

Board Chair:
Rodney Cheek

Planning Director:
Matthew Hoagland



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
April 9, 2026 at 6:30 PM

ALAMANCE COUNTY PLANNING BOARD

April Meeting Minutes

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

I. CALL TO ORDER

Chairman Rodney Cheek called the April 9, 2026 Alamance County Planning Board meeting to order at 6:30 p.m.

II. ROLL CALL

Members Present: Stephen Dodson, *Vice Chair*: Lee Isley, *Chair*: Rodney Cheek, Lee Kimrey, Richard Tom King, Mac Jordan, Henry Chandler

Members Absent: Amie Perkins

Staff Present: *Planning Director*: Matthew Hoagland, *Planner 1*: Keyshawn Haith,

Assistant County Attorney: Michelle Horn, *Assistant County Attorney*: Kwame Opata, *Soil Scientist*: Rob Snow

III. APPROVAL OF PLANNING BOARD MINUTES

1. March 12, 2026 Regular Meeting

During review of the March 12, 2026 meeting minutes, Board member Henry Chandler noted a minor correction. He stated that the minutes incorrectly identified Henry Vines as a current board member on page 14, when he is not presently serving on the Planning Board. Mr. Chandler complimented the quality of the minutes and stated they were well prepared.

Additional corrections to the March 12, 2026 meeting minutes were identified by Board members. Members noted a spelling correction for Paul Koontz and stated that Lee Isley had not been listed as absent in the original draft. Planning Director Matthew Hoagland confirmed that these corrections had already been made in the internal version of the minutes following distribution of the agenda packet. Further discussion included a correction to terminology within the minutes, where "agricultural burner" was identified and clarified to be "air curtain burner." Board members expressed that the minutes were detailed and well prepared overall, emphasizing the importance of maintaining accuracy in the official record.

Board member Lee Kimrey requested an additional revision to the March 12, 2026 meeting minutes. He noted that comments made by County Attorney Rik Stevens regarding potential limitations on future zoning actions, specifically the possibility that the County may have only one opportunity to adopt a more restrictive ordinance, were not reflected in the minutes. Mr. Kimrey stated that he believed this discussion was significant and should be included in the official record.

A motion to approve the March 12, 2026 meeting minutes, as amended, was made by Henry Chandler and seconded by Stephen Dodson. The motion passed unanimously.

IV. PUBLIC COMMENTS*

No individuals at the beginning of the meeting signed up to speak, and no public comments were made.

During the discussion, Chairman Rodney Cheek recognized an individual who arrived after the public comment period and allowed him to address the Board.

David Mayes spoke regarding concerns related to temporary housing regulations and existing nonconforming structures within the County. Mr. Mayes stated that he is currently impacted by a neighboring property where individuals are residing in a recreational vehicle (RV) on a long-term basis. He expressed concern that the RV had been in place for over a year and appeared to have permanent features, including a constructed deck, which raised questions about whether it was being used as a temporary residence in compliance with County regulations. Mr. Mayes also raised concerns regarding septic handling, stating that the occupants had not connected to a septic system and questioning how waste was being properly managed. He suggested that additional requirements should be implemented to ensure proper verification of septic disposal for temporary residences. In addition, Mr. Mayes expressed concern about the placement of the RV near property lines and stated that there are currently no clear setback requirements governing such uses. He indicated that the RV was located in the front yard near his property line, negatively impacting his property value and quality of life. Mr. Mayes further discussed concerns regarding a neighboring structure that predates current setback requirements but has recently been expanded. He stated that, while he understood the ability to maintain older nonconforming structures, he did not believe they should be allowed to be enlarged in a way that increases their impact on adjacent properties. Mr. Mayes also raised concerns about enforcement and communication between County departments, stating that construction activity had begun without permits and was later approved after substantial progress had already been made. He expressed frustration with the process and requested clearer guidelines, stronger enforcement, and improved coordination between departments. He concluded by recommending that the County consider additional regulations for temporary housing, including defined setbacks, time limits, and restrictions on placement, to prevent temporary uses from effectively becoming permanent.

During the public comment, Board member Tom King asked for clarification regarding the situation, specifically whether a house was being constructed on the property or if the RV was the primary residence.

In response, David Mayes stated that there was an existing house on the property and indicated that multiple individuals were living on the property, raising concerns about the intensity of use and overall compliance with County regulations.

In response to the Board's question, David Mayes clarified that individuals were residing both in the existing house and in the RV on the property. He stated that multiple adults were living on the site and expressed concern about the overall intensity of use. Mr. Mayes further described additional structures located along the shared property line, including small accessory structures such as a woodshed placed in close proximity to his fence. He stated that he had installed a privacy fence along the property line at his own expense to mitigate the visual impact, ensuring that it was properly located within his surveyed property boundaries. He expressed continued concern about the placement of structures near the property line and the cumulative impact on his property, noting that while certain items may meet minimum requirements, their proximity and appearance created an ongoing nuisance.

Board members engaged in additional discussion with David Mayes regarding the situation. Mr. Mayes reiterated that some of the construction activity, including the deck, was initially completed without a permit and later addressed through the permitting process. He stated that modifications had been made to move portions of the structure; however, he maintained that the structure still did not meet required setback distances and that additional attached elements, such as a lean-to, further complicated compliance. Mr. Mayes expressed frustration with the enforcement process, stating that he had contacted both the Building Inspections and Planning departments but felt there was a lack of coordination and follow-up. He indicated

that Building Inspections had approved the structure, while Planning staff had stated limitations in their ability to investigate, leaving him uncertain about how violations were being addressed.

Board members asked follow-up questions regarding septic and sanitation conditions. Mr. Mayes stated that he did not have direct evidence of improper discharge but expressed concern about how multiple occupants were being served by an existing septic system designed for a smaller household. He also noted the presence of additional materials being brought onto the property, including wood and fill, though he was unsure of their intended use. Mr. Mayes concluded by reiterating concerns about enforcement, requesting clearer guidelines, stronger oversight, and accountability when properties are not in compliance with established regulations.

V. BOARD/COMMISSIONER RESPONSES

There were no individuals at the beginning of the meeting who signed up for Board or Commissioner responses, and no comments were made.

