

Board Chair:
Rodney Cheek

Planning Director:
Matthew Hoagland



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
February 12, 2026 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD AGENDA

Livestream: <https://tinyurl.com/22kb3exe>

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF PLANNING BOARD MINUTES**
January 8, 2026 Regular Meeting
- IV. PUBLIC COMMENTS***
- V. BOARD/COMMISSIONER RESPONSES**
- VI. OLD BUSINESS***
 1. Second Consideration of UDO Article 6.12 Amendments
 2. Second Consideration of UDO Article 6.13 Amendments
- VII. NEW BUSINESS**
 1. Consideration of Draft UDO Article 6.14 Amendments
 2. Consideration of Draft UDO Article 7 Amendments
- VIII. ANNOUNCEMENTS/DISCUSSION**
- IX. ADJOURNMENT**

****Meeting Notes:***

(Public Comments)

- 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*

(Old Business)

- 1. The Phillippie LCID Landfill Intent-to-Construct Permit application was voluntarily withdrawn by the applicant.*

Board Chair:
Rodney Cheek

Planning Director:
Matthew Hoagland



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
January 8, 2026 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD AGENDA

Livestream: <https://tinyurl.com/22kb3exe>

Present: Rodney Cheek, Amie Perkins, Stephen Dodson, Lee Isley, Lee Kimrey, Ernest Bare, Henry Chandler, Richard Tom King

Absent: Mac Jordan

Staff Present: Planning Director Matthew Hoagland, Planner 1: Keyshawn Haith, Assistant County Manager Brian Baker, County Attorney Rik Stevens, Assistant County Attorney Michelle Horn, Assistant County Attorney Kwame Opata.

I. CALL TO ORDER

Planning Director Matthew Hoagland called the meeting to order at 7:00 p.m. and welcomed everyone in attendance. He stated that the January meeting of each year serves as the board's organizational meeting in which they elect offices and approve the year's calendar.

II. OATHS OF OFFICE

1. Lee Kimrey

Mr. Hoagland explained that North Carolina law requires Planning Board members to take an Oath of Office prior to entering upon their official duties. He noted that Mr. Lee Kimrey was our only new member begging a term at tonight's meeting. Mr. Kimrey had his oath administered by Assistant County Attorney Michelle Horn.

III. ROLL CALL

Mr. Hoagland noted that eight of nine members were present, which is more than enough to conduct official business.

IV. ELECTION OF CHAIR AND VICE CHAIR

Mr. Hoagland explained that he would oversee the election of chair as Planning Director and indicated that once elected, the new chair would preside over the remainder of the meeting. He then asked for any nominations for chair of the Planning Board for the 2026 term.

Mr. Chandler made a motion to nominate Rodney Cheek to serve as chair. That nomination was seconded by Mr. Isley. Mr. Hoagland asked if there were any other nominations for chair. Hearing none, Mr. Hoagland asked for a vote. Mr. Cheek was approved unanimously.

Mr. Cheek then asked for nominations for the position of vice chair. Mr. Bare nominated Lee Isley and it was seconded by Mr. Dodson. Hearing no additional nominations, Mr. Cheek asked for the vote and the board voted unanimously to elect Mr. Isley as vice chair.

V. APPROVAL OF PLANNING BOARD MINUTES

November 13, 2025 Regular Meeting

The Board reviewed the minutes from the previous meeting and the following corrections were noted:

- A clarification regarding audio and video synchronization issues during the meeting recording.
- Mac Jordan should be listed as absent.

A motion to approve was then made by Mr. Dodson, seconded by Mr. Chandler and approved unanimously.

Mr. Bare then made a motion to move everything under the heading of “Old Business” to the next item on the agenda ahead of “Public Comments.” Mr. Bare’s motion died for lack of a second.

VI. PUBLIC COMMENTS*

Chairman Cheek opened the public comment period and advised speakers that the three minute time limits would be enforced to ensure fairness.

Deborah Klar stated that she and her husband reside at 4515 Regulator Drive and expressed strong opposition to additional Land Clearing and Inert Debris (LCID) landfills in Alamance County. She recommended a temporary moratorium on new LCID permits to allow for data collection and review, including current capacity, fill rates, projected closure dates, and expansion potential. She suggested capacity limits, a special zoning ordinance for LCID facilities, original tracking requirements, additional fees for debris originating outside the county, and limits on soil removal. She also questioned site access modifications and whether regulatory requirements had been met.

Bob Hornik identified himself as an attorney with the Brough Law Firm in Chapel Hill here representing the Kirkpatrick Family and various other residents in the area. Mr. Hornick acknowledged the document he sent to the Planning Board prior to the meeting and urged denial of the application based on alleged noncompliance with UDO Section 6.5.3(F), asserting that the facility does not directly access a state-maintained road. He also raised concerns about visual impacts when the mound is complete and filled. He finally noted that there has been prior site

activity on the property without a county permit for about the last year or so. He encouraged the Planning Board to deny the permit based on these reasons.

Betty Slade said she has lived in the area for 48 years and that every day now is a nightmare. She described impacts from truck traffic, noise, dust, soot, and air quality. She said the property is already operating without a permit. Finally, she expressed concerns about health effects, road conditions, and quality of life and urged denial of the application.

Robin Hart spoke for herself and on behalf of her husband in opposition, emphasizing concerns about water quality, air quality, noise, and quality of life. She urged the board to add restrictions if possible and to consider the long-term impacts on residents.

Henry Vines thanked the board for the time he was allowed to serve on the Planning Board. He noted that he is running for county commission and that if elected then the Planning Board will have a voice on that board. He expressed opposition to the landfill, citing concerns about compliance with the UDO, long-term responsibility for landfill sites, and the number of LCID facilities in the county.

Sherry Ford introduced herself and said she lives along NC Highway 62 in the Village of Alamance: Ms. Ford expressed concern about truck traffic through the Village of Alamance and questioned why Alamance County should accept debris from other jurisdictions. She emphasized the need for zoning protections.

Bob Chatham, who lives in the Millstone neighborhood, stated that he attended the meeting to support nearby residents and opposed the landfill.

Calandra Salo said she lives on Jacks Creek Trail. She spoke about the importance of fairness, long-term planning, and mitigation of future impacts. She urged the Board to consider safeguards for residents and community growth. She said that she and her husband recently moved to Alamance County from Massachusetts and didn't even think to check the zoning. She encouraged the board to think about what rules they could put in place now to protect residents from these types of issues moving forward.

Larry Salo identified himself as a resident of Jacks Creek as well. Mr. Salo suggested alternative locations for landfill operations, possibly provided by the City of Burlington, away from residential areas and raised concerns about potential legal exposure if the application were approved.

VII. BOARD/COMMISSIONER RESPONSES

Chairman Cheek said that public comments have concluded and asked if anyone had anything they would like to add. Mr. Kimrey said he did have a follow-up question and asked Mr. Hoagland about the existence of the private road leading to the proposed landfill site.

Mr. Hoagland said that in the Planning Department's analysis this is not a private road. There are three address points on the road and they're all labeled as Clapp Mill Road properties. He said if

this were a private road then they would not deem the application complete and allow it to move forward.

Mr. Hoagland explained that he had been in conversation with the county's GIS staff and referenced the county's addressing ordinance. Specifically, Section 2.2 requires that streets be named when they meet the minimum standard of serving three households and being at least 200 feet in length. This driveway meets that standard and was likely addressed for 911 purposes in case there's an emergency and the responders need to identify it for such purposes. He said, however, that does not put it into the category of a private road through the eyes of the Subdivision Ordinance or even a non-conforming private road.

In particular, Mr. Hoagland explained that for a road to be seen as an existing non-conforming private road, it must meet the definition of such in the ordinance and be identified as a road on the county's 1974 aerial maps. When Planning staff investigated those 1974 maps, the driveway was labeled 4115 Clapp Mill Road, the exact same as it is today. He concluded by saying that the research and evidence led the Planning Department to believe this is simply a driveway coming off of Clapp Mill Road and not its own private road.

Mr. Kimrey then asked about the neighbors concerns for trucks on Clapp Mill Road and the results of the traffic analysis. Mr. Hoagland said that he had the traffic analysis as part of his staff report which he plans to present to the board momentarily.

There was some minor commentary from Mr. Bare, Mr. Hoagland, and Attorney Bob Hornick about whether or not this constituted a private road. Mr. Hoagland mentioned that the required NCDOT Driveway Permit was for the connection to Clapp Mill Road, but Mr. Hornick responded that the proposed site does not have any frontage on Clapp Mill Road. Mrs. Perkins interjected with a point of order that they get back to the agenda and allow staff to present their report on the status of the permit application.

Chairman Cheek acknowledged the point of order and asked Mr. Hoagland if he was ready for the Old Business items.

