

## MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

NOVEMBER 14, 2006

The Franklin County Planning Board held its regular monthly meeting on Tuesday, November 14, 2006 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

**Members Present:** Henry Nelms, Ronnie Pearce, Mark McArn, Willie Bartholomew, Richard Hoyle, Terry Gilliam, William Wallace, Clara Frazier, Melvin Cheaves and Philip Bues.

**Members Absent:** Phillip Jeffreys, Mary Solomon, Ricky May and William Holden.

**Others:** Scott Hammerbacher, Tammy Davis, Jason Rogers, Pat Young and Bryan Batton.

Chairman Henry Nelms called the meeting to order at 7:00 P.M., and welcomed everyone in attendance.

Willie Bartholomew gave the invocation.

Terry Gilliam made a motion, seconded by Richard Hoyle to approve the agenda as presented. The motion passed unanimously.

Mark McArn made a motion, seconded by William Wallace to approve the minutes from the October 10, 2006 meeting. The motion passed unanimously.

### **Agenda Items:**

#1. Election of Officers

Pat Young stated the election of officers was supposed to have take place in September 2006. He stated the Board has two options before them this evening. He stated the Board can either hold the election of officers as originally planned; or due to recent election of new Commissioners, the Board can table this agenda item until the new Commissioners take office and they can either reappoint current members or appoint new members of their choice. Clara Frazier made a motion, seconded by Ronnie Pearce to table the agenda item until the new Commissioners take office and can make their appointments and/or reappointments. The motion passed unanimously.

#2. Subdivision Request: Hidden Lake Subdivision, Revised Preliminary Plat, Youngsville Township, Cedar Creek Road (State Road 1116), R-15 & R-1 Districts, 124 Lots.

Scott Hammerbacher stated the original preliminary plat was approved in September 2005. He stated the revised preliminary plan includes the addition of 10.97 acres for a total of four additional new lots. He stated the original plan was approved for 120 lots and the proposed amendment would increase the number of lots to 124 lots with the average lot size of 2.74 acres with an overall density of .21 dwelling units per acre. He stated the proposed subdivision includes approximately 225 acres of open space within the 590-acre development. He stated the plan was reviewed by the Technical Review Committee and Planning Staff and it meets the requirements of the Unified Development Ordinance with the following conditions of subdivision approval:

- All road design and entrances must meet NC Dept. of Transportation standards.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.

Ronnie Pearce made a motion, seconded by Willie Bartholomew to approve the revised preliminary subdivision plan. The motion passed unanimously.

#3. UDO Text Amendment: Chapter Three – Subdivision Ordinance

Pat Young stated he asked Scott Hammerbacher to re-evaluate the current Unified Development Ordinance (UDO). He stated during this time, staff has had additional requirements place on them by the State and Federal governments. He stated the changes are intended to incorporate the best practices of development in addition to further enhancing the level of review and in turn increasing the quality of development within the County.

Scott Hammerbacher presented a power point presentation on the proposed amendments. He stated one of the major impacts of residential growth to the County is increased traffic on our existing roadways. He stated staff is proposing to amend the UDO to require additional right-of-way dedication for residential developments based upon thoroughfare plans created by the Capital Area Metropolitan Planning Organization (CAMPO) and the North Carolina Department of Transportation (NCDOT). He stated currently the County only requires right-of-way dedication for subdivisions proposed adjacent to proposed thoroughfares identified on the Franklin County Thoroughfare Plan. He stated incorporating the thoroughfare plans of CAMPO and NCDOT will allow for a more regional approach to traffic planning in addition to further mitigating the impacts on our roads as development continues.

Mr. Hammerbacher stated staff is proposing to eliminate provisions within the UDO as related to school sites. He stated based upon the General Statutes, the County may only reserve land for future school sites if those areas are clearly

identified on the County's Comprehensive Land Use Plan. The stated staff is currently in the process of updating the Comprehensive Land Use Plan and staff believes that provisions for identifying potential school sites would be far more beneficial to be included with the Comprehensive Plan rather than in the UDO based upon state law and solicited legal advice.

Mr. Hammerbacher stated another proposed UDO amendment is a provision to require developers to coordinate with Emergency Services Departments within the County and adjacent Counties for developments proposed adjacent to County boundaries. He stated staff has observed that developments are increasingly being proposed in multiple Counties' and that it is imperative that emergency services are provided for in a coordinated effort to ensure the public's safety. He stated included with the amendment is to include all emergency related departments within the Technical Review Committee to allow them to provide any feedback that they may have to planning staff and the subdivider prior to the submission of the final preliminary plat for Planning Board consideration.

Mr. Hammerbacher stated staff and the development community have suggested that certain procedural and plan requirements be amended to allow for the incorporation of "best practices" in addition to clarifying and streamlining the current preliminary plat review. He stated one of the most notable changes is the elimination of the sketch plan review provision within the ordinance and the incorporation of an informal concept plan review process for preliminary plats before they are submitted for preliminary plat approval. He stated staff feels that requiring a concept plan review meeting with the developer and staff to discuss potential issues and concerns and to allow staff to explain the approval process will enhance the quality of development proposals. He stated staff is hopeful that the requirements for a concept plan review meeting will allow planning staff to convey their concerns in addition to potential concerns that Planning Board members may have before a preliminary plat is submitted for Planning Board consideration.