Following public comment, Chairman Rodney Cheek responded to David Mayes and thanked him for coming forward and sharing his concerns. Chairman Cheek explained that the Planning Board serves in an advisory role, conducting research and making recommendations to the Board of Commissioners, which is the governing body of Alamance County. Chairman Cheek acknowledged the concerns raised regarding temporary housing and stated that the County is currently reviewing regulations related to the use of recreational vehicles (RVs) as residences. He explained that, under the current interpretation of the ordinance, individuals are not permitted to reside in RVs, despite other forms of temporary or unconventional housing not being clearly regulated. He noted that this inconsistency has been identified and is being evaluated by the Planning and Legal Departments for potential updates to the ordinance. Chairman Cheek further stated that the County is continuing to work through ordinance revisions and that the process can be slow due to the need for careful review and compliance with state law. He emphasized that the Board had heard Mr. Mayes' concerns and that issues related to temporary housing and enforcement would be considered as part of ongoing discussions. Chairman Cheek also noted that Alamance County currently does not have a dedicated enforcement division, which can impact how complaints are addressed. He concluded by reiterating appreciation for Mr. Mayes' comments and assuring him that his concerns had been acknowledged and would be taken into consideration moving forward.

David Mayes thanked the Board for the opportunity to speak and for listening to his concerns. During follow-up discussion, Board members asked whether he had also been in contact with the Alamance County Environmental Health Department regarding septic and sanitation concerns. Mr. Mayes confirmed that he had interacted with Environmental Health staff and described some of his experiences navigating multiple departments. Mr. Mayes also expressed general frustration with the permitting process, noting what he perceived as inconsistencies and inefficiencies, including requirements for separate permits for features such as porches or steps associated with residential structures. He stated that the process could be confusing for residents and suggested that certain elements of permitting could be more streamlined. Mr. Mayes again thanked the Board and concluded his remarks.

Planning Director Matthew Hoagland responded to Mr. Mayes' concerns and acknowledged the challenges described. He explained that, in the situation referenced, the original proposal for the structure did not meet the threshold requiring a building permit under state law. However, the applicant later modified the proposal to include a larger addition that did require a permit. Mr. Hoagland stated that, due to the timing of submissions and the review process, Planning and Building Inspections were reviewing materials simultaneously, which resulted in inspections proceeding before full verification of the site plan could be completed. Mr. Hoagland noted that the site plan submitted indicated compliance with setback requirements; however, staff did not have sufficient time to verify those measurements prior to final inspection approval. He acknowledged that this was an unfortunate outcome but stated that it prompted internal changes to improve coordination and review procedures. He explained that the Planning

Department has since updated its process to ensure that site plans are reviewed and verified earlier in the process to prevent similar issues in the future. Regarding temporary housing, Mr. Hoagland stated that Mr. Mayes raised valid concerns. He noted that staff has already begun incorporating potential ordinance revisions addressing temporary residences, including limiting the ability to renew permits consecutively, requiring RVs to meet the same setback requirements as permanent structures, and identifying indicators of long-term occupancy such as decks, utilities, or other permanent features. Mr. Hoagland stated that these considerations have been incorporated into the draft ordinance revisions and would be reviewed again before final action is taken by the Planning Board.

Board member Lee Kimrey engaged in further discussion with Planning Director Matthew Hoagland regarding the structure and timing of temporary residence permits. Mr. Hoagland clarified that the intent of proposed ordinance revisions was not to change the existing time limits for temporary housing permits, but rather to address the ability to immediately reapply after a permit expires. Mr. Hoagland explained that the current ordinance provides three categories for temporary residences: (1) use as a supplementary residence on a property with an existing home, limited to 12 months with no renewal; (2) use in response to a bona fide emergency, such as a fire or natural disaster, which allows for an initial 12-month period with the option for a 12-month extension; and (3) use during active construction or renovation, which allows for a 12-month period with a possible six-month extension. He stated that the proposed revision would prevent applicants from immediately reapplying for a new temporary residence permit upon expiration of an existing permit. Instead, a waiting period, currently drafted as one year, would be required before a new permit could be issued, thereby preventing temporary uses from becoming effectively permanent.

Following staff's explanation, David Mayes asked a follow-up question regarding potential loopholes in the temporary residence permitting process. He expressed concern that property owners could extend temporary living situations by claiming ongoing construction or home additions, thereby allowing repeated permit approvals and effectively creating long-term or permanent occupancy under the guise of temporary use. Board members acknowledged the concern, noting that similar situations could arise if ordinance language is not clearly defined. Chairman Rodney Cheek responded by explaining that the Board's role is to ensure that ordinance language is properly written and adopted by the Board of Commissioners before enforcement actions can occur. He emphasized that any regulatory changes would require formal adoption before they could be enforced.

Mr. Mayes reiterated his concern that construction projects could be prolonged over many years, allowing temporary housing permits to be extended repeatedly. Board members and staff acknowledged this concern and noted that addressing such loopholes is part of the ongoing effort to strengthen and clarify ordinance language. Additional discussion among Board members shifted to broader considerations regarding recreational vehicles and their use. Members discussed the increasing presence of RVs and the potential for both temporary and recreational uses, including vacation or short-term occupancy. Questions were raised about whether the ordinance should address these scenarios more clearly, including the potential for RV parks, private recreational use, or short-term rentals. Planning Director Matthew Hoagland explained that current regulations recognize two primary scenarios for RV use: placement within an approved RV park or use as a temporary residence with an approved permit. He noted that there are currently no specific time limitations for occupancy within RV parks and acknowledged that enforcement outside of permitted scenarios can be difficult. Mr. Hoagland further stated that the ordinance review process has already included proposed definitions for related uses such as secondary residences, short-term rentals, and accessory dwelling units. He explained that the intent is not to impose unnecessary restrictions, but rather to provide clearer definitions and consistent standards to guide review and ensure fair and uniform application of regulations.

VI. OLD BUSINESS

1. Continued Consideration of UDO Article 6.5 Road Access and related amendments

Planning Director Matthew Hoagland presented the continued discussion of proposed amendments to UDO Article 6.5, explaining that the document before the Board reflected a combination of prior Planning Department revisions and additional changes requested by the Board of Commissioners regarding road access for industrial properties. Mr. Hoagland provided an overview of the ongoing ordinance update process, noting that staff has been reviewing the development ordinance section by section since January 2024. He stated that the goal of this effort is to ensure compliance with updated general statutes, correct errors or ambiguities, and modernize the ordinance. He further explained that the revisions are being developed in draft form so that the Board can ultimately consider the ordinance as a single comprehensive document, rather than through multiple separate public hearings.

