

Chair
Ray Cobb
Planning Director
Tonya Caddle



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
April 13, 2023 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD

AGENDA

Virtual-

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF PLANNING BOARD MINUTES**
 1. March 9, 2023
- IV. PUBLIC COMMENTS***
- V. BOARD/COMMISSIONER RESPONSES**
- VI. NEW BUSINESS**
 1. Article 8 Appendix A- Certificate of Wastewater Disposal Systems permitted by The Authorized On-site Wastewater Evaluator.
- VII. OLD BUSINESS**
 1. Article 6 - Section 6.1.5 Temporary Residence Text Amendment
 2. Minimum Lot Sizes
- VIII. ANNOUNCEMENTS/DISCUSSION**
- IX. ADJOURNMENT**

**Meeting Notes:*

1. *Those wishing to make public comments should sign-in prior to the meeting.*
2. *In order to be fair and ensure that all citizens wishing to speak may be heard, the Chair may place time limits on public comments.*
3. *Any further discussion by the public on a given agenda item is subject to the discretion of the Chair of the Planning Board*

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Members Present

Ray Cobb, *Chair*
Rodney Cheek
Vaughn Willoughby
Anthony Pierce
Stephen Dodson
Bill Poe
Sandy Ellington-Graves
Amie Perkins
Julian Doby
John Paisley, *Commissioner liaison*

Members Absent

Blake Cobb
Arthur Hall
Eric McPherson
Ernest Bare

Staff Present

Tonya Caddle, *Planning Director*
Ian Shannon, *Planner I*
Rik Stevens, *County Attorney*
Brian Baker, *Assistant County Manager*
Rob Snow, *Environmental Health Program Specialist*

I. CALL TO ORDER

Called to order at 7:01PM

II. ROLL CALL

Staff handled roll call through in-person roster.

III. APPROVAL OF PLANNING BOARD MINUTES

1. October 13, 2023
2. January 12, 2023

Motion to accept: Sandy Ellington-Graves

Second: Rodney Cheek

Vote: Unanimous

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May 9, 2023 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD AGENDA

IV. PUBLIC COMMENTS*

V. BOARD/COMMISSIONER RESPONSES

VI. NEW BUSINESS

1. UDO Temporary Residences Text Amendment

Tonya Caddle gave an overview of the proposed amendment change, which would allow for the application of a temporary residence permit for a landowner to place a travel trailer or RV on their land for a period of time. She emphasized the growing need for this kind of residence option in the county. The Planning Board started their discussion on potential options for the length of the permit and potential renewal options. Under the proposed amendment language, the permit would last for 12 months or within 30 days of the receipt of a certificate of occupancy for a primary residence under construction, whichever comes first.

The Planning Board discussed ideas for extending the permit and/or allowing for renewal options tied to the construction of a primary residence. Rik Oakley, the county attorney, clarified with Tonya that the intent was to limit the amount of time RV's could be on a lot to prevent RV's from becoming permanent residences and aligning the permit with construction was part of the intent of the amendment.

The Planning Board also discussed the idea of adding a clause for emergency or disaster-related situations for temporary residences. The discussion moved back to the time limit on the permit, with the idea of requiring inspections being raised as well. Rik informed the board that no action was required at this moment and the board decided to let staff work on a few different options for the amendment language to present at the next meeting.

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May 9, 2023 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD AGENDA

Motion for staff to work on revisions and present options for the Planning Board to consider at the next meeting: Vaughn Willoughby

Second: Rodney Cheek

Vote: Unanimous

Brian Baker introduced himself to the board as the new Assistant County Manager over Planning and mentioned that there was enforcement from the state and that would give some time for the county to work on this amendment.

