

Board Chair:
Rodney Cheek

Planning Director:
Matthew Hoagland



Alamance County Development
Center Conference Room

1946 Martin Street
Burlington, NC 27217

Alamance County Planning Board June Meeting Minutes

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

Members Present: Rodney Cheek, Lee Kimrey,
Tom King, Mac Jordan, Henry Chandler,
Smokey Bare, Stephen Dodson

Members Absent: Amie Perkins, Lee Isley

Staff Present: Matthew Hoagland: *Planning*

*Director, Keyshawn Haith: Planner I,
Michelle Horn: Assistant County Attorney,
Kwame Opata: Assistant County Attorney,
Rob Snow: Environmental Health Soil
Scientist, Brian Baker, Assistant County
Manager*

I. CALL TO ORDER

The Chair opened the June 2026 Alamance County Planning Board meeting and welcomed everyone to the newly renovated meeting room. The Chair noted that the Board was still getting used to the new space and asked for patience as they worked through the setup.

II. APPROVAL OF PLANNING BOARD MINUTES

A. May 14, 2026 Regular Meeting

The Chair asked whether all members had reviewed the minutes from the previous meeting. Richard Tom King made a motion to approve the minutes. Lee Kimrey seconded the motion. The motion passed, and the minutes were approved.

Lee Kimrey asked whether the Board would be interested in adjusting the order of the agenda. Specifically, they suggested:

- Moving the Land Use Map and Rural Preservation Ordinance discussion to occur after Public Comments, and
- Moving Item A under New Business earlier in the meeting if the Board preferred.

The Chair responded that the Board typically moves items up as a courtesy when guests are present. The Chair asked for input on where Item A should be placed.

After brief discussion, the Chair summarized the preferred order:

1. Hear from the Fire Department
2. Hear from the Public
3. Discuss the Rural Preservation Ordinance, since the topics relate
4. Proceed with the remainder of the agenda

A motion was made by Lee Kimrey to adjust the agenda as discussed. The motion was seconded by Ernest Bare. No objections were raised, and the Board proceeded with the revised agenda order.

III. PUBLIC COMMENTS*

Debbie Schaner: Ms. Schaner expressed long-standing concerns about groundwater impacts from residential development in the area. She previously raised these concerns during Planning Board and Commissioners meetings when a nearby subdivision of 27 homes was approved. She explained that after those wells were installed, her family and neighboring households were forced to install \$3,000 filtration systems due to water quality changes. Ms. Schaner warned that additional large-scale development could worsen groundwater depletion, noting that drilling a new well could cost \$12,000–\$25,000, which many long-time residents, especially seniors, cannot afford. She emphasized that water is an essential resource and urged the Board not to prioritize high-density development at the expense of existing residents' access to safe, reliable groundwater.

Aidein McDuffie: Mr. McDuffie addressed concerns related to the Morrow Mill development, while also raising two broader issues. First, they expressed concern about the proposal to increase minimum lot sizes under the Rural Preservation Ordinance. They noted that simply doubling lot sizes could unintentionally create more land consumption and sprawl, especially without requirements for buffer zones, open space, or green space protections. Second, he asked how quickly new rules could be adopted, emphasizing that development applications submitted before ordinance changes are typically reviewed under the old standards. They urged the County to move efficiently so that updated regulations can help mitigate impacts from pending or future development proposals.

Caleb King: Mr. King spoke in opposition to the large-scale subdivisions proposed for Morrow Mill Road and Austin Quarter Road, noting that developers intend to build nearly 1,000 homes on approximately 900 acres. He emphasized that the area is already experiencing severe drought conditions, and that adding numerous wells, potentially 10 or more on Morrow Mill alone, could worsen water scarcity and increase the risk of well contamination, especially with septic systems located nearby. Mr. King stated that residents strongly oppose this level of development and want to preserve the rural character of the Saxapahaw area. He urged county leaders to ensure that the development ordinance reflects the values and concerns of the community, rather than allowing high-density subdivisions that could strain natural resources and negatively impact long-time residents.

Allyn Sharp: Ms. Sharp, a resident of Rogers Farm Trail, stated that although her property is near the

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proposed Morrow Mill development, she wished to speak specifically about the need for countywide zoning. She expressed strong support for implementing zoning in Alamance County and thanked Planning Director Matthew Hoagland for his responsiveness and guidance as she learned about the issue. Ms. Sharp noted that the Planning Board previously developed a zoning plan, but the County Commissioners have not yet taken formal action on it. She explained that the Commissioners recently asked the Planning Board to revise and resubmit the plan, but the anticipated timeline, end of the year, may allow additional large developments to be submitted under the current, unzoned rules. She urged the Board to form a subcommittee dedicated to revising the zoning plan more quickly, allowing a smaller group to meet more frequently than the full Board is permitted to. She emphasized that Alamance County is the largest county in North Carolina without countywide zoning, and she believes adopting zoning is essential to protecting residents and shaping the county's long-term future. Ms. Sharp encouraged the Board to seize the opportunity to create a meaningful legacy for the community.

Laura Freeman: Ms. Freeman spoke about the cumulative impact of multiple large subdivisions proposed near her family's property. She explained that two of the major developments already discussed are located within 400 feet to half a mile of her home, and a third proposed subdivision—approximately 250 homes on 100 acres—would directly border her family's land. She emphasized that these three projects together could add over 1,200 new homes in an area that currently contains roughly 100, doubling the strain on infrastructure, groundwater, and rural character. Ms. Freeman expressed concern that the current UDO language, as well as the previously drafted zoning plan, would not meaningfully prevent these types of high-density subdivisions. She acknowledged improvements such as increased open-space requirements but noted that the minimum lot size of 8,000 square feet remains unchanged. She asked the Board to pause or revisit Article 6.9 (Subdivisions) to incorporate new ideas and solutions that have emerged from recent community discussions, rather than advancing language that may later need to be revised by the County Commissioners. Ms. Freeman stressed that updating the subdivision standards now would be more efficient and responsive to the community's concerns than sending forward a draft that does not address the scale of current development pressures.