Section 6.5.2: Mr. Hoagland began reviewing specific updates, noting that Section 6.5.2 includes the addition of data centers as a Class 2 use and a revision to change the term “waste facilities” to “waste processing facilities” to align with existing definitions. He indicated that additional details would be discussed as the presentation continued.

During the presentation, Board member Mac Jordan asked how large-scale distribution or logistics centers, such as major warehouse facilities associated with companies like Publix and Walmart, would be classified under the ordinance. He expressed concern about the rapid growth of these facilities and the significant truck traffic they generate, noting that while many are currently located along major highways, that may not always be the case in the future.

Board member Lee Kimrey followed up on the discussion regarding distribution and logistics centers, asking staff how such a use would be classified under the current ordinance if an application were submitted. He requested clarification on where large-scale warehouse or distribution facilities would fall within the existing use categories.

Planning Director Matthew Hoagland responded that, unless a use is specifically identified as a regulated use within the ordinance, it is not classified under those provisions. He explained that in such cases, the project would instead be reviewed through the Technical Review Committee (TRC) process and would be subject to applicable requirements such as Environmental Health approval for well and septic, building permits, and NCDOT driveway approval. Mr. Hoagland stated that, under the current ordinance, uses not explicitly listed must be permitted, as the ordinance does not provide authority to regulate or deny unlisted use types.

Board members discussed the classification challenges associated with large-scale distribution and logistics centers, noting that such uses could potentially be submitted under more general categories, such as warehouses, despite having significantly different impacts. Members expressed concern that the current ordinance does not identify many emerging or modern land uses, which can create gaps in regulation. The Board acknowledged that similar issues have been discussed in the past, though prior efforts to categorize these uses had not been successful. Members emphasized the need to revisit this issue, particularly due to concerns about increased truck traffic, impacts on roadway infrastructure, and effects on quality of life for nearby residents. The Board generally agreed that additional consideration should be given to how and where these types of uses should be appropriately located within the County.

Further discussion between Board members and Planning Director Matthew Hoagland focused on potential approaches to addressing unclassified or emerging land uses. Mr. Hoagland stated that the most comprehensive solution would be the adoption of countywide zoning, which would allow for clearer regulation and placement of specific land uses. He explained that, without zoning, the alternative would be to amend the ordinance to identify and define as many anticipated use types as possible. Board members acknowledged that it may not be practical to account for every possible use but suggested focusing on

larger-scale or high-impact uses, such as those defined by size or operational characteristics. Mr. Hoagland added that another approach could involve refining the Heavy Industrial Development section of the UDO by expanding or clarifying classifications within the existing use table. The discussion emphasized the need for a practical method to better categorize uses without requiring a complete restructuring of the ordinance.

During the discussion, Chairman Rodney Cheek paused the presentation after noting that an individual had arrived and signed up to speak. Although the meeting had moved beyond the designated public comment period, Chairman Cheek allowed the individual to come forward and address the Board. ***See Public Comments Section*

Following the conclusion of public comments and Board discussion, Planning Director Matthew Hoagland resumed the presentation of proposed amendments to UDO Article 6.5. He proceeded to review each section and corresponding updates in detail.

Section 6.5.3 F: Mr. Hoagland explained that Section 6.5.3(F), related to traffic impact analysis, remained largely unchanged from the previous meeting, with the exception that applicability had been narrowed to local roads only, rather than including minor and major collectors.

Section 6.5.3 H: He then reviewed Section 6.5.3(H), noting the addition of the term “top of bank of the stream” to provide clarification for engineering considerations.

Section 6.5.3 I: In Section 6.5.3(I), he identified a correction to reference Appendix B for screening guidelines, stating that the previous reference was inaccurate.

Section 6.5.4 B: Mr. Hoagland next discussed Section 6.5.4(B), which included the updated definition of construction activities previously presented. He also noted the removal of references to North Carolina General Statute 160D-406(b) and explained that public hearing notification timelines had been standardized to a consistent range of 10 to 25 days to eliminate conflicting requirements. He further explained that the subsection regarding approval of Intent-to-Construct permit applications establishes a 45-day timeframe for the Planning Board to make a recommendation. If no action is taken within that timeframe, the Board of Commissioners may proceed, clarifying that the Planning Board’s role is advisory and not binding.

Section 6.5.4 C: Mr. Hoagland also noted a revision in Section 6.5.4(C), where responsibility for authorizing spill containment plans had been updated from the County Fire Marshal to the Emergency Management Department.

Additionally, Mr. Hoagland referenced discussion from the prior meeting regarding internal roadways, noting the need to potentially clarify ordinance language to distinguish between necessary access to a property and internal circulation roads subject to setback requirements.

Finally, Mr. Hoagland began reviewing proposed definitions corresponding to the table of uses. He explained that some uses currently lack formal definitions within the ordinance, which can create inconsistencies. As an example, he noted that while definitions exist for “inert debris” and “landfill” separately, there is no combined definition for “inert debris landfill.” He presented a proposed definition to clarify that use moving forward.

During the review of proposed definitions, Chairman Rodney Cheek asked for clarification regarding wording, specifically whether the ordinance package included distinct definitions for “trash” versus

“debris” in relation to the proposed definition of an inert debris landfill. Planning Director Matthew Hoagland responded that the ordinance does not currently include a separate definition distinguishing “trash” from “debris.” He noted that there is an existing definition for “inert debris” within the ordinance, which is relied upon in interpreting related uses. Chairman Rodney Cheek and Board members continued discussion regarding terminology within the proposed definitions, specifically raising concerns about the distinction between “yard trash” and “yard waste.” Chairman Cheek expressed concern that unclear terminology could lead to misuse or misinterpretation, providing an example of non-decomposable materials, such as plastic, being improperly classified as yard-related waste. Board members referenced the existing definition of yard trash, noting that it is defined as solid waste consisting solely of vegetative and landscaping materials, such as grass and similar organic matter. Planning Director Matthew Hoagland responded that, when drafting new definitions, staff made an effort to align language as closely as possible with existing state definitions to ensure consistency and clarity within the ordinance.