VIII. OLD BUSINESS

1. Phillippie LCID Landfill Intent-to-Construct Permit (continued from Nov. 2025)

Mr. Hoagland then presented the following report:

“Planning Board members, during your November 13, 2025 meeting, you requested further information regarding four specific items found to be deficient with the initial Intent-to-Construct Permit application for the proposed Phillippie LCID Landfill at 4115 Clapp Mill Road, Burlington. items were:

- 1) An incomplete traffic impact analysis based on the requirement that places such a burden upon the industry being regulated by the ordinance.
- 2) A plan to re-plant vegetation in the operations setback buffer once the temporary sediment basin is no longer in operation.

- 3) A determination of any wetlands or woody swamps to be part of the Operations Area as defined by the Army Corps of Engineers.
- 4) A ceasing of construction activities until a decision is made on the Intent-to-Construct Permit.

The board also asked that I transmit this in writing to the applicant which I did in a letter dated November 14, 2025. That letter is included in your agenda packet. In order to satisfy this request, the applicant submitted the following information which is also included in your agenda packet:

- 1) A Trip Generation Estimate Analysis
- 2) A revised site plan with Operational Buffer Restoration Planting Plan
- 3) And a memorandum from Wetland Solutions, LLC

Finally, the applicant also requested a site inspection to be conducted by Alamance County Planning Department staff to verify a ceasing of construction activities. We conducted this site visit on December 16, 2025 and I have included a memo summarizing that visit in your agenda packet as well.

Please allow me to briefly elaborate on each of the items submitted to satisfy the Planning Board's request, beginning with...

Item 1, the Traffic Analysis.

Please note that I plan to give you a somewhat detailed summary overview. If you have more in-depth questions for the engineers involved in this project, they are on hand to answer them.

Section 6.5.3.F of the Unified Development Ordinance requires that "All industries regulated by this section shall be required to demonstrate if their heavy industrial use would create an amount of traffic (in terms of vehicle trips per day) that would push the roads by which the industry is gaining access over its practical carrying capacity as defined by the North Carolina Department of Transportation (N.C.D.O.T.)." The same section goes on to require that you use the Institute of Transportation Engineers' "Trip Generation Manual" to determine the average number of daily trips generated by the proposed industry. Further, it requires that the "regulated industry shall add these projected daily vehicle trips to the most recent traffic counts performed by N.C.D.O.T. for the surrounding road network."

My letter asked that the applicant conduct this analysis and determine if the proposed development will exceed the carrying capacity of the road which accesses the property. In this case that would be Clapp Mill Road (State Road Number 1129).

In their response, Wilson Engineering Group stated that they consulted tables from the Institute of Transportation Engineers' Trip Generation Manual. Those tables include use types like institutional, retail, and service industries, for example, but do not include LCID landfills. When a use type is not found in these tables, the Trip Generation Manual recommends finding the closest similar land use and using similar site-specific data to develop trip rate estimates.

Wilson Engineering Group identified the LCID Landfill at 4301 Kimesville Road, Burlington,

located within ½ aerial mile, as a similar use to conduct their analysis. They analyzed factors like the 7-acre operations area and the average 400 cubic yards of debris delivered each week. This analysis yielded an average estimated 53.3 dump truck trips per week or 9.7 average trips per day.

These same factors were used to analyze the potential 55-acre operations area of the proposed LCID Landfill on Clapp Mill Road. The resultant calculation here yielded an estimated 76.2 truck trips per day, a factor increase of 7.86 times that of the Kimesville Road location.

Wilson Engineering also used NCDOT and Federal Highway Administration materials to estimate a current usage of 600 vehicles per day on Clapp Mill Road. When adding the estimated 76.2 trucks per day, they estimate a total of roughly 677 vehicles per day. Meanwhile, the level or service table D that they used from NCDOT indicates a carrying capacity of 14,300 vehicle trips per day for roads of this type.

With a carrying capacity of 14,300 being over the anticipated 677 vehicle trips per day, the engineers state that their professional opinion is that the new LCID Landfill will not push the road over its practical carrying capacity.

Item 2: Temporary Sediment Basin Replanting

The Planning Board noted that there are plans for a “temporary sediment basin” inside the boundary of the 150-foot area of operations buffer. Section 6.5.3.E of our ordinance states that “No area of operations or internal roadways may be located within the operations setback area. Vegetative screening and fencing are allowed by right. Other design elements may be located within the operations setback when required as a condition of other local, state or federal permits or regulations.

My letter asked the applicant to include a plan to replant a vegetative buffer in this area once the temporary sediment basin is no longer in use or verify that it is required by other local, state or federal permits or regulations.

In their response, Wilson Engineering submitted an amended site plan and Operational Buffer Restoration Planting Plan, dated December 17, 2025, aimed at complying with Section 6.5.3.I of the UDO. For Class 1 uses like LCID Landfills, that section requires a minimum screening width of 50 feet, two staggered rows of plantings, a spacing of 8 to 10 feet on center, plant sizes at 36 to 48 inches in height in seven-gallon containers, and it encourages mixed borders.

Their proposed planting plan, as depicted on Page 4 of this Restoration Plan, indicates that planting will occur immediately following removal and filling of the Temporary Sediment Basin 1. This replanting will include two staggered rows planted on 10-foot centers of the following: Loblolly Pine 60 to 90 feet at mature height; American Holly 40 to 60 feet at mature height; and Sweetgums 60 to 75 feet at mature height. These plantings are to be at least 36 to 48 inches tall in seven-gallon containers and rows shall be spaced apart 10 to 12 feet.

Item 3: Wetlands or Woody Swamps in the Operations Area

In their review, the Planning Board noted that Section 6.5.3.G of the UDO does not allow for “Any area classified as wetlands or woody swamps by the US Army Corp of Engineers” to be part of the Area of Operations. They mentioned that nothing in the application packet made mention of whether or not these wetlands or woody swamps were present.

My letter to the applicant asked that if such wetlands or woody swamps exist in this area of operations, then please amend the existing site plan or submit a new site plan to indicate their location. If there are no such wetlands or woody swamps then please certify that there are not, in writing.

In their response, Wilson Engineering included a memorandum from Adam Carter, Senior Environmental Scientist with Wetland Solutions, LLC. Mr. Cater’s memo states:

“A site investigation and wetland delineation based upon section 404/401 of the Clean Water Act has been conducted for the above referenced property, located at 4115 Clapp Mill Road, Burlington, Alamance County, North Carolina (“site”). The purpose of this investigation was to determine the existence and extent of areas that exhibit the characteristics of jurisdictional wetlands under Section 404 of the Clean Water Act. All wetland investigations were completed in accordance with the 1987 US Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0).”

This report represents my professional opinion that no areas meeting the required criteria for jurisdictional wetlands were observed within the proposed Areas of Operation (Phases I and II) on the project site. While a jurisdictional stream is present on the southern perimeter of the property, neither the stream or the 100-foot stream buffer are located within any of the proposed Operations Areas. The criteria used to assess for jurisdictional wetlands include hydric soils, hydrophytic vegetation and wetland hydrology. We have provided a map of the top of bank delineation for the jurisdictional streams within the project area. As shown on the map, the proposed disturbances are outside of the 100 foot stream buffer.”

Item 4: Ceasing “Construction Activities.”

Finally, the Planning Board requested further information regarding any ongoing “construction activities” in pursuit of the Intent-to-Construct Permit.

Section 6.5.4.B. of the Alamance County Unified Development Ordinance states: “An Intent-to-Construct Industrial Development Permit shall be required before the owner or operator of a regulated industry commences any construction activities.”

Article 7 of the Alamance County Unified Development Ordinance defines “Construction Activities” as follows: “Any studies, investigations, improvements, or other activities undertaken at the site of a proposed regulated industry pertaining to the construction, placement, erection, or establishment of the same, including but not limited to surveys, soil and other environmental tests, clearing and grading, pouring footers or pads, placing building materials or equipment at the site, locating or constructing buildings, structures, or

other improvements, or any other similar activities, except those similar activities constitute operations as defined in this ordinance.”

The applicant requested that Alamance County Planning Department staff conduct a site inspection on Tuesday, December 16, 2025. A site inspection was then conducted by Planning Director Matthew Hoagland and Planner II Jonathan Grace at approximately 2:45 p.m. that day. Applicant Kenneth Phillipie and Caleb Hall from Wilson Engineering Group were also present during this site inspection.

The result of this site inspection was that Alamance County Planning Department staff found no ongoing “construction activities” in pursuit of the Intent-to-Construct Permit to be taking place on the property

This concludes my summary of these four requested items from the November meeting. If you have questions about these, I will be glad to answer them or, again, you may ask the engineers on the project who are on hand tonight.”

Mr. Isley asked clarifying questions regarding the Planning Board’s role, the next steps depending on approval or denial, and the results of the traffic analysis. Mr. Hoagland read from Section 6.9.4.B.3 of the UDO which gives the board the authority to recommend approval of an application or to deny it in writing.

