

March 6, 2007

The Union County Planning Board met in regular session on Tuesday, March 6, 2007, at 7:00 p.m. in the Union County Board of Commissioner's Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112, with Chairman King presiding.

PRESENT: Chairman Jim King, Vice Chairman Mark DiBiasio, Lee Godwin, Nathan Hopper, and Andy Williams

ABSENT: David VanDenabeele, Dan Wooten, Robert Allen and Liza Kravis

ALSO PRESENT: Richard Black, Roger Horton and Amy Pressley

ITEM NUMBER ONE

Call to Order

The Chairman called the meeting to order at 7:00 p.m.

ITEM NUMBER TWO

Agenda Additions & Deletions

Motion was made by Mark DiBiasio and seconded by Lee Godwin to approve the agenda as written. The vote was 4 to 0.

ITEM NUMBER THREE

Approval of the February 6, 2007 minutes

Motion was made by Lee Godwin and seconded by Nathan Hopper to approve the February 6, 2007 Planning Board minutes. The vote was 4 to 0.

At this time Andy Williams arrived and Chairman King made him a voting member.

ITEM NUMBER FOUR

Amendment to the APFO

To increase from 5 to 15 the number of dwelling units in a subdivision exempt under the APFO

The following is from the APFO Ordinance that was adopted on September 22, 2006 by the Union County Board of Commissioners. The Planning Board's only consideration of change to the ordinance is on Page 9, Item (c), revised page as follows:

School Facility: see "Public Facility."

Student Generation Rate: The figure (stated as the number of students per Dwelling Unit) to be multiplied by a given number of Dwelling Units, by type, in order to determine the projected enrollment that results from those Dwelling Units. This may be computed using the Union County Public Schools or North Carolina Student

Information Management System data, Census data, or similar data, and actual numbers of dwellings to determine expected students/dwelling. For purposes of this Article, the Student Generation Rate is established in Section 370.

Subdivision: A "subdivision," as defined in Article II, Section 15 of the Union County Land Use Ordinance. Subdivision includes any Proposed Development that would result in the creation of more than five residential lots or more than five Dwelling Units if the Proposed Development project were combined with any adjacent property and sharing a common owner or developer.

Voluntary Mitigation Payment: A Mitigation measure in which the Applicant agrees to contribute money to the County to defray the per-unit impacts of school facilities.

Section 363 Applicability.

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| (a) This Article applies to any Application for a Permit that would authorize the construction of a Dwelling Unit, unless otherwise provided below. | <i>Commentary:</i> <i>This Article applies to every form of residential development, unless otherwise exempted. Residential development that is exempt will be tracked for its impact on public schools.</i> |
| (b) This Article does not apply to any use, development, project, structure, fence, sign or activity that does not create an impact on public schools. In order to demonstrate that there is no impact on public schools, the Applicant must include a legally binding restriction on occupancy by school-age children as part of the Application. | <i>This Article applies to any type of Permit that authorizes residential development. Most residential development requires Subdivision plat approval. For multi-family buildings or Manufactured Home Parks that do not require Subdivision plat approval, this Article applies to any "CUD" district rezoning, site plan or site development plan that is required for approval of the Proposed Development.</i> |
| (c) This Article does not apply to any Application for a Subdivision that involves fifteen (15) five (5) or fewer lots for any parcels or tracts that are not under Common Ownership with Adjoining Property. | |

PUBLIC COMMENTS

Cody Helms, a local builder in Union County, spoke in favor of increasing the number of lots from 5 to 15.

- Mr. Helms said he has closed on 15 homes last year; out of those 15 homes, only five homes had children.
- Not every home built in Union County has children
- Would like to encourage the Planning Board to change the number of lots from 5 to 15.
- He asked the Planning Board that if a builder built anywhere from 30 to 50 lots, are the first 15 lots exempt or is it only 15?

Allison Helms, also a local builder in Union County, spoke in favor of increasing the number of lots from 5 to 15.

- Mr. Helms said he built 25 homes in the past 2 years.
- Only one home that he built had children.
- Would like to see the Planning Board change the number of lots from 5 to 15.

Concerns of the Planning Board members during their discussion:

- No study has been completed to show what might happen if lots were changed from 5 lots to 15 lots.
- The APFO is to help with the school explosion; you have to allow free enterprise.
- Would like clarification on 5 lots to 15 lots; how will this help if you extend the lots to 15 and how will it hurt if the number of lots permitted is extended to 15.
- The intent for the APFO is to handle the infrastructure needs already in place; do not know what might happen if you change the original APFO.
- The adopted APFO Ordinance has not had enough time to play out its first stage.
- The market will change.
- The APFO is a living, breathing document that was made to adjust to scale and should be given a chance.

Motion was made by Lee Godwin and seconded by Mark DiBiasio to not increase the number of lots from 5 lots to 15 lots and to leave it as it was originally written. The vote was 3 to 2.

Chairman King requested that staff look at the definition of “subdivision” in the adopted APFO Ordinance and the definition in Article II Section 15 of the Union County Land Use Ordinance. He said the definitions did not match and the wording was different.

ITEM NUMBER FIVE

Planning Staff Report (Work in Progress)

Mr. Black gave the Planning Staff Report (Work in Progress):

- Mr. Black said he called Roger Waldon, Land Use Plan Consultant, and had not heard back from him on the dates for the Land Use Plan Symposium.
- Lisa Pease, Assistant Staff Attorney, was still working on the sign ordinance.

Chairman King asked that staff notify the Planning Board members of the following before the April 3, 2007 Planning Board meeting:

- If the Planning Board would be replaced with new members.
- If notices will be sent out to the Planning Board members notifying them that they have been replaced.
- If Chairman King will approve the next agenda for April and also the March 6, 2007 Planning Board minutes.

Mr. Black said he would talk with the Board of County Commissioners at their next meeting to be held on Monday, March 12, 2007 and inform the Planning Board members of their decisions.

ITEM NUMBER SIX

MUMPO Comments

