

FRANKLIN COUNTY PLANNING BOARD

December 8, 2020

The Franklin County Planning Board held its regular monthly meeting on Tuesday, December 8, 2020 via Microsoft Teams Meeting, Meeting ID: 254 685 020#

Present: Mark McArn, William E. Holden, Melissa Cogliati, Ricky May, Fannie W. Brown, Robert Mann, John Sledge, Martha Mobley, and Steve Mitchell
Staff: Scott Hammerbacher, Jason Rogers, and Tracy Walthour

Chairman Mark McArn called the meeting to order at 7:00 P.M. and welcomed everyone in attendance.

Steve Mitchell made a motion to approve the minutes from the November 10, 2020 meeting. John Sledge seconded the motion. The motion was approved by a vote of 9-0.

Agenda Items:

1. 20-MAS-01: Jason Rogers presented a preliminary plan submitted for Baker Subdivision. This property is located off NC 98 Hwy. in Harris Township in the R-15 Residential District. The preliminary plan is for the subdivision of approximately 236.33 acres into 179 lots with 57.32 acres of dedicated open space. The subdivision is designed to be served by a community water system and private/individual septic systems.

The Land Use Plan has this property designated as Rural.

The development is designed to be served by a community well/water system and private/individual septic systems

The proposed subdivision is located off NC 98 Hwy. The 2018 average daily traffic count for this section of NC 98 Hwy. is approximately 9,200 vehicles per day.

This property is located within the Tar/Pamlico River basin.

Royal Elementary, Bunn Middle, and Bunn High are the schools that will serve this subdivision.

Jason Rogers stated that staff suggested approval with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County UDO.

- Approval by the NC Department of Transportation (North Carolina Department of Transportation Built to Standards Letter)
- All road designs and entrances must meet NC DOT standards
- Left and right-turn lanes must be installed for each entrance prior to recording the first phase.
- All stub roads/streets shall be built to the adjoining property line.
- Approved NCDOT driveway permit.

Final Tar-Pamlico stormwater Review approval.

- Subject property is located within the Airport Height Overlay District. The following statement shall be on the final plat: Property shown on this plan/plat is within the Franklin County Airport Conical Zone – AHOC and all or portion of the property described hereon is within an area that is subject to average noise level near to or exceeding 55 DNL.
- Pursuant to Section 29-8: Buffering. In addition to the landscaping and screen requirements in Article 14, in residential subdivisions, a buffer strip at least fifty (50) feet in depth in addition to the normal lot size and depth required shall be provided adjacent to all railroads, limited access highways, and major thoroughfares. The following statement shall be placed on the preliminary and final plat: This strip reserved for the planting of trees or shrubs by the owners; building of structures hereon is prohibited.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of this subdivision shall be incorporated into the NCDOT Secondary Road Maintenance Program prior to recording future phase(s) of the subdivision.
- The following disclosure statement shall be placed on the final plat: All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportation's maintained roads system.
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of UDO development standards is applied for in the future, a hardship will not be present.

- As-builts and Engineer's certification for all stormwater management facilities shall be submitted prior to recording the final plat.
- Operation & Maintenance Plan and Legal O & M Agreement for all stormwater controls/devices shall be submitted and recorded with the final plat.
- The following disclosure statements shall be placed on the final plat: The stormwater control measures shown hereon are required on the property to meet County and state stormwater regulations. Property owner may be subject to enforcement actions if the stormwater control measure is removed, relocated or altered without Prior County approval.
- Final water system approval by the NC Department of Environmental and Natural Resources must be submitted prior to recording the final plat.
- The identified community well sites may not be converted to buildable lots/sites at a future date. The sites must remain permanent open space.
- No off-site septic systems or easements.
- Provide a letter of approval/acceptance for the Mail Kiosk and box assignments from the Post Office prior to recording the final plat.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Prior to final plat, the following items shall be submitted:
 - Landscape Plan (Street Trees)
 - Recorded Covenants with provision for road maintenance, open space, and drainage easements.
 - Street lighting plan
 - Mail kiosks are subject to County approval and shall be constructed as part of the first phase.

Jason Rogers asked the Board if there were any questions.

Chairman Mark McArn asked what is the square in the middle of the project on the map, is it a cemetery.

Jason Rogers stated that it is an existing residence. They will have a paved access out of the development. There will be a paved street up to their property.

