

Chair
Ray Cobb
Planning Director
Tonya Caddle



Commissioners' Meeting Room
124 W Elm Street
Graham, NC 27253
March 9, 2023 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD

AGENDA

Virtual-

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF PLANNING BOARD MINUTES**
 1. October 13, 2023
 2. January 12, 2023
- IV. PUBLIC COMMENTS***
- V. BOARD/COMMISSIONER RESPONSES**
- VI. NEW BUSINESS**
 1. UDO Temporary Residences Text Ammendment
- VII. OLD BUSINESS**
 1. Minimum Lot Sizes
- VIII. ANNOUNCEMENTS/DISCUSSION**
- IX. ADJOURNMENT**

**Meeting Notes:*

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

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Members Present

Ray Cobb, *Chair*

Rodney Cheek

Vaughn Willoughby

Eric McPherson

Anthony Pierce

Arthur Hall

Debra Hyder

Ernest Bare

Stephen Dodson

John Paisley, *Commissioner liaison*

Members Absent

Bill Poe

Sandy Ellington-

Graves

Blake Cobb

Staff Present

Tonya Caddle, *Planning Director* (via Zoom)

Ian Shannon, *Planner I*

Rik Stevens, *County Attorney*

Ragan Oakley, *Assistant County Attorney*

I. CALL TO ORDER

Called to order at 7:03 by Chair Cobb

II. ROLL CALL

Staff handled roll call through Zoom and in-person roster.

III. APPROVAL OF PLANNING BOARD MINUTES

1) June 9, 2022

Motion to accept as presented: Ray Cobb

Second: Rodney Cheek

Vote: Unanimous

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IV. PUBLIC COMMENTS*

Paul Walker: Came before the board to talk about the proposed slaughter plant. He spoke to his experience as a retired livestock extension agent and his familiarity with livestock and slaughter plants. Spoke to the board about how the proposals he saw for the plant were unacceptable and how there were no plans to address the issues with pollutants from the proposed plant. He also spoke to the issue of developing this proposed plant in a residential area.

Judy Henderson: Spoke as a representative of the Hawfields community and as a representative of many neighbors concerned with the proposed slaughter facility. Raised some questions about the overall permit process and asked the Planning Department for answers. Also raised concerns with new schools coming to the area and with the noise, odor, runoff, and waste that the proposed facility would generate. Also raised some concerns with how the proposed facility would devalue homes in the neighborhood.

Laura Crouch: Asked the planning board to make a good decision regarding the proposed slaughter facility. Noted that the area was designated as a "suburban transition" zone according to her research of the UDO and stated that a slaughterhouse was not in harmony with that kind of land use.

Judy Brownell: Raised concerns over potential noise, smell, and traffic that would come from the proposed slaughter facility.

Judith Rogers: Informed the board that her farm and home was situated along the edge of the proposed dump site for the slaughter facility. Raised concerns with the smell and with how runoff would impact a nearby stream.

Robert Barr: Asked the board to consider the 50 families in Brandywine Estates and the nature of the area with the proposed slaughterhouse.

Chelsey Miller: Spoke to the board about their support for the Quaker Creek Solar project and their positive experience with Carson and their team.

Carol Davis: Came to the board with concerns over the proposed landfill. Asked the board why this landfill was necessary when there were already two other landfills within three miles. Raised concerns over traffic, bridge infrastructure and the impacts this might have to the land that they help work to preserve in the area.

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Johnathan Levens: Raised concerns over soil pollution, water quality, and noise impacts from the proposed landfill. Noted to the board that the landfill down the road can operate for 15 more years as is and that the incinerator they added will not impact air and noise quality. Asked the board to consider the environmental impacts of this new proposed landfill.

Jill Dixon: Expressed that they did not want to see any kind of development along John Lewis Road that they could see.

V. BOARD/COMMISSIONER RESPONSES

The board has no plans to address the slaughterhouse at this time as it is not on the agenda.