Mrs. Perkins expressed concerns about the interpretation of access requirements, the use and documentation of easements, and whether the site plans clearly reflected property boundaries, buffers, and easements. Mr. Hoagland responded that when they analyzed the application and properties, they did so through the context of the county’s Subdivision Ordinance. This ordinance defines private roads most completely and sets standards for how they’re recognized and constructed. As an example, he pointed out that state law and local subdivision regulations have always exempted larger lots from having to comply with private road standards. Since all lots along the drive are greater than 10 acres, he didn’t think any action by any property owner ever elevated this road into needing to be categorized as a private road. He then relayed similar comments about determining non-conforming private roads as he did earlier in the meeting.

Chairman Cheek recognized Mr. Hornick again to speak briefly. Mr. Hornick reiterated that the ordinance states all facilities regulated by the ordinance must have direct access from a state-maintained road. He again urged the board to deny the permit based on this fact.

Mrs. Perkins again mentioned her concerns with road access. Mr. King asked if property ownership made a difference in determining access to a state-maintained road since Mr. Phillipie owns both properties. Mrs. Perkins spoke again about legal deeded access and whether or not this could count as direct access.

Mr. Isley raised questions about access to the site, specifically whether the landfill complied with the ordinance requirement for access from a state-maintained road. Mr. Hoagland clarified that the ordinance doesn’t say anything about the driveway length to the area of operations of an industrial property. He reiterated that, based on the many factors they considered, the staff didn’t

see that the road access wasn't allowable under the ordinance. Mr. Isley asked if all homes along the drive Clapp Mill Road addresses and Mr. Hoagland confirmed that they all do.

Mr. Dodson asked legal staff about the particulars of the easement from the 1962 deed. He said it seemed to allow for whatever path it needed to take to cross the property.

Mr. Kimrey asked again about the traffic analysis and whether or not the development would "push" the road over its practical carrying capacity. Mr. Hoagland referenced the NCDOT document used in the analysis which gives Clapp Mill Road a capacity of 14,300 vehicles per day. The applicant estimates roughly 677. The rough math would mean more than 13,000 vehicle trips per day could still be accommodated even after the development was in place. Mr. Kimrey asked for further clarification. Mr. Hoagland responded that in this case if the analysis showed that the development would cause the road to carry 14,301 or more vehicles per day then the applicant would be required to conduct an official traffic impact analysis.

Mr. Kimrey then asked about many of the public comments relating to the current operations on the property and asked if Mr. Hoagland could address that. Mr. Hoagland reference their site visit on December 16, 2025 to confirm that no current construction activities were taking place. He then said that, during their site visit, they discussed the paved driveway entrance, the existence of an air curtain incinerator, the crushing of concrete, and a mailbox kiosk for depositing documents. He said that in his conversation with Mr. Phillipie during that site visit, this current activity constitutes commercial activity taking place on the site which should have gone through their Technical Review Committee process when it was first established. In response, Mr. Phillipie then submitted an application, a site plan, paid the application fee and underwent TRC review on Monday, December 29, 2025. He also furnished NCDEQ and NCDOT permits to comply with those state agencies. Mr. Kimrey asked if they had fully complied with everything the county asked for and Mr. Hoagland responded that they had.

Mr. King asked to confirm that they had an existing NCDEQ Air Quality and NCDOT Driveway Permit for the current operations and Mr. Hoagland confirmed that they did.

Mrs. Perkins asked again about various items like fencing limits, lighting, the self-locking gate, neighboring wells, and easements. She continued to express concerns about the details of the application packet but acknowledged she may have missed some things by not being at the November meeting.

Mr. Dodson asked about the overall process and Mr. Hoagland spoke about the staff site visit required in order to confirm that the property would be built out as approved. He also asked about some details on the temporary sediment basin graphic in the site plan and Mr. Hoagland stated that the applicant had already addressed that discrepancy.

Ernest Bare asked whether staff believed the applicant had acted in good faith and complied with existing written regulations. Staff responded that, based on their review, the applicant had met the ordinance standards as written.

Board members then discussed various items related to the temporary sediment basin, documents in the application packet, the site plans, and whether the property has direct access as required by the ordinance.

Chairman Cheek then recognized a lady from the audience who spoke about the dirt road within the property. She said in 1966 it had just one house on it. Until recently, it was not named but had been recently widened. She thinks it is a private road, and they are using it as an entrance to the landfill. She expressed additional concerns about Clapp Mill Road not being able to handle the proposed increase in traffic and more dump trucks.

There was more discussion on various items until Mr. Chandler asked County Attorney Stevens to weigh in on the aspect of it being a private road. Mr. Stevens said that based on what has been presented tonight he does not believe this is a private road. However, he said the questions of whether or not it accesses a state-maintained road is currently before this board to decide.

After some additional discussion on various items, Mrs. Perkins said she could not vote for the current application as presented and would have to see a reorganized set of documents that address each of the elements of the ordinance. She said she would also like some clarification on what constitutes direct access to the road. Mr. Hoagland responded that perhaps that exact question and responsibility is now before the Planning Board and maybe they must answer that question and set that precedent.

Some additional discussion took place, including the possibility of recombining the properties to ensure the landfill property directly connected to Clapp Mill Road. Engineer Jesse Wilson spoke from the audience, addressed a few concerns, and asked if they could address some of the items discussed and do this one more time. Attorney Hornick also spoke from the audience and encouraged the board to vote no.

Mr. Kimrey asked Mr. Hoagland if the applicant altered the property if it would fundamentally change their application. Mr. Hoagland responded that he did not think it would, but he would need to further examine the ordinance to be sure.

Mrs. Perkins made a motion to deny the application based on her concerns regarding compliance and documentation. The motion died for lack of a second.

Mr. Kimrey then made a motion to table consideration of the item until the next meeting and allow the applicant to address the concerns that the board spoke about tonight. County Attorney Stevens cautioned the board that they don't really have the power to condition approval by asking the applicant to submit specific items to them. Their power is more simply to approve or deny so a simple tabling of the issue is more appropriate. Mr. King seconded the motion. The vote on the motion was as follows:

- Yes: Rodney Cheek, Lee Isley, Henry Chandler, Lee Kimrey, Richard Tom King, Stephen Dodson
- No: Amie Perkins, Ernest Bare

Chairman Cheek then stated that the board would take a brief recess. After several minutes, the board reconvened.

Mr. Chandler then made a motion to move all of the draft UDO amendments to the next meeting. It was seconded by Mr. Isley and it was approved unanimously. As a result, all of following New Business items were moved to the next meeting:

IX. NEW BUSINESS

1. Second Consideration of UDO Article 6.12 Amendments
2. Second Consideration of UDO Article 6.13 Amendments

1. Consideration of Draft UDO Article 6.14 Amendments
2. Consideration of Draft UDO Article 7 Amendments

For informational purposes only, Mr. Hoagland explained that the Planning Board had undertaken a concerted effort to update and streamline the UDO and they began that process in January of 2024. The goal is to keep all changes in draft status until the board can take one final vote at which point it would go to the commissioners for one public hearing and final adoption.

X. ANNOUNCEMENTS/DISCUSSION

3. Planning Board 2026 Meeting Calendar

Mr. Hoagland explained that the January meeting serves as the board's organizational meeting and they must adopt a calendar for the upcoming year. Staff brought the proposed 2026 meeting calendar on the screen for all to view. Mr. Isley made a motion to approve the calendar; it was seconded by Mr. Bare and approved unanimously.

1. 2026 Board Photo

Mr. Hoagland informed board members that one of their department goals was to update the department's website, including new pictures of all the boards they work with. He then took a photo of all the board members together.

XI. ADJOURNMENT

Mr. Bare made a motion to adjourn; it was seconded by Mr. Chandler and approved unanimously. The meeting adjourned at 9:40 PM.

PART XII. ABANDONED, JUNKED, AND NUISANCE MOTOR VEHICLES

<u>Section 6.12.1 Jurisdiction and Purpose.....</u>	<u>p. 2</u>
<u>Section 6.12.2 Applicability</u>	<u>p. 2</u>
<u>Section 6.12.3 Exceptions to Applicability</u>	<u>p. 2</u>
<u>Section 6.12.4 Regulation of Junked Motor Vehicles</u>	<u>p. 2</u>
<u>Section 6.12.5 Enforcement Procedures</u>	<u>p. 3</u>
<u>Section 6.12.6 Unlawful Removal of Impounded Vehicle</u>	<u>p. 5</u>
<u>Section 6.12.7 Disposition of Removal Vehicles</u>	<u>p. 5</u>
<u>Section 6.12.8. Automobile Graveyards and Junkyards</u>	<u>p. 5</u>
<u>Section 6.12.9 Stream Buffers</u>	<u>p. 7</u>
<u>Section 6.12.10 Advertisements on Screening</u>	<u>p. 7</u>
<u>Section 6.12.11 Remedies and Penalties for Violation</u>	<u>p. 7</u>
<u>Section 6.12.12 Variance Procedure</u>	<u>p. 8</u>
<u>Section 6.12.13 Appeals Procedure</u>	<u>p. 8</u>

6.12 Abandoned, Junk and Nuisance Motor Vehicle

6.12.1 JURISDICTION AND PURPOSE

This section governs the storage, removal and disposal of abandoned, junked, and nuisance motor vehicles on public grounds and private property that fall within Alamance County's ordinance-making jurisdiction.

