

April 7, 2015

The Union County Planning Board met in regular session on Tuesday, April 7, 2015, at 7:00 p.m. in the Board of Commissioners Formal Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

PRESENT: Chris Duggan, Don Fisher, Patrick Harrison, Roger Stanton, Robert Traficanti, Russell Wing

ABSENT: Everette Medlin, Clint Laster

ALSO PRESENT: Richard Black, Lee Jenson, Brian Matthews

ITEM NUMBER ONE

Call to Order

Vice Chairman Russell Wing called the meeting to order.
Alternate member Patrick Harrison was made a voting member at this time.

ITEM NUMBER TWO

Additions and/or Deletions to the Agenda

There were no additions or deletions to the agenda.

ITEM NUMBER THREE

Approval of the Agenda

Motion was made by Don Fisher and seconded by Robert Traficanti to approve the agenda.
The vote was 6 to 0.

ITEM NUMBER FOUR

Approval of the October 7, 2014 Minutes & October 21, 2014 Minutes

Motion was made by Robert Traficanti and seconded by Don Fisher to approve the October 7, 2014 Minutes & October 21, 2014 Minutes. The vote was 6 to 0.

ITEM NUMBER FIVE

Preliminary Plat Review of Country Meadows Section II, for Carolina Development Services, LLC, containing 15.153 acres with 12 lots, Tax Parcel #01-234-014D, located off Watson Church Road (S.R. #1643) and being within New Salem Township.

STAFF RECOMMENDATION: FAVORABLE

Lee Jenson went over with the Board the Preliminary Plat of Country Meadows Section II.

Planning Department – The plat should be approved with the following conditions being met when filing for final plat approval:

1. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
2. Any on-site disposal shall be delineated according to Section 180 of the Land Use Ordinance.
3. The final plat shall be submitted in digital format, with street addresses included.
4. The final record map shall require approval from the Union County Stormwater Dept.

Motion was made by Roger Stanton and seconded by Chris Duggan to approve the Preliminary Plat. The vote was 6 to 0.

ITEM NUMBER SIX

Proposed Text Amendments for the New Unified Development Ordinance

Brian Matthews went over with the Board the Proposed Text Amendments:

Adopted text changes to the Union County Unified Development Ordinance. Items in red text are new text. Items in black-strike-through are text to be deleted.

Section 5.020 Allowed Uses

Principal uses are allowed in R districts in accordance with **Error! Reference source not found.** **(Error! Reference source not found.)**. **Not more than one principal dwelling unit is allowed on a single lot (parcel) of land unless otherwise approved as a townhouse or multi-unit development.**

Section 5.030-C Cluster Development

7. Central Water and Central Sewer

Cluster developments must have water service from a central water source **and** ~~or~~ sewer service from a central sewer service provider. ~~or both central water and sewer service.~~

8. Streets

All lots shall be served by newly created interior streets.

9. Recreational Facilities

Cluster developments must have at least one recreational amenity including but not limited to neighborhood pool/club house, or other recreational facilities such as bike paths, ball fields, pocket parks, walking trails, or basketball courts. These facilities must be constructed before releasing more than 75% of the lots for final plat.

Section 25.020-C Public, Civic, and Institutional Category

6. Governmental Service

~~Uses related to the administration of local, state or federal government services or functions.~~

Any government use by Union County, North Carolina which is allowed or required by law.

11. Postal Service

Private facilities including post offices and mail sorting and distribution facilities.

Section 30.060 Dependent Care Residence (Temporary)

- 30.060-A In order to approve a temporary dependent care residence **greater in size and different in type than those allowed under GS 153A-341.3**, the board of adjustment must find that a personal hardship situation exists. The hardship must involve the need to care for elderly family members or other dependents of the family occupying the principal dwelling. Reasons justifying the need for separate quarters include incompatibility, contagious disease, illness, or lack of suitable space within the principal dwelling. A monetary hardship does not **quality qualify** as a personal hardship.
- 30.060-B Special use permits authorizing temporary dependent care residences may be issued for a maximum of 6 months, but may be renewed for successive 6-month periods for so long as the hardship continues to exist. Application for renewal of the permit must be made at least 30 days before the expiration date.
- 30.060-C Temporary dependent care residences must be served by approved water and sewer systems and maintained so as not to create nuisance conditions or adversely affect the visual character of the surrounding residential area.
- 30.060-D **Not more than one temporary dependent care residence may be permitted on a temporary basis. Temporary residences must be located in the rear yard behind the principal dwelling.**
- 30.060-E **Class A, B, or C manufactured homes may be utilized.**
- 30.060-F **The square footage of the temporary dependent care residence shall not exceed the square footage of the principal dwelling.**
- 30.060-G Authorized temporary dependent care residences are not counted in calculating density but are subject to applicable setback and building height regulations.