Board members and Planning Director Hoagland continued discussion regarding definitions related to solid waste and inert debris. Mr. Hoagland explained that the County’s ordinance generally mirrors state law, particularly the broad definition of solid waste found in North Carolina General Statutes. He noted that, while the ordinance distinguishes between different landfill classes, it currently lacks a clear and specific definition for an inert debris landfill, resulting in some ambiguity. Board members discussed the existing definitions for “landfill” and “inert debris,” noting that the current language does not clearly identify all materials permitted within an inert debris landfill. Questions were raised regarding whether materials such as unpainted brick, concrete, and block should be explicitly included, as these materials are recognized at the state level. Mr. Hoagland acknowledged this gap and stated that the proposed definition could be revised to better align with state guidance by including those materials. Additional discussion addressed other materials, including asphalt and roofing shingles, with Board members noting that these petroleum-based products may not qualify as inert debris and would likely fall under higher classifications, such as construction and demolition (C&D) or Class 3 landfill categories. Mr. Hoagland agreed that further clarification may be necessary to ensure consistency with state definitions and proper classification of materials. The Board also identified a typographical issue within the renewable energy facility definition, suggesting that the term “compensation” should be corrected to “consumption.” Mr. Hoagland noted that the language was taken directly from the existing ordinance but agreed that the correction should be made.

Mr. Hoagland concluded this portion of the discussion by stating that staff would incorporate the suggested revisions and clarifications into the draft ordinance for further review.

Planning Director Matthew Hoagland continued his review of proposed amendments, focusing on Class 2 definitions. He explained that revisions to the definition of “resource extraction” were intended to clarify the primary purpose of such operations. Mr. Hoagland noted that the current definition could unintentionally classify routine grading activities, such as those associated with construction projects, as resource extraction if material is sold. He stated that the proposed revision would instead focus on whether the primary intent of the operation is the commercial removal and sale of resources. He added that incidental sale of materials resulting from grading associated with another project would not be considered resource extraction under the revised definition. Hoagland noted that definitions for auto salvage and storage facilities and chemical manufacturing included only minor grammatical corrections.

He then introduced a proposed new definition for “data center,” explaining that the addition was recommended due to the increasing prevalence of such facilities. Mr. Hoagland stated that the draft definition presented to the Board was developed locally, but that the State had also proposed a definition through pending legislation that was not ultimately adopted. He reviewed the State’s draft definition, noting that it included criteria related to energy demand and operational scale, such as peak megawatt usage. Board members discussed the distinction between different types of data centers, including the concept of

“hyperscale” data centers based on energy usage. Mr. Hoagland indicated that staff could provide the State’s draft definition for further consideration as the Board evaluates how best to define and regulate these uses within the ordinance.

Planning Director Matthew Hoagland continued the review of proposed definitions, moving into Class 3 uses. He noted that there were no changes to the definitions for mining and boring, asphalt plants, electric generating facilities, paper mills, or cement manufacturing. Mr. Hoagland stated that the ordinance currently does not include a definition for racetracks and presented a proposed definition derived directly from North Carolina General Statutes to address that gap. He then discussed the definition of “landfill,” explaining that the ordinance distinguishes between Class 1 inert debris landfills and all other landfill types, which are classified as Class 3. Mr. Hoagland stated that the existing general definition of landfill would remain unchanged; however, additional language was proposed to clarify that, for purposes of the ordinance, landfills not classified as inert debris landfills would include those accepting municipal solid waste, construction and demolition debris, industrial waste, medical waste, hazardous waste, scrap tires, and other non-inert materials. He explained that this distinction was necessary to clearly differentiate between inert debris landfills and other types of waste disposal facilities within the ordinance.

Planning Director Matthew Hoagland continued the review of definitions, addressing the need to clarify terminology related to waste facilities. He explained that the ordinance currently includes “waste facilities” as a use but lacks a corresponding definition, with the closest existing term being “waste processing facility.” Mr. Hoagland stated that the proposed definition was intended to create consistency between use classifications and defined terms. He explained that the proposed definition was developed based on how waste processing facilities are referenced in the North Carolina Administrative Code, particularly in relation to facilities handling hazardous, medical, or other regulated waste streams. The proposed definition includes facilities or sites that accept various forms of waste, including municipal solid waste, construction and demolition debris, industrial waste, medical waste, hazardous waste, and scrap tires, and process those materials through activities such as incineration, composting, conversion to energy, consolidation, storage, or transport to a final disposal site. Mr. Hoagland noted that the definition specifically references “synthetic waste” to distinguish it from natural materials such as land clearing debris. He explained that this distinction ensures that activities involving natural materials, even if processed, would not be classified as waste processing facilities under the ordinance. He concluded this portion of the review by noting that there were no changes to the definitions for sawmills or metal recycling and salvage services.

Board member Lee Isley revisited the proposed definition for renewable energy facilities and sought clarification regarding a suggested terminology change from “compensation” to “consumption.” He referenced earlier comments and noted that the language appeared to distinguish between larger-scale renewable energy facilities that distribute energy commercially and smaller-scale systems intended for on-site residential or agricultural use.

Mr. Isley stated that he wanted to ensure the language was being interpreted correctly before making any revisions, particularly to confirm that both commercial distribution and on-site use scenarios were appropriately addressed within the definition. Mr. Isley indicated that, based on this distinction, the use of the term “compensation” in the first portion of the definition should remain unchanged, as it accurately reflects the intent of commercial energy generation, while “consumption” is more appropriate in describing smaller-scale, self-use systems.

Board members and Planning Director Matthew Hoagland continued discussion regarding the renewable energy facility definition and the distinction between “compensation” and “consumption.” Mr. Hoagland stated that he had not initially proposed changes to this definition but could review corresponding language in state statutes for additional clarity. Board members discussed how the definition would apply in practical

scenarios. One example involved an agricultural property where turbines are installed, and the landowner receives compensation for energy generation. Mr. Hoagland explained that such situations are addressed within the existing language, noting that when energy generation is secondary to the primary agricultural use, it would not be considered a standalone renewable energy facility under the ordinance. Additional scenarios were discussed, including the placement of turbines on non-agricultural properties such as rock quarries. Mr. Hoagland clarified that in such cases, the renewable energy component would likely be treated as a separate use and would be required to meet all applicable permitting, setback, and land use requirements independently under the Heavy Industrial Development Ordinance. The discussion concluded with Board members emphasizing the importance of clearly distinguishing between commercial energy generation for compensation and smaller-scale or secondary uses tied to on-site consumption, ensuring that the ordinance language accurately reflects those differences.