The purpose of this section is to preserve the aesthetic quality of, to promote the health and safety of citizens, and to minimize impacts on incompatible uses within Alamance County.

6.12.2 APPLICATION APPLICABILITY

- a) A property owner may store up to three (3) junked motor vehicles, as defined by this ordinance, on a given parcel of land at any time, provided that the vehicle does not pose an immediate threat to public health or create a public safety hazard. ~~Junked motor vehicles shall be kept behind the main structure or house located on the property and shall be covered with a "Car Cover", as defined by this ordinance, or with a heavy canvass covering that is properly secured. However, it shall be unlawful for the registered owner or person entitled to possession of a motor vehicle to cause or allow such vehicle to become a hazard to the public health, safety, or welfare.~~

6.12.3 EXCEPTIONS TO APPLICABILITY

- a) This Ordinance does not apply to any vehicle in an enclosed building, or roofed shelter, or to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, such as in the case of a bona fide automobile graveyard or junkyard.
- b) Restoration of "Antique Motor Vehicles", as defined by this ordinance, shall be considered an exception.
- c) This Ordinance does not apply to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the County.
- d) This Ordinance does not apply to any motor vehicles that are being used on a regular basis for business, farm, or personal use.

6.12.4 REGULATION OF JUNKED MOTOR VEHICLES

Junked motor vehicles shall be kept behind the main structure or house located on the property and shall be covered with a "Car Cover", as defined by this ordinance, or with a heavy canvass covering that is properly secured.

Where the layout of a lot or other unique circumstances makes it impossible to store junked motor vehicles behind a main structure or house, such vehicles must be stored in the most discreet manner possible. The intent of such storage shall be to conceal the view of the vehicle(s) from any public or private road and from any neighboring property to the maximum extent possible.

When car covers or canvases become worn, damaged, or generally ineffective to conceal a vehicle, the property owner shall replace it with an effective cover or canvas.

- ~~b) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle to cause or allow such vehicle to become a hazard to the public health, safety, or welfare.~~

6.12.5 ENFORCEMENT PROCEDURES

Upon receiving any valid complaint related to the unlawful storage of junked motor vehicles, the Planning Director, or their designee, shall act in accordance with Article 4 of this Ordinance.

- ~~b.~~ The Administrator may enter ~~on~~ any premises within the County's ordinance-making jurisdiction by any lawful means at any reasonable hour to determine if any vehicles are abandoned, junked, and/or nuisance motor vehicles.
- ~~c.~~ Upon investigation, the Administrator may determine that a motor vehicle is an abandoned, junked, and/or nuisance motor vehicle as defined herein. ~~The Administrator and~~ may order the motor vehicle removed to a storage garage or area that has been approved by the Board of Commissioners ~~of Alamance County.~~
- ~~d.~~ It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared an abandoned, junked, or nuisance motor vehicle.

6.12.5.1. Removal Procedures

- ~~e.~~ A vehicle may not be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the Board of Commissioners or the Administrator has declared the vehicle to be a health or safety hazard.
- ~~f.~~ Alamance County may require a person requesting the removal from private property of any abandoned or junked motor vehicle to indemnify the County against any loss, expense, or liability incurred through the removal, storage, or sale of the vehicle.

6.12.3 EXCEPTIONS AND APPLICABILITY

- e) ~~This Ordinance does not apply to any vehicle in an enclosed building, or roofed shelter, or to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, such as in the case of a bona fide automobile graveyard or junkyard.~~
- f) ~~Restoration of "Antique Motor Vehicles", as defined by this ordinance, shall be considered an exception.~~
- g) ~~This Ordinance does not apply to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the County.~~
- h) ~~This Ordinance does not apply to any motor vehicles that are being used on a regular basis for business, farm, or personal use.~~

6.12.4 6.12.5.2. Required Pre-Towing Notice

- a) Except as set forth in ~~Section 10~~ subsection 6.12.5.3 below, an abandoned, junked and/or nuisance motor vehicle which is to be removed shall be towed only after notice has been given to the registered owner or to the person entitled to possession of the motor vehicle. If the names and mailing addresses can be ascertained in the exercise of reasonable diligence, notice shall be given by certified first class mail, return receipt requested. If such names and addresses cannot be ascertained, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the County on or after a specific date. This date will be no sooner than seven (7) days after the notice is mailed or affixed to the vehicle, unless the vehicle is removed by the owner or legal possessor prior to that time.
- b) The notice required by Subsection (a) shall provide written findings of fact as to why the motor vehicle has been declared an abandoned, junked, or nuisance motor vehicle by the Administrator. This notice shall also state that the vehicle will be removed seven days after the postmarked date or affixation of the notice unless removed prior to that time.
- c) The notice required by Subsection (a) shall provide information on the availability of the appeal process that is set forth below in ~~Section~~ subsection 6.12.6.

6.12.5 6.12.5.3 Exception to Pre-Towing Notice Requirement

- a) The requirement that notice be given prior to the removal of an abandoned, junked, and/or nuisance motor vehicle may, as determined by the Administrator, be omitted in those circumstances where there is a special need for prompt action to eliminate traffic obstructions or to otherwise maintain and protect ~~the~~ public safety and welfare. This includes, but is not limited to, situations that include vehicles blocking or obstructing ingress or egress to businesses and residences, vehicles parked in such a location or manner as to pose a traffic hazard, and vehicles causing damage to public or private property. Such findings shall be documented in written form by the Administrator and included in the post-towing notice required by ~~Section 12~~ subsection 6.12.5.4 of this Ordinance.

~~6.12.6~~ **6.12.5.4 Required Post-Towing Notice**

- a) Any abandoned, junked, and/or nuisance motor vehicle which has been ordered removed may be towed to a storage garage or area by the tow truck operator or towing business contracting to perform such services for the County.

- b) Whenever a vehicle with a valid registration plate or registration is removed, the Administrator shall immediately notify the last known registered owner of the vehicle. This notice shall include the following:
 - A description of the removed vehicle;
 - The name, address, and contact number for where the vehicle is stored;
 - The violation with which the owner is charged, if any;
 - The procedure which the owner must follow to redeem the vehicle; and
 - The procedure to be followed in order to request a probable cause hearing on the towing.

~~6.12.7~~ **6.12.6 UNLAWFUL REMOVAL OF IMPOUNDED VEHICLES**

It shall be unlawful for any person to remove or attempt to remove any vehicle which has been impounded pursuant to this Ordinance from any facility designated by Alamance County for the storage of towed abandoned, junked, and/or nuisance motor vehicles unless and until all towing and storage fees have been paid or a bond in lieu of fees has been posted.

~~6.12.8~~ **6.12.7 DISPOSITION OF REMOVAL VEHICLES**

Any abandoned, junked, and/or nuisance motor vehicle which is not claimed by the owner or other person legally entitled to possession may be disposed of by the County or tow truck operator or towing business which has custody of the vehicle. Disposition of such vehicle shall be carried out in coordination with the County and in accordance with Article 1 of Chapter 44A of the North Carolina General Statutes.

~~6.13~~ **6.12.8 AUTOMOBILE GRAVEYARDS AND JUNKYARDS**

This section shall apply to properties which store four (4) or more junked motor vehicles, as defined by this ordinance, and to the operators of business that deal with such vehicles. Uses may include used car lots, junkyards, automobile graveyards, and similar operations.

~~6.13.1~~ **6.12.8.1 Permit Required For Automobile Graveyards and/or Junkyards Requirements**

It shall be unlawful after the effective date of this Ordinance, for any person, firm, or corporation or other legal entity to operate or maintain in any unincorporated area of Alamance County an automobile graveyard without a permit issued in accordance with the provisions of this Ordinance. A permit shall be issued by Alamance County or its agents upon showing of compliance with this Ordinance. The permit shall be valid for a period of three (3) years and may be renewed thereafter unless revoked for the nonconformance to this Ordinance.

~~6.13.2~~ **6.12.8.2 Screening and Fencing**

All automobile graveyards shall be screened by a fence or vegetation at all points where said fence or vegetation shall be necessary to screen the automobile graveyard from the view of persons from public roads or ~~so as~~ to create a barrier to the view of the public of said automobile graveyard except as provided in ~~Section 6.13.3 – Exceptions.~~ subsection 6.12.8.3 below.