Peter Childress: Mr. Childress, a resident of the area for 30 years, reiterated significant concerns about groundwater availability considering the large subdivision proposed next to his property. He explained that the development, estimated at 541 homes, could collectively pump hundreds of thousands of gallons of water per day, yet no one can accurately determine how much groundwater is available. He noted that, while developers can test individual wells for flow rates, there is no confirmed aquifer and no reliable way to know whether the water supply can sustain such intensive use. He emphasized that existing residents have no protection if their wells run dry. His own well is 350 feet deep and produces about 7 gallons per minute, and he fears that if it fails, his property value would plummet, and replacement costs

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would be unaffordable. Mr. Childress also expressed frustration that developers can profit and leave, while residents are left with the long-term consequences. He urged the Planning Board to move quickly on development controls, whether called zoning or another term, because the community cannot wait another year for updated regulations. He supported forming a subcommittee to accelerate the process and stressed that the county must address fundamental issues such as water supply, traffic, and infrastructure before approving large-scale subdivisions.

Genevieve Clutton: Ms. Clutton thanked the Board for its attention to the issue and stated that while previous speakers had addressed water and environmental concerns, she wished to highlight the financial impact of the proposed large-scale subdivisions. She noted that the areas targeted for development lack the necessary infrastructure, including roads, schools, and public services—to support thousands of new residents. Citing the County’s own estimates, she stated that taxpayers could face over \$3 million per year in costs to expand and maintain infrastructure if these developments proceed. Ms. Clutton emphasized that developers would profit and leave, while Alamance County residents would be left to cover the long-term expenses. She urged the Planning Board and County Commissioners to act thoroughly but with urgency, updating regulations so they are “fit for purpose” and protect residents from bearing the financial burden of rapid, unplanned growth.

David Hill: Mr. Hill, a resident of Shamrock Lane near Saxapahaw, expressed concerns about how extreme North Carolina weather events, including prolonged drought and severe storms, could affect large, high-density subdivisions. He noted that the region has been in exceptional drought since the previous fall, and he questioned how such conditions would impact well capacity, septic systems, and groundwater recharge if hundreds of new homes are added. He also raised concerns about PFAS contamination, noting that monitoring wells at the Alamance County landfill detected PFAS in 2023 and 2024. With several proposed subdivisions located close to the landfill, he questioned whether pumping hundreds of thousands of gallons of groundwater per day could cause contaminants to migrate toward nearby homes, including his own. Mr. Hill further noted that four major subdivisions are proposed within proximity to his property and emphasized the need to understand how large-scale groundwater withdrawal could alter hydrology and pollutant movement. Finally, he requested that the Planning Department consider adding a public-facing webpage where residents can easily see which parcels are under review or pending development applications. He explained that currently, residents only learn about nearby projects by repeatedly calling staff, or by hearing chainsaws and bulldozers behind their homes. He thanked the Board and staff for their responsiveness and service.

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IV. BOARD/COMMISSIONER RESPONSES

V. OLD BUSINESS

- A. Second review of UDO Article 6.9 Subdivision draft amendments

VI. NEW BUSINESS

- A. Northeastern Alamance VFD SNIA Permit Application

Planning Director Matthew Hoagland presented the request from the Northeastern Alamance Volunteer Fire Department for a Special Non-Residential Intensity Allocation (SNIA) to support a new building and driveway expansion at 3847 N NC Highway 49 in the Pleasant Grove Township.

The Planning Director explained the following key points:

- The property is located within the Back Creek watershed balance area.
- The site currently contains 48,687 sq. ft. of impervious surface, which is 36.17% of the 3.09-acre lot.
- The proposed building and driveway additions would add 6,945 sq. ft., bringing the total impervious area to 55,632 sq. ft., or 41.3% of the lot.
- The standard watershed limit for non-residential development in this area is 12% impervious surface.
- However, institutional uses, including fire stations, may develop up to 70% impervious surface with an approved SNEA permit.

The Planning Director clarified that:

- SNEA permits require a recommendation from the Planning Board and final approval by the County Commissioners.
- The Board's role tonight is to determine whether the proposal is consistent with the Watershed Protection Standards found in UDO Section 6.10.

He also noted that the project architect, Anny Worth with Flock Design & Architecture, was present and available to answer technical questions about the building plans. The Planning Director offered to answer any questions related to ordinance requirements or procedural steps. Board Members asked the Planning Director several questions regarding how watershed acreage and SNIA allocations are calculated and tracked within the Back Creek watershed balance area. A Board Member confirmed that institutional uses—such as fire stations—may use up to 10% of the total acreage within the Back Creek watershed for SNEA allocations. The Planning Director

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agreed, noting that the watershed contains approximately 14,132 acres, meaning 10% (1,413.2 acres) is available for institutional intensity allocations.

A Board Member asked how much of that 10% has already been used. The Planning Director stated he would need to locate the exact figure in his notes and would report back shortly. Board Members also asked for clarification on:

- Whether the 10% applies to the entire watershed acreage (it does).
- Whether only 10% of that 10% can be used for SNEA allocations (the Planning Director confirmed the ordinance allows up to 10% of the watershed acreage to be allocated for institutional uses).
- How the County tracks the remaining available acreage.

The Planning Director explained that:

- The County will track SNIA usage beginning with the figure listed in the ordinance.
- As new SNEA applications are received, staff will update the total acreage used.
- This is the first SNEA application he has seen in his 2.5 years with the County.

A Board Member also asked how many existing non-residential properties in the watershed currently exceed the standard 12% impervious surface limit without having gone through the SNEA process. The Planning Director stated that staff has not yet conducted a parcel-by-parcel review to determine which non-residential properties exceed the limit, as those uses may not have required permits that would trigger such a review.

Another Board Member noted that the fire station property was previously two separate parcels that were recombined, and that some of the existing impervious surface reflects pavement that once served a building that no longer exists. They emphasized that the Fire Department is seeking to reconfigure the site more efficiently to meet current operational needs. Board Member Lee Kimrey asked several questions regarding how watershed acreage and Special Non-Residential Intensity Allocation (SNIA) allowances are calculated within the Back Creek watershed balance area. Mr. Kimrey confirmed with Planning Director Matthew Hoagland that institutional uses, such as fire stations, may use up to 10% of the total acreage in the Back Creek watershed for SNIA allocations. Mr. Hoagland agreed, noting that the watershed contains approximately 14,132 acres, meaning 1,413.2 acres may be allocated for institutional intensity allowances. Mr. Kimrey asked how much of that 10% has already been used. Mr. Hoagland stated he would need to locate the exact figure in his notes and would report back shortly. Mr. Kimrey also asked for clarification on:

- Whether 10% applies to the entire watershed acreage (it does).
- Whether the County tracks how much of the allowable acreage remains available.