Board member Lee Kimrey raised a question regarding the proposed data center definition and asked whether staff had considered the potential need for additional regulations, specifically related to noise impacts. He inquired whether future adoption of data center provisions might include standards or controls addressing operational noise associated with such facilities.

Planning Director Matthew Hoagland responded that staff had not specifically discussed additional noise regulations related to data centers at this time. He noted that Alamance County already has a general noise ordinance in place that would apply to such uses. Mr. Hoagland added that the intent of including data centers within the Heavy Industrial Development Ordinance would be to ensure appropriate buffering requirements, such as minimum setbacks from neighboring properties, which could help mitigate potential impacts, including noise.

Board members continued discussion regarding potential impacts of data centers, with a focus on noise. It was noted that the County's existing noise ordinance includes exemptions for industrial manufacturing operations during normal business hours, which may not adequately address uses such as data centers that operate continuously. Board members expressed concern that data centers can generate significant noise levels on a 24-hour basis, primarily from cooling systems, including fans, chillers, and outdoor condensing units required to regulate internal temperatures. It was noted that these systems can produce a constant humming sound and may require backup units that operate intermittently, further contributing to noise levels. Discussion also included how other jurisdictions address these concerns, often through regulations that establish allowable decibel levels at property lines and require engineering analysis both prior to and after installation. Board members noted that mitigation measures, such as buffering and equipment placement, can help reduce noise impacts.

Planning Director Matthew Hoagland confirmed that data centers are being proposed as a Class 2 use under the ordinance, which would require significant setbacks and buffering, including minimum spacing from property lines and protected uses. Board members acknowledged that these requirements could provide some level of impact mitigation, though concerns about noise remained an important consideration for future review.

Board members and Planning Director Matthew Hoagland continued an in-depth discussion regarding noise impacts associated with data centers. Mr. Isley noted that such facilities can generate significant and continuous noise due to cooling systems, backup generators, and other equipment, with sound levels potentially ranging from 70 to 90 decibels. Board members compared these levels to everyday sounds, such as lawn equipment, emphasizing that the key concern is the continuous, 24-hour nature of the noise rather than short-term or intermittent impacts. The Board discussed how other jurisdictions address these concerns, including establishing maximum allowable decibel levels at the property line and requiring engineering studies both before and after construction to ensure compliance. Members noted that some

projects require limits around 60 decibels at the property boundary, along with post-construction verification and potential mitigation measures such as additional buffering, sound barriers, or equipment adjustments if standards are not met. Discussion also included the role of setbacks and vegetative buffers in reducing noise impacts. While the proposed Class 2 classification would require significant spacing, potentially up to 300 feet when combining setbacks and operational buffers, board members expressed concern that distance alone may not be sufficient to address continuous noise from large-scale facilities. Board members further discussed the potential for requiring a specific noise standard within the ordinance, rather than relying solely on spacing requirements. Suggestions included establishing a maximum decibel threshold at the property line, particularly for uses operating 24 hours a day, and ensuring that mitigation measures could be implemented if those thresholds are exceeded. Mr. Hoagland noted that while the current ordinance structure typically relies on spacing and buffering to mitigate impacts, the Board could consider adding a dedicated provision addressing noise for heavy industrial uses. He also mentioned that, rather than placing regulatory language within definitions, the Board may consider referencing or coordinating with the County's existing noise ordinance or incorporating more specific standards as part of the broader ordinance update process. The discussion concluded with general agreement that noise associated with data centers is a significant concern and should be carefully considered as part of the ongoing ordinance revisions.

Assistant County Attorney Michelle Horn provided input regarding the discussion on ordinance consistency. She stated that staff could begin reviewing and aligning related provisions across ordinances, similar to the current effort underway for solid waste regulations. She emphasized the importance of ensuring that definitions, such as those related to inert debris and other waste classifications, are consistent across all applicable ordinances to maintain clarity and cohesion. Ms. Horn noted that this type of coordination is part of a broader effort to review and update multiple County ordinances to ensure they function together effectively. She acknowledged that it is a substantial undertaking but indicated that the process is already in progress and would support more consistent and enforceable regulations moving forward.

Further discussion between Planning Director Matthew Hoagland, Assistant County Attorney Michelle Horn, and Board members focused on potential approaches to addressing noise impacts within the ordinance. Mr. Hoagland noted that any additional regulation should be carefully tailored so as not to unnecessarily restrict all heavy industrial uses, particularly those that operate primarily during normal business hours. Board members discussed the possibility of incorporating language that specifically addresses continuous or 24-hour noise-generating uses, distinguishing them from typical daytime industrial operations. It was suggested that standards could focus on noise occurring outside of reasonable business hours or apply specifically to uses that operate continuously. Ms. Horn indicated that staff could work on developing appropriate language to address these concerns, while ensuring consistency with existing ordinances. Mr. Hoagland agreed and stated that staff would explore options for incorporating such provisions into the ordinance as part of the ongoing revision process.

Board member Lee Kimrey raised a question regarding roadway classifications, asking how often local roads have been upgraded to minor collectors over the past several years. Planning Director Matthew Hoagland responded that he was not aware of any such changes within Alamance County, noting that while reclassification can occur, it is relatively rare. Board members acknowledged the uncertainty but agreed that changes in roadway classification are not common occurrences within the County.

Board members and Planning Director Matthew Hoagland continued discussion regarding roadway classifications and their potential impact on land use regulations. Board member Lee Kimrey raised concerns about how changes in roadway classification by the North Carolina Department of Transportation (NCDOT) could affect permitted uses under the ordinance. Mr. Hoagland explained that while changes in

classification, such as from a local road to a minor collector, do occur, they are relatively infrequent. Board members discussed that such reclassifications are based on multiple factors, including traffic volume, connectivity, roadway function, and regional access, rather than traffic alone. The discussion then focused on the implications of tying ordinance standards to NCDOT roadway classifications. Board members noted that if the ordinance relies on these classifications, a future change by NCDOT could alter the types of uses allowed along a roadway. For example, if a local road were later reclassified as a minor collector, it could potentially open the door for additional uses, including heavy industrial development, that were not previously permitted under the ordinance. Board members expressed concern that this could effectively allow state-level decisions to influence local land use outcomes without direct County action or notification to affected property owners. Questions were raised about whether there would be any mechanism to notify residents of such changes, with staff noting that no formal process currently exists for that type of notification. Mr. Hoagland clarified that the proposed ordinance language references the current NCDOT functional classification system, meaning that any future reclassification could impact how the ordinance is applied. Board members acknowledged that this approach could create unintended consequences and emphasized the need to carefully consider how roadway classifications are incorporated into the ordinance moving forward.

