

FRANKLIN COUNTY PLANNING BOARD

November 10, 2014

The Franklin County Planning Board held its regular monthly meeting on Monday, November 10, 2014 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

Present: William Wallace, Mark McArn, Fannie Brown, Carolyn Paylor, William Holden, John Sledge, and Ronnie Pearce
Staff: Scott Hammerbacher, Jason Rogers, and Kevin Lewis

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Mark McArn gave the invocation. The agenda was adopted with no revisions. A motion to approve the minutes from the prior Planning Board meeting, September 9, 2014, was made by Mr. McArn, seconded by Ms. Paylor. The motion passed unanimously.

Agenda Items:

1. A preliminary plan has been submitted for the Forest City Subdivision. This property is located off of Cedar Creek Road (State Road 1116) in the Franklinton Township in the R-8 Residential Zoning District. The preliminary plan is for the subdivision of approximately 84.2 acres into 233 lots. The average lot size within the development is 8,789 square feet. The subdivision is designed to be served by public water and sewer.

A preliminary plan for Forest City subdivision was originally approved on November 14, 2006, with a revised preliminary plan approved on March 13, 2007, both of which have expired. The original preliminary plan consisted of 244.14 acres and 518 lots. The Land Use Plan has this property designated as Low-Medium Residential.

The NC Department of Transportation has reviewed a Traffic Impact Analysis. A twenty foot emergency access easement has been provided to the Lane Store Road Extension adjacent to Franklinton High School. An eight foot greenway trail runs throughout the subdivision. The plan indicates a ten foot high visibility crosswalk across Lane Store Road Ext.

There is a 50 foot riparian buffer and 100 year flood plain along Cedar Creek, which runs through the property. The subject property is located within the Tar-Pamlico River Basin and is required to meet nutrient regulations for nitrates and phosphates, including approval of a stormwater management plan if there is a land disturbance of .50 acres or greater.

The following conditions for approval from Planning Staff have been added to the permit:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County UDO.
- Approval by NC DOT
- All road designs and entrances must meet NC DOT standards.
- Final Tar-Pamlico stormwater Review approval.

- 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 percent (25%) 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.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- 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
 - Street lighting plan
- Erosion Control Plan Approval
- Mail center is subject to County and NC DOT approval and shall be constructed as part of Phase 1.
- Emergency access shall be subject to approval by the County and local emergency personnel.

Mr. McArn asked that staff clarify the mail center approval. Mr. Hammerbacher replied that the United States Postal Service is starting to require new subdivisions and new phases of existing subdivisions to provide a mail center or kiosk to replace the standard house-to-house delivery method in order to reduce costs. Other municipalities in the area have seen requests by the USPS for these centers already. Mr. Sledge added that the Town of Cary in Wake County has already begun moving towards requiring them.

Tom Spaulding, project engineer for the subdivision, stated that the project is maintaining 24% of the land as open space, with two acres for recreation, possibly a pool and clubhouse. This area would be ideal for the mail center, as it provides parking and plenty of room for access. Additionally, the proposed greenway trail will nearly wrap the entire property without requiring any easements through private property. The greenway trail will also lead to the neighboring high school.

Mr. Spaulding indicated that the developer hopes to record 60 lots by the end of the year in order to get the project moving. The lots within the subdivision will range from 7,000 square feet to 17,000 square feet. He believes the design of the project flows nicely, there is variety throughout the subdivision, the entrance is designed nicely, and it will be a good addition to the county.

Mr. Wallace asked the applicant if he was reading the plans correctly, as it appeared this subdivision will be completed in three phases. While there are no defined phases at this time, Mr. Spaulding believes the developer will be proceeding as such, starting with the lots along Cedar Creek Road. The plans showing three different sections of development do so in order to show a greater level of detail.

Mr. McArn asked whether the property to the north of the proposed subdivision will be developed in the future, as it was once part of this proposal. It is Mr. Spaulding's understanding

that the developer plans to create a similar development with larger lots. Mr. McArn questioned if the line of sight existing with subdivision onto Cedar Creek Road will meet NCDOT's standards. Mr. Spaulding pointed out that NCDOT previously approved this subdivision, and with little changes in this revision, he is confident that no issues will arise.

Mr. Holden wanted a clarification on the ten foot high visibility crosswalk. It refers to the reflectivity of the crosswalk when illuminated.

Mr. McArn stated that it was nice to see a project like this being submitted.

Mr. Holden made the motion to approve the preliminary plan as presented, with the conditions listed in the communique, seconded by Ms. Brown. The motion was passed unanimously.