Melissa Cogliati asked what are the squares in the middle of the map. They look like big football fields.

Jason Rogers stated that they are bmps, they are stormwater devices. They capture the stormwater that drains from the development and treats it before it is released or hits the drain.

Melissa Cogliati asked if it is like a marshy area.

Jason Rogers stated that some are located within marshy areas, the majority are located adjacent to the wetter low areas. That is where they would be located because the subdivision would naturally drain to those areas. There are number of bmps located within this neighborhood.

Melissa Cogliati asked if they fence those off.

Jason Rogers stated that our ordinance does not require fencing, but we have seen some developers propose fencing around these bmps particularly if they are a lot deeper, some are not as deep as others. We do have a mechanism in the ordinance if we feel it is necessary, we could require it, but typically we do not require a fence unless if we feel it was a substantial safety issue.

Chairman Mark McArn asked if the Board or public had any other questions or concerns.

There were no further questions.

John Sledge made a motion to approve the subdivision with conditions as submitted by Planning Staff. Fannie Brown seconded the motion, the motion passed by a vote of 8-0. William E. Holden recused himself from the vote.

2. 20-MAS-11: Jason Rogers presented a preliminary plan submitted for Golden Ridge Subdivision Phase 2. This property is located on Mays Crossroads Rd. in Youngsville Township in the R-15 Residential Zoning District. The subject property is also located within the Voluntary Agricultural District. The preliminary plan is for the subdivision of approximately 55.39 acres into 137 lots with 13.05 acres of dedicated open space. The proposed average lot size is 10,898 sq. ft. The subdivision is designed to be served by County water and sewer. The developer is proposing a future public greenway easement along the sanitary sewer easement.

The Land Use Plan has this property designated as Suburban Residential.

The development is designed to be served by County water and sewer.

The proposed subdivision is located off Mays Crossroads Rd. The 2018 average daily traffic count for this section of Mays Crossroads Rd is 1,900 vehicles per day.

The Tar-Pamlico stormwater management review for the preliminary plan has been submitted and reviewed by Appian Consulting Engineers, with additional items required prior to final plat approval.

Youngsville Elementary, Cedar Creek Middle, and Franklinton High are the schools that will serve this subdivision.

Jason Rogers stated that staff suggested approval with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County UDO.
- Approval by the NC DOT. (North Carolina Department of Transportation Built to Standards Letter) All road designs and entrances must meet NC DOT standards.
- Approved NCDOT Driveway Permit
- Installation of left-turn lane on Mays Crossroads Rd. prior to recording the 50th lot of Phase 1. (Construct a dedicated left-turn lane on the northbound approach with a full-width storage of 100 feet and adequate taper.)
- Installation of northbound left-turn lane at the intersection of Mays Crossroads Rd and NC Hwy 56. (Construct a dedicated left-turn lane on the northbound approach with a full-width storage of 50 feet and adequate taper.)
- The following disclosure statement shall be placed on the final plat: All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportations maintained roads system.
- The following disclosure statements shall be placed on the final plat: The stormwater control measures shown hereon are required on the property to meet County and state stormwater regulations. Property owner may be subject to enforcement actions if the stormwater control measure is removed, relocated, or altered without Prior County approval.
- The following note shall be placed on the final plat: No structures, fences, walls, HVAC equipment, trees, shrubs, landscapes, or other items that obstruct maintenance vehicles

may be installed within the drainage easements shown. Per the Operation and Maintenance Agreement recorded in the Register of Deeds, the property owners grant the County the right, privilege, and easement across the property for the purpose of inspecting, monitoring, etc., the stormwater control measure as needed. Note that maintenance of the drainage easement is the responsibility of the underlying property owners, who shall maintain the easement to allow positive conveyance of stormwater.

- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase/s of subdivisions shall be incorporated into the NC DOT Secondary Road Maintenance Program prior to recording future phase/s of subdivision.
- All utility plans shall be approved by the Franklin County Public Utilities Department.
- All utility easements shall be extended/constructed to the property line.
- All stub roads/streets shall be built/constructed to the property line.
- Allocation of water and sewer shall be approved by the Board of County Commissioners prior to the expiration of the preliminary plat and prior to any water meters being set. All System Development Fees need to be paid prior to recording of the plat to the Public Utilities Office in the form of cash, credit card, or check.
- As-builts and Engineer's certification for all stormwater management facilities shall be submitted prior to recording the final plat.
- Operation & Maintenance Plan and Legal O & M Agreement for all stormwater controls/devices shall be submitted and recorded with the final plat.
- Provide a letter of approval/acceptance for the Mail Kiosk and box assignments from the Post Office prior to recording the final plat.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the UDO are satisfied.
- The following statement shall be on the final plat: These parcels are located within one (1) mile of an existing voluntary agricultural district. Normal agricultural operations may conflict with residential use. NC Law (General Statute Section 106-701) provides protection for existing agricultural operations.
- A note shall be placed on the final plat stating that the 20' Sanitary Sewer and Open Space Access Easement will serve as Future Public Greenway.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Prior to final plat, the following items shall be submitted:

- Landscape Plan
- Recorded Covenants with provision for road, open space, and drainage easement maintenance.
- Street lighting plan
- Mail center/kiosk is subject to County approval and shall be constructed as part of the first phase.

Jason Rogers asked the Board if there were any questions.

John Sledge asked does the county have extra water allocations to handle these two subdivisions.

Jason Rogers stated the developers will have to request for it and should the county have it to give, they may be granted it but to be honest with you I do not know the answer to that question at this time. Maybe refer to Scott, he may have some insight on it.

John Sledge stated I know that 500,000 gallons from Louisburg and that was just for one year. I was wondering how they would handle that; I didn't know.

Scott Hammerbacher stated the County has just recently completed their water study; we are working aggressively on some short-term options. At this point in time the County is being able to allocate approximately 50,000 gallons a year which approximately totals about 360 lots in total. That is the best information I have now going forward. I can say that ultimately our goal is to be able to accommodate many of these developments.

John Sledge stated that yes, they need to find a water solution.

Scott Hammerbacher stated that yes sir, it was maybe two or three meetings ago there was a very robust presentation made before the Board of Commissioners which did provide the Commissioners with options for short term solutions as well as long term solutions. The short-term solutions can be implantable in a year or two and the long-term solutions depending on which avenues it shows, we are looking at six to seven years. But no, I do not have a definitive answer at this point in time and I think the developers and the development community are certainly aware of our current situation as they submit plans and we are hopeful in the near future we are able to accommodate those request.

Jon Frazier-FLM Engineering, PO Box 91727, Raleigh, NC 27675

Mr. Frazier stated that Phase 1 was approved back in 2017 but the developer was working on some off-site sewer easements to serve this property and the Phase 1 approval lapsed. It has been in the works for a good bit longer and we just got it reapproved this year, so they are anxious to move forward on both it and the second phase now as they a lot of

interest in this piece and are excited to move forward. We definitely understand the water allocation issues and understand that we will be requesting allocations under the current ordinance as it stands right now. But just trying to get the plan approved for the entire parcel and move forward with these pieces as we can.

Chairman Mark McArn asked if the Board or public had any other questions or concerns.

There were no further questions.

Melissa Cogliati made a motion to approve the subdivision with conditions as submitted by Planning Staff. Fannie Brown seconded the motion, the motion passed by a vote of 9-0.

3. 20-MAS-12: Jason Rogers presented a preliminary plan submitted for Winston Ridge Subdivision Phase 5. This property is located off NC 96 Hwy in Youngsville Township in the R-8 Residential Zoning District. The preliminary plan is for the subdivision of approximately 1.75 acres into 8 lots. The proposed average lot size is 9,935 sq. ft. The subdivision is designed to be served by County water and sewer.

The Land Use Plan has this property designated as Suburban Residential.

The development is designed to be served by County water and sewer.

The proposed subdivision is located off NC 96 Hwy. The 2018 average daily traffic count for this section of NC 96 Hwy is 11,000 vehicles per day.

The Tar-Pamlico stormwater management review for the preliminary plan has been submitted and reviewed by Appian Consulting Engineers, with additional items required prior to final plat approval.

Long Mill Elementary, Cedar Creek Middle, and Franklinton High are the schools that will serve this subdivision.

Jason Rogers stated that staff suggested approval with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County UDO.
- Final Tar/Pamlico Stormwater review and approval.
- Approval by the NC DOT. (North Carolina Department of Transportation Built to Standards Letter) All road designs and entrances must meet NC DOT standards.