Board members and Planning Director Matthew Hoagland engaged in further discussion regarding the potential impacts of the proposed ordinance on existing heavy industrial uses. Board member Lee Kimrey questioned how many current operations in the County might become nonconforming if the proposed amendments were adopted. Mr. Hoagland responded that, based on his preliminary assessment, a significant number, potentially up to half, of existing uses could become nonconforming under the revised standards. The Board discussed the implications of nonconforming status, particularly for existing businesses seeking to expand or modify their operations. Mr. Hoagland explained that while nonconforming uses are typically allowed to continue, they often face restrictions on expansion, redevelopment, or modification, which can create challenges for long-term business viability. Board members noted that this could have unintended consequences for property owners and business operators, including limitations on growth, complications with permitting, and reduced marketability of properties. It was also discussed that if a nonconforming use ceases operation for a specified period, such as six months, the ability to resume that use may be lost.

The discussion highlighted that while nonconforming provisions are commonly used in land use regulation, they can present significant challenges in practice. Board members expressed concern about creating widespread nonconformities through ordinance changes and emphasized the importance of carefully evaluating the potential impacts on existing uses before moving forward.

Board member Lee Kimrey expressed strong opposition to the proposed road access provisions within the ordinance amendments. He stated clearly that he did not support the approach, describing it as problematic based on the discussion and potential impacts identified. Board members acknowledged differing perspectives on the proposal, and discussion followed regarding how best to proceed. It was noted that the Planning Board's role is to review the item as requested by the Board of Commissioners and provide a recommendation, which may include outlining both the benefits and drawbacks of the proposal. Mr. Kimrey stated that, while he understood the broader ordinance revision effort, he could not support the recommendation if the road access provisions remained as currently written. He emphasized that his vote would reflect his opposition to that specific component, even if included as part of a larger package of amendments. Board members discussed the option of either advancing the item independently or incorporating it into the larger set of ordinance revisions currently under review, with the understanding that the final decision would rest with the Board of Commissioners.

Board member Tom King raised additional concerns regarding the proposed road access provisions, specifically questioning whether the language may be too restrictive by limiting access to a single point.

He suggested that, in certain situations, allowing secondary or emergency access points could be beneficial to reduce congestion and improve traffic flow, particularly for larger developments. Board members discussed scenarios where restricting all access to a single state-maintained road could create unintended consequences, such as increased traffic concentration at one entrance or limiting the ability to safely disperse traffic across multiple access points. Mr. King noted that, in some cases, additional access points, such as gated emergency access or secondary entrances, may be necessary for operational or safety reasons.

Planning Director Matthew Hoagland explained that the proposed language was originally intended to ensure that access for heavy industrial uses would be directed toward higher-capacity roadways rather than local roads. However, he acknowledged that the current wording could create limitations in certain situations and may not allow for flexibility where multiple access points would be appropriate.

The Board recognized the need to balance traffic management goals with practical site design considerations and indicated that the language may need to be refined to allow for reasonable exceptions while still achieving the intent of directing traffic to appropriate roadways.

Board member Tom King raised a question regarding the notification requirements outlined in the draft ordinance, specifically referencing the 10- to 25-day timeframe for public notice. He asked whether staff had a defined process or timeline for issuing notices within that range after they are posted.

The question focused on how the notification period is managed in practice and whether there is a standard approach to ensure compliance with the required timeframe.

Board member Tom King and Planning Director Matthew Hoagland continued discussion regarding public notice requirements outlined in the draft ordinance. Mr. King referenced provisions related to posting notice of public hearings and indicated that clarification of the timeline would be beneficial. He also noted that certain sections of the draft appeared to be repetitive, particularly regarding notification requirements. Mr. Hoagland acknowledged that portions of the public hearing section contain duplicative language and indicated that the section could be streamlined to avoid redundancy. Board members discussed the distinction between notifying property owners and residents, noting practical challenges in identifying renters or occupants for notification purposes. Further discussion addressed appeal procedures, with Board members questioning how administrative decisions made by the governing board would be appealed. Mr. Hoagland explained that, under state law, appeals of administrative decisions typically proceed to the Board of Adjustment, which serves as the quasi-judicial body. He noted that this interpretation could be reviewed further for accuracy and alignment with statutory requirements. Board members also identified minor technical and grammatical corrections within the draft ordinance, including clarification of language within the resource extraction definition. Mr. Hoagland acknowledged the suggested edits and indicated that staff would incorporate corrections to improve clarity and consistency within the document. The Board concluded this portion of the discussion by recognizing that the public hearing and notification sections may require additional refinement to ensure clarity, reduce duplication, and align with legal standards.

Board member Stephen Dodson raised a question regarding the classification of ready-mix concrete suppliers under Class 1 uses, noting that asphalt plants are categorized as Class 3 uses. He asked whether there is a distinction between a ready-mix concrete supplier and a concrete batch plant and whether those uses should be classified differently within the ordinance. Mr. Dodson requested input from Chairman Rodney Cheek and other members with relevant experience to better understand the operational differences and whether the ordinance should differentiate between these types of facilities.

Chairman Rodney Cheek responded to Board member Stephen Dodson's question regarding the distinction between ready-mix concrete suppliers and concrete or asphalt plants. Chairman Cheek stated that, from an

operational perspective, the processes are similar in that both involve combining raw materials such as sand, stone, and other components to produce a final product. However, he noted that the primary distinction lies in the method and intensity of production. Chairman Cheek explained that ready-mix concrete operations typically involve batching materials and mixing them within a truck-mounted drum, with the final mixing process occurring during transport to a job site. In contrast, asphalt plants and larger concrete mixing facilities involve more intensive on-site processing, including heating materials and using burners, which contributes to higher levels of noise and odor. Board members discussed that while both uses involve material handling and mixing, asphalt plants generate additional impacts due to heating processes, including noticeable noise and odor. Chairman Cheek noted that these differences were previously considered when establishing classifications within the ordinance, with ready-mix concrete suppliers placed in a lower-impact category due to the absence of significant odor and reduced overall impact compared to asphalt plants. The Board acknowledged that, although there are operational similarities, the distinction between these uses has already been evaluated, and the current classification reflects differences in intensity and community impact.