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- Whether existing non-residential properties exceeding 12% impervious surface are being counted toward the allocation.

Mr. Hoagland explained that:

- The County will track SNIA usage beginning with the figure listed in the ordinance.
- As new SNEA applications are received, staff will update the total acreage used.
- This is the first SNIA application he has seen in his 2.5 years with the County.
- Staff has not yet conducted a parcel-by-parcel review to determine which non-residential properties exceed the 12% limit, as those uses may not have required permits that would trigger such a review.

Chair Rodney Cheek participated in the discussion, helping clarify the intent of the questions and confirming the Board's interest in understanding how much of the watershed allocation remains available.

A Board Member also noted that the fire station property was previously two separate parcels that were recombined, and that some of the existing impervious surface reflects pavement that once served a building that no longer exists. They emphasized that the Fire Department is seeking to reconfigure the site more efficiently to meet current operational needs.

Board Member Lee Kimrey asked for clarification regarding a discrepancy in the impervious surface figures shown on the site plan. He noted that:

- The proposed addition is listed as 6,945 sq. ft., which aligns with the Planning Director's earlier presentation.
- However, another section of the plan shows a difference of approximately 2,500 sq. ft. between the "existing" and "proposed new" impervious totals (approximately 48,000 sq. ft. vs. 44,409 sq. ft.).
- Mr. Kimrey asked whether the Board should rely on the 6,945 sq. ft. figure for its SNIA recommendation and whether the discrepancy affects the calculation of the 41.3% impervious surface.

Architect Anna Worth responded that:

- The discrepancy likely reflects the difference between the actual building footprint and the total paved area adjustments shown on the plan.
- Some of the existing pavement on the site is leftover from a former building that no longer exists, and the plan may not clearly distinguish between pavement removal, reconfiguration, and new construction.
- The 6,945 sq. ft. figure is the correct number for the proposed impervious surface increase being considered for the SNIA request.

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Planning Director Matthew Hoagland added that:

- The plan sheet may not fully reflect the paving adjustments, which could explain the 2,500 sq. ft. difference.
- For the purposes of the Board's review, the 6,945 sq. ft. addition is the figure used to calculate the proposed 41.3% impervious surface.
- If the final engineered plans show a slightly higher percentage, it would still fall well below the 70% maximum allowed for institutional uses under the SNIA provisions.

Mr. Kimrey acknowledged the clarification and confirmed that the Board should base its review on the 6,945 sq. ft. proposed increase. Board Member Stephen Dobson asked Architect Anna Worth to clarify the history of impervious surface on the fire station property. He noted that the site had been recombined from two parcels and asked whether any impervious surface had been removed as part of that recombination.

Ms. Worth explained that:

- The property was indeed a recombination of two parcels.
- A house previously located on one of the parcels was removed, but the pavement associated with the former structure remains in place.
- The impervious surface shown on the current plan reflects historic aerial imagery and the existing paved areas that pre-date the recombination.

Mr. Dobson asked whether any of the historic impervious surface could be credited toward the current calculation, since earlier watershed rules allowed existing impervious surface to remain.

Ms. Worth responded that:

- Their understanding of the ordinance is that the 12% impervious limit applies to new development, and that existing impervious surface is treated as a baseline.
- The Fire Department is therefore requesting an SNIA allocation only for the new impervious surface above the existing historic amount.

Rodney Cheek added a procedural clarification:

- The Fire Department must first receive a recommendation from the Planning Board before the request goes to the Board of Commissioners.
- After receiving that recommendation, the Fire Department will refine its plans, determine what improvements are essential, and align the project with available funding.
- Final engineered plans will be developed after the Commissioners' review.

Board Member Stephen Dobson made a motion to recommend approval of the Special Non-Residential Intensity Allocation (SNIA) permit for the Northeastern Alamance Volunteer Fire Department.

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The motion was seconded by Ernest Bare. The motion passed unanimously.

B. Consideration of UDO Article 7.3 Jordan Lake draft amendments

Mr. Hoagland introduced the draft of Article 7.3 – Jordan Lake Buffer Regulations, explaining that the proposed text consists of the existing state-mandated Jordan Lake rules that Alamance County is already required to enforce. He noted that the current UDO only references these rules through citations to the North Carolina Administrative Code, and one of those references is now outdated due to state-level amendments. To improve clarity and accessibility, the draft ordinance incorporates the full text of the Jordan Lake buffer regulations directly into the UDO, approximately 20–22 pages, with only formatting and terminology adjustments (e.g., replacing “local government” with “Alamance County”). Mr. Hoagland emphasized that no new standards are being proposed; the intent is simply to make the existing rules easier for citizens to read and for staff to administer. He added that Article 7 will eventually house all environmental regulations, including floodplain, watershed, Jordan Lake, and stormwater requirements.

Mr. Dodson asked whether incorporating the full text of the rules could create issues when the state updates the Jordan Lake program. Mr. Hoagland acknowledged that future amendments may require the County to update its ordinance but noted that the state is currently in the process of revising the Jordan Lake rules, particularly around nutrient offsets, nitrogen and phosphorus limits, and potential land-swap mitigation options for development. He explained that these revisions must first be approved by the appropriate state board or commission and then would require local adoption before becoming enforceable in Alamance County. Based on conversations with the Piedmont Triad Regional Council, staff expect the current rules to remain stable for at least one to two years before any local amendments would be necessary. Board Member Stephen Dodson and Planning Director Matthew Hoagland continued discussing the complexity of the nutrient offset and mitigation components of the Jordan Lake rules. Mr. Dodson noted that the “land-swap” concept referenced earlier is tied to nutrient credit banks and long-term mitigation requirements, which can involve 30-year calculations and highly technical environmental modeling. Mr. Hoagland agreed, stating that while he is comfortable administering the Zone 1 and Zone 2 buffer standards, such as allowed and prohibited uses, the nutrient-offset formulas and spreadsheets used at the state level are extremely technical. He noted he has not yet been trained on the full nutrient-calculation program and joked that it may be best to “avoid that level of granularity” when possible. Mr. Hoagland explained that the state has, in the past, delayed

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implementation of major environmental rule changes for three to five years when additional study was needed. It is possible the same could occur with the current Jordan Lake revisions. However, based on recent conversations with the Piedmont Triad Regional Council, staff expect the existing rules to remain stable for at least one to two years for jurisdictions like Alamance County. He also recalled the significant public attention the Jordan Lake rules received when they were first introduced in the early 2000s, noting that they were considered a major environmental milestone at the time.

