

Board Chair:
Rodney Cheek

Planning Director:
Matthew Hoagland



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
June 13, 2024 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD MINUTES

Virtual-

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

Members Present

Rodney Cheek
Vaughn Willoughby
Anthony Pierce
Henry Vines
Stephen Dodson
Bill Poe
Lee Isley
Amie Perkins

Members Absent

Ernest Bare
John Paisley

Staff Present

Matthew Hoagland, *Planning Director*
Ian Shannon, *Planner II*
Brian Baker, *Assistant County Manager*
Rik Stevens, *County Attorney*
Michelle Horn, *Assistant County Attorney*
Rob Snow, *Environmental Health Program Specialist*
Ryan Langley, *Environmental Health Program Specialist*

I. CALL TO ORDER

Called to order at 7:00pm

II. ROLL CALL

Staff handled roll call through in-person roster.

III. APPROVAL OF PLANNING BOARD MINUTES

1. May 9, 2024 Regular Meeting

Motion to Accept: Henry Vines
Second: Anthony Pierce
Vote: Unanimous

IV. PUBLIC COMMENTS*

(Designated time for Subdivision Ordinance Public Input Session)

Jeff Throneburg: Jeff mentioned that he has shown up for the past 2 months of discussion and wanted to recap some of what the board had been told. He mentioned the information Wilson Mize had provided about how unlikely cross-contamination was with individual septic systems. He also brought up the numbers he had presented last month on the cost of land and housing and how that compared to median income. He told the board that he had heard a lot

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from them about protecting the integrity of the county but they needed to protect the integrity of the citizens. If they can't afford to live in the county they will go elsewhere. He encouraged the board to keep the greater good in mind and protect the citizens of the county.

Rick Murry: Rick introduced himself as a custom home builder and secretary of the Homebuilder's Association. He told the board that he did not want to see lifelong residents moving because of the cost of land or being limited to what they could do with their land.

Rodney Garrison: Rodney introduced himself as a lifelong resident whose family had been in the county since 1865. He mentioned that he has seen the growth in the county as a well contractor. He said with house prices and property taxes he would not have been able to build his current home. He urged the board to work towards thoughtful and orderly growth with respect to the citizens of the county. He said that does not want to see the county sacrifice on the county and the environmental impact with growth moving out into rural areas.

Marlow Countis: Marlow told the board that he would like to see no change with lot sizes. He said that the current minimum is a minimum, not the average. He told the board that he had not heard one solid reason for the change. The water table wasn't an issue, there are backup fields for septic systems. He told the board that increases to lot sizes would negatively impact development and the biggest issue is affordability. He told the board that they were doing this just because they did not like development.

Kristin Foust: Kristen told the board that growth was coming and they needed to work with it instead of trying to stop it. She said the increase from 30,000sqft to 2 acres was astounding and that 1 acre would be much more reasonable. She said that the board needed to have a roundtable discussion with community members to come to a good conclusion for everyone.

Chris Foust: Chris said that the 2 acre change is one of the worst ways to preserve farmland. He told the board that all that would do is just increase the amount of land being taken from the farm with a subdivision. He said that the cluster option was good but was doubtful that the board would actually pass that. With 2 acres, a development would just eat up more land than it needs.

Rob Countis: Rob said that he had previously served on the board and was now a director of AKG which is a big employer in the county. He said that the county had a healthy economy and in order to recruit good employees there needed to be good housing for those employees. He said affordability was a major concern. He also told the board that he was also a licensed real estate broker and preserving property rights for owners was also a major concern.

Jerry Cooper: Jerry Read the Planning Department mission statement to the board which pledged to provide professional advice and expertise to boards, elected officials, and citizens. He said that this mission statement had been ignored as well as advice from numerous experts and speakers. He told the board that the plan would make the county less affordable and decrease economic opportunity and could be considered socioeconomic discrimination.

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V. BOARD/COMMISSIONER RESPONSES

None at this time.

VI. OLD BUSINESS

1. Consideration of UDO Article 6.9 Subdivision Ordinance Amendments

Matthew outlined the requested changes to the amendment before opening it up to board discussion. Lee Isley asked about the 1-year limit on family subdivisions. Matthew said that they wanted some form of exception for family subdivisions but did not want to allow the rules to be bent too much. The 4-lot limit was mainly due to private road standards as well. He told the board that this could be changed or minor subdivisions could be considered exempt as well if the board wanted. There was some more discussion on the family subdivision option and how best to classify those. It was determined that with road standards there was really no need to limit them to 4 lots at a time. It was also brought up that if lots were sold outside the family then they would need to come under other regulation after that.

Stephen told the board he felt like the family option was just a band-aid to make the 2 lot requirement easier to digest and that if it weren't for the 2 acres they wouldn't be discussing this now. Rik told the board that they can definitely consider adding this exception but encouraged them to make sure it did not become larger than the rule itself. He also answered a question about the current exception for wills and active estates. He told the board that all this was doing was allowing an exempt family subdivision before the death of the family member.