A. Fencing

Fencing may be located along the perimeter of the property or in a way that only contains the vehicles related to the automobile graveyard or junkyard. Regardless of fence location, it shall be considered a violation of this ordinance to place junked vehicles outside of the fence once constructed.

Fencing shall be at least ten (10) feet in height and constructed to completely conceal vehicles from the view of the public and from neighboring properties. Fence materials may be metal, wood, or a composite material. In all cases, fencing materials shall be opaque and not allow for vehicles to be seen through the fence.

B. Vegetation

If vegetation is provided for screening, vegetation shall be of a type that will reach a minimum height of six (6) feet within three (3) years of planting, and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken hedgerow (without gaps or open spaces) will exist to a height necessary to screen the automobile graveyard or junkyard from public view. A proposed plan for vegetation must be approved by designated Alamance County Agricultural Extension Service prior to planting. The hedgerow shall be maintained as a continuous, unbroken hedgerow for the period the property is used as an automobile graveyard. Screening is not required in front of the building.

Each owner, operator, or maintainer of an automobile graveyard to which this Ordinance applies shall utilize good husbandry techniques such as pruning, mulching and proper fertilization so that the vegetation will reach maturity as soon as is practical and will have maximum density in foliage. Dead or diseased vegetation shall be replaced at the next appropriate planting time.

C. Gates

The fence or vegetation shall have not more than two (2) gates and/or entrances on any street for the purposes of ingress and egress of motor vehicles. The gates shall be closed and securely locked at all times, except during business hours. The fence shall be maintained in good order and shall not be allowed to deteriorate.

6.13.3 6.12.8.3 Exceptions to Screening and Fencing

The following automobile graveyards are excepted from the Screening and Fencing Requirements:

- Automobile graveyards which are in a location that is: Greater than 1000 feet from the nearest edge of right-of-way of any public road; or
- Those automobile graveyards which are screened by natural objects, so as not to be visible from any public road at any season of the year; or
- Those unlicensed junk cars located in a fully enclosed structure; or
- Those automobile graveyards permitted by Article 12 of the North Carolina General Statute Chapter 136.

6.13.4 6.12.9 STREAM BUFFERS AND FLOOD ZONES

Any automobile graveyard which traverses or borders a perennial or intermittent stream must maintain a fifty (50) foot buffer of vegetation on both sides of the stream at all times to retard rapid water runoff and soil erosion and in which no automobile graveyard will be maintained. Perennial and intermittent streams are identified as solid blue lines and dotted blue lines on United States Geological Survey Maps.

No automobiles or automotive parts may be stored in any portion of a Special Flood Hazard Area, as defined by this Ordinance, when Automobile Graveyards and Junkyards are operated on such properties.

6.13.5 6.12.10 ADVERTISEMENTS ON SCREENING

Screening required by this ordinance shall not be used for bill postings or other advertising purposes, except that a space not larger than six feet by twelve feet may be used for the advertisement of the business of the owner thereof.

6.13.6 6.12.11 REMEDIES AND PENALTIES FOR VIOLATION

- a) If any business is operated in violation of this Ordinance, in addition to other remedies, the County may institute an action for an injunction to stop the violation.
- b) The Alamance County ~~Inspections~~ Planning Department shall be responsible for enforcing the provisions of this Ordinance.

- e) Any person, firm, corporation or other entity who maintains or operates or who controls the maintenance or operation of an automobile graveyard in violation of this Ordinance shall be guilty of a misdemeanor pursuant to North Carolina General Statute §14-4 and subject to prosecution, and if convicted, shall be punished by a fine ~~not to exceed \$50 in accordance with Article 4 of this Ordinance,~~ or by imprisonment not to exceed thirty (30) days, or both, in the discretion of the Court. Each day that said automobile graveyard shall be maintained or operated in violation of this Ordinance shall constitute a separate and distinct offense.
- d) The Alamance County ~~Inspections~~ Planning Department shall have the power to revoke the permit required by ~~Section Three of this ordinance.~~ When the ~~Inspections~~ Department intends to revoke the permit, it shall serve the permittee with a notice of revocation. The permittee may appeal the revocation as provided in ~~Section Eleven~~ subsection 6.12.12 below. The permittee may continue operating ~~his~~ their business pending an appeal ~~under Section Eleven.~~ in accordance with N.C. Gen. Stat. 160D-405(f).

~~6.13.7~~ 6.12.12 VARIANCE PROCEDURE

- a) The Board of Adjustment may authorize variances from the provisions of this ordinance ~~regarding required screening~~ where there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this ordinance. All requests for a variation shall be in writing and submitted to the Planning Department- and processed in accordance with Section 2.3 of this Ordinance, N.C. Gen. Stat. § 160D-406, and any other applicable law.
- b) ~~Notice:~~ All decisions on variances by the Board of Adjustment shall be reached only after a quasi-judicial hearing and after notice has been given by certified mail to the applicant and to any parties who may be reasonably able to claim standing in accordance with N.C.G.S. § 160D-1402(c). Such notice shall contain the address or location of the property for which a hearing by the board is sought, as well as a brief description of the nature of the application.

~~6.13.8~~ 6.12.13 APPEAL PROCEDURE

The revocation of any permit or the refusal to issue a permit ~~by the Alamance County Inspections Department,~~ shall entitle the person who applied for the permit to a hearing if such person submits written demand for a hearing within ~~fifteen (15)~~ thirty (30) days after receipt of written notice of the disapproval or revocation. The hearing shall be conducted by the Alamance County Board of Adjustment ~~and pursuant to procedures adopted by the Alamance County Board of Commissioners.~~ in accordance with Section 2.3 of this Ordinance, N.C. Gen. Stat. § 160D-405, and any other applicable law.

PART XIV. RECREATIONAL VEHICLES

Section 6.14.1 Purpose and Applicability p. 2
Section 6.14.2 RV Park Development Standards p.2
Section 6.14.3 Accessory Uses p. 9
Section 6.14.4 Site Plan Requirements p. 9
Section 6.14.5 Expansion to Existing Development..... p. 10
Section 6.14.6 Recreational Vehicles on Individual Lotsp. 11

DRAFT

6.14 Recreational Vehicle (RV) / Travel Trailer Parks

6.14.1 PURPOSE AND APPLICABILITY

The purpose of this section is to regulate the placement of Recreational Vehicles (RVs) within Alamance County in order to promote the public health, safety, and general welfare of the citizens of the county and to attempt to abate nuisances that may arise from the use of such vehicles.

Additionally, these regulations shall ensure that adequate roadways, fire safety, emergency access, off-street parking, utilities (water, sewer, and electricity), solid waste disposal, recreation, and privacy are provided to residents who occupy recreational vehicles on individual lots or in recreational vehicle parks.

All RV parks must be contained within the same parcel of land, and no uses shall be allowed on the property unless they are incidental and in support of the RV Park, as detailed in Section 6.14.3 below. Clustering of spaces within RV parks is not permitted.

6.14.2 RV PARK DEVELOPMENT SPECIFICATIONS STANDARDS

A. Minimum Space Size Dimensional Requirements

1. Service based Size Requirements

<u>Services Provided</u>	<u>Minimum Space Size</u>
<u>Recreational Vehicle requirements</u>	<u>2,400 square feet</u>

2. RV Parks located in the Balance of Watershed (BOW) shall have a minimum manufactured home space size of one acre.

3. RV Parks located in the Watershed Critical Area (WCA) of watersheds shall have a minimum manufactured home space size of two acres.

1. The minimum space required for any Recreational Vehicle within a park shall be 2,400 square feet. One parking space, as required by Subsection D below, may be included within this 2,400 square-foot area in addition to the space reserved for the Recreational Vehicle.

2. RV Park development within any Balance of Watershed area may not exceed more than twelve (12) percent built-upon area per net acre of land.

3. RV Park development within any Critical Area of a Watershed may not exceed more than six (6) percent built-upon area per net two (2) acres of land.

4. Spaces within Recreational Vehicle/Travel Trailer Parks (collectively referred to in this section as "Parks") are not transferable lots that can be deeded or sold except by an approved subdivision plat. Approved RV Park plans are not to be construed as a subdivision.

*NOTE: Additional acreage may be required by the Alamance County Health Department to accommodate sewage disposal and well systems.

