

**Guilford County  
Planning Board  
SEPTEMBER 14, 2016**

The Guilford County Planning Board met in regular session on Wednesday, September 14, 2016 at 6:00 p.m. in the John H. McAdoo Conference Room, 3<sup>rd</sup> Floor, 201 West Market Street, Greensboro, North Carolina.

**Members Present:** Mr. Collins, Chair; Mr. Leonard; Mr. Apple; Mr. Jones; Mr. Alexander; Mr. Cannon; Mr. Mann and Mr. Geter.

**Members Absent:** None.

**Staff Present:** Les Eger, Oliver Bass and Tonya Hodgin, Planning Department. Also present was Leslie Bell, Guilford County Planning Director, and Jerry Coble, Fire Marshall.

**APPROVAL OF MINUTES:**

**August 10, 2016 Regular Meeting Minutes**

Mr. Geter moved approval of the August 10, 2016 regular meeting minutes as written, seconded by Mr. Jones. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Leonard, Apple, Jones, Alexander, Cannon, Geter, Mann. Nays: None.)

Chair Collins reviewed the rules and procedures of the Guilford County Planning Board.

**AGENDA AMENDMENTS:**

None.

**OLD BUSINESS:**

Mr. Bass stated that members are in receipt of a set of maps that contain the updated land use recommendations made at the last meeting and approved by the County Commissioners at their September 1, 2016 meeting. The maps reflect the official updated land use plans for the applicable areas. Future recommendations will be based on these maps. These maps will be made available online on the County's website.

**NEW BUSINESS:**

***PUBLIC HEARING ITEMS:***

**REZONING CASE # 16-07-GCPL-03673: AG to RS-40**

Located 1,450 feet south from the intersection of Mossyrock Road and Van Noppen Road in Fentress Township. Being Guilford County Tax Parcel #0130890. Approximately 8.39 Acres. Owned by Noupai and Bandith Ketsavong. **(APPROVED)**

Mr. Bass read the case into the record. The Agricultural designation allows mostly agricultural and some farm uses and large lot residential uses. The RS-40 designation allows for major single-family

residential development with a minimum lot size of 40,000 square feet per lot. The property is located off of Mossyrock Road near the intersection of I-85 Bypass and Highway 421. It is located in the Alamance Creek area and contains approximately 8.39 acres. The land use plan for that area recommends for conditional residential single-family which allows up to one dwelling per acre without public utilities which is consistent with the request to rezone this property RS-40. The adjacent land uses include RS-40 subdivisions in nearby areas and some very large undeveloped and residential properties. This request is consistent with what is recommended in the land use plan and therefore, staff is recommending in favor of this request.

Nouphai Ketsavong indicated that he has owned this property for over ten years and now he would like to sell it. He spoke with a realtor who suggested that he could ask a higher price for the property if it was rezoned to RS-40.

There was no one speaking in opposition to the request.

There being no other speakers, Chair Collins closed the public portion of the hearing.

Mr. Cannon asked staff to comment on the impact of the Scenic Corridor on the requested rezoning. Mr. Bass explained that the Scenic Corridor allows for no billboards or mobile homes. The impact of the Scenic Corridor will be determined during the review process. The Scenic Corridor provides a buffer along the highway.

Mr. Mann moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Map Parcel #0130890, from AG to RS-40, to be consistent with the Adopted Alamance Creek Area Plan and considers the action to be reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Alamance Creek Area Plan Future Land Use Map. The motion was seconded by Mr. Jones. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Leonard, Apple, Jones, Alexander, Cannon, Geter, Mann. Nays: None.)

#### **REZONING CASE # 16-08-GCPL-04263: AG TO RS-30**

Located 1,260 feet northwest from the intersection of NC Highway 150 East and Fairgrove Church Road in Monroe Township. Being Guilford County Tax Parcel #0130248. Approximately 10.02 Acres. Owned by Martha M. Davis. **(APPROVED)**

Mr. Bass read the case into the record. The property is located on NC Highway 150 on the north side west of Fairgrove Church Road and contains approximately 10 acres of vacant land. The AG zoning allows agricultural uses, farm uses, and some large lot residential uses. The RS-30 designation allows for major single-family residential development with a minimum lot size of 30,000 square feet per lot. The site is located in the Northern Lakes Area where the land use recommendation is for rural residential allowing up to two dwelling units per acre which is consistent with the requested RS-30 zoning. There are some adjacent RS-30 subdivisions in the area and some large lot undeveloped land. The area appears to be developing as RS-30 subdivisions which is consistent with the request and therefore, staff is recommending in favor of this request.

