobb
Ernest Bare
Gene Brooks
John Paisley

Staff Present

Tonya Caddle, *Planning Director*
Ian Shannon, *Planner I*
Sherry Hook, *Assistant County Manager*
Marlena Isley, *GIS Director*
Emily Jones, *GIS Specialist*
Natalia Isenberg, *Attorney*

I. CALL TO ORDER

Called to order at 7:03 pm.

II. ROLL CALL

Staff handled roll call through zoom and in-person roster.

Motion by Mr. Cheek to change the order of the agenda: public comment policy would be discussed first, text amendments to section 6.5 second, text amendments to section 6.7 third, and the amendment of section 6.14 last

Second: Mr. Dodson

Vote: Unanimous

III. PUBLIC COMMENTS*

**Meeting Notes:*

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Linda Lee: Member of the Snow Camp Community Action Network. Stated support for increasing HIDO setback from 1,200ft to 2,000ft. Commented on the impacts to the school the quarry had and asked the planning board to consider these.

Max Morgan: Asked about the history of changes to the mobile home park ordinance, specifically surrounding the language detailing nonconforming use. Wanted clarification on when each change was made to the UDO concerning mobile home parks and who those changes were made by. Gave some handouts to Mrs. Caddle which showed the ordinance changes he took record of.

Philip Morgan: Suggested that the board take out land spacing requirements for RV parks since they do not differ much from mobile home parks. Also suggested letting existing vegetation be counted towards the landscaping buffer and reducing the 26ft wide travel surface requirement.

Ron Spinhoven: Stated support for a 1,500ft HIDO land spacing requirement that the subcommittee had discussed prior to the planning board meeting. Asked about the permit status for the quarry and what the proper procedure would be for submitting complaints.

Ms. Rogers: Stated that a lot of people were confused and concerned over the quarry operating without a permit and outside of their business hours. Stated that she had contacted the sheriff but did not know who complaints should go to and who would be responsible for enforcement of the quarry's permits and operating hours.

Closed at 7:19 pm.

IV. BOARD/COMMISSIONER RESPONSES

No responses were given at this time.

V. NEW BUSINESS

VI. OLD BUSINESS

1) Public Comment Policy

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Ms. Isenberg gave a presentation on state law regarding public comment policy and the responsibilities of the boards. It is not required by law for the planning board to have public comment. Commissioners do have to have public comment once a month. Ms. Isenberg gave her legal recommendation to have a process for receiving written comments and information before the meeting so the board can consider and discuss before responding during the meeting itself. This would require an amendment to the bylaws.

2) UDO Text Amendment - Section 6.5 Heavy Industrial Development Ordinance **a) Planning Department Presentation**

Ms. Isenberg also proposed changes to the HIDO, removing the word “operations” from the definition of construction activities and adding a separate definition for operations. For permitting procedures under 6.5.4, the recommendation was to remove “quasi-judicial” so that these meetings can be open to public comment. Ms. Isenberg reminded the board that the moratorium on heavy industry was expiring at the end of April, which made it more important to consider these changes.

There was discussion on the removal of “quasi-judicial” and the intent of having these meetings open to public comment. Under that change, for new intent to construct permits the planning board would first hold a public hearing and then make a recommendation to the board of commissioners. In order to have these changes made before the moratorium expires the planning board would have to vote and make recommendations on those text amendments during this meeting.

Motion to change the class 3 heavy industrial development land spacing under section 6.5.3 from 1200 to 1500 feet by Mr. Cheek

Second: Mr. Poe

Vote: Unanimous

Motion to add amended variance procedure language from 6.13.7 to section 6.5 in reference to land spacing by Mr. Cheek

Second: Mr. Willoughby

Vote: Unanimous

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Motion to amend the definition of sawmills in the UDO by Mr. Cheek
Second: Mr. Willoughby
Vote: Unanimous

Motion to amend the definition changes for construction activities and operations as well as the text amendment to section 6.5.4 as recommended by Mrs. Isenberg by Mr. Cheek
Second: Mr. Willoughby
Vote: Unanimous

3) UDO Text Amendment - Section 6.7 Manufactured Home Park a) Planning Department Presentation

Ms. Caddle gave an overview of the proposed text amendment. Following that the planning board discussed what state the last home in a mobile home park would have to be in to grant continued non-conforming use, and if a home had to be occupied or not to count a park as non-conforming. There was the question of adding additional language to require the last home be habitable, and then adding a definition for habitable dwelling or using the building code definition.