VI. NEW BUSINESS

1) Solar Energy System Application – Quaker Creek Solar

Tonya Caddle gave an overview of the application. Part of the project was originally in Green Level jurisdiction and part was in County jurisdiction so the proposal was modified and now includes multiple parcels. The project is in a Balance of Watershed area. Action tonight is the applicant is requesting approval. Total parcel acreage is 597.07 acres. The project has been reviewed under county ordinance. The developer has set up a bond per the decommissioning plan. Legal has also reviewed the application.

Van Joines, the business development director gave a presentation on the project and addressed public comment saying that both the sites were set back a considerable amount from John Lewis Road. The current hardwood trees and wetlands will shed the view and they are not allowed to cut those down. They are on contract with Duke Energy to sell

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them renewable power. Van also spoke on their engagement with the community and the support they had been receiving. He said the project will create a lot of tax revenue for the county, estimating 1.2 million over the next 30 years, and added that they aimed to add value to the county and were excited to be a long-term partner. He introduced some members of the project team to the board.

There was a question on the access to these two parcels. It was stated that the site would be fenced off, and improvements would be made to an existing farm access road in order to get to the project site. It was also mentioned that as a part of their decommissioning plan, everything would be removed and the site would be re-graded after the 30 year lease on the land was up. A transferrable bond has been posted should anything happen before then.

Chris Sandifor, another member of the project team, told the board that they were taking steps to avoid flooding and environmental impacts to the aquifer by using impervious surfaces and summer grasses. They stated that this project would not impact the wetland.

Another project member, Ally Ventresca, went over some of the details on the fencing and landscaping. There would be a 7-foot tall wildlife permeable fence around the site, which would allow small creatures to pass through and deer to jump. She stated that if there were any drainage or vegetation concerns, these would be caught in inspections and they would be compliant to the permit to address those concerns. Ally also stated that

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they were planting additional trees in areas with less coverage to create a visual barrier to the site as a part of the screening requirements for the permit.

It was noted that the 290 feet of forested setback was pretty substantial, and that there was little chance of seeing the solar field from the road.

Tonya informed the board that everything for this project had been submitted and that legal has reviewed it.

Motion to approve: Vaughn Willoughby

Second: Rodney Cheek

Vote: Unanimous

Tonya informed the board that from here the applicant had to file their watershed permit and the decommissioning plan. The project would then be reviewed by inspections planning board is final decision and it was estimated that construction could begin around early 2024.

2) Heavy Industrial Development Application – Euliss Road LCID

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Tonya gave an overview of the application and staff report. This is a Class 1 HIDO proposal. An inert debris landfill. No watershed. Planning Board will recommend or not to Board of Commissioners.

Chad Huffine, the applicant, presented the project to the board, stating that they have worked with the county Planning Department and DOT and had gone through the county checklist to get this done in order. They have provided the county with the site plan in accordance with ordinance requirements and the site was advertised and posted. The whole property is 30 acres, of which 13 to 17 acres will be the actual landfill. There is 400 to 700 feet from Euliss Road to the fence/boundary of the property and 150 feet beyond that to the site itself.

Chad addressed a question on the kinds of material that would be disposed of here by giving a few examples: trees, stumps, topsoil, land clearing and inert debris. He stated that this is not a waste landfill, it's as benign as it gets.

Motion to approve: Eric McPherson

Second: Rodney Cheek

Vote: Unanimous

3) Planning Board Reappointment:

Planning board has one member for reappointment:

- a. Debra Hyder – Patterson Township

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Debra is up for another appointment. The Board of Commissioners makes the final decision.

Motion to recommend Debra Hyder for reappointment: Rodney Cheek

Second: Vaughn Willoughby

Vote: Unanimous

4) Planning Board Membership Applications:

Planning Board has one vacant seat.