B. Road Standards

1. RV Parks shall have a "clearway" of 30 feet.
2. Within each designated clearway there shall be a "travelway." The travelway shall be at least twenty (20) feet wide and be maintained for all weather and emergency vehicle access. Every travelway that does not either intersect a public road or intersect into another travelway must provide for a vehicle turnaround as follows:
 - a. For dead ends ~~less than~~ which are one hundred fifty (150') feet in length or less (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) ~~with~~ there shall be a minimum width of twenty (20') feet or other configuration as approved by the appropriate regulating agency.
 - b. For ~~cul-de-sacs more than~~ dead ends which are one hundred fifty (150') feet in length to five hundred (500) feet in length (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) ~~with~~ there shall be a minimum cul-de-sac width of at least ninety-six (96') feet at the end of the road or other turnaround configuration as approved by the appropriate regulating agency Alamance County Fire Marshal.
 - c. For dead ends which are five hundred and one (501) feet in length to seven hundred and fifty (750) feet in length (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) there shall be a minimum cul-de-sac width of at least ninety-six (96') feet at the end of the road or other turnaround configuration as approved by the Alamance County Fire Marshal.
 - d. No ~~cul-de-sac or other~~ dead-end road shall exceed two thousand, five hundred (2,500') feet in length as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac or other end point of the travelway.
3. All primary entry travelways must originate from a public right-of-way.

4. ~~These standards are a minimum and will be subject to review and approval by the appropriate agency. Private Roads or other access easements may not originate from an RV Park travelway. Travelway use shall be reserved only for guests of the RV Park and in support of the accessory uses related to the RV Park.~~

C. Space Frontage

~~1. Recreational Vehicle~~

~~Each designated recreational vehicle (also referred to as RV) RV space shall have a minimum width of forty (40') feet of frontage on along the travelway.~~

D. Parking

~~1. Recreational Vehicle~~

~~Each RV space Park shall provide for two (2) designated parking spaces outside of the clearway; ~~one~~ One parking space may be met at an overflow parking area on the same parcel as the space of land as the RV Park. One parking space may be met within the allotted 2,400 square feet dedicated to each RV space.~~

~~Each parking space at any location shall have a minimum dimension of at least twenty (20') feet in length and ~~10' nine (9) feet in width, with minimum 4" of ABC (aggregate base course) stone.~~ Spaces designated for handicap, parallel, or diagonal parking may be larger if necessary.~~

~~All parking surfaces shall be paved, graveled, or filled with other solid materials as to ensure the integrity of vehicular load, provide for stable and accessible parking, and prevent erosion and vegetative overgrowth.~~

E. Setbacks, Landscaping, and Buffering

~~The following setbacks are established for units within RV parks:~~

~~The separation requirements of the ordinance ~~is~~ are intended to protect property values, preserve the character and integrity of the County and to promote the health, safety and welfare of County residents. Landscaping requirements are intended to ensure that park developments preserve the rural and natural setting common to the area. Buffers are intended to protect adjoining land uses, from the noise, dust, lights, threats to privacy, and aesthetic impacts of more intense land uses.~~

Structure setbacks	Min. distance 15 feet between structures on adjacent lots
Property Line Setback	Min. 40 ft. setbacks along all property lines
Landscape Buffer	Min. 30 ft. landscape buffer (can be within the 50 ft. property line setback)
Along public right of way	All spaces adjacent to public right of way shall meet a min. 40 ft. Setback
Landscaping	A 30' landscape buffer shall be required along exterior parcel lines. Buffers are intended to protect adjoining land uses, from the noise, dust, lights, threats to privacy, and aesthetic impacts of more intense land uses.
Landscape Buffers	If any portion of any park is BOTH within 300 feet AND visible from any schools, churches or residences (other than that of the park owner), then the park owner will be required to install additional screening from view with a buffer strip or screened fence, along the boundary line facing the residence. For the purpose of this ordinance, a screened fence must be at least six feet high and of opaque material. Please see Appendix B for suggestions and guidelines for general screening. The buffer requirement may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner. Whether to install a screened fence or a landscaping buffer to meet this requirement is up to the park owner. Landscape Buffers are not required across a public thoroughfare.
Screening	Any park with RVs or manufactured homes located within 50 feet of a public right of way shall be screened from view from the public road with a buffer as defined by this ordinance. In addition, any park with more than five RVs or manufactured homes adjacent to a public road right of way that do not have direct, individual driveway access to the public road shall be buffered from view from the road by a buffer defined by this ordinance. The buffer requirement may be satisfied by a screen fence defined as at least six feet in height and made of opaque materials. The buffer requirement may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner.

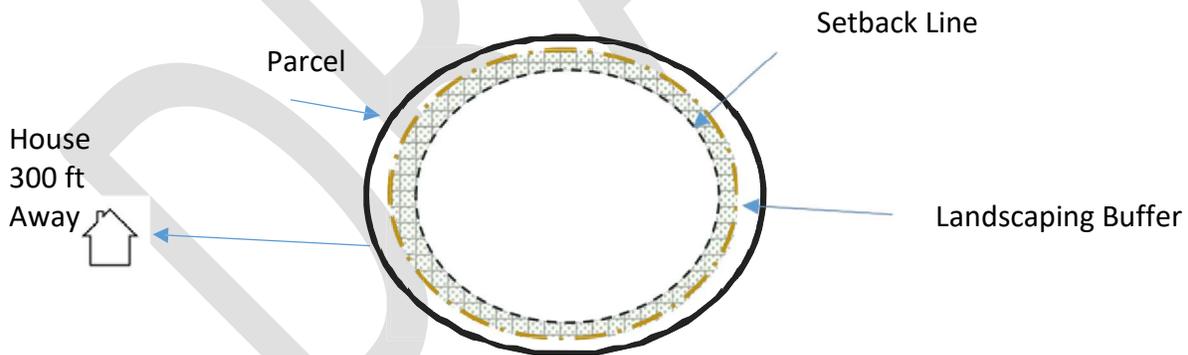
~~*Note: Persons operating parks shall utilize good husbandry techniques with regard to plant materials including but not limited to proper planting at 8ft on center double row staggered plantings, mulching, fertilization, pruning and otherwise proper maintenance to ensure a healthy, uniform, continuous solid vegetative screen as soon after planting as possible.~~

~~*Note: In all cases, each lot boundary should be clearly identified with corner markers.~~

All RV Park operations must abide by an internal forty (40) foot setback spacing from all property lines.

If any portion of the development exists within fifty (50) feet of a public road then a landscaping buffer of at least thirty (30) feet must be maintained along the perimeter of the park. This buffer may exist within the forty (40) foot setback area. For suggestions and guidelines on vegetation and planting, please see Appendix B of this Ordinance.

Buffer requirements may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner and within the setback spacing area. If natural vegetation is used, the Planning Director, or their designee, shall conduct a site visit in order to determine the effectiveness of the vegetation and reduce the analysis to writing. That analysis shall then be delivered to the applicant and kept on file with the other documents related to the RV Park development.



F. Land Spacing

Land Use Spacing & Protected Facilities

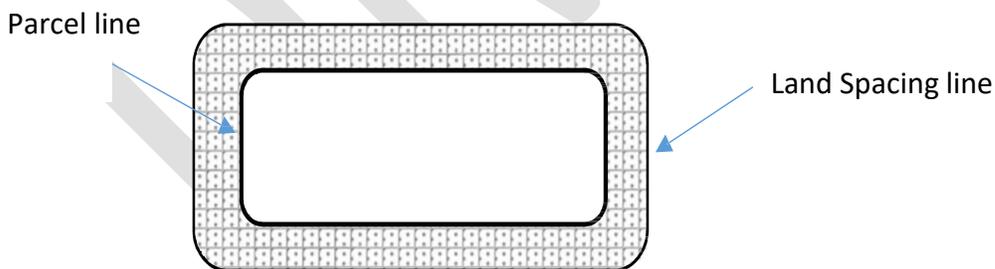
Uses regulated by this section shall be required to meet a minimum spacing requirement from any “protected facility” as defined by this section. Land use spacing shall be measured in a straight line without regard for intervening structures or objects from the closest edge of the property line of the tract(s) on which the RV park is located to the nearest improvement currently in use as a protected facility. The purpose of this requirement is to minimize the potential negative impacts of conflicting uses of land.

For the purpose of this section, the following shall be considered “protected facilities”:

1. A religious Facility
2. A Manufactured Home Park
3. A Recreational Vehicle/Travel Trailer Park
4. A public or privately-owned park or playground
5. A school
6. A dwelling unit

Exception: an RV park may be located in any direction from the residence of the owner of the RV park. The following are the land spacing requirements for Recreational Vehicle Park defined by number of units. Land spacing requirements are to be measured from the property line of the RV park to the neighboring property-structure. As identified below:

Recreational Vehicle Park	
4 or more units	50 ft land spacing
<p>*NOTE: Land spacing shall be measured in a straight line without regard for intervening structures or objects from the closest edge of the property line of the tract(s) on which the area of operations is located to the nearest use as listed. The purpose of this requirement is to minimize the potential negative impacts of conflicting uses of land.</p>	
<p>Where strict application of these standards are not achievable, the RV Park owner at his/her discretion may consider a five feet tall landscaping berm. The berm must maintain a minimum 3:1 slope ratio. The required landscaping for the park shall be planted atop the berm to meet the requirements of this ordinance.</p>	



F. G. Signage

1. Each RV Park must display and maintain a permanent sign with the name and address as assigned according to Alamance County Addressing Ordinance. These signs shall be no more than ten (10') feet from each entrance. The sign shall be clearly visible with lettering at least four (4") inches high. If the sign is posted perpendicular to the main road, the name and address number shall be visible from both directions.