Board Member Lee Kimrey asked how much of Alamance County is currently subject to the Jordan Lake buffer rules. Mr. Hoagland responded that over 90% of the county lies within the Jordan Lake watershed, meaning most properties are already covered by these state-mandated regulations. Mr. Kimrey then asked where the draft ordinance language originated. Mr. Hoagland explained that the text comes directly from the state's model ordinance, specifically 15A NCAC 02B .0267, which contains the official Jordan Lake watershed regulations published by the North Carolina Department of Environmental Quality (DEQ). He emphasized that the County may adopt more restrictive rules if it chooses but cannot adopt anything less restrictive than state standards. Mr. Kimrey asked how the County currently enforces these rules. Mr. Hoagland explained that, like most environmental regulations, counties are required to enforce the state's adopted rules. Alamance County already applies the Jordan Lake buffer standards during site plan review, notifying applicants when their projects encroach on protected buffers. He noted that while most development does not trigger buffer issues, staff has required revisions in the past, including an RV park proposal that was denied until the applicant addressed buffer compliance (which they ultimately did not pursue).

Mr. Hoagland stated that incorporating the full text of the rules into the UDO will make the process far more accessible for citizens and small developers. Currently, applicants must search through the North Carolina Administrative Code, which can be confusing, especially when state amendments occur and local references become outdated. Including the full text locally ensures citizens have clear, accurate, and up-to-date information. Mr. Kimrey raised a question about the exemption for man-made ponds and lakes that are not part of a natural drainageway, referencing page 4 of the draft. Mr. Hoagland confirmed the location in the document and acknowledged that some of the Jordan Lake rules can be challenging to interpret. He reiterated that the draft ordinance mirrors the state's language exactly, ensuring consistency with DEQ's definitions and enforcement expectations. Mr. Kimrey continued by raising concerns about how the Jordan Lake

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rules apply to man-made ponds versus natural drainage features. He noted that many ponds in Alamance County, especially those used for livestock watering are located within natural drainageways, making it difficult to imagine many ponds that would qualify as “not part of a natural drainageway.” Because of this, he expressed concern that most ponds would be required to maintain a 50-foot vegetative buffer, as mandated by the Jordan Lake rules. Mr. Hoagland responded by explaining that the state regulations do distinguish between man-made ponds and natural ponds. Under the rules, a man-made pond or lake that is *not* part of a natural drainageway is exempt from the buffer requirements. However, if a pond *is* part of a natural drainage system, such as a series of ponds that drain into one another and ultimately into a stream, then it is not exempt and must comply with the buffer standards. He shared an example from his previous work in Caswell County, where a similar situation arose. In that case, because the pond was part of a connected drainage system, it did not qualify for the exemption. Mr. Hoagland emphasized that the exemption is narrow by design:

- Man-made ponds disconnected from natural drainage → *Exempt*
- Ponds connected to streams or natural drainage paths → *Not exempt*

He acknowledged that many agricultural ponds in Alamance County fall into the second category, meaning they are subject to the 50-foot buffer. Mr. Kimrey continued by expressing concern about how the Jordan Lake buffer rules apply to agricultural ponds, particularly those used for livestock watering. He noted that because most ponds in Alamance County sit within natural drainageways, often draining into one another and then into a stream, it appears that very few ponds would qualify for the exemption for “man-made ponds not part of a natural drainageway.” As a result, many agricultural ponds would be required to maintain a 50-foot vegetative buffer, which could limit how close livestock or agricultural activities can occur. Mr. Hoagland clarified that the buffer rules do not prohibit standard agricultural operations near ponds. The buffer requirements primarily restrict new built structures, such as roads, driveways, or buildings, within 50 feet of the protected feature. Routine agricultural uses such as livestock access, pasture management, or fencing, remains allowed under the state’s rules. He acknowledged, however, that the distinction between exempt and non-exempt ponds can be complicated. To address this, the ordinance requires that any determination about whether a pond is part of a natural drainageway must be made by someone trained and certified by the NC Department of Environmental Quality (DEQ). This could be qualified county staff or a state-certified consultant. Mr. Hoagland explained the process:

- GIS tools can help identify whether a pond is man-made or part of a natural drainage

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system.

- If there is any ambiguity, the applicant must obtain a formal determination from a DEQ-certified professional.
- If the determination confirms the pond is man-made and not connected to a natural drainageway, it is exempt from the buffer rules.
- If the pond drains into another pond or stream, it is considered part of the natural drainage network and is not exempt.

Mr. Kimrey noted that most ponds in the county have some form of outlet, whether a spillway, pipe, or natural overflow, that eventually leads to a stream. Mr. Hoagland agreed, stating that this is why many ponds will fall under the non-exempt category and therefore be subject to the buffer requirements.

Board Chair Rodney Cheek expanded on the pond-exemption issue by describing a common agricultural scenario: a farmer clears a spot in a field, drills a well, and pumps water into a shallow man-made basin for livestock. He noted that such a feature, essentially a mud hole created for watering animals, is not connected to a stream and therefore would likely qualify as a man-made pond not part of a natural drainageway, making it exempt from the Jordan Lake buffer requirements. Mr. Cheek emphasized that this type of pond is fundamentally different from a pond created by damming a drainageway or stream. He acknowledged that most traditional farm ponds do have dams and overflow structures that eventually discharge into a stream, which would make them part of the natural drainage system and therefore not exempt.

Board Member Tom King then read aloud from the draft ordinance, noting that the exemption applies to:

“Man-made ponds and lakes that are not part of the natural drainageway... including ponds and lakes created for animal watering, irrigation, or other agricultural uses.” He pointed out that the ordinance further clarifies that a pond *is* part of the natural drainageway if it is fed by an intermittent or perennial stream, or if it directly discharges into such a stream. Mr. King observed that many ponds in the county have spillways or pipes that eventually drain into a stream, which would place them under the Jordan Lake buffer rules.