Ken Mackovic, 8505 Richardson Woods Road, Brown Summit, North Carolina, was present in favor of the requested rezoning. He said that RS-30 zoning is in keeping with what appears to be the norm in the area and he felt it made sense to request RS-30 to keep the property in line with what is contiguous to the area.

**In Opposition:**

David Hughes, 4605 NC Highway 150, said that he was neither in favor or opposed to the request but he did express concern about a family cemetery located on the subject property. Documents show that the land has been deeded out but nothing has been done to determine its boundaries. He asked that a condition be attached to the request that the graves be located and that an easement be located for ingress and egress to the cemetery. He has not had a conversation with Mr. Mackovic about the cemetery.

**Rebuttal in Support:**

Ken Mackovic acknowledged there is a gravesite located on the property. The surveyor has been instructed to locate the cemetery area when the boundary survey is being done. He spoke with the Planning Department and it was determined that the cemetery area will be incorporated on a lot and it will have ingress and egress easements for anyone to visit the cemetery during the course of a normal day.

Mr. Jones commented that this issue is a matter of private property rights and the Planning Board does not have jurisdiction over this matter. Mr. Eger said that there are numerous subdivisions in nearby areas where easements have been established for gravesites within the development. It was noted that this is not a conditional zoning case. The matter of the cemetery will be addressed in the Planning Department's subdivision stage and it is not a matter within the purview of the Planning Board.

**In Opposition:**

Tommy Adams, 2024 Rankin Mill Road, was present on behalf of his parents who reside at 4602 NC Highway 150, located across the street from the request. He asked if a traffic study had been conducted on Highway 150. Chair Collins said that a traffic study was not a requirement for this size of zoning request. Mr. Adams asked if there will be an opportunity to create a turning lane associated with the development. Chair Collins explained that this matter will be addressed by DOT (Department of Transportation) who will review it. Adjoining property owners can have input about a turning lane at that point. Responding to a question, Mr. Jones reiterated that the matter of easements for ingress and egress to the cemetery will be addressed at the staff level.

Didymus Pettress, 4060 East Highway 150, said he was not necessarily opposed to the request but he expressed concern about headlights shining into his house. His property is located exactly across the street from the request.

There being no other speakers, Chair Collins closed the public portion of the hearing.

Chair Collins asked if determination of cemeteries was a checklist item in the Planning Department process. Mr. Eger said there was no way to determine where a cemetery is located. They would not know about the presence of cemeteries unless they were informed about them.

Chair Collins allowed David Hughes to return to the podium. Mr. Hughes said that the location of the cemetery was on the deed. He suggested the Planning Department check the deeds for cemetery locations.

Mr. Geter moved that the Guilford County Planning Board believes its action to approve this zoning amendment located on Guilford County Tax Map Parcel 0130248, from AG to RS-30, to be consistent with the adopted Northern Lakes Area Plan and considers the action to be reasonable and in the

public interest because it is generally consistent with the land use category indicated in the Northern Lakes Area Plan Future Land Use Map. The motion was seconded by Mr. Apple. The Board voted 8--0 in favor of the motion. (Ayes: Collins, Jones, Geter, Apple, Alexander, Cannon, Mann, Leonard. Nays: None.)

### **CONDITIONAL REZONING CASE #16-08-GCPL-04264: AG to CZ-RS-30**

Located 2,140 feet southeast from the Intersection of Spotswood Road and US Highway 158 in Bruce Township, Being Guilford County Tax Parcel #0147520. Approximately 19.64 Acres. Owned by Truman and Judy Doggett. **(APPROVED)**

Mr. Eger read the case into the record. The request contains a condition that there will be a maximum of 17 lots on the 19 acres. The surrounding area is low-density residential and vacant wooded areas. To the west is Spotswood Road and US Highway 29, North. The area is served by septic system and wells. This request is consistent with the Northwest Guilford Area Plan that was adopted in 2007. It is compatible with the surrounding zoning and residential uses. Staff has recommended approval of this request that would allow the builder to build up to 17 residential single-family stick-built lots. If this request is approved, no amendment to the land use map will be required moving forward.