2. Each RV space shall be consecutively numbered as assigned according to the Alamance County Addressing Ordinance. Each space will display a sign no more than 10' from the unit's driveway or required parking area and will be clearly visible from the travelway. Numbers should be at least four (4") inches high. If the sign is posted perpendicular to the travelway, the address should be visible from both directions.

G. H. Garbage Disposal and General Maintenance

All garbage and refuse in every RV Park shall be stored in suitable water-tight and fly-tight standard garbage receptacles, and kept covered with tight fitting covers. At least one such receptacle shall be provided and conveniently located for every RV space except where a dumpster or dumpsters are conveniently located and used in the same manner as

separate receptacles. Operators are responsible for ensuring that the park is properly maintained according to all applicable ordinances.

H. I. Water and Sewage Disposal

All RV Parks will be subject to monitoring and enforcement of water quality standards. Each space shall be provided an individual connection to a water supply and wastewater disposal system approved by the appropriate regulatory authority. No site plan will be approved prior to review and approval by the appropriate regulatory authority.

~~**I. RV/Travel Trailer Park Exception**~~

~~One space may be used for a manufactured home for an administrator of the park with space meeting the minimum requirements required in the manufactured home park requirements.~~

E. J. Approval and Permitting

Approvals and permits issued under this section are valid for a period of two (2) years and shall automatically expire, unless renewed. A Permit renewal is required for each RV park; should a permit expire for a park the owner will apply for a new permit under current ordinance at that time.

1. Site Visit Required

A site visit must be conducted by the Alamance County Planning Department prior to issuing a renewed permit to ensure continued compliance with this ordinance. It is the responsibility of the permit holder to schedule a site visit with the Alamance County Planning Department.

2. Other Requirements

- a) Proof of continued compliance with all requirements of this Ordinance and maintenance of all required permits.

- b) If the permitted location has been the subject of two or more enforcement actions within the renewal period, then the Planning Director, at their discretion, may require a public hearing before the Alamance County Planning Board prior to the renewal of the Permit.

6.14.2 CLUSTER DEVELOPMENT

~~Clustering of spaces within RV Parks is not permitted.~~

6.14.3 ACCESSORY USES

Accessory uses shall be directly related to RV park operations and designed to blend in with the park's natural surroundings. Such uses shall be clearly accessory to the principal use as a campground/RV park. Accessory uses may include developments such as management offices, owner's living quarters, recreational facilities, bathroom or shower facilities, dumping stations, laundry facilities, convenience stores, restaurants, maintenance sheds, and other structures clearly incidental to the operation of the park. These uses shall be permitted as accessory only and subject to the following conditions:

- The shall not occupy more than ten (10) percent of the gross area of the park;
- The use shall be restricted to the enjoyment of the occupants of the park and/or related park association members, not the general public, and;
- Such establishments shall present no visible evidence from any public road of their commercial character.

6.14.2.1. Owner/Operator Living Quarters

~~One space may be~~ Space may be used within the park for a single-family dwelling or manufactured home for an administrator of the park, with space meeting the minimum requirements required in the manufactured home park requirements. These residential developments must meet the required minimum lot size regulations of the Subdivision Ordinance or Watershed Protection Standards, if applicable, and be properly permitted to connect to a water well and septic system in accordance with Alamance County Health Department standards. Other spacing and access requirements may be the same as those enforced on RV spaces.

6.14.3 6.14.4 SITE PLAN REQUIREMENTS

Site plans shall be submitted for RV Parks as required by the Alamance County Planning Department. RV Parks located in a designated watershed in Alamance County shall also submit a site plan for review and approval per the Alamance County Watershed Protection Standards in this Ordinance.

All RV Park Site Plans are required to show, at minimum:

- Date of Submission
- Name and address of owner(s)
- Name of RV Park (RV Park names shall not duplicate or approximate, phonetically, existing subdivision/ Manufactured Home/ RV Park names)
- Location designation including a vicinity map (township, county, state) showing the property and surrounding area
- Name and address of surveyor or engineer
- Scale in figures and bar graph
- North arrow
- Bearings and distances of property boundary
- Surrounding property lines, property owners, and subdivisions
- Topography including water courses, wooded areas, and contours at 5' intervals or less
- Location, extent, and identification of marginal land
- Acreage of property within the park
- Total proposed number of spaces
- Square feet of each space
- Existing conditions (on property to be subdivided and within 300' of property being subdivided) including, but not limited to, boundaries and identification of political subdivisions, boundaries and identification of land use districts, buildings, structures, or utilities (public or community), street right-of-way (including pavement and names), location and size of bridges, culverts, and other storm drainage facilities, location, width, and purpose of all easements.
- Proposed conditions including travelway alignments, clearways, and all associated dimensions including cul-de-sacs, t-turnarounds, clear zone measurements, parking areas, curve radii and site distance measurements as needed, proposed utilities, and any other infrastructure and storm drainage facilities, all easements, manufactured home spaces including separation lines, numbers, and approximate dimensions of spaces and setbacks, and proposed public use (open space) sites.
- All landscape buffers for the park
- Any other information deemed necessary for site plan review by the Planning Department.
- Approval of any other departments or agencies as required for compliance with the requirements of this or any other ordinance.

~~6.14.4~~ 6.14.5 EXPANSION TO EXISTING DEVELOPMENT

Existing RV or Travel Trailer Parks which were approved under the prior Manufactured Home Parks ordinance shall be considered legal nonconformance subject to Section 3.2 of this ordinance.

6.14.6 RECREATIONAL VEHICLES ON INDIVIDUAL LOTS

Recreational Vehicles may be used as a Temporary Residence as long as they are properly permitted under Section 6.1.6 of this Ordinance.

Recreational Vehicles which are simply stored on individual lots and not intended for use as a Temporary Residence or within a Recreational Vehicle Park shall be viewed as personal property and not subject to the regulations of this Ordinance. Such RVs may be connected to an electrical power source without obtaining a Temporary Residence Permit as long as no person will live in the RV for a period of more than thirty (30) days and with the approval of the Building Inspections Department.

Recreational Vehicles stored as personal property must be kept in good working order or may be regulated as Junked Motor Vehicles in accordance with Section 6.12 of this Ordinance.

DRAFT

ARTICLE 7 | DEFINITIONS

7.1 Word Usage

For the purpose of this Ordinance:

- a) Certain terms and words are hereby defined;
- b) Words used in the present tense shall include the future;
- c) Words used in singular number shall include the plural number, and the plural shall also include the singular;
- d) The word “person” includes a firm, association, corporation, Municipal Corporation, trust, and company as well as the individual;
- e) The word “structure” shall include the word “building;”
- f) The word “lot” shall include the words, “plot,” “parcel,” and “tract;”
- g) The word “shall” is always mandatory and not merely discretionary;
- h) The word “will” is always mandatory and not merely discretionary;
- i) Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

7.2 Definitions

AGRICULTURAL PRESERVATION DISTRICT

A parcel or tract of land or a group of parcels or tracts of land that have qualified for and have been accepted for inclusion into the Alamance County Voluntary Farmland Preservation Program.

APPEAL

An official request for the review of any decision or interpretation of any provision of this Ordinance made by the Planning Director, or their designee. In all cases, appeals of administrative decisions shall be made to the Alamance County Board of Adjustment.

APPLICANT

A person, firm, or corporation who is the legal owner of a property, or a representative acting on behalf of an owner, proposing to subdivide or develop a property which is subject to the regulations of this Ordinance. (See also “Developer”)

BOARD OF ADJUSTMENT

The body established and appointed by the Alamance County Board of Commissioners to preside over and decide all quasi-judicial matters.

BOARD OF COMMISSIONERS

The Alamance County Board of Commissioners.

BUILDING SETBACK LINES

A line parallel to the street right-of-way line or front property line, side property lines, and rear property line of a lot. Buildings and structures shall not be erected within the area between said lot lines and the building setback lines. Setback regulations shall only be applicable to permanent structures and not movable or personal property.

CLEARWAY (Manufactured Home Park ordinance, MHP)

A cleared area of land in a manufactured home park or recreational vehicle park which contains the travelway, that is free of all obstacles that would prevent access by vehicles for emergency or other purposes. The clearway is privately owned by the ~~manufactured home park operator~~ and its function is similar to that of a public right of way.

CLERK

The Clerk to the Alamance County Board of Commissioners.