Board member Stephen Dodson raised a recommendation regarding the landscaping and screening requirements outlined in the ordinance. He noted that the current draft establishes a minimum buffer of 50 feet for Class 1 and Class 2 uses and 100 feet for Class 3 uses. Mr. Dodson suggested that the Board consider increasing the minimum buffer requirement to 100 feet for all three classes. He explained that, based on personal observations and recent public feedback, particularly from discussions related to landfill applications, larger buffers may provide better long-term protection for neighboring properties. He noted that while a 50-foot buffer may be adequate in some cases, it may not be sufficient overtime as surrounding land uses change. Mr. Dodson emphasized that increasing the buffer could help address concerns related to visual impacts, noise, and overall compatibility between uses. Mr. Dodson offered this recommendation for the Board's consideration as part of the ongoing ordinance revisions.

Board members continued discussion regarding the proposed increase in landscaping and screening requirements. While there was general support for increasing buffer widths, members considered the potential impacts on property owners and developers. It was noted that requiring a 100-foot buffer in all cases could create additional costs, particularly for properties lacking existing vegetation, where applicants may be required to install extensive landscaping to meet ordinance standards. Planning Director Matthew Hoagland explained that the ordinance currently allows existing vegetation to count toward buffer requirements at the discretion of the Planning Director. However, he acknowledged that this approach introduces a level of subjectivity, which could lead to inconsistent interpretations and potential concerns from applicants. Board members discussed alternative approaches, including maintaining the current 50-foot buffer for Class 1 uses while increasing the requirement to 100 feet for Class 2 and Class 3 uses. This approach was viewed as a potential compromise that would enhance buffering for more intensive uses while limiting the burden on lower-impact uses. The discussion also highlighted challenges associated with defining what constitutes sufficient existing vegetation, noting that interpretations may vary depending on site conditions and staff judgment. Board members acknowledged the need to balance increased buffering with practical implementation considerations and fairness to property owners.

Board members and Planning Director Matthew Hoagland continued discussion regarding buffering requirements and operational standards for industrial uses. Mr. Hoagland indicated that, given the existing 150-foot operational setbacks for industrial uses, increasing vegetative buffers for certain classifications would be a reasonable compromise that supports compatibility between uses and neighboring properties. He noted that enhanced buffering generally promotes better outcomes for adjacent property owners. The Board reached a consensus to maintain the existing 50-foot buffer requirement for Class 1 uses while increasing the buffer requirement for Class 2 uses from 50 feet to 100 feet, aligning it with the existing requirement for Class 3 uses. This adjustment was agreed upon for inclusion in the draft ordinance moving

forward. Further discussion focused on clarifying terminology related to roadways within industrial developments. Board members emphasized the need to distinguish between “access roads” and “internal operational roadways.” Mr. Hoagland explained that access roads serve as the primary means of entry from public roadways into a site, while internal roads are used for circulation within the operational area of a development. Board members noted that failing to distinguish between these types of roadways could create unintended conflicts with setback and buffering requirements. For example, if access roads were considered part of the “area of operations,” it could make compliance with required setbacks impractical or impossible, particularly for properties with long access drives or flagpole-style configurations. Mr. Hoagland agreed that additional language should be drafted to clearly define and distinguish access roads from internal operational roads to ensure the ordinance functions as intended without creating unnecessary constraints. He indicated that staff would work on developing appropriate terminology and language for future consideration.

VII. NEW BUSINESS

1. Consideration of UDO Article 8 Appendix amendments

Planning Director Matthew Hoagland began the review of proposed Article 8 appendix amendments with Appendix A.

Appendix A: He explained that staff proposed adding four new certificates, identified as Certificates 19, 20, 21, and 22, addressing 911 addressing, proximity to an Agricultural Preservation District, flood damage prevention, and watershed compliance. Mr. Hoagland stated that the 911 addressing and Agricultural District certificates are already required by other County ordinances but are not currently included in the UDO. He explained that the flood damage prevention certificate is intended as a best practice to notify property owners when a portion of a property is located within a flood hazard area and that proper permitting may be required. He also noted that the watershed compliance certificate is similar to language included in the State model ordinance for disclosure.

Appendix B: There are no proposed changes to Appendix B at this time.

Appendix C: No substantive changes are proposed for Appendix C. He noted that staff made minor formatting adjustments to improve readability, specifically correcting line spacing and alignment where text previously extended or “bled” into adjacent lines.

Appendix E: Minor formatting changes were made to Appendix E, including adjustments to the lettering under each heading. He also noted a correction to terminology within the project area section, revising “stream” to “streams” for consistency and accuracy.

Appendix F: No proposed changes to Appendix F at this time.

Appendix G: Appendix G is currently outdated due to changes in the County’s fee schedule. He noted that, for example, the fee for an industrial permit has increased from the amount listed in the ordinance and no longer reflects current rates. Mr. Hoagland proposed eliminating Appendix G entirely, explaining that retaining the fee schedule within the UDO would require frequent ordinance amendments each time fees are updated. He stated that fees are now more appropriately maintained through the County’s annual budget process, making removal of this appendix a more efficient and practical approach.

Appendix H: Would be renumbered as Appendix G if Appendix G is eliminated. Otherwise, no substantive changes are proposed.

Appendix J: Staff is proposing to eliminate Appendix J, as decommissioning requirements for solar energy systems are now regulated by the North Carolina Department of Environmental Quality (NCDEQ) under state statute and corresponding administrative code. He explained that, under the proposed ordinance changes, the County would instead require applicants to provide a copy of the decommissioning plan submitted to NCDEQ, rather than maintaining a separate local appendix addressing the same requirements.

Appendix K: Appendix K would become Appendix I. Previous sections are deleted, otherwise no change.

Appendix L: Staff is proposing to eliminate Appendix L, explaining that the road standards for Class 1 and Class 2 uses would instead be incorporated directly into the ordinance. He noted that this change would improve clarity and organization by consolidating applicable standards within the main body of the UDO rather than maintaining them in a separate appendix.