Section 35.030 Accessory Dwelling Units

- 35.030-C Number and **Size**
No more than one accessory dwelling unit is allowed per parcel. **The accessory unit shall not be greater than 50% of the size of the principal dwelling unit.**
- 35.030-D Methods of Creation
An accessory dwelling unit may be created only through the following methods:
1. Converting existing living area within a dwelling unit (e.g., attic or basement);
 2. Adding floor area to an existing dwelling unit;
 3. Constructing a detached accessory dwelling unit on a lot with an existing dwelling unit; **accessory dwelling units must meet NC Building Code.**
 4. Converting space within detached accessory buildings; or
 5. Constructing a new dwelling unit with an internal or detached accessory dwelling unit.

Section 40.050 Exemptions

The following temporary uses are permitted as of right, without obtaining a permit from the administrator:

- 40.050-A Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than 3 days (whether consecutive or not) during any 90-day period **or**

any other temporary use the administrator deems exempt from having to obtain a permit.

Section 50.040 Signs in R Zoning Districts and Signs Accessory to Residential Uses

50.040-B Multi-unit Living, Neighborhood and Subdivision Identification Signs

3. Freestanding multi-unit building and subdivision identification signs must be monument signs. They may not exceed 32 square feet in area. ~~or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.~~

50.040-C Nonresidential Uses

The following regulations apply to all principal nonresidential uses in residential zoning districts.

2. Freestanding Signs

- a. Nonresidential uses in R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of ~~12~~ 6 feet and may not exceed ~~32~~ 40 square feet in area. ~~or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.~~
- b. Freestanding signs must be a monument sign and must be set back at least 12.5 feet from all current and future public rights-of-way (as determined by the street classification shown in the Union County Multimodal Transportation Plan and 60.110-C) and from the back of curb or outer edge of all driveways.
- c. The ground area surrounding the base of all freestanding signs must be landscaped. The landscape area must be at least as large as the sign area. The landscape area must include shrubs, perennial and/or annual flowers, ornamental grasses, and/or other vegetative ground cover. Landscape plans, indicating plant materials and location must be submitted with the sign permit application. The administrator is authorized to approve alternative landscape or base treatments if the administrator determines that landscaping at the base of the freestanding sign is impractical because of soil conditions, space constraints or other factors beyond the reasonable control of the applicant. Alternative landscape treatments may include additional landscaping elsewhere on the site, the use of masonry materials to conceal the base of the sign or other treatments that provide an equivalent or higher level of visual amenity than the otherwise required sign base landscaping.
- d. The sign must have a base with a minimum height of eighteen (18) inches. The horizontal section of the sign must be greater than the vertical section.

50.050-E Freestanding Signs

3. Maximum Height

Freestanding signs in the ~~HC zoning district~~ Highway 74 corridor may not exceed 25 feet in height. Freestanding signs in all other office, commercial and industrial zoning districts may not exceed 12.5 feet in height including the base.

4. Location

- a. Freestanding signs must be set back at least 1 foot outside all **current or assumed public rights-of-way and outside of all site triangles.**
- 5. Design
 - c. **The sign must have a base with a minimum height of eighteen (18) inches.**

55.090-B S1, Low-profile Screen

- 3. **A minimum width of 10 feet must be provided for all screening areas.**

55.090-C S2, High-profile Screen

- 3. **A minimum width of 10 feet must be provided for all screening areas.**

Section 60.020 Infrastructure and Improvements Required

60.020-A Developers are responsible for the construction and installation of the following infrastructure and improvements, in accordance with the standards of this UDO.