2. A Special Use Permit is being requested by George E. Smith to allow for Farm Equipment and Small Engine Repair on a 5.08 acre parcel located at 1149 Ronald Tharrington Rd. (State Road 1419) in the Agricultural-Residential (AR) zoning district in the Louisburg Township. In the petition, the applicant states that his business will provide preventative maintenance and repair of small engines with limited repair operation for outboard marine motors. The applicant plans to utilize an existing Garage for office, storage and work area. There is an existing asphalt drive for access to the proposed business. According to the site plan, the applicant proposes a twenty foot buffer strip abutting the sides and rear of the entire property while utilizing existing vegetation where feasible. There is one asphalt handicapped parking space and two graveled parking spaces proposed.

The following conditions for approval from Planning Staff have been added to the permit:

- Approval of NC Department of Transportation driveway permit.
- Approval shall be subject to adhering to all other County, State and Federal regulations.
- Hours of operation. (8 a.m. to 5 p.m. Monday thru Friday)
- Shall meet Article 14 Landscaping and Buffering Requirements.
- Approval of stormwater management plan if there is a land disturbance of .50 acres or greater.
- Must comply with the Franklin County noise ordinance.
- No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
- All outside storage shall be screened by a six (6) foot high opaque fence.
- Proper disposal and recycling of all fluids, fuels, lubricants, and other substances shall be enforced.

Mr. McArn asked the staff if this was permitted in the AR zoning district, but just needed the Special Use Permit to operate. That is the case; Mr. Smith approached the Planning staff in order to proceed.

Mr. Sledge asked if the handicapped space will require a sign and to be painted appropriately. Mr. Hammerbacher stated that it is not required by the UDO, and any such requirements would be the result of the state building code or the Americans with Disabilities Act.

Mr. Smith began by stating that all runoff and drainage issues have been addressed by the surveyor. The property slopes to a vacant drainage ditch that was installed during the construction of the residence, which leads to a pond. A water separator will be placed on the property in order to protect the pond and water table. A working light pole currently exists on the property, with no plans for installation of an additional pole. No new structures will be added to the property, all work will be done out of existing buildings. The outdoor service and storage area is currently screened. And any excessive noise should not present a problem as most of the work will be done in the garage or storage shed.

Mr. Smith believes this service is needed in the area, as there are few options available. He predicts he will be working on nothing larger than a 10 horsepower engine, repairing engines in generators, lawnmowers, chainsaws, etc.

With no further questions from the board and no objections by any citizens, Mr. Pearce made the motion to approve the permit with the conditions attached. Mr. Sledge seconded the motion, and the Special Use Permit was approved unanimously.

3. Two Unified Development Ordinance Text Amendments were presented to the board, Accessory Dwelling Units and Temporary Healthcare Structures. Staff feels that these two amendments are closely related, thus they were presented concurrently for board approval.

Accessory Dwelling Units (ADU) have been gaining popularity across state and planners have been trying to establish regulations and development standards for these. Central North Carolina and much of the region has seen a shift in demographics, where more extended families are living under one roof. The need from this is being driven by two large but different generations, the Baby Boomers (born 1946-64) and Millennials (1983-2000), for multiple reasons.

Planning Staff has researched several ordinances across the state in order to establish regulations that it feels would fit within the UDO. This proposed amendment will provide Planning Staff with criteria to regulate the size and location of ADUs. Staff is proposing to amend the UDO to allow for ADUs as a permitted use within all residential zoning districts.

Additionally, a recent law passed by the North Carolina General Assembly, G.S. 153A-341.3 requires zoning approval of "temporary healthcare structures". Effective October 1, 2014, these structures are mandated by the state to be treated as an accessory use in all residential zoning districts. These structures shall not require Special/Conditional Use Permit approval.

Ms. Paylor asked if these would be permitted in association with a group home, or simply one impaired person. They would only be permitted on lots with a primary dwelling unit.

Mr. Hammerbacher stated that subdivision covenants established by a Homeowners Association could prevent the ADUs from being installed.

Ms. Paylor wanted clarification to make sure only one ADU would be permitted per lot. That is the case.

Mr. Sledge made the motion to approve the text amendments as presented, seconded by Ms. Paylor. The motion was passed unanimously.

4. In other business, Mr. Hammerbacher confirmed that permit activity is steady and even increasing. At this time, no December Planning Board meeting is expected.

Mr. Wallace thanked staff for the excellent preparation for the meeting, and the board members in attendance for helping to ensure a quorum.

With there being no further business before the Planning Board, Mr. Wallace adjourned the meeting at 8:00 P.M.

William Wallace – Chairman
Franklin County Planning Board

Kevin Lewis – Clerk
Franklin County Planning Board