

## FRANKLIN COUNTY PLANNING BOARD

February 13, 2018

The Franklin County Planning Board held its regular monthly meeting on Tuesday, February 13, 2018 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** Mark McArn, William Holden, Mary Solomon, Kelly Harris, John Sledge, Phillip Jeffereys, Richard Hoyle, Fannie Brown, and Ricky May

**Staff:** Jason Rogers, Scott Hammerbacher, and Katie Rhyne

Chairman Mark McArn called the meeting to order at 7:00 P.M., welcomed everyone in attendance. William Holden gave the invocation.

A motion to approve the agenda and minutes from January 9, 2017 was made by Ricky May and was seconded by John Sledge. The motion passed unanimously.

### **Agenda Items:**

1. 18-REZ-02 Hillman Darrell & Patricia P. Cash are requesting to rezone 65.4 acres at 1399 M. C. Wilder Rd in Harris Township from Residential-15 (R-15) to Agricultural/Residential (AR).

The Land Use Plan indicates that this property is intended for Low-Medium Residential Uses. The property is located in the Airport Height Overlay District.

Jason Rogers explained that an inert debris reclamation business was grandfathered on the site. The applicant wished to expand the business, and a rezoning would be required for them to pursue this request.

Sherry Mercer (1399 MC Wilder Rd, Louisburg, NC 27549)

Mrs. Mercer stated that the stump dump had begun operations in the year 2000. She stated that it was an advantage to the County because it helped to improve the economy by being a state licensed facility.

Kelly Harris made a motion to recommend approval for the rezoning. Phillip Jeffereys seconded the motion. The motion passed unanimously.

2. 18-MAS-07 A one-year extension of a preliminary plan has been requested for the Whispering Pines Subdivision. The proposed subdivision is located on Cedar Creek Road and Hicks Road in Franklinton Township in the R-1 Zoning District. The preliminary plan is for the subdivision of an approximately 158.32 acre tract into 398 lots. On February 15, 2016, this property was rezoned from Residential-1 (R-1) to Residential-8 (R-8) The subdivision is designed to be served by public water and sewer.

The Land Use Plan has this property designated as Low-Medium Residential.

The proposed subdivision is located off of Cedar Creek Road (State Road 1116) and Hicks Road (State Road 1125). The North Carolina Department of Transportation has reviewed a revised Traffic Impact Analysis. A revised TIA was required and submitted in 2012 due to the new adjacent developments of Oak Park, Forest City, and Hidden Lake, and the opening of the new Franklinton High School.

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

The following are the suggested conditions of approval as submitted by planning staff:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance. (Developer shall provide landscape buffer around PIN 1864-29-6166 278, Cedar Creek Rd.)
- Approval by the North Carolina Department of Transportation. (North Carolina Department of Transportation Built to Standards Letter) All road designs and entrances must meet North Carolina Department of Transportation standards.
- Approved North Carolina Department of Transportation Driveway Permit.
- Installation of improvement identified in the Traffic Impact Analysis prepared March 2012 by Ramey Kemp & Associates (RKA Project #12023).
- 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 and meet the requirements of petitioning addition of these roadways to the North Carolina Department of Transportation's maintained roads system.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the NCDOT Secondary Road Maintenance Program prior to recording future phase(s) of the subdivision.
- All utility plans will be approved by the Franklin County Public Utilities Department.
- Allocation of water and sewer shall be approved by the Franklin County Board of Commissioners prior to the expiration date of the preliminary plan. A twenty-five (25%) percent deposit of the required Utility Acreage Fee shall be paid in the form of a cash deposit within fifteen (15) days of Board of Commissioner allocation of utilities.
- As-builts and Stormwater Operation & Maintenance Agreement for all stormwater controls/devices.
- The following note 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.
- Subject property is located within the Voluntary Agricultural District. The following note shall be placed on the final plat: Note: These parcels are located within one (1) mile of an Existing Voluntary Agricultural District or Enhanced Voluntary Agricultural District. Normal agricultural operations may conflict with residential uses. North Carolina Law

(General Statutes Section 106-701) provides some protection for existing agricultural operations.

- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance and open space.
  - Street lighting plan
  - Mail center is subject to County and North Carolina Department of Transportation approval and shall be constructed as part of Phase 1.

Laura Holloman (Spaulding & Norris – 972 Trinity Rd, Raleigh, NC 27607)

Laura Holloman explained that this application was simply a request for an extension. She stated that the subdivision had previously been approved, and had met all the current Ordinance and County standards.

John Sledge asked if the subdivision had been approved for County Water by the County Commissioners.

Laura Hall responded that they had not been approved as of this time.

John Sledge made a motion to approve the subdivision with the required conditions as submitted by planning staff. Kelly Harris seconded the motion. The motion passed unanimously.

3. 18-MAS-02 A preliminary plan has been submitted for Mitchell Ridge Subdivision. This property is located off Mitchell Store Rd (SR 1713) in Harris Township in the Residential-40 (R-40) zoning district. The preliminary plan is for the subdivision of approximately 10.76 acres into 7 lots. The subdivision is designed to be served by private wells and septic systems. The average lot size within this development is 1.36 acres.

The Land Use Plan has this property designated as Low-Density Residential.

The development is designed to be served by private wells and septic systems.

Jason Rogers explained that the subdivision was located in the Neuse River basin and was therefore exempt from stormwater review. He explained that the subdivision was also located within a WS II Watershed which would limit the impervious surface on each lot to 12%. He stated that staff also added a suggested condition that no off site septic easement would be allowed for the subdivision.

The following are the suggested conditions of approval as submitted by planning staff:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval from North Carolina Department of Environmental Quality for impacts to riparian buffers.
- Note shall be placed on the final plat indicating the entity responsible for maintaining drainage easements.
- Approval by the North Carolina Department of Transportation (North Carolina Department of Transportation Built to Standards Letter)
- All road designs and entrances must meet North Carolina Department of Transportation standards
- Approved North Carolina Department of Transportation driveway permit.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation 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 from the Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- No off-site septic systems or easements.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance and open space
  - Street lighting plan
  - Mail center is subject to County approval and shall be constructed as part of the first phase.

Mark McArn asked for clarification on what was meant by the off site septic easement.

Jason Rogers explained that this condition would make it unallowable for a septic system or repair area to be located on any lot other than the one it would serve. He explained that homeowners do not always understand that there is an easement on their property and sometimes construct a fence, or plant shrubbery over the easement and damage the septic field.

Mary Solomon asked if the school systems had been informed of the subdivision.

Jason Rogers explained that one of the initial steps was to submit the site plan to be reviewed by the Technical Review Committee which included the School Board. Planning Staff had received no feedback from the school board on this project.

Scott Hammerbacher suggested that he could get in touch with some of the School Board members and report back to the Planning Board.

Marty Bizzle (6310 Chapel Hill Rd. Raleigh, NC 27607)

Mark McArn asked if the subdivision would stub into a future phase.

Marty Bizzle stated that it would not.

Kelly Harris made a motion to approve the subdivision with the required conditions as submitted by planning staff. John Sledge seconded the motion. The motion passed unanimously.

4. 18-MAS-04 A preliminary plan has been submitted for Pilot Ridge Subdivision. This property is located off Johnson Town Rd (SR 1729) in Dunn Township in the R-30 Residential zoning district. The preliminary plan is for the subdivision of approximately 224.069 acres into 98 lots. The subdivision is designed to be served by private wells and septic systems. The average lot size within this development is 2.150 acres.

The development is designed to be served by private wells and septic systems.

The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre. Franklin County GIS maps indicate streams with riparian buffers on this property. Additionally, a portion of this property is located within the 100-year floodplain. Stormwater BMP's are not required for this project.

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

The following are the suggested conditions of approval as submitted by planning staff:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval from North Carolina Division of Environmental Quality for all stream, driveway crossings, and impacts to riparian buffers is required prior to recording the final plat.
- Core of Engineers (COE) approval for impacts to wetlands is required prior to recording the final plat.
- Note shall be placed on the final plat indicating the entity responsible for maintaining drainage easements.