Amanda Hodierne, 804 Green Valley Road, is an Attorney representing the property owners of the two subject properties, Woodvale, LLC, and Truman and Judy Doggett. This request is to rezone 19.6 acres from County AG and RS-30 to a combined collective Conditional RS-30 district. Ms. Hodierne distributed packets of information to Board members and described the contents. She noted the extensive roadway system surrounding the property that includes the Highway 220 corridor and the U.S. Highway 158 corridor. The interchange is located just to the northwest of this site. Highway 220 is being expanded and the subject property will be facing what will be a four-lane median divided major highway. She pointed out the existing Woodvale subdivision that was developed by her client and said the reason for this request is to allow an expansion of that subdivision. She reviewed photographs of the site along with the illustrative site plan for the proposed development of the 17 lots, as conditioned. The lot size and layout is compatible and consistent with the existing Woodvale subdivision and the development pattern in the area. In addition, Ms. Hodierne provided a copy of a letter that was mailed to adjoining property owners on the County's notification list. She summarized that the request is in harmony with the surrounding area, especially since it is a proposed expansion of the neighboring subdivision. This is a reasonable land use for this property area given that its proximity to the major roadway intersection.

### **In Opposition:**

Hollis Boardman, 8065 Glengariff Road, Clemmons, North Carolina, is with Boardman Property Holdings. They have property surrounding interchanges at Highway 150 and Highway 220. He expressed concern that the proposed use is not compatible with surrounding properties. He also felt that it would be unfair for the buffers and setbacks to come from their property because it may make the property undevelopable. He commented on the resulting impact if the commercial or retail development of that area is chipped away and felt that surrounding land owners need to be aware of this so they can plan accordingly. He said that this is a tax base issue and noted that they have been working with the County to develop the tax base and create potential jobs.

Responding to a question from Chair Collins, Mr. Boardman indicated his major concern was that once this site becomes built out, the neighbors will not want any future development of his beside them. He discussed the possibility of rezoning his property now before residential development occurs at the subject site.

Don Gilchrist is a real estate broker from Raleigh, North Carolina, representing the Boardman family on the development of their property. Their property consists of 169 acres on the northeast section, 4 acres on the southeast section, and 10 acres across the road on the southeast section. He spoke with NCDOT and learned that in 15 years it is estimated that 64,000 cars will be driving up Highway 220, currently Interstate 73. Highway 158 will be widened at some point in the future and it is expected to be a good crossover route to Interstate 85. A significant change will be seen at this intersection and in 10 years, it will no longer be a country intersection. It will be surrounded by national retail brands and will be suited for a hotel. Mr. Gilchrist said that Mr. Boardman is not necessarily opposed to the request; however, he would like to request a continuance so that there can be conversations about how to retain the value of his property. An adjacent property owner has indicated that they would also like to have retail on their property and would also be supportive of a continuance to determine how to approach this rezoning.

Todd Loecher, 8309 Spotswood Road, Summerfield, North Carolina, expressed concern about the traffic that would be generated by the addition of 17 lots. He could support this request if his concerns are addressed. Spotswood Road now only has one access onto Highway 158 and there is already a lot of traffic in this area already. Additional traffic with only one entrance in and out would be problematic. He felt that traffic and emergency vehicle access concerns could affect insurance rates due to response time. In addition, as a result of the way the highway has been reconfigured, there is a blind spot on the curve for traffic heading north.

Responding to a question, Jerry Coble, Fire Marshall, explained that the issues raised by Mr. Loecher do have the potential to come forward. Since DOT realigned Spotswood Road and the intersection, the area served by Summerfield Fire Station #9 and Summerfield Fire Station #29 has been put five miles past Station #9. Summerfield is currently rated as Class 6 and as long as this rating remains consistent, they will still get the current tax rate in the subdivisions at this area. If the State comes back to re-rate them and they are still more than six miles out due to the road layout, then they could go to a Class 9 which would mean higher insurance rates. However, Summerfield Fire Department is aware of this and they are in process of making options on some land to build a station that will put them within five miles of the intersection.

#### **Rebuttal in Support:**

Amanda Hodierne pointed out that only a land use decision will be made tonight. Traffic and fire access and other issues will be addressed during a full review and analysis. Traffic and safety issues will be reviewed by NCDOT and the developer will meet all of their standards for design and safety.

Addressing Mr. Boardman's comments about the commercial potential of this corner, she said that it is an interesting timing question. Her client is in a position where he acquired this property two years ago and is ready, willing, and able to move forward now and would like to do so. Making a land use decision tonight will not preclude further conversations between her client and Mr. Boardman to come to a good coexistence. Residential and commercial uses do not necessarily have to be incompatible because there must be rooftops in the area to attract national chains that commercial outlets want to see in an area.