Mr. Hammerbacher stated preliminary plat requirements and procedures have also been amended to further enhance the level of review in addition to the amount of detail found on the plans. He stated one of the most noticeable procedural changes is to extend the preliminary review time from five to six weeks to allow staff additional time to ensure conformance of preliminary plats with the UDO in addition to allowing the subdivider additional time for making revisions once comments have been received from planning staff and the Technical Review Committee. He stated preliminary plat requirement changes include providing calculations for density and gross dwelling units per acre in addition to specifying the entity responsible for maintaining areas intended for open space for example.

Mr. Hammerbacher stated currently following the approval of a preliminary plat; the subdivider is required by the UDO to submit a final plat for recordation within 24 months of approval. He stated the current UDO allowing for the Planning

Board to grant an extension of time without a specified timeframe. He stated staff suggests that the UDO be clarified to allow for the Planning Board to allow for only a one-year extension. He stated the suggested amendment would require a preliminary plat not recorded in the two years (three years is an extension is granted) be resubmitted as a new preliminary plat that would be subject to all state and local ordinance in place at that time.

Mark McArn made a motion, seconded by Clara Frazier to approve the UDO text amendments. The motion passed unanimously.

#4. UDO Text Amendment: Article 6 – Permitted Uses; Section 7-3; Regulations for Conditional Uses

Pat Young stated staff received a request to consider allowing Boat Works and Repair as a conditional use within the Light Industrial zoning district. He stated currently Boat Works and Repair are permitted within the Heavy Industrial zoning district and are not permitted within any other zoning district under any circumstances. He stated staff feels the proposed text amendment is justified and should be allowed as a Conditional Use.

Scott Hammerbacher stated the Comprehensive Land Use specifies that Light Industrial uses must demonstrate that no adverse impacts such as noise, groundwater, air, pollution and vibrations are created by the proposed use. He stated the Comprehensive Land Use Plan promotes outdoor storage be screened by opaque fencing and landscaping. He stated the proposed requirements primarily regulate screening of outdoor storage areas with fencing and landscaping in addition to regulating the location of outdoor storage areas and the utilization of these areas. He stated other requirements include parking, lighting, compliance with building codes and conformance with existing land uses.

Mark McArn stated he was involved with the proposed business that is requesting the text amendment and he would abstain from voting on this matter. William Wallace expressed concern in reference to lighting. He questioned if the UDO addressed the possibilities of lighting interference on roadways. He questioned if the Board could make stipulations to ensure that the lighting could be directed and/or shaded so they would not interfere with traffic. Mr. Hammerbacher stated the Board could place this stipulation on the amendment when the motion was made. Phillip Bues questioned how the amendment would affect any existing boat repair businesses. Mr. Hammerbacher stated any existing businesses would be grandfathered, but if they decide to expand then the new rules would apply.

William Wallace made a motion, seconded by Willie Bartholomew to approve the text amendment with the adjustment on the lighting. The motion passed unanimously.

- #5. Subdivision Request: Forest City Subdivision, Preliminary Plat, Franklinton Township, Lane Store Road (State Road 1118) & Cedar Creek Road (State Road 1116), R-1 & R-15 Districts, 518 Lots.

Pat Young stated the Board of Education is interested in 75 acres of the 244 acres for a potential school site for a new high school. He stated the school board has requested the deferral of the proposed subdivision plat. He stated he wrote a letter to the Franklin County Board of Education and told them that we could not legally hold up the subdivision preliminary plat approval. He stated the approval of the subdivision by the Planning Board would not directly interact with the negotiations of the school board and the landowner.

Scott Hammerbacher stated the preliminary plan is for the subdivision of an approximately 244.14 acre tract into 518 residential lots. He stated the average lot size within the development is 12,584 square feet. He stated the subdivision would be served by County water and sewer. He stated the proposed subdivision provides a street connection with Lane Store Road that will allow for a potential crossing of Cedar Creek, which will eventually connect the Forest City development with the Oak Park Subdivision, which aligns with Bert Winston Road. He stated the developer proposes a payment in lieu for recreation purposes. He stated 25 acres of the property has been dedicated as open space. He stated the development will be subject to the recently adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools will be required prior to securing building permits. He stated a revised preliminary plan would have to be submitted if the Board of Education should acquire the portion of land.

Clara Frazier questioned if the proposed plan would remain a preliminary until the school board make a decision of the school site. Mr. Young stated the plan is a preliminary and if the school board does purchase the site, the developer would have to provide a newly revised plan to go before the Board again. Tom Spaulding with Spaulding & Norris stated the developer is being very cooperative. He stated the developer changed the layout to incorporate the school site. William Wallace questioned if the open space outside of the lake would be usable open space instead of just looking at it. Mr. Spaulding showed the Board additional space that could be used as a recreation area with a possible pool and playground area.

Willie Bartholomew made a motion, seconded by William Wallace to approve the subdivision request with the lots that can be removed if the school board purchases the land for the possible school site. The motion passed by majority vote with Clara Frazier voting against the request.

- #6. Other Business Reports/Discussion
  - A.) Departmental Report
  - B.) Other Business/Reports/Open Forum

With there being no further business before the Board, Chairman Nelms adjourned the meeting at 8:10 P.M.

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Henry Nelms, Chairman  
Franklin County Planning Board

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Tammy Davis, Clerk  
Franklin County Planning Board