VII. OLD BUSINESS

1. Minimum Lot Sizes

The Planning Board continued their discussion on changes to the county's minimum lot sizes. The general consensus of these proposed changes is to preserve the rural integrity and character of the county, protect resources such as farmland and water, and have better control over growing residential development in the county. A few options were discussed, revolving around the idea of a progressive lot size system. This progressive system proposed by Rodney Cheek would also be tied to the parent tract of land, which would limit the overall number of lots/subdivisions that a parent tract could create. John Paisley was asked what the Commissioners' opinion on this was, and John told the board that he was in favor of having larger lots like the Planning Board. It was brought up that tracking and limiting subdivisions based on the parent tract of land would change how the sale of land occurs in the county.

Ray Cobb reiterated on the necessity of a change like this, how the current minimum lot size of 30,000 square feet was not adequate for septic systems. He stated that the Planning Board was not trying to prevent people from living in the county but needed to be practical about the lot size minimums since it is incredibly difficult to repair septic systems on smaller lots. Questions were raised by Vaughn Willoughby and Sandy

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Ellington-Graves over how this would impact pricing on land and if that would limit affordable land/housing in the county. Anthony Pierce raised concerns over environmental protection and ensuring that citizens have access to reliable water resources and Vaughn Willoughby stressed the importance of farmland preservation since North Carolina is currently 2nd in the country for farmland loss.

Discussion continued over these proposed changes and how best the county could balance protecting the land and resources while also making sure landowners still had property rights to divide or develop their land as they see fit. A few proposed and current subdivisions were brought up to talk about density and lot sizes. A few members of the board agreed that increasing the minimum lot size to 1 acre seemed reasonable to help accomplish this. Tonya asked what provisions should be included for community well or septic and there was some discussion on off-site septic as well. The Planning Board decided to table the discussion until the next month's meeting so that some other options could be proposed and discussed. A question was raised on cluster development and Tonya explained that cluster developments that allowed for smaller and closer lots in exchange for preserved open space were currently only possible in Balance of Watershed areas under current ordinance.

VIII. ANNOUNCEMENTS/DISCUSSION

IX. ADJOURNMENT

Motion: Vaughn Willoughby
Second: Rodney Cheek
Vote: Unanimous
Adjourned at 9:07 pm

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Alamance County

PLANNING DEPARTMENT
201 W Elm St
Graham, NC 27253
Tel. (336) 570-4053

INFORMATIONAL MEMORANDUM

TO: Ray Cobb, Chair, Alamance County Planning Board
Alamance County Planning Board

FROM: Tonya Caddle, Director of Planning and Inspections

DATE: April 5, 2023

SUBJECT: Appendix A Plat Certificate Text Amendment

The Alamance County Planning Department has received updated language regarding Wastewater Disposal Systems permitted by the Authorized On-site Wastewater Evaluator. Article 8 Appendix A is the list of certificates for final plats with the County. With changes to Wastewater Disposal Systems, the below certificate is requested for addition to the Unified Development Ordinance for use by the Alamance County Environmental Health Department for relevant project approvals.

7. Certificate of Wastewater Disposal Systems permitted by The Authorized On-site Wastewater Evaluator.

I hereby certify that lot(s) _____ are approved for subsurface water disposal systems, except as noted on the plat, subject to issuance of a Notice of Intent to Construct by the Authorized On-site Wastewater Evaluator.

Health Director or Deputy

Date

This text amendment is up for discussion at the regularly scheduled Planning Board meeting on April 13, 2023. At that time the Board may vote on the certificate amendment.

As always, if you have questions, please let me know.

Thank you.

Vision: The Planning Board works to provide prudent guidance in land planning issues to reflect the values of the community.

Mission: The Mission of the Alamance County Planning Board is to respond to needs of its citizens by providing leadership and guidance for the comprehensive, thoughtful, and orderly growth and development of our land based upon respect for our rich history, culture, and fairness to our citizens.

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AGENDA ITEM MEMORANDUM

FROM: Tonya Caddle, Director of Planning and Inspections

DATE: April 5, 2023

SUBJECT: Consistency Statement for text amendments to the Unified Development Ordinance Amendment

The Alamance County Planning Board hereby finds that the proposed amendments to the Alamance County Unified Development Ordinance are consistent with the Alamance County Land Development Plan, as adopted.