- 3. Sidewalks **and trails;**
- 4. Water supply and wastewater systems;
- 5. Grading, surface drainage and erosion control measures;
- 6. Stormwater management improvements;
- 7. Utilities;
- 8. **Street Lights;**
- 9. **Street Trees;**
- 8 10. Any other on- or off-site infrastructure or improvements required by this ordinance or required at the time of plan or plat approval.

Section 60.100 Private Drives

60.100-B Standards

- 2. Access easements for private drives must be at least 20 feet in width and be the subject of a binding maintenance agreement among all current and future owners of lots that take access to the private drive. ~~The maintenance agreement must be approved as to form by the county legal department.~~

Section 60.110 Public and Private Streets and Sidewalks

60.110-C Street Rights-of-Way

- 2. When a proposed development has frontage on an existing public street, right-of-way must be dedicated and improved to meet the requirements of this ordinance. For existing streets on which a proposed development has frontage, the applicant must:
 - a. Dedicate at least 50% of the required right-of-way width **as shown in the table below;** and
 - b. Install any required sidewalks **or multi-use paths as identified in the Union County Transportation Plan.**
- 4. **When a proposed development includes any part of a thoroughfare as shown on the Union County Transportation Plan, rights-of-way must be platted and dedicated to NCDOT as shown on the table below.**
- 4 5. Utilities installed in public rights-of-way or along private streets must comply with the requirements of Section 60.190 and Union County public works requirements.

- 5 6. Half streets (i.e., streets of less than the full required right-of-way and pavement width) are prohibited except when such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this ordinance.

Table Error! No text of specified style in document.-1: Right-of-Way Requirements

Roadway Classification	Minimum Right-of-Way (feet)	Centerline to Proposed Right-of-Way (feet)
Freeway or Expressway	350	175
Major Thoroughfare	100	50
Minor Thoroughfare	70	35
Other	60	30

60.110-G Sidewalk, Curb and Gutter Requirements

2. Local streets must be constructed with curb and gutter in all zoning districts, unless (i) the local street is located within a residential district and (ii) all lots in the residential subdivision within which the local street is located have a lot area of at least 20,000 square feet. In addition, whenever curb and gutter is required pursuant to this section, a sidewalk must be installed along one side of the street, unless the permit issuing authority determines that given the likely use of the sidewalk, its cost is utterly disproportionate to its value to the public. In all cases, local streets and curb and gutter must be constructed in accordance with NCDOT standards **and/or any standards specified in this ordinance.**
3. Thoroughfare/**collector** streets must be constructed with curb and gutter in all zoning districts, unless (i) the thoroughfare street is located within a residential district and (ii) all lots in the residential subdivision within which the thoroughfare street is located have a lot area of at least 20,000 square feet. In addition, whenever curb and gutter is required pursuant to this section, sidewalks must be installed along both sides of the street unless the permit-issuing authority determines that given the likely use of the sidewalk, its cost is utterly disproportionate to its value to the public. In all cases, thoroughfare streets and **curb and gutter** must be constructed in accordance with NCDOT standards **and/or any standards specified in this ordinance.**
7. Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from a subdivided development to schools, parks, playgrounds, or other streets or facilities **the developer may be required to install a sidewalk along the limits of the development adjacent to the public street. and that** ~~and that~~ If such access is **cannot be** conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement of at least ten feet in width to provide such access.

60.110-H Multi-use Trails

1. Trails shall be designed for exclusive use of non-motorized users (with the exception of motorized wheelchairs).
2. Trails may be unpaved. Trails must be a minimum width of 5 feet. Unpaved trails must be constructed with 4 inch depth of compacted pit gravel, CABC, or RAP (or other types of surfaces reviewed on a case by case basis by the Planning Department).
3. The trail shall be located a minimum of 3 feet from any other road right-of-way, trees, poles, or other obstacles.

4. If the trail intersects with a road right-of-way, posts or bollards shall be installed at the intersection to prevent unauthorized motor vehicle access. The intersection shall bear warning signs about bicycle and pedestrian crossing.
5. The vertical clearance along the trail shall be a minimum of 8 feet.
6. The longitudinal grades shall be a maximum of 5%, and the cross slope shall be no greater than ¼ inch per foot from the centerline.
7. Curves shall have a minimum radius of 95 feet.