Applicants & Townships:

a. Max Morgan – Melville

Max presented himself to the board saying that he is a lifelong resident of the county who has worked for 10 years developing mobile home and rv parks. He wants to help guide and have a positive impact on growth in the county while protecting property values.

b. Amie Perkins – Haw River

Amie stated to the board that she grew up with her father in the building business, and is now in the business herself with Central Builders. She stated that she had a lot of commercial work experience. She considers time to be the most valuable asset. She spends her time with her children, church, and community. She told the board that she wants to be more involved in the community. She has a lot of

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expertise in development and projects that are more cohesive to their neighbors, and wants to make sure we do essential development where it makes sense.

When asked about her thoughts on zoning overall, Amie stated that she thinks that it can be taken way too far. She stated that we do need some kind of overall community guidance to make sure we have the right kind of growth without going too far.

A comment from the public: zoning can be taken too far but it does good for planning the community. Overall it seems to keep some community peace.

c. David Hadley – Albright

David told the board that he had applied on the advice of some of the board members. He has been a home builder for 35 years and is a licensed home inspector. He has built homes for all of the surrounding counties. He told the board that he would like to see some sort of organization to things done in the county. Not necessarily zoning, but wants good growth in how things are moving in the county.

d. Julian Doby – Boone Station

Julian stated to the board that he grew up in Gibsonville, majored in mechanical engineering, then switched to law. He has been practicing law here for 25 years.

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He told the board that he has some history and family history in development, including a lot of legal experience helping property owners and developers. He sees that there is a hard balance between helping citizens and managing growth and would want to help bridge a gap and provide a legal perspective.

Motion to recommend the Board of Commissioners elect David Hadley to the Planning Board:

Eric McPherson

Second: Rodney Cheek

Vote: Unanimous

VII. OLD BUSINESS

1) Minimum Lot Size Discussion

Rik Stevens, the new county attorney, introduced himself to the board and stated that he was here to help answer questions on this topic.

Rodney Cheek: To date, 30,000 sq ft is the minimum. We are concerned about big developers coming in from other states/countries and buying up land at cheap prices and filling the county up with houses. We are entertaining thoughts on progressive lot size scaling.

Rik: The question is how that meshes with UDO and current standards?

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Rodney: Want to get to the point where houses are on 5-acre lots depending on the size of the overall development. We want to make sure this is legal, but want to make sure the consensus of the county is we are not overrun by these surrounding large developments.

Ray Cobb: With 30,000 sq ft you can get a well and septic system. I know that is not a lot of space for repair or maintenance. Lifespan is 20 to 30 yrs. There is no do-overs, no repair on some sites. Understand that 30,000 sq ft is good for developers but that is not enough room.

Anthony Pierce: Concerns over the rest of the county and the environment. Several small lots can drain aquifers and the county has a risk if we don't address that kind of issue.

Rik: The question I'm hearing is what is the enforceability of a minimum lot size on residential use, on a progressive scale.

Rodney: Mentioned his progressive lot size numbers for Rik. For 1 to 4 lots, the minimum lot size would be 2 acres; for 5 to 9 lots, it would be 3 acres; for 10 to 14 lots, it would be 4 acres; and for 15 or more lots the minimum lot size would be 5 acres. He also stated that there is no law in the county that says you need to maintain these septic systems, so that lifespan is an estimate for a maintained system.

Ray: Septic system repair is very expensive if it needs to be done on 30,000 sq ft.

John Paisley: What exactly are you proposing we go to?

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Rodney: Repeats the proposed numbers. The bigger the subdivision, the bigger the lots have to be. Want to deter large corporations from just doing whatever they want.

Ray: These kinds of mega-developments take away from the rural character of the county.

Stephen Dodson: There should be an option to relax requirements with community systems.

David Hadley: This seems somewhat excessive to go from 2/3 of an acre all the way to 5.

Rodney: I want to slow down residential growth in the county, especially growth from outside of the county.

Ray: Shared some more expertise on septic systems and recounted about inspecting a neighborhood community septic system that had failed.

John: Is this something we need to be looking at with the health department?

Ray: The Health Department would have to adopt its own well regulations, not the planning board. A whole different set of regulations other than how far away from a house it can be. We want to address issues with lot size and get them more reasonable. If a lot is platted after 1984 you have to have a repair area. When they issue an authorization to construct it is good for 5 years. If systems fail people will go to Environmental Health and they cannot do anything.