#### **Rebuttal in Opposition:**

Don Gilchrist reiterated his request for a continuance in this matter.

There being no other speakers, Chair Collins closed the public portion of the hearing.

**Comments:**

Chair Collins addressed Mr. Gilchrist's request for a continuance and explained that continuance requests are heard prior to the presentation of the case.

Providing clarity, Mr. Coble confirmed that this individual request is not really impacting the distance for fire response. The impact resulted from the redevelopment of the interchange and because the south access of Spotswood Road was cut off.

Mr. Leonard asked if there were any plans to have a second access point on Spotswood Road. Mr. Eger said that it is a limited access. Mr. Leonard felt that traffic on Spotswood Road would be better with this residential type of use rather than a high intensity commercial or retail use if there are no plans for a second access point.

Mr. Jones moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on the Guilford County Tax Map Parcel #0220629 and that portion of parcel #0147520 east of US 220 North, from AG and RS-30 to CZ-RS-30, to be consistent with the Adopted Northwest Guilford Area Plan and considers the action to be reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Northwest Guilford Area Plan Future Land Use Map. The motion was seconded by Mr. Mann. The Board voted 7-1 in favor of the motion. (Ayes: Collins, Leonard, Apple, Jones, Alexander, Geter, Mann. Nays: Cannon.)

**CONDITIONAL REZONING CASE #16-08-GCPL-04265 AG to CZ-RS-30**

Located 3,770 feet southeast from the intersection of Plainfield Road and Lake Brandt Road in Center Grove Township. Being Guilford County Tax Map Parcel #(s) 0137976 and 0137978. Approximately 21.46 Acres. Owned by Ann H. Cloyd. **(APPROVED)**

Mr. Eger read the case into the record. There is a maximum of 21 lots on the property. Uses in this area are primarily low-density residential and vacant large lot residential. The town of Summerfield is on the north side of this road and there are numerous residential subdivisions that have been built within the last 10 to 15 years. The land use plan for this area is the adopted Northern Lakes Area Plan that was updated last month. The plan recommends for agricultural residential type uses and that is up to two units per acre. Without public water and sewer, there would not be two units per acre. This request is consistent with the plan and it is compatible with surrounding uses and residential uses. Staff recommends approval of this request which would allow them to build 21 residential lots. If approved, there would be no need for a recommendation for the update of the Northern Lakes Area Plan.

Marc Isaacson, Attorney, 804 Green Valley Road, was representing Bill Yearn's and Yearn's Property. He distributed packets of information to Board members. This request is being made to allow the development of not more than 21 single family lots on approximately 21.5 acres. This averages out to a density that is equal to about RS-40 with 40,000 square foot lots but with the requested RS-30 zoning, they will be able to develop this property with a better layout, more efficient use of the land, and better living environment for homeowners who will live there.

Mr. Isaacson reviewed the packets of information. He commented that developments that have been built in Summerfield within the last 10 or 11 years, subject to town ordinances, have been built at or higher than the RS-30 density being requested and are doing very well. He reiterated that the condition attached to this request is that there will be a maximum of 21 lots on 21.5 acres. This request was recommended to address challenges posed by the property including configuration,

topography, and streams and to adapt to those challenges on this land. If this was an RS-40 request, there would be a difference of three lots between what would be developed under RS-40 and the requested RS-30 zoning. The RS-30 design has a more efficient layout and takes advantage of the slightly smaller lot width requirements and presents a better product for the homeowners.

Mr. Yearns sent a letter to everyone on the County's mailing list and invited anyone to contact him with concerns or questions. One phone call was received requesting a copy of the site plan which was provided to the caller.

Mr. Isaacson said this area of the county is developing at a reasonable pace. As stated in the area plan for this property, the request reflects existing development patterns, encouraging clustering and more efficient layout to preserve some of the more fragile areas on the lots including trees and streams; and the request designates appropriate locations for new neighborhoods. The request accomplishes goals of the area plan while also allowing the opportunity to provide reasonably priced housing options in a growing area of the county without sacrificing the quality of development.

### **In Opposition:**

Larry Henderson, 617 Plainfield Road, distributed packets of information to Board members. He expressed concerns about impacts to the water shed, ground water contamination, and traffic. He described streams that are on the property and noted areas of the property that slope and contain wet stream beds. He indicated that water shed requirements call for wet detention ponds which do not appear to be on the plan. Concerns for ground water contamination were also expressed. He felt that 21 septic tanks and wells in such a concentrated area may be a problem for the water supply.