60.110-H I Street Intersections

60.110-J Street Trees

1. Trees shall be provided at the equivalent of not more than fifty (50) feet apart along all frontages of all lots. In case of a corner lot, one (1) tree shall be provided for the first one hundred (100) feet of the longest frontage, then one (1) tree per fifty (50) feet thereafter. In the event of a fraction of a tree required, the higher number shall be used. Existing trees that are to be preserved may be used to satisfy the requirements of this provision (see Section 55.100 for materials, maintenance and alternative compliance).
2. Trees must be spaced linearly outside the public right-of-way but not greater than fifteen (15) feet from the edge of the right-of-way.

60.110-K Street Lights

Street lights must be installed in all zoning districts, unless the development is within a residential district and all lots in the residential subdivision have a lot area of at least 20,000 square feet. Street lights shall be located at each intersection, at the turn-around of each cul-de-sac, and elsewhere at intervals of not more than three hundred (300) feet alternating on both sides of the roadway. Fixtures shall be no greater than fifteen (15) feet in height and of a decorative/ornamental design with wiring underground. In order to accommodate creativity in design and to allow for flexibility in addressing atypical, site-specific development/redevelopment challenges, permit-issuing authorities are authorized, after receipt of the required application and fee, to approve alternative compliance plans when they determine that one or more of the following conditions are present:

- a. The site has space limitations or an unusual shape that makes strict compliance impossible or impractical;
- b. Conditions on or adjacent to the site such as topography, soils, vegetation or existing structures or utilities are such that strict compliance is impossible, impractical or of no value in terms of advancing the general purposes of this chapter;
- c. Safety considerations such as intersection visibility, utility locations, etc., make alternative compliance necessary; or
- d. Creative, alternative lighting plans will provide an equal or better means of meeting the intent of the regulations of this article.

Section 60.130 Street and Sidewalk Requirements in Unsubdivided Developments

60.130-D Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from an un-subdivided development to schools, parks, playgrounds, or other streets or facilities **the developer may be required to install a sidewalk along the limits of the development adjacent to the public street. and that If** such access ~~is not~~ **cannot be** conveniently provided by sidewalks adjacent to the

streets, the developer may be required to reserve an unobstructed easement of at least ten feet to provide such access.

60.130-E

1. Such walkways would serve the residents/users of the development as adequately as concrete sidewalks; and

Section 60.170 Drainage and Stormwater Management

60.170-C Stormwater Management

2. No development may be constructed or maintained so that the natural flow of surface waters from such development are discharged in another location. ~~or increased in volume over predevelopment conditions.~~

60.170-D Site Grading

~~4. Increased Runoff Prohibited~~

~~Site grading may not increase the volume or velocity of runoff onto downstream properties unless expressly approved as part of a project's stormwater management plan.~~

Section 100.050 Setbacks

100.050-A Measurement

2. Side (interior) setbacks are measured from a side lot line that does not abut a street ~~or other right-of-way.~~
3. Rear setbacks are measured from the rear lot line ~~or the edge of a right-of-way other than a street right-of-way.~~ On double-frontage lots, street setbacks apply from both opposing lot lines that abut the street, Rear setback standards do not apply.
4.
 - b. ~~Parking lots shall not extend more than 20 feet into any required setback provided all landscaping and buffer requirements are met.~~
 - c. Opaque or substantially opaque fences exceeding 6 feet in height that are located in street yard areas.

Section 105.010 General

Section 105.200 Terms Beginning with "S"

Sewer, Central

Any sewage treatment facility owned and operated by a sanitary district, a metropolitan sewage district, a water and sewer authority, a county or municipality or ~~other~~ public utility, ~~or a private utility.~~

Section 105.240 Terms Beginning with "W"

Water Supply, Central

Any water supply system owned and operated by a water supply district, a water and sewer authority, a county or municipality or ~~other~~ public utility, ~~or private utility.~~ In addition, the definition includes all connections to such a system.

Motion was made by Roger Stanton and seconded by Chris Duggan to approve the Proposed Text Amendments for the New Unified Development Ordinance. The vote was 6 to 0.

ITEM NUMBER SEVEN

Planning Staff Report (Work In Progress)

No Planning Staff Report at this time.

ITEM NUMBER EIGHT

Brief Comments

No Comments

ITEM NUMBER NINE

Adjournment

The meeting adjourned at 9:00 p.m.