Motion to accept the amended text for section 6.7.5 with added language requiring the last unit in a mobile home park to be habitable by Mr. Cheek
Second: Mr. Poe
Vote: Unanimous

4) UDO Text Amendment - Section 6.14 Recreational Vehicle, RV, Travel Trailer Park b) Planning Department Presentation

Ms. Caddle gave a presentation covering new recommendations. This would be a new section of the UDO for RV parks specifically. Based on planning board comment and request, the minimum lot size was changed, the language regarding landscape buffers was changed, and diagrams were added to demonstrate buffers and land spacing. The use of the word "may" in the landscaping section raised some concern but Ms. Caddle suggested

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that that could be re-worded. Some aerial graphics showing the buffers and land spacing were also presented to give more of a visual aid.

Other recommendations to this amendment were added definitions for RV, RV park, and RV space as well as a change to the definition for light-duty truck. Mr. Pierce had recommended a set of US standards to serve as a definition. Planning staff had written in DMV standards for the recommendation. After some discussion, there was a suggestion to remove the definition of light-duty truck from the UDO altogether and leave the issue to RV park owners and operators. There was more discussion on the land spacing, landscaping, and setback buffer requirements. Mr. Willoughby brought up adding the language that allows existing vegetation as a part of screening to the landscaping buffer section of the ordinance. It was reiterated that the intention of these buffers was to protect the development from future uses.

Motion to remove the definition of light-duty truck from the UDO by Mr. Cheek

Second: Mr. Willoughby

Vote: Unanimous

Motion to remove "light duty truck" from the definition of "Recreational Vehicle, RV, Travel Trailer by Mr. Cheek

Second: Mr. Poe

Vote: Unanimous

Motion to add the word "not" as proposed on page 149 by Mr. Cheek

Second: Mr. Poe

Vote: Unanimous

The discussion returned to land spacing. Mr. Dodson raised some questions on how these land spacing zones could impact property values. He suggested a sliding buffer value based on neighboring uses, citing that developments are generally constrained to the inside of their property lines, not the outside. Mrs. Caddle clarified some of the questions the board had about how land spacing would interact with future developments and subdivisions. A suggestion was made that land spacing stops at rights of way. There were some discussions on the language concerning converting language and converting mobile

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home parks to RV parks. A suggestion was made to take the land spacing language out of the ordinance or to look at other options besides land spacing.

Motion to add the additional language as amended for landscape buffers, and to move the natural vegetation language from screening to landscape buffers by Mr. Cheek

There was a question on what portion of the property line would need to be buffered. Ms. Caddle clarified that it would be the viewshed from the home, etc. towards the park.

Second: Mr. Willoughby

Vote: Unanimous

Motion to change the minimum space size from 2,500 square feet to 2,400 square feet under section 6.14.1 by Mr. Cheek

Second: Mr. Poe

Vote: Unanimous

There were some questions and more discussion on the land spacing language and what changes should be made.

Motion by Mr. Willoughby to change the land spacing requirements to the following: the land spacing for parks of 3-7 units and 8-12 units would remain the same as proposed, requiring 25 feet and 50 feet of land spacing respectively, and any park with 13 or more units would be required to have 150 feet of land spacing

Second: Mr. Pierce

Vote: Unanimous

Motion to add section 6.14 into the UDO as amended with the provided consistency statement by Mr. Cheek

Second: Mr. Poe

Vote: Unanimous

Motion to recommend to the board of commissioners to adopt the text amendments for section 6.5 to the UDO as amended by the planning board by Mr. Cheek

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Second: Mr. Poe
Vote: Unanimous

Motion to recommend to the board of commissioners to adopt the text amendments for section 6.7.5 of the UDO as amended by the planning board by Mr. Cheek

Second: Mr. Willoughby
Vote: Unanimous

Motion to recommend to the board of commissioners to adopt the text amendments for section 6.14 of the UDO as amended by the planning board by Mr. Cheek

Second: Mr. Pierce
Vote: Unanimous

VII. ANNOUNCEMENTS/DISCUSSION

VIII. ADJOURNMENT

Motion: Mr. Cheek
Second: Mr. Willoughby
Adjourned at 9:24 pm.

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