- Approval by the North Carolina Department of Transportation (North Carolina Department of Transportation Built to Standards Letter)
- All road designs and entrances must meet NC DOT standards
- Approved NCDOT driveway permit.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation 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 from the Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- No off-site septic systems or easements.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- Subject property is located within the Voluntary Agriculture District. The following note shall be placed on the preliminary and final plat: Note: These parcels are located within one (1) mile of an Existing Voluntary Agricultural District or Enhanced Voluntary Agricultural District. Normal agricultural operations may conflict with residential use. North Carolina Law (General Statutes Section 106-701) provides some protection for existing agricultural operations
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance and open space
  - Street lighting plan
  - Mail center is subject to County approval and shall be constructed as part of the first phase.

John Sledge asked if the developer applying was the same that had applied previously in 2007.

Jason Rogers explained that it was the same developer, but that the layout of the subdivision had been changed since the previous approval.

John Sledge asked how many times a subdivision could reapply.

Jason Rogers explained that housing developments were a use by right in the Residential-30 (R-30) Zoning district and could continue to apply as long as they went through the correct process.

Scott Hammerbacher explained that each application was good for two (2) years and could apply to get a one (1) year extension

William Holden mentioned that there was a cemetery located on one of the lots.

Jason Rogers stated that there was a twenty foot (20ft) access easement to the cemetery.

Ed Shearin (50 Camden Dr. Youngsville, NC 27596)

Mr. Shearin stated that he had nothing to add to the presentation.

Mary Solomon made a motion to approve the subdivision with the required conditions as submitted by Planning Staff. Fannie Brown seconded the motion. The motion passed unanimously.

5. 18-MAS-05 A preliminary plan has been submitted for The Paddocks Subdivision. This property is located off Hagwood Rd (SR 1750) and Stallings Rd (SR 1746) in the Dunn Township in the Residential-30 (R-30) zoning district. The preliminary plan is for the subdivision of approximately 32.56 acres into 13 lots. The subdivision is designed to be served by private wells and septic systems. The average lot size within this development is 2.4 acres.

The development is designed to be served by private wells and septic systems.

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

The following are the suggested conditions of approval as submitted by planning staff:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval from North Carolina Division of Environmental Quality for impacts to riparian buffers.
- Note shall be placed on the final plat indicating the entity responsible for maintaining drainage easements.
- Approval by the North Carolina Department of Transportation (North Carolina Department of Transportation Built to Standards Letter)
- All road designs and entrances must meet North Carolina Department of Transportation standards
- Approved North Carolina Department of Transportation driveway permit.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation 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 from the Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- No off-site septic systems or easements.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance and open space
  - Street lighting plan
  - Mail center is subject to County approval and shall be constructed as part of the first phase.

Larry Vaughn (15 S Main St. Wendell, NC 27591)

Mr. Vaughn explained that the owner wished to cut back on the intensity of the developed area so that they may utilize some of the land later on for another use.

William Holden asked if the whole site was going to be located within the subdivision.

Jason Rogers stated that there was a section of the subdivision when it was initially submitted in 2007 that was left out in the redesign process.

Kelly Harris made a motion to approve the subdivision with the required conditions as submitted by planning staff. Phillip Jeffereys seconded the motion. The motion passed unanimously.

6. 18-UDO-01 Scott Hammerbacher explained that during a townhome request, staff noted inconsistencies in the Unified Development Ordinance that they felt should be addressed. Staff also felt it would benefit the County to expand the zoning districts that were to allow for townhomes.

Scott Hammerbacher explained that the floor area ratio that was required in the Mixed Use zoning district can be a valuable tool for many cities and towns, but felt out of character with Franklin County.

Richard Hoyle made a motion to recommend approval of the amendments to the Unified Development Ordinance. Phillip Jeffereys seconded the motion. The motion passed unanimously.

7. In other business, Scott Hammerbacher stated that Katie Rhyne had become Certified to be a Stormwater Inspector. He also explained that the budget had been approved for a new Building Inspector position which staff was in the process of trying to fill.

With there being no further business before the Planning Board, Chairman Mark McArn adjourned the meeting at 7:47 P.M.

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Mark McArn – Chairman  
Franklin County Planning Board

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Katie Rhyne – Clerk  
Franklin County Planning Board