Rik: We will do some research on these issues and provide some answers later.

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VIII. ANNOUNCEMENTS/DISCUSSION

None at this time.

IX. ADJOURNMENT

Motion: Rodney Cheek
Second: Eric McPherson
Vote: Unanimous
Meeting adjourned at 8:40 pm

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TBD

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January 12, 2023 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD

AGENDA

Virtual- https://www.alamance-nc.com/planningdept/boards/planning-board/calendar-and-minutes/wp_link_placeholder

Members Present

Ray Cobb, *Chair*
Rodney Cheek
Vaughn Willoughby
Anthony Pierce
Arthur Hall
Debra Hyder
Stephen Dodson
Bill Poe
Sandy Ellington-Graves
Blake Cobb
John Paisley, *Commissioner liaison*

Members Absent

Ernest Bare
Eric McPherson
Stephen Dodson

Staff Present

Tonya Caddle, *Planning Director*
Ian Shannon, *Planner I*

- I. CALL TO ORDER** (Planning Director)
Called to order at 7:01 pm
- II. ROLL CALL**
Staff handled roll call through in-person roster.
- III. ELECTION OF OFFICERS**
 1. Chair (Planning Director)
Nomination for Ray Cobb by Vaughn Willoughby
Second: Bill Poe
Vote: Unanimous
 2. Vice-Chair (Chair)
Nomination for Rodney Cheek by Bill Poe
Second: Arthur Hall
Vote: Unanimous
- IV. APPROVAL OF PLANNING BOARD MINUTES**
- V. PUBLIC COMMENTS***

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ALAMANCE COUNTY PLANNING BOARD AGENDA

VI. BOARD/COMMISSIONER RESPONSES

VII. NEW BUSINESS

1. PB Calendar 2023
Motion to accept: Rodney Cheek
Second: Bill Poe
Vote: Unanimous

2. Planning Board TRC Appointment

Tonya Caddle gave the board an overview of the TRC review process and the requirement for a planning board representative to sit on the review board.

Chair Cobb called on the board for any Volunteers, Rodney Cheek volunteers to serve.

Motion to accept: Bill Poe
Second: Anthony Pierce
Vote: Unanimous

Anthony asks about setting up an alternate, ray agrees it is a good idea, Sandy volunteers

Motion to accept: Bill Poe
Second: Rodney Cheek
Vote: Unanimous

VIII. OLD BUSINESS

1. Minimum Lot Sizes

Tonya informed the board that legal plans to provide relevant information in the next Planning Board meeting. There were no new questions from the board and it was decided to wait to hear what legal had to say on the issue.

IX. ANNOUNCEMENTS/DISCUSSION

**Meeting Notes:*

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It was announced that Ragan Oakley was no longer working for the county and that interviews were being conducted for her replacement. Brian Baker, now an assistant county manager, will be planning on attending board meetings in the future.

Julian Doby and Amie Perkins officially introduced themselves to the rest of the board as its two new members, and the board went around and introduced themselves and discussed some aspects of serving on the board.

X. ADJOURNMENT

Motion: Bill Poe
Second: Sandy Ellington-Grave
Vote Unanimous
Adjourned at 7:16

**Meeting Notes:*

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Alamance County

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

INFORMATIONAL MEMORANDUM

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

FROM: Tonya Caddle, Director of Planning and Inspections

DATE: March 3, 2023

SUBJECT: Temporary Residences Text Amendment

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

This language was created during the approval of the first UDO for the County in 2021. At this time, staff along with the Alamance County legal department is recommending the following:

6.1.5 TEMPORARY RESIDENCES

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

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

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

A. Manufactured homes used for this purpose must be installed in accordance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance.