- Approved NCDOT Driveway Permit
- The following disclosure statement shall be placed on the final plat: All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportations maintained roads system.
- The following disclosure statements shall be placed on the final plat: The stormwater control measures shown hereon are required on the property to meet County and state stormwater regulations. Property owner may be subject to enforcement actions if the stormwater control measure is removed, relocated, or altered without Prior County approval.
- The following note shall be placed on the final plat: No structures, fences, walls, HVAC equipment, trees, shrubs, landscapes, or other items that obstruct maintenance vehicles may be installed within the drainage easements shown. Per the Operation and Maintenance Agreement recorded in the Register of Deeds, the property owners grant the County the right, privilege, and easement across the property for the purpose of inspecting, monitoring, etc., the stormwater control measure as needed. Note that maintenance of the drainage easement is the responsibility of the underlying property owners, who shall maintain the easement to allow positive conveyance of stormwater.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase/s of subdivisions shall be incorporated into the NC DOT Secondary Road Maintenance Program prior to recording future phase/s of subdivision.
- All utility plans shall be approved by the Franklin County Public Utilities Department.
- All utility easements shall be extended/constructed to the property line.
- All stub roads/streets shall be built/constructed to the property line.
- Allocation of water and sewer shall be approved by the Board of County Commissioners prior to the expiration of the preliminary plat and prior to any water meters being set. All System Development Fees need to be paid prior to recording of the plat to the Public Utilities Office in the form of cash, credit card, or check.
- As-builts and Engineer's certification for all stormwater management facilities shall be submitted prior to recording the final plat.
- Operation & Maintenance Plan and Legal O & M Agreement for all stormwater controls/devices shall be submitted and recorded with the final plat.
- Provide a letter of approval/acceptance for the Mail Kiosk and box assignments from the Post Office prior to recording the final plat.

- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the UDO are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Prior to final plat, the following items shall be submitted:
 - Landscape Plan
 - Recorded Covenants with provision for road, open space, and drainage easement maintenance.
 - Street lighting plan
 - Mail center/kiosk is subject to County approval and shall be constructed as part of the first phase.

Jason Rogers asked the Board if there were any questions.

There were no questions.

Brian O’Kane-NAU Company-4244 Fawn Lily Drive, Wake Forest, NC 27587

Mr. O’Kane stated that NAU is the civil engineer on the project. This is just an extension as Jason stated, converting the land that was allocated for future commercial into 8 single family lots.

Chairman Mark McArn asked if the Board or public had any questions, comments, or concerns.

There were no further questions.

John Sledge made a motion to approve the subdivision with conditions as submitted by Planning Staff. Robert Mann seconded the motion, the motion passed by a vote of 9-0.

4. In other business, Scott Hammerbacher stated that the County is in the process of updating our Unified Development Ordinance (UDO). The current UDO has not been updated since October 8, 2001. The Board is aware that the County recently adopted its Comprehensive Development Plan in July of 2020, which is basically the blueprint of how the County wants to see development within the county over the next 20 years looking at the development increases and population increases accruing throughout the County, that is one of the primary reasons. The other reason for the update is state law has changed and every community across the state, all 100 counties and however municipalities, are all having to go through the process of amending their respective zoning ordinances, subdivision ordinances, or if they have them combined then they have

a Unified Development Ordinance. All communities are required to obtain compliance with the new regulations by July 1, 2021. Where we are today is, we started the process in September and we have consultants working on this, Stewart Engineering, we are still assessing efficiencies within the ordinance, we are looking at recommendation's set forth within our Comprehensive Development Plan. But to make a long story short, the County is looking at having a draft at the early part of 2021 to have a revised draft zoning map in addition to an overall update to the UDO, with all revisions and suggestions set forth within our Comprehensive Development Plan and maintain compliance with state law changes. The County is looking at an April/May date for ultimate approval. With Covid we are not able to go through with our normal procedures, that are typical, but we will be able to have virtual meetings set forth. We do have a Facebook page, the Counties webpage, for the Planning and Inspections staff we have that setup for people to provide comments. Since we are talking about a large document, as many of you are aware of, we are going thru working on getting a draft put forth to the public.

With there being no further business before the board, Chairman Mark McArn adjourned the meeting at 7:48 P.M

Mark McArn- Chair
Franklin County Planning Board

Tracy Walthour – Planning Technician
Franklin County Planning Board