Specifically, the Alamance County Planning Board finds that the Alamance County Land Development Plan directs the County:

- ❖ To promote flexibility in development ordinances.
- ❖ To develop conscious strategies for proactively managing the type of growth that is consistent with the county's overall vision and goals.

Furthermore, the Planning Board finds that the proposed amendments are necessary to remove ambiguous and conflicting language within the existing ordinance.

Therefore, the Alamance County Planning Board recommends approval of the proposed amendments to the Alamance County Unified Development Ordinance.

This the 13th day of April, 2023.

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INFORMATIONAL MEMORANDUM

TO: Ray Cobb, Chair, Alamance County Planning Board
Alamance County Planning Board

FROM: Tonya Caddle, Director of Planning and Inspections

DATE: April 3, 2023

SUBJECT: Temporary Residences Text Amendment

The Alamance County Planning Department has received concerns about the current language for temporary residences in the County. The Alamance County Unified Development Ordinance (UDO) provides language in section 6.1.5 currently allowing the use of a travel trailer as temporary residence when a permanent home on a property has been destroyed through no fault of the owner or tenant.

This language was created during the approval of the first UDO for the County in 2021. County staff along with the Alamance County legal department have updated the language below following discussions from the March 2023 Planning Board meeting:

6.1.5 TEMPORARY RESIDENCES

Language To be removed- ~~Language to be removed~~ Language to be added

~~Temporary use of a manufactured home or travel trailer as a residence shall be permitted in cases where the permanent home has been destroyed through no fault of the owner or tenant. A temporary housing permit must be obtained from the planning staff before the use of the manufactured home or travel trailer is initiated. Such temporary housing permit shall be valid for a specified period of time, not to exceed 12 months, while reconstruction takes place, and may be renewed no more than once. The unit must be removed within 30 days after receipt of the certificate of occupancy for the newly constructed unit. All temporary housing must conform to the standards in chapter 26, article II, "Flood damage prevention ordinance" and shall tie into existing water and sewer services for the principal residence on the lot.~~

6.1.5 TEMPORARY RESIDENCES

Temporary use of a manufactured home or travel trailer as a temporary residence shall be permitted only as outlined below:

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- A. Manufactured homes used for this purpose must be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance.
- B. Travel trailers and RVs used as temporary residences for a period of more than 30 days must be permitted by the Planning Department. A temporary residences permit, which shall be conspicuously affixed to the travel trailer or RV, shall be issued by the Planning Department and valid for the below periods of time.
- a. If used as a supplementary residence in addition to a permanent residential dwelling on the property, for up to 12 months.
 - b. If used as a temporary residence based on a bona fide emergency which has made permanent residential dwelling units on a parcel unsuitable for habitation, for up to 12 months with the option of permit renewal for additional 12-month periods by the Planning Department. Use of the travel trailer or RV as a temporary residence must cease within 30 days of receipt of a certificate of occupancy for the permanent residential dwelling unit.
 - c. If used as a temporary residence during the course of renovation or construction on the permanent residential dwelling units on a parcel, for up to 12 months with the option of permit renewal for additional 6-month periods by the Planning Department. Use of the travel trailer or RV as a temporary residence must cease within 30 days of receipt of a certificate of occupancy for the permanent residential dwelling unit.

All temporary residences permitted under this section must conform to the standards in Chapter 26, Article II, "Flood damage prevention ordinance" and shall tie into properly-permitted water, electrical, and septic/sewer services on the property. Use of the travel trailer or RV as temporary housing must cease within 30 days of receipt of a certificate of occupancy for the primary housing unit.

This text amendment is up for was discussion at the regularly scheduled Planning Board meeting on April 13, 2023. At that time the Board may vote on the temporary residence amendment.

As always, if you have questions, please let me know.

Thank you.

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- ❖ To develop conscious strategies for proactively managing the type of growth that is consistent with the county's overall vision and goals.

Furthermore, the Planning Board finds that the proposed amendments are necessary to remove ambiguous and conflicting language within the existing ordinance.