Mr. Hoagland added that not all streams or water features shown on GIS maps are jurisdictional under the Jordan Lake rules. Some small or isolated drainage features do not trigger buffer requirements. He explained that determining whether a pond is exempt requires evaluating:

- Whether the pond is man-made;

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- Whether it is connected to a jurisdictional stream;
- Whether it receives flow from a natural drainageway;
- Whether it discharges into a regulated water feature.

He reiterated that when there is uncertainty, the ordinance requires a formal determination by a DEQ-trained professional. This ensures that decisions are based on consistent, science-based criteria, not subjective interpretation.

Mr. Kimrey raised a question about how the Jordan Lake buffer rules apply to driveways that cross streams. He noted that the draft ordinance lists an exemption for:

“A driveway that crosses streams or other surface waters subject to the rule, crosses a single-family residential lot, and disturbs 25 linear feet or less of the buffer.”

He asked how this exemption works in practice, given that a regulated stream requires a 50-foot buffer on each side, creating a 100-foot protected corridor.

Board Member Stephen Dodson clarified that the 25-foot measurement refers to the linear length of stream impact, not the width of the buffer. He explained that two separate dimensions are involved:

- Buffer width – measured outward from the centerline of the stream (50 feet on each side).
- Stream impact length – the linear distance along the stream where the driveway crossing occurs.

Under the exemption, a driveway may cross a stream as long as the culvert or crossing structure disturbs no more than 25 linear feet of the stream channel, even though it necessarily passes through the full width of the buffer. Mr. Kimrey confirmed that this interpretation matched what he was trying to understand: A driveway may cross the full 100-foot buffer corridor so long as the crossing impacts no more than 25 feet of stream length. Mr. Dodson agreed, noting that the driveway’s width and the buffer width are separate from the stream-impact length, which is the measurement referenced in the exemption. Member Mac Jordan asked whether the Jordan Lake rules were ever fully implemented, noting his recollection that the rules were proposed but not enforced in earlier years. Lee Kimrey clarified that the rules are in effect, but enforcement has varied over time, particularly in relation to municipal wastewater treatment requirements.

Commissioner Powell explained that when the rules were first introduced, the City of Burlington’s wastewater treatment plant was expected to reduce nitrogen and phosphorus discharge levels from 6 mg/L to 2 mg/L, which would have required extremely costly upgrades. He recalled that the state ultimately did not require Burlington to implement those reductions, contributing to the perception that the rules were “on the books but not enforced.” He also noted

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that the original rules would have required 50-foot buffers on intermittent streams running through agricultural fields, streams that farmers routinely cross with equipment or plow through. He described this as “a bit extensive” and part of the reason enforcement was inconsistent. Commissioner Powell asked whether the County’s adoption of Article 7.3 would change enforcement or make the rules more stringent. He expressed concern that if the state begins enforcing the rules more aggressively in the future, the County needs to understand exactly what the ordinance requires and how staff will interpret it. Mr. Dodson responded that the rules are currently enforced and provided an example from his professional experience. He described a project near Levin where a developer hired a DEQ-certified engineer to determine whether a pond was exempt. Although the pond was man-made, it drained into a small tributary, making it non-exempt and subject to the buffer requirements. The project was required to apply the buffer and implement mitigation and revegetation measures before a driveway crossing could be approved.

Mr. Hoagland emphasized that:

- The Jordan Lake rules have been in effect since 2014 (Session Law 2013-395).
- They are enforced when applicable.
- The County’s role is to apply the state’s rules, not to expand or weaken them.
- Incorporating the full text into the UDO will make enforcement clearer, more consistent, and more accessible for citizens.

A Board member asked Mr. Hoagland how the Jordan Lake buffer rules apply when a portion of agricultural property is subdivided for a family member and converted to single-family residential use, particularly when a pond or buffer area is involved. The question centered on whether a change in use would eliminate any existing exemptions and require the property owner to comply with the 50-foot buffer around jurisdictional waters. Mr. Hoagland explained that the Jordan Lake rules apply only when development is proposed within the regulated buffer. Simply changing a parcel from agricultural to residential does not automatically trigger buffer requirements unless the new use involves new development inside the buffer. He emphasized:

- Change of ownership; whether by purchase or inheritance, is not considered a change of use.
- Existing structures or uses within the buffer may continue as long as they remain the same use and no new impervious surface is added.
- The rules apply only when a new activity or development is proposed within the buffer area.

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A Board member offered a hypothetical:

- A barn within the 50-foot buffer has long been used for agricultural storage.
- The owner begins using the barn to store commercial equipment for a mowing business.
- A neighbor complains, prompting staff to evaluate the use.

The question: Does this shift from agricultural to commercial use eliminate the exemption and trigger buffer compliance? Mr. Hoagland confirmed:

- Existing agricultural uses within the buffer may continue without issue.
- If the use changes to a commercial business, and that change involves new development or new activity within the buffer, then the exemption no longer applies.
- However, the owner would not be required to remove an existing barn or structure.
- The rules only restrict new impervious surfaces or new development within the buffer.

He referenced the ordinance language stating that an existing use is exempt if:

1. It was present within the buffer as of the effective date of the ordinance, and
2. It has continued without change since that time.

If the use changes to something not previously allowed, and that new use requires new activity inside the buffer, then the buffer rules apply.

The Board continued reviewing Section 7.4, which outlines how different activities within the Jordan Lake buffer are classified as Exempt, Allowable, or Allowable with Mitigation. Members noted that while the ordinance provides a clear structure, many of the more technical permitting pathways, particularly those requiring mitigation, are rarely encountered in typical residential development. Most applicants adjust their site plans to avoid buffer impacts altogether, meaning staff has not often needed to administer the more complex portions of the rules. It was noted that the state's model ordinance includes several definitions that will need to be added to the UDO's definitions section to ensure clarity and consistency. A question was raised about the difference between single-family residential water wells, which are listed as exempt, and all other water wells, which are listed as allowable. The discussion clarified that:

- Exempt uses do not require buffer authorization.
- Allowable uses are permitted only with approval, and applicants must demonstrate that the well cannot reasonably be located outside the buffer.

The exemption for single-family residential wells is intended to ensure that a homeowner can reliably access water for a residence, even on lots where avoiding the buffer may be difficult. In contrast, wells serving duplexes, multi-family dwellings, agricultural operations, or commercial uses fall under the "allowable" category and require formal approval.