Mr. Henderson said that the average daily traffic count on Plainfield Road is around 3,000 trips. Development would add 50 plus cars to the equation. The area is heavy in recreational uses with a lot of biking and running. No road improvements are shown on the proposed zoning map.

Scott Bowman, 629 Plainfield Road, said that the topographical map shows that streams affect four or five lots in the area. His property is lower than the entrance to the development. They are proposing a road that will dead into his property and he was concerned about the resulting water runoff. He also expressed concern about the watershed that runs down to the City's water supply at Lake Townsend.

Willie Hudson, 633 Plainfield Road, related a personal experience and asked for clarification about RS-30 zoning. Mr. Eger said that Mr. Hudson previously tried to do an access easement to his lot. A minimum of three acres was required when served by an access easement in the personal situation Mr. Hudson referred to.

Mr. Hudson stated his opinion that what is being proposed has too many lots on that amount of land as far as water and sewer are concerned. He also pointed out the location of a blind curve in the area where houses will be located.

Bill Evans lives in Summit, New Jersey. He was representing the property owner of 6022 Lake Brandt Road. He was also concerned with density and felt the appropriate zoning would be RS-40.

Ron Flarety, 395 Plainfield Road, felt that RS-30 zoning was too dense. He noted the large number of bikers on the road and commented that 21 houses on 21 lots would result in homes that were too small. He felt this could negatively affect property value in the area.

Dustin Marsh, 612 Plainfield Road, said that his driveway is in the blind curve. He was primarily concerned that the property lines are going all the way back to the road right-of-way. There is no green space or buffer zone on Plainfield Road like is seen at Nantucket and Corbin Woods and he was

worried about the resulting impact on the site. He currently has a difficult time seeing from his driveway and was concerned that there could potentially be fences or privacy trees that would further impact visibility at the curve.

### **Rebuttal in Support:**

Norris Clayton, 1306 West Wendover, is the civil engineer who prepared the sketch plan for the property. He addressed water issues related to the site plan and said that the property is in the Tier 4 water shed. There are streams running through the site and required buffers and drainage easements have been put on the plan. These things will be worked out when the subdivision is presented to staff for development. Addressing the issue of groundwater impact, he said that 21 lots on 21 acres with 40,000 square foot lots is fairly normal. Mr. Clayton explained that their thoughts to minimize the impact of the curve on Plainfield Road include moving the entrance as far south as possible, as reflected on the sketch plan. There will be no entrances from the lots onto Plainfield Road. The rear of the lots will be landscaped adjacent to Plainfield Road.

Marc Isaacson said this property is ripe for residential development. The adopted plan calls for reasonable density and he believes that RS-30 is a reasonable density especially with the configuration and topography of the lots. This request would allow for more flexibility in the layout of the subdivision and would result in a more attractive product in harmony with surrounding areas. More area can be left undisturbed allowing for better placement of homes on the lots.

### **Rebuttal in Opposition:**

Ron Flarety stated his opinion that it is not a fairly normal request to place 21 lots on 21 acres of land. He said that 21 lots cannot be placed on 21 acres of land with each lot being one acre.

Referring to an area on the map, Larry Henderson commented that no matter how many lots are intended for the site, the creek on the property requires a 60-foot easement and there is no way to have two lots in the area with the 60-foot easement. Additionally, the ground water study was funded by the County and is the basis for setting forth the maximum density of the county dependent upon ground water. The study came back with 60,000 square feet of land area in this exact site.

There being no other speakers, Chair Collins closed the public portion of the hearing.

### **Comments:**

Mr. Jones commended the neighbors for being well prepared and having good comments. However, he pointed out that the Board is not approving the site plan or the 21 lots. The Board is being asked to approve the conditional RS-30 zoning with a maximum of 21 lots. Issues of setback, easements, etc. are things that are considered by staff and as a result of that review, if 21 lots cannot fit on the property because of all the issues, there will not be 21 lots.

Mr. Cannon agreed with comments made by Mr. Jones and said that the map that was shown is for illustrative purposes only for the Board to understand what the process may be as the developer petitions the Planning Department to move forward. All the checks and balances that have to be addressed in relation to the water issues will be contingent on what that development looks like in the end.