Therefore, the Alamance County Planning Board recommends approval of the proposed amendments to the Alamance County Unified Development Ordinance.

This the 13th day of April, 2023.

LOT SIZE MINIMUMS

TO: Alamance County Planning Board

FROM: Tonya Caddle, Planning and Inspections Director

DATE: June 2, 2022

Following you will find the existing ordinance language that regulates lot size as detailed in the Alamance County Unified Development Ordinance. For discussion purposes, we have included all language that applies to lot size, not simply those found in the subdivision section. This information is being presented for consideration at the June 9, 2022 the Planning Board meeting.

1. Heavy Industrial Development Standards

6.5.3 REGULATIONS AND STANDARDS

Prior to issuance of any permit under this section, the regulated land use must demonstrate compliance with the applicable regulations and standards imposed.

Classification	Minimum Lot Size	Building Height	Land Use Spacing	Operations Setback	Stream Setback
Class I	10 acres	40 feet	--	150 feet	100 feet
Class II	10 acres	40 feet	150 feet	150 feet	100 feet
Class III	40 acres	40 feet	1200 feet	500 feet	100 feet

2. Solar Energy Systems Standards

6.8.2.A. Minimum Lot Size

No SES shall be situated on a tract of land less than ten (10) acres in size. Multiple parcels of land may be joined together to comprise the tract of the SES, but all parcels so joined must be contiguous and under the ownership and/or control of the same person or corporation at the time of application.

3. Subdivision Standards

6.9.4.E.i. Private Roads

Private roads may be allowed in any development in which a tract of land is divided into no more than fourteen (14) parcels along the private road and each parcel shall not be less than one (1) acre in size...

6.9.4.G.v.b) Marginal Land

Land subject to flooding or land which may aggravate the flood hazard or increase the danger to life or property if developed, and land uninhabitable for other reasons, shall not be considered in determining the minimum lot area or maximum lot depth as herein specified.

6.9.4.G.x. Minimum Lot Area for Residential Lots

Minimum lot area for residential lots with on-site facilities shall be determined by the result of soil analysis and investigations, and other appropriate criteria test, but in no case shall a lot with on-site systems be smaller than specified below:

Watershed Critical Area (WCA)*

<u><i>Facility Provided</i></u>	<u><i>Minimum Lot Size</i></u>
<i>Septic System & Well</i>	<i>2 acres</i>
<i>Public Water & Sewer</i>	<i>2 acres</i>

Balance of Watershed (BOW)*

<u><i>Facility Provided</i></u>	<u><i>Minimum Lot Size</i></u>
<i>Septic System & Well</i>	<i>1 acre</i>
<i>Public Water & Sewer</i>	<i>1 acre</i>

Non-Watershed Areas (NWA)*

<u><i>Facility Provided</i></u>	<u><i>Minimum Lot Size</i></u>
<i>Septic System & Well</i>	<i>30,000 sq. ft.</i>
<i>Community/Public Water & Septic System</i>	<i>20,000 sq. ft.</i>
<i>Community/Public Sewer & Well</i>	<i>10,000 sq. ft.</i>
<i>Community/Public Water & Sewer</i>	<i>8,000 sq. ft.</i>

**NOTE: Additional acreage may be required by the Alamance County Health Department.*

On lots which are not suitable for on-site subsurface wastewater systems for individual dwelling units or other uses, off-site disposal systems may be approved by the Health Department. Off-site systems may be provided by the use of easements or ownership of land designated for subsurface wastewater systems. A sewage easement of a minimum width of twenty feet (20') in width must be provided between the house location and the designated system area. Minimum easement area sizes for property utilizing off-site disposal systems shall be no smaller than 5,000 sq. ft. Additional area may be required by the Alamance County Health Department.

6.9.4.G. xi. Minimum Lot Area for Non-Residential Lots

Minimum lot area for non-residential lots shall at a minimum meet the standards set out above for lots in 6.9.4.G.x above.

4. Exclusive Access Easement Specifications

Appendix N Specifications for Exclusive Access Easements

c) Minimum lot size shall be 1 acre