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The Board continued discussing the distinction between exempt and allowable uses within the Jordan Lake buffer rules. Members noted that certain activities, such as wells serving businesses or multi-unit residential uses, may be allowable, but only if the applicant demonstrates that no practical alternative exists outside the buffer. Examples were discussed, such as a business needing a well in a location where the only feasible placement conflicts with septic fields or drain lines. In such cases, the well could be permitted within the buffer, but only after the applicant shows that:

- The project cannot reasonably be redesigned to avoid the buffer,
- The use cannot be reduced in size or relocated elsewhere on the property, and
- Best management practices will be used to minimize disturbance.

The Board reviewed the state's criteria for determining no practical alternative, which require applicants to certify that the project purpose cannot be achieved in a way that protects water quality, aquatic habitat, and buffer integrity. Staff explained that these criteria come directly from the state model ordinance, and the County must follow them. Members also noted that the draft ordinance contains a reference to appeals being directed to "the Director," and clarified that this refers to the Director of the Division of Water Quality at the state level, not a county official. The Board agreed that this section should be clarified to avoid confusion, and staff confirmed that the state's mailing address for appeals is already included elsewhere in the draft.

The Board then discussed staff training requirements. The ordinance allows local staff to make surface-water determinations only if they have completed the state-approved certification. Staff noted that a previous employee had been certified, and the department intends to ensure that at least one current staff member completes the training. The department is also working to secure necessary memberships and credentials to expand its technical capabilities.

C. Consideration of UDO Article 7.4 Stormwater draft amendments

Staff explained that the intent of the proposed Article 7.4 – Stormwater amendments is not to impose sweeping new stormwater regulations on development in Alamance County. Instead, the draft is designed to align with existing state requirements, fill gaps in the current ordinance, and ensure the County addresses stormwater quantity, which the state does not regulate.

Two key points were highlighted:

1. State Threshold for Regulation the North Carolina Department of Environmental Quality (NCDEQ) currently regulates stormwater quality only when a project exceeds 24%

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built-upon area (impervious surface) on the development site.

2. State Regulates Quality, Not Quantity NCDEQ focuses on ensuring stormwater is free of sediment, debris, and pollutants. It does not regulate stormwater quantity, such as backyard ponding, runoff volume, or localized flooding.

Because of this, the County's draft ordinance focuses solely on stormwater quantity, not quality. Regulating stormwater quality would require the County to assume the full responsibility of NCDEQ, which is not the intent of this proposal.

Under the proposed system:

- The County's existing site plan review and Technical Review Committee (TRC) processes would remain unchanged.
- During review, staff will determine whether a project exceeds the 24% impervious surface threshold.
- If it does, the developer must hire a licensed engineer to design stormwater quantity control measures.

These measures must be designed to handle the standard 1-year, 24-hour storm, defined in state code (15A NCAC 02H .1002) as approximately six inches of rainfall in 24 hours.

The process would work as follows:

1. Engineer designs stormwater quantity controls (e.g., detention basins, swales, engineered drainage features).
2. Plans are incorporated into construction documents and reviewed by County staff as part of TRC.
3. At project completion, the County requires an as-built plan to verify the stormwater controls were constructed to engineering specifications.
4. Records are kept on file with other project documentation.

The final section of the draft ordinance, 7.4.6, includes provisions for:

- Deed restrictions,
- Ownership responsibilities, and
- Maintenance requirements

to ensure stormwater control measures are properly maintained over time. This is intended to prevent situations where stormwater basins or drainage systems fall into disrepair after development is completed.

Stephen Dodson raised a concern about the wording in the draft ordinance related to as-built stormwater certifications, specifically the statement requiring a licensed engineer to certify that

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the stormwater control measures “do in fact control stormwater.” He noted that this phrasing is difficult to evaluate in practice.

Dodson explained that engineers can reliably verify physical dimensions of stormwater features by comparing the as-built survey to the approved design plans. For example, engineers can confirm:

- The pond area (e.g., 4,000 square feet)
- The pond depth (e.g., 6 feet)
- The dam width (e.g., 10 feet)
- The total storage volume (e.g., 10,000 cubic feet at a specified elevation)

These measurements are straightforward because the surveyor collects topographic data, which engineers can use to calculate whether the constructed stormwater feature matches the design.

Dodson emphasized that certifying that the measures “control stormwater” would imply measuring actual flow rates during storm events, such as standing in heavy rain with a flow meter to record gallons per minute, something that is not practical or expected. He clarified that the intent of an as-built certification is to verify that:

- The stormwater control measures were constructed according to the approved engineering plans, and
- The dimensions, elevations, and volumes match the design specifications.

Mr. Hoagland acknowledged the concern and agreed that the ordinance language should reflect the practical reality: engineers verify that the constructed system matches the approved design, not that they directly measure stormwater performance during rainfall.

The Board discussed the overall intent behind the proposed stormwater amendments. It was noted that the County has not historically been a heavy-regulation jurisdiction, but staff regularly receives calls after major rain events from residents concerned about stormwater issues. The goal of the draft ordinance is to add a minimal but meaningful layer of verification to ensure that stormwater control measures are constructed as designed. Members revisited the earlier concern about the wording in the as-built certification section. The Board agreed that the purpose of the as-built requirement is to confirm that the constructed stormwater features match the approved engineering drawings, not to require engineers to measure real-time stormwater performance during rainfall. During discussion, it was suggested that the ordinance language be revised to state that the engineer must certify that the as-built data complies with the approved design drawings. This phrasing more accurately reflects industry practice and avoids implying that engineers must conduct performance testing during storm events. The Board noted that:

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- Measuring actual flow rates or stormwater movement is typically part of environmental assessments, not standard development review.
- Development review focuses on dimensional and structural compliance, which can be verified through surveys and measurements.
- Performance expectations are already built into the design criteria on the front end, such as calculating the volume needed to manage the 1-year, 24-hour storm.

Staff indicated that the sentence would be reworked and circulated to the Board for review. The Board also discussed the appropriateness of using the 1-year storm event as the minimum design standard. Members agreed that this is a reasonable starting point, as it represents a frequent and common rainfall event, though it was acknowledged that larger storm events, such as 100-year storms, are occurring more often in recent years.