COMPREHENSIVE PLAN/LAND DEVELOPMENT PLAN

The Land Development Plan, adopted by the Alamance County Board of Commissioners on November 18, 2020, which sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the county.

CONSTRUCTION ACTIVITIES

~~any studies, investigations, improvements, or other activities undertaken at the site of a proposed regulated industry pertaining to the construction, placement, erection, or establishment of the same, including but not limited to surveys, soil and other environmental tests, clearing and grading, pouring footers or pads, placing building materials or equipment at the site, locating or constructing buildings, structures, or other improvements, or any other similar activities, except those similar activities constitute operations as defined in this ordinance~~

Any activity related to the locating or constructing of buildings, structures, or other permanent improvements on a site, whether or not an official permitting application process has begun. This includes the placement of building materials or equipment at the site, pouring footers or pads, installing utilities to support future structures, and similar construction-related activities. This also includes operating any aspect of an industrial property as classified by the Heavy Industrial Development Ordinance prior to obtaining an approved Intent-to-Construct Permit.

Conducting preliminary site work necessary to obtain local, state, or federal permits shall not be considered construction activities. This includes, but is not limited to, surveys and creating site maps, soil evaluations, conducting environmental tests, clearing, grubbing, and grading land within the confines of approved environmental plans, and similar necessary activities short of constructing permanent features.

DATA CENTER

An industrial style facility primarily used for the storing of computer equipment used for the purpose of processing internet data. Activities at these centers typically involve cloud computing and storage, artificial intelligence processing, cryptocurrency exchanges, and similar computer activities. Use of these centers often require large quantities of electricity and fans or other cooling technologies for purposes of computer temperature control.

DEVELOPER

Any person undertaking any development as defined in this Ordinance. (See also "Applicant")

DOT

North Carolina Department of Transportation.

FAA

The Federal Aviation Administration

FCC

The Federal Communications Commission

FTA

The Federal Telecommunications Act of 1996

FARM DISTRICT

A property used for bona fide agricultural purposes as defined by N.C. Gen. Stat. 160D-903 and categorized as either Present Use Value, Permanently Preserved, or Voluntary Agricultural District.

FEMA

The Federal Emergency Management Agency.

FENCE (Solid)

A continuous, opaque, unperforated barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of wood, stone, or other metal, or any substance of a similar nature and strength and shall be weather and rot resistant.

FENCE (Perforated)

A continuous barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of galvanized, zinc or weather coated wire, steel or any substance of a similar nature and strength, no less than 14 gauge in thickness, but with perforations or openings which are no larger than sixteen (4" x 4") square inches.

NOTE: Particular guidelines on fence height, materials, and other features may vary depending on the specific sections found within this Ordinance. Where fence requirements conflict with these definitions, the most strict application of standards shall apply.

GOVERNING BOARD

Refers to the Alamance County Board of Commissioners in almost all cases, especially when making legislative decisions concerning land use in the unincorporated areas of the county. Also refers to municipal elected bodies when those boards have established that the Alamance County Historic Properties Commission will serve as their Historic Properties Commission for the purpose of dealing with Historic Preservation matters as outlined in N.C. Gen. Stat. 160D, Part 4.

HEALTH DEPARTMENT

The Alamance County Health Department.

INDUSTRIAL DEVELOPMENT

Any non-residential development that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembling, finishing, cleaning, or developing any product or commodity.

JORDAN NUTRIENT SUPPLY OR JORDAN WATER SUPPLY NUTRIENT STRATEGY

The set of Rules 15A NCAC 2B.0262 through .0273 and .0311(p).

JORDAN RESERVOIR

The surface water impoundment operated by the US Army Corps of Engineers and named B. Everett Jordan Reservoir, as further delineated for purposes of the Jordan nutrient strategy in Rule 15A NCAC 2B.0262(4).

JORDAN WATERSHED

All lands and waters draining to B. Everett Jordan Reservoir.

MAJOR RESIDENTIAL SUBDIVISION

A housing subdivision that includes fourteen or more lots which have been approved for residential purposes.

MAJOR VARIANCE (WATERSHED)

A variance from the minimum statewide watershed protection rules, that results in any one or more of the following: a) the relaxation, by a factor greater than ten percent, or any management requirement under the low density option; b) the relaxation, by a factor greater than five percent, of any buffer, density, or built upon area requirement under the high density option; c) any variation in the design, maintenance, or operation requirements of a wet detention pond or other approved stormwater management system.

MANUFACTURED HOME

Class A

A “double wide” manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974.

Class B

A “single wide” manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974.

Class C

A manufactured home constructed in accordance with the standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974 that does not meet the definition of either a Class A or a Class B above.

Class D

A manufactured home constructed outside of the standards or prior to the effective date of the National Manufactured Housing Construction and Safety Standards Act of 1974.

MINOR VARIANCE (WATERSHED)

A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to ten percent of any buffer, density, or built-upon area requirement under the low-density option.

N.C.D.O.T.

The North Carolina Department of Transportation.

OPEN SPACE

An area of land and/or water resources set aside, dedicated, or reserved for the common use and enjoyment of occupants of a subdivision neighborhood or other planned development. Such land may be developed for active and/or passive recreation pursuits with various man-made improvements to accommodate such activities in accordance with the regulations of this Ordinance.

PERENNIAL WATERBODY

A natural or man-made basin, including lakes, ponds, and reservoirs, that stores surface water permanently at depths sufficient to preclude growth of rooted plants. For the purpose of the State's riparian buffer protection program, the waterbody must be part of a natural drainage way (i.e., connected by surface flow to a stream).

QUASI-JUDICIAL DECISION

A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations.

RIGHT OF WAY

A type of easement that gives people the legal right to cross the property of another, typically for the public use of vehicular travel. The size of a right of way may vary based on the regulations within this Ordinance or N.C.D.O.T. standards. Rights of way are designed and set aside in order to feature elements like public roads, private roads, travelways, drainage ditches, driveway entrances, culvers, mailboxes, utilities, road signs, and similar features.

SITE PLAN

A drawing or rendering used by a developer, or their authorized agent, which shows existing and/or proposed conditions for a given area, typically a parcel of land which is to be modified. These plans may show buildings, roads, sidewalks, trails, open space, parking, drainage or stormwater facilities, sanitary sewer lines, water lines, lighting, landscaping, or any similar site-specific elements.

SOLAR ENERGY SYSTEMS

Developments which feature ground-mounted PV, concentrating PV (CPV), or concentrating solar power (CSP or solar thermal) panels capable of generating two megawatts AC (MW AC) or more directly connected to the local or regional electrical grid with the ability to deliver power to the electrical grid. The term includes solar arrays, accessory buildings, battery storage facilities, transmission facilities, and any other infrastructure necessary for the operation of the development. For purposes of this section, a smaller-scale solar panel installation designed to generate power for a single family residence or stand alone business shall not be regulated as a Solar Energy System.

SUBDIVISION

All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets. For the purposes of this ordinance, the following classifications of subdivisions are established:

- 1) MAJOR SUBDIVISIONS. Subdivisions including fifteen (15) or more applicable lots.
- 2) MINOR SUBDIVISIONS. Subdivision including fourteen (14) or fewer applicable lots.
 - a. Class 1 Minor Subdivision. Those consisting of four (4) or fewer lots.
 - b. Class 2 Minor Subdivision. Those consisting of five (5) to fourteen (14) lots.

VARIANCE

A modification or alteration of any requirement of this Ordinance, only granted at the conclusion of a quasi-judicial hearing by a four-fifths vote of the Board of Adjustment.

SECONDARY RESIDENCES

Dwellings which exist on the same property as a primary residence but are serviced by independent well and septic systems. All secondary residences must comply with lot area, lot access, setbacks and other subdivision requirements. Secondary residences should be permitted in the exact same fashion as primary residences and this may include upgrading private roads to a higher standard if necessary. Secondary residences will not be allowed on lots if the establishment of secondary residences would render the lot nonconforming with regards to lot size, access, setbacks, or other regulations.

ACCESSORY DWELLING UNITS

Dwellings which exist on the same property as a primary residence and are connected to the same well and septic system as the primary residence. These dwelling units shall be regulated in much the same manner as an accessory building, pool house, or similar structure which is clearly secondary to the primary structure. When accessory dwellings are connected to the same well as the primary residence but are served by their own septic system, an additional 20,000 square feet of land shall be required. When accessory buildings are connected to the same septic system as the primary residence but are served by their own well, an additional 10,000 square feet of land shall be required.

SHORT-TERM RENTALS

Living quarters which may be established in primary residences, secondary residences, or accessory dwelling units as long as they comply with all other regulations within this Ordinance. Prior to their establishment, owners of short-term rentals shall register with

the Alamance County Tax Department then provide a copy of said documentation to the Planning Department. Temporary residences may not be used as short-term rentals.

DRAFT