Appendix M: Appendix M would be renumbered as Appendix J if the previously proposed appendices are eliminated. Otherwise, no substantive changes are proposed.

Appendix N: Appendix N would be renumbered as Appendix K if the previously proposed appendices are eliminated. Otherwise, no substantive changes are proposed.

Appendix O: Appendix O would be renumbered as Appendix L if the previously proposed appendices are eliminated. He explained that the revised version would consolidate both preliminary and final plat requirements into a single appendix and would incorporate a more streamlined, spreadsheet-style checklist format, replacing the current structure that separates the two processes.

Appendix P: Appendix P would be renumbered accordingly if the previously proposed appendices are eliminated. Otherwise, no substantive changes are proposed.

Appendix Q: Staff is proposing to eliminate Appendix Q, explaining that the information currently contained within it would be incorporated into the revised Appendix O.

Board member Lee Kimrey raised a question regarding language in the Voluntary Agricultural District ordinance, specifically asking about any established distance requirements for protection or notification when properties are located near such districts. He inquired whether staff could confirm the specific distance referenced in the ordinance and how it is applied in practice.

Board member Henry Chandler and Lee Kimrey continued discussion regarding notification requirements for properties located near Voluntary Agricultural Districts. Mr. Chandler noted that property owners are typically notified based on proximity but was unsure of the exact distance requirement. Director Matthew Hoagland clarified that the applicable standard is one-half mile, measured aurally. He explained that if a proposed subdivision is located within one-half mile of an established Voluntary Agricultural District, the applicant would be required to include a certificate on the plat indicating that proximity. This notification serves to inform future property owners of nearby agricultural operations.

Board members discussed the purpose and effectiveness of the proposed Agricultural District certificate. It was noted that the intent of the certificate is to provide disclosure to property owners that a nearby Voluntary Agricultural District exists, which may involve typical agricultural activities such as noise, odors, or other impacts. Board members acknowledged that, while such disclosures are often overlooked by property owners at the time of purchase, the certificate serves an important legal function. It was noted that the inclusion of this information on recorded plats provides formal notice and can help address future complaints by demonstrating that the property owner was informed of nearby agricultural uses at the time

of purchase. The Board further discussed that, in practice, concerns are often directed to County staff rather than real estate agents, reinforcing the importance of having clear and documented disclosure requirements in place.

Board member Stephen Dodson raised a question regarding the proposed checklist for preliminary and final plats, specifically referencing the sections on pages 26 and 27. He noted that while the checklist references requirements such as signatures, he did not see a clear requirement for a seal and asked whether that element should be included. Planning Director Matthew Hoagland responded that the checklist is still in a draft stage and acknowledged that some required elements may not yet be fully reflected. He explained that due to time constraints, the document had not been fully refined and would require additional review. Mr. Hoagland stated that staff intends to revisit the checklist to ensure all necessary components are included, such as seals, vicinity maps, north arrows, and other standard plat requirements. He noted that additional revisions and refinements would be made prior to presenting a final version.

Board members and Director Hoagland continued discussion regarding the proposed plat checklist, focusing on professional certification requirements. Board members questioned whether architects are authorized to seal plats, noting that this responsibility is typically assigned to licensed surveyors or engineers depending on the type of document. Mr. Hoagland explained that preliminary plats, construction plans, and final plats often involve different professionals, with engineers typically preparing construction plans and surveyors responsible for final plats intended for recordation. He emphasized the importance of maintaining clear distinctions between these document types to ensure compliance with professional standards and state requirements. Board members discussed the potential for confusion within the checklist, particularly where it references engineers, surveyors, and architects together. It was suggested that while listing names and addresses of professionals is appropriate, any requirement for a seal or certification should be clearly limited to those qualified to provide it, such as licensed surveyors or engineers. The Board also noted that the checklist language may have been drawn from multiple sources and could benefit from clarification to avoid misinterpretation by applicants. Mr. Hoagland acknowledged these concerns and indicated that staff would revise the checklist to ensure that certification requirements are clearly defined and aligned with professional licensing standards.

VIII. ANNOUNCEMENTS/DISCUSSION

Planning Director Matthew Hoagland opened the discussion by noting that staff would continue refining the ordinance draft, including revisiting certain distance requirements and ensuring consistency across sections. He reminded the Board that, while all sections of the UDO have now been reviewed, additional work remains, particularly regarding the Subdivision Ordinance, which has not been revisited in detail since earlier discussions tied to a broader zoning proposal.

Board members discussed whether to proceed with reviewing the Subdivision Ordinance next or begin compiling a complete draft of the UDO for a comprehensive review. The Board generally agreed that the Subdivision Ordinance should be revisited before assembling a full draft document to avoid having to pause later in the process.

Mr. Hoagland then provided several updates. He formally welcomed Mr. Sam Powell as the new ex officio Commissioner liaison to the Planning Board. He also informed the Board that the Philippie LCID Intent-to-Construct Permit had been presented to the Board of Commissioners, but no action was taken, and the item would return on the Commissioners' April 20 agenda. Additionally, he reported that the Saxapahaw Pedestrian Safety and Traffic Calming Study has been awarded to Three Oaks Engineering, with a contract expected to be finalized by the end of the fiscal year. The discussion then shifted to subdivision development trends within the County. Mr. Hoagland presented several recent subdivision examples, including Salem

Woods, Cane Creek, Aurora Acres, Evansfield, and a newly proposed large-scale subdivision consisting of over 500 lots. Board members reviewed these examples in the context of density, infrastructure, and long-term planning considerations. Board members expressed concerns regarding the scale and impact of large residential developments, particularly in relation to school capacity, infrastructure demands, and overall growth management. It was noted that current development patterns can result in high-density residential growth, even in unincorporated areas, and that such growth may have long-term fiscal implications for the County. Discussion also included the financial impact of residential development, with Board members noting that the cost of providing services to residential areas may exceed the tax revenue generated. Comparisons were made to illustrate how increased population can drive higher service costs, including education, emergency services, and infrastructure maintenance. Board members emphasized the importance of continued evaluation of development policies, including subdivision standards and potential zoning considerations, to better manage growth and ensure long-term sustainability for the County.

IX. ADJOURNMENT

A motion to adjourn was made by Board member Lee Isley and seconded by Stephen Dodson. The motion passed unanimously.

The meeting was adjourned around 9:14 PM.