The Board discussed the broader purpose of the proposed stormwater amendments. It was noted that Alamance County has not historically been a heavy-regulation jurisdiction, but recurring issues after major rain events have highlighted gaps in how stormwater quantity is managed. The goal of the draft ordinance is to introduce minimal, reasonable requirements that align with standard engineering practices and provide clearer expectations for both developers and residents. Members expressed hope that developers and engineers reviewing the ordinance would recognize that the County is not proposing anything unusual or overly restrictive but rather establishing a straightforward process consistent with common industry standards.

The discussion then turned to the section on deed restrictions and long-term maintenance responsibilities. Questions were raised about whether these deed restrictions would also address easements, access requirements, and other elements necessary to ensure stormwater features can be properly maintained over time. It was noted that:

- Easements are typically shown on the site plan or recorded survey.
- The ordinance does not prescribe detailed maintenance procedures, committees, or funding mechanisms.
- Instead, it requires developers to establish a basic maintenance program, which may include identifying the stormwater feature, describing its intended function, outlining maintenance expectations, and documenting any easements or drainage paths associated with it.

Members acknowledged that in practice, stormwater features often require:

- Adequate easement widths,
- Appropriate slopes for access,
- Vehicular access around the structure, and

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- Clear documentation of responsibilities.

The Board discussed a recurring issue in an existing development where, after heavy rainfall, a large pond forms due to the absence of any stormwater quantity control mechanism. Because the development was completed years ago and no maintenance entity was established, residents have struggled to find a remedy. The proposed ordinance aims to prevent similar situations by ensuring that future developments include documented stormwater controls and clear maintenance expectations. Overall, the Board agreed that the amendments are intended to give citizens something concrete to reference, provide staff with clearer authority, and ensure that stormwater quantity issues are addressed on the front end rather than after problems arise.

VII. ANNOUNCEMENTS/DISCUSSION

A. Land Use Map / Rural Preservation Ordinance discussion

Board members clarified that Alamance County currently has a Unified Development Ordinance (UDO) but does not have countywide zoning. They explained that while the UDO regulates *how* development occurs, zoning is what determines *where* different types and densities of development may take place. Without zoning, the County lacks the ability to designate areas for specific densities or restrict certain uses to particular locations. Board members noted that both the community and County Commissioners have sought solutions to address development pressures without adopting zoning, but no workable alternative has been found. They emphasized that zoning is the tool used by 90% of North Carolina counties because it provides the necessary framework to manage growth effectively. The Board acknowledged renewed interest from the County Commissioners in revisiting a zoning proposal. Commissioners have asked the Planning Board to update the previous zoning plan and aim to present it by the end of the year. Board members encouraged residents to continue advocating for timely action, noting that the Board is willing to work quickly and has already begun modifying the earlier proposal to address concerns raised by the public. They highlighted several issues that updated zoning could address, including:

- Cluster subdivisions
- Off-site well and septic systems
- Where heavy industrial uses, such as landfills, may be located

Board members reiterated that zoning is essential for determining where and how development should occur and that moving forward with a revised plan is a priority. Board members continued responding to public concerns by explaining that the Planning Board is actively working to revise the previous countywide zoning proposal that was submitted to the County Commissioners over a year ago. They

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stated that the Board is now modifying that draft to address the issues raised by residents, including lot sizes, cluster subdivisions, community wells and septic systems, and the placement of heavy industrial uses such as landfills. Board members emphasized that community engagement will be central to this process. They expressed a desire to meet with residents, gather input, and ensure that any zoning proposal forwarded to the County Commissioners reflects broad community support. They noted that this outreach effort will begin immediately. The Board also discussed the need to address nonconforming uses, which inevitably arise when zoning is implemented countywide. They acknowledged that this will require careful planning but is a standard part of zoning adoption. Tom King, drawing on 30 years of experience in zoning and subdivision regulations, explained that many zoning-type standards already exist in the current UDO, such as minimum lot sizes, lot widths, and setbacks; but without zoning, the County lacks the ability to control where different densities, and development types may occur. They noted that in certain environmentally sensitive areas, the UDO already requires two-acre minimum lots, demonstrating that the County has tools it can build upon. Board members reiterated that while short-term fixes, such as adjusting minimum lot sizes, may help, they will not fully address concerns about cluster subdivisions, high-density development, or community well systems. Only a zoning map and land-use plan can give the County the authority to determine where such uses are appropriate. They also cautioned against rushing a zoning ordinance, noting that “haste makes waste,” and that poorly crafted zoning can create long-term problems. However, they agreed that the issue is urgent and that the Board is committed to moving forward responsibly and efficiently. Board members cited examples from neighboring counties, such as Guilford County, where zoning allowed officials to deny a large development that did not fit the character of the area. They explained that zoning provides a formal process, such as rezoning hearings where residents can voice concerns about density, compatibility, and infrastructure impacts. The Board concluded by encouraging residents to continue advocating to the County Commissioners, emphasizing that the Commissioners ultimately determine the timeline and direction of zoning efforts. They thanked the public for attending, stating that community input is invaluable and essential to shaping the future of Alamance County. Board members emphasized that although significant work remains, the Planning Board is “almost there” in preparing a revised zoning and land-use proposal. One member noted that the Board has approximately six months to refine the draft and that the urgency of the situation, particularly around Saxapahaw, means the Board must move efficiently. A newer Board member, representing the Saxapahaw area, reiterated that the community is “out of time” given the number of subdivisions already proposed or underway. They praised the Planning Department and Planning Director Matthew Hoagland, stating that the draft zoning and land-use framework being developed is common-sense, comprehensive, and potentially a model for the state. They stressed that the proposal addresses not only residential development but also broader land-use issues, including data centers and other large-scale industrial uses. Planning staff reviewed the previous zoning map that had been developed, explaining the proposed districts:

- Agricultural Districts (green): 5-acre minimum lots with some development flexibility

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- Rural Residential (light blue): 2-acre minimum lots
- County parks and natural areas (dark green): minimal or no development
- Rural community crossroads (dark orange): mixed uses appropriate to historic rural nodes
- Industrial districts (purple): areas suitable for higher-impact uses
- Historic mill villages (light yellow): mixed uses with appearance standards to maintain character

Staff clarified that the earlier zoning proposal was never formally voted on by the Planning Board and therefore was not transmitted to the County Commissioners for public hearing. Recent conversations with Commissioners indicate interest in receiving a revised proposal by the end of the year, though the exact timeline depends on the Commissioners' direction and staff capacity. Board members discussed the need for modifications to the previous draft, particularly around minimum lot sizes, cluster subdivisions, and community well/septic systems, before resubmitting it. They agreed that the Board can move quickly but must still gather robust community input before finalizing any recommendation.