Amie brought up stormwater plans and if there was any mechanism in the UDO to ensure maintenance of those. Matthew said that the presented amendments weren't too far from what was in the UDO already, that stormwater plans were required during construction plan review, but the Planning Department did not have staff or funding to ensure maintenance. He said that they relied on engineer's certificates and approval from NCDEQ. Amie mentioned that you usually do not hear anything about stormwater until it becomes a problem for other properties. She suggested that there needed to be something in place to verify that those systems go in as approved in their design. Stephen mentioned that because there was no current requirement the county did not have the staff and referred to the state for approvals here.

Motion to accept the draft as presented: Henry Vines

Stephen said that there should be more general discussion first and made a motion to open up the meeting for more discussion first.

Vaughn seconded Stephen's motion and Henry rescinded his motion to vote.

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Vote on Stephen's motion: unanimous.

Anthony asked about the section on unnecessary hardships and Mathew answered that those requirements came from general statute. The reason the word zoning was used is because statute uses zoning and land use regulation interchangeably.

Bill brought up the pie charts from Environmental Health and Planning for approved lot sizes. He pointed out that almost half of those lots were under 1 acre. Ryan told the board that a lot of lots are created before they get to Environmental Health based on what the developer wants or knows they can do so the numbers are not entirely from what would accommodate septic. Matthew mentioned that cluster subdivisions would be using off-site septic and that the board could approve something in between with the special use permit option.

Lee shared his concern with the board over the 2- acre proposal. He was mainly concerned with affordability and accessibility of housing. He said that personally he would like to see a 2-acre minimum but that would not be best for the county. He said that from looking at the issue with a wider perspective the 2-acre minimum would not achieve the goals that the board has with conservation. Amie added that housing is not affordable now, and it still won't be with the 2-acre minimum. She told the board that demand is so much greater than supply that changing to 2 acres would have a minimal effect. She told the board that there was a bigger issue here with housing and that in order to really shift things with affordability they would have to look at really dense property use.

Stephen told the board that the problem they were trying to solve was targeting high intensity developers without impacting smaller developers and families. He added that it was not an effective measure without zoning and asked if some kind of timeframe could be put into place. Matthew told the board that other recommendations could always be made to the commissioners but if zoning were adopted subdivision standards would stay in place until changed later. He added that there couldn't be a sunset policy on the amendment as well, the board would have to make other recommendations to adopt something else down the line.

Henry talked about how people moved to the county because they wanted space and that this would not impact the sale of land since land is a set supply. He said that whenever land comes up for sale whoever has money will buy it. Bill asked about the family exception potentially being a part of the hybrid subdivision option. Matthew said that the hybrid option was considered a major subdivision and the family exception would only apply to minor subdivisions. Lee asked for some clarification on the overall hybrid subdivision process. Matthew told the board that a subdivision that is not at 2 acres or a cluster would first go through the Planning Department for preliminary and TRC review and would then go to the Planning Board for a special use permit before they submitted construction plans. It would have to be set up in a quasi-judicial process like the Board of Adjustment. This would include notifying any neighbors and allowing testimony from anyone who may have standing in the approval or denial of the subdivision. The board would have to make impartial

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decisions based on the standards of the ordinance and policies the board would have to establish.

There was some more discussion on the 2-acre minimum. Both Stephen and Lee agreed that an increase to 1 acre would be more acceptable and Bill said that he would consider 1.5 acres with caveats for buffers and land spacing. Anthony told the board that the initial reason for this conversation was to look at slowing density. He said that he did not see a 1-acre or even a 2-acre minimum lot size doing that and if it were passed the board would be having this discussion all over again in a few years. He said the only effective tool they really had was zoning and that he did not think this would work to slow density with planned growth.

Motion to accept the amendment with changes that Matthew had outlined: Henry Vines
Second: Bill Poe

Matthew mentioned that a consistency statement would have to be included after the vote.

Voting on the amendment as presented:

Stephen: no
Vaughn: no
Lee: no
Anthony: no
Amie: yes
Henry: yes
Bill: yes
Rodney: yes

The motion fails due to a lack of a majority vote.

Motion to table the amendment until next month: Amie Perkins.

Matthew recommended looking at this in 2 parts and bringing back the technical cleanup with the rest of 6.9. He told the board that a new land use plan would be needed after this whole process and at that point it may be a good idea to look at zoning or something else for the county.

Motion to table does not pass.

Motion to discuss 6.1 and 6.2 during next month's meeting: Lee Isley
Second: Anthony Pierce
Vote: Unanimous

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Amie Perkins requested some information on the number of new permits for homes in the county and in the municipalities as well as the resale of homes.

VII. NEW BUSINESS

1. Consideration of Clarifying UDO Article 6.1 Amendments
2. Consideration of Clarifying UDO Article 6.2 Amendments

VIII. ANNOUNCEMENTS/DISCUSSION

None at this time.

IX. ADJOURNMENT

Motion: Anthony Pierce
Second: Stephen Dodson
Vote: Unanimous

Adjourned at 9:14 pm.