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Alamance County

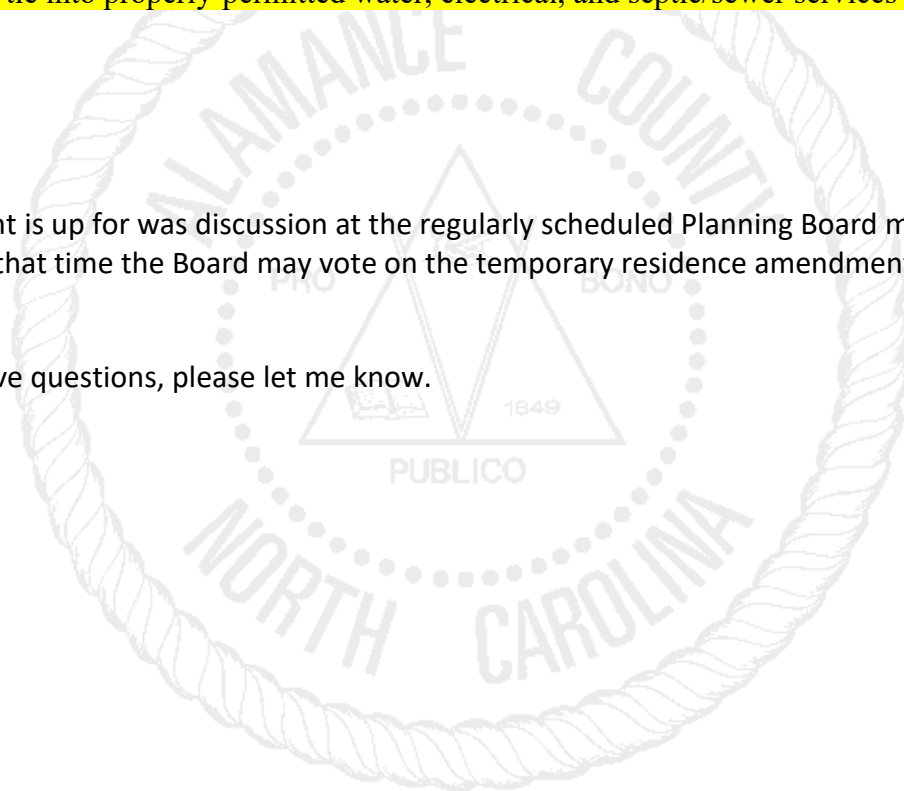
PLANNING DEPARTMENT
201 W Elm St
Graham, NC 27253
Tel. (336) 570-4053

B. Travel trailers and RVs intended for use as temporary housing for a period of more than 30 days must be permitted by the Planning Department. A temporary housing permit, which shall be conspicuously affixed to the travel trailer or RV, shall be valid for a specified period of time, not to exceed 12 months. If a travel trailer or RV is being used as temporary housing during the course of renovation or construction on the primary home on a parcel, use of the travel trailer or RV as temporary housing must cease within 30 days of receipt of a certificate of occupancy for the primary housing unit. All temporary housing permitted under this section must conform to the standards in Chapter 26, Article II, "Flood damage prevention ordinance" and shall tie into properly-permitted water, electrical, and septic/sewer services on the property.

This text amendment is up for discussion at the regularly scheduled Planning Board meeting on March 9, 2023. At that time the Board may vote on the temporary residence amendment.

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

Thank you.



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LOT SIZE MINIMUMS

TO: Alamance County Planning Board

FROM: Tonya Caddle, Planning and Inspections Director

DATE: June 2, 2022

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

1. Heavy Industrial Development Standards

6.5.3 REGULATIONS AND STANDARDS

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

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

2. Solar Energy Systems Standards

6.8.2.A. Minimum Lot Size

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

3. Subdivision Standards

6.9.4.E.i. Private Roads

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

6.9.4.G.v.b) Marginal Land

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

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

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

Watershed Critical Area (WCA)*

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

Balance of Watershed (BOW)*

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

Non-Watershed Areas (NWA)*

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

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

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

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

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

4. Exclusive Access Easement Specifications

Appendix N Specifications for Exclusive Access Easements

c) Minimum lot size shall be 1 acre