Members also stressed that zoning is essential not only for managing residential density but also for controlling industrial development, including data centers, large commercial uses, and other high-impact facilities. Without zoning, such uses can currently locate anywhere in the rural county, which the Board identified as a major gap in the existing regulatory framework. They concluded by reiterating that:

- Zoning provides the “where”—the ability to determine appropriate locations for different types of development.
- The UDO alone cannot prevent cluster subdivisions, high-density projects, or industrial siting in inappropriate areas.
- A zoning map and land-use plan are necessary to ensure development aligns with community character and infrastructure capacity.

Board members thanked the public for attending and encouraged continued advocacy to the County Commissioners, noting that community engagement is critical to shaping the final proposal.

Board members reiterated the urgency of moving forward, noting that while the Board has made significant progress, more work remains and the timeline is tight. One member stated that, speaking individually, they did not feel the Board was moving as quickly as the situation demands, and emphasized the importance of getting a revised proposal back before the Planning Board and then to the County Commissioners as soon as possible, before the election cycle complicates scheduling. Several members observed that recent events and public engagement have led to noticeable shifts in attitudes among both residents and elected officials, creating a rare window of opportunity to advance meaningful land-use reform. They emphasized that the proposal addresses not only residential density but also broader issues such as data centers, industrial uses, and rural character preservation. Planning staff then clarified the history of the two major projects running concurrently:

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- Project 1: A full UDO modernization effort, begun in early 2024, updating the ordinance section-by-section for clarity, legality, and usability.
- Project 2: A hypothetical zoning plan, requested by the Commissioners in fall 2024 and developed through summer 2025, which was presented but received no action.

Staff explained that the optimal path forward may be to integrate the UDO updates with the zoning framework, creating a single comprehensive package for the Commissioners. This would avoid requiring multiple public hearings over several years. Board members discussed whether to advance the Rural Preservation Ordinance first, noting that if adopted, it would significantly reshape the UDO and supersede many existing provisions. They suggested that sending the Rural Preservation proposal forward, possibly with minor adjustments, could allow the UDO modernization to continue in parallel and be aligned afterward.

Members also emphasized the importance of public access and transparency, supporting the idea of posting draft materials online so residents can review them and provide feedback before the Board votes on a final recommendation. A key point of discussion was the distinction between the UDO and zoning:

- The UDO regulates how development occurs.
- Zoning determines where different uses and densities are allowed.

Board members stressed that without zoning, the County cannot control the location of cluster subdivisions, community well systems, industrial uses, or high-impact facilities. They highlighted the importance of the table of permitted uses, which will determine what types of development are allowed in each district and is therefore central to addressing community concerns.

Staff reviewed the draft zoning map again, explaining the proposed districts and confirming that property owners would still have the ability to request changes through a formal rezoning process if zoning were adopted. The discussion concluded with agreement that:

- The Board can move quickly but must still gather robust community input.
- The Rural Preservation framework may be the most strategic piece to advance first.
- Zoning is essential for long-term control of both residential and industrial development.
- The Board intends to bring forward a revised, community-supported proposal as soon as feasible.

Board members continued discussing how zoning and land-use tools could address the concerns raised by the public. They noted that implementing conditional rezoning would reduce subjectivity in the review process by allowing the County to evaluate requests more clearly moving from one zoning category to another based on the table of permitted uses. While conditional rezoning is not currently included in the draft plan, members acknowledged it could be added, though doing so would increase complexity. Staff clarified that under the proposed Rural Preservation framework, property owners would still have the ability to request a rezoning—for example, from an agricultural (green) district to a rural community (orange) district. Such requests would require Planning Board review, a recommendation, and a public hearing before the County Commissioners, who could approve or deny the request. Board members discussed prioritizing certain issues in the next phase of drafting, including:

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- Removing or limiting cluster subdivisions,
- Establishing clear rules for data centers and other high-impact industrial uses,
- Strengthening the table of permitted uses to ensure appropriate placement of development types.

They noted that data centers, for example, could be directed to employment centers on the land-use map, ensuring they are not located in agricultural or rural residential areas. Under zoning, a data center proposed in an inappropriate location could be legally denied, providing a safeguard that does not exist today.

Members also compared special use permits and conditional rezoning, noting that special use permits require a quasi-judicial process with strict legal standards, whereas conditional rezoning allows for negotiation of site-specific conditions such as buffering, building orientation, landscaping, traffic access, and other design elements. Conditional rezoning, they agreed, would give the County more flexibility and control.

Board members emphasized that the County must designate somewhere for every legally permissible land use to locate, but zoning allows the County to determine where those uses are appropriate. Cluster subdivisions, for example, could be prohibited in agricultural and rural residential districts but allowed only in suburban transition areas under a conditional rezoning process. The Board then discussed next steps, including whether to begin drafting specific sections, such as lot sizes, the table of permitted uses, nonconforming use standards, and rules for off-site septic and community wells, for future meetings. They stressed the importance of addressing nonconforming uses carefully to ensure existing lawful uses can continue without disruption.

Members also reiterated the need to determine how off-site septic systems and community wells should be handled under zoning, and how cluster subdivisions should be limited to districts where infrastructure can support them. The discussion concluded with agreement that the Board should:

- Continue refining the Rural Preservation framework
- Consider adding conditional rezoning as a tool
- Post draft materials online for public review
- Gather community input before finalizing any recommendation

Board members emphasized that while the UDO remains important, zoning is the key missing tool, because it determines where development types may occur. They encouraged residents to review the forthcoming materials, especially the table of permitted uses, and continue providing feedback as the Board works toward a comprehensive proposal.

During the discussion, Board members expressed support for forming a subcommittee to work more quickly on revisions to the Rural Preservation proposal. Members noted that a smaller group could meet sooner and more frequently, as long as it remained a numerical minority of the full Board, to prepare draft language for the Board's next meeting. A motion was made by Ernest Bare to form a subcommittee.

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consisting of Henry Chandley, Lee Kimrey, and Rodney Cheek. The motion was seconded by Tom King. All members voted in favor, and the motion passed unanimously.

VIII. ADJOURNMENT

A motion to adjourn was made and seconded. The meeting was adjourned at 9:20 PM.

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