Chair Collins expressed his frustration with both the applicant and the residents. There is a reason that a period of time is given after notification of the request has been received. The applicant sends out a letter so there can be discussion before the matter is heard by the Board and the matter becomes



confrontational. He reiterated comments made by Mr. Jones and said the Board does not decide on water shed issues or traffic matters. The county makes these determinations when the site plan is submitted. The Board's purview is to talk about land use matters. Over the last year or two, the Board has seen similar requests asking for a zoning that allows flexibility so that the lots make more sense. With this request, there will be a net RS-40 yield and he felt the requested RS-30 designation would be a good use. He noted that the county is putting new schools and services in this area of the county because it is growing.

Mr. Cannon moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on the Guilford County Tax Map Parcel #0137976 and #0137978 from AG to CZ-RS-30 to be consistent with the adopted Northern Lakes Area Plan and considers the action to be reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Northern Lakes Area Plan Future Land Use Map. The motion was seconded by Mr. Apple. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Cannon, Leonard, Apple, Jones, Alexander, Geter, Mann. Nays: None.)

**TEXT AMENDMENT CASE #16-08-GCPL-04129: Radio, Television, Communication Tower**

Amendment to the Guilford County Development Ordinance section 2-1.16 definitions adding new definitions, permitted use table 4-3-1 Radio Television Communication Tower adding development standard designations and section 6-4.70 Radio, Television, Communication Tower (principal) adding new text. **(FAVORABLE RECOMMENDATION)**

Mr. Eger said that this matter came up eight years ago when staff was dealing with issues locating cell towers within the county due to existing ordinances. He pointed out that cell towers are not just for cell phones; rather, they are wireless communication devices and transmitters. The process to amend the Development Ordinance was postponed for a number of reasons and recently the process was reactivated. He worked with Attorney Tom Terrell, TREBIC (Triad Real Estate and Building Coalition), and individuals from the wireless communication industries of North and South Carolina on this amendment. This request is to help make it easier for both the applicant and staff and to take away some of the challenges that have been received over the years. The ordinance change will allow for cell tower communication devices in new areas as a camouflage communication device or as a stealth communication device.

Tom Terrell, Attorney, 529 West Parkway, High Point, North Carolina, was present in support of the proposed text amendment. Over the past 31 years, he has worked closely with four different telecommunication companies and six cell tower companies that build the towers. He began working with Mr. Eger in 2008 and then again when the process was revived many months ago. Mr. Eger contacted him to make sure the industry's perspectives were included in the amendment and Mr. Terrell confirmed that they are. This amendment is balanced, its common sense, and it is practical. He asked the Board to consider supporting this text amendment.

Mr. Cannon moved to recommend to Board of County Commissioners in favor of this text amendment, seconded by Mr. Apple. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Cannon, Leonard, Apple, Jones, Alexander, Geter, Mann. Nays: None.)

**NON-PUBLIC HEARING ITEMS:****TEXT AMENDMENT CASE #16-08-GCPL-04262: Legislative Updates**

The NC Legislature passed several laws related to land use planning and development that renders some provisions of the County's Land Development Ordinance unenforceable. County staff reviewed session laws passed during the 2014 and 2015 legislative sessions of the General Assembly for possible impact on zoning, subdivisions, and development standards; and to propose text amendments necessary to comply with new state laws. Request is to present text amendment for approval at the October 14, 2016 Planning Board Meeting.

Mr. Bass stated that this is a proposed text amendment based on legislative updates by the General Assembly passed during the 2014 and 2015 legislative session. Some of these changes are mandated by state statutes impacting the designation of development. Many have already taken effect and staff is suggesting that the ordinance reflect these changes. This item will be brought back for action either next month or at the November Board meeting.

**ITEMS FROM THE PLANNING BOARD:**

Mr. Apple said that he would like to resume the pre-meetings that were held in the past. Mr. Bell commented that the pre-meeting is considered to be an open meeting that can be attended by anyone. Members indicated they would like to have a designated place to gather before the Board meeting and enter at one time. Mr. Eger said that there is a space available for members to gather before the meeting and he will make plans to secure the room.

Members commented on the recent frequency of continuance requests occurring during the public portion of the hearing. It was suggested that Continuance Requests be made a line item on the agenda. The applicant would state their case for a continuance request to the Board so a determination can be made whether or not to grant the request.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 7:42 p.m.

Respectfully submitted,

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Tony Collins, Chairman

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Leslie P. Eger, Secretary to the Board

TC:sm/jd