



**Town of Mount Pleasant
Planning Board and Zoning Board of Adjustment Agenda**

Mount Pleasant Town Hall
8590 Park Drive
Monday, May 14, 2012 - 7:00pm

1. **Call to Order**
2. **Recognition of Quorum**
3. **Approval of Agenda**
4. **Approval of Minutes**
5. **Planning Board Cases**
 - (a) TA 2012-01 – Amend Table 4.7-1 to Increase AG District Minimum Lot Sizes
 - (b) TA 2012-02 – Amend Article 4.3.3 to Revise the AG District Purpose Statement
 - (c) TA 2012-03 – Delete Article 5.24 and Revise Table 4.6-1 regarding Residential Development in the AG, I-1 and I-2 Districts.
 - (d) TA 2012-04 – Delete Article 5.25 regarding Subdivisions in the AG District
6. **Board of Adjustment Cases**

None
7. **Other Business**
 - (a) **Staff Report**

Presentation of Planning Staff activities for the Month of April.
 - (b) **Future Land Use Map**

Revised Language for the Western Growth Area
 - (c) **RC and RV Side Setbacks**

Discussion of inconsistencies in the dimensional standards table for the RC and RV districts between the stated setback and a note in the table regarding the setback.
8. **Adjourn**

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mount Pleasant
Planning and Zoning Meeting
May 14, 2012
7:00 PM**

Members Present:

**John Murdock, James Senecal, Whit Moose Jr.,
Michael Steiner, Shirley Freeman, Margaret Strickland.**

Staff Present:

Vagn Hansen of Benchmark, Joy Eudy Clerk to Board.

Call to Order:

Chairman Murdock called to order the meeting of the Planning and Zoning Board.

Recognition of Quorum:

Chairman Murdock stated a Quorum was present.

Approval of Agenda:

Chairman Murdock entertained a motion to approve the agenda. Board member Shirley Freeman made a motion to approve the agenda as presented. Board member James Senecal seconded the motion with all members in favor. (5-0)

Approval of Minutes:

Chairman Murdock entertained a motion to approve or make changes to the minutes of the April 2, 2012 meeting of the Planning and Zoning Board. Board member Michael Steiner made a motion to approve the minutes as presented. Board member James Senecal seconded the motion with all members in favor. (5-0)

Approval of Joint Meeting Minutes with Town Board:

Chairman Murdock entertained a motion to approve the minutes of the joint meeting with the Town Board. Board member Whit Moose Jr. made a motion to

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approve the minutes of the joint meeting as presented. Board member Shirley Freeman seconded the motion with all members in favor. (5-0)

Planning Board Cases;

Text Amendment TA 2012-01 – Amend Table to Increase Table 4.7-1 AG District Minimum Lot Sizes.

Chairman Murdock turned the meeting over to Vagn Hansen of Benchmark. Vagn Hansen stated the Text Amendment will increase the minimum lot size in the AG zoning from 1 acre square feet to 2 acres square feet doubling the size of the lot. This amendment is being proposed to begin the process of making ordinance revisions that will need to occur to begin implementation of the updated future land use map. Among the recommendations of the soon to be adopted future land use maps is a recommendation to establish a 2 acre minimum lot size in those portions of the planning area which will be designated for agricultural use.

Increasing the lot size will encourage the preservation of land for either agricultural use, forestland, or open space by reducing the current incentive that property owners have to divide their property for residential development.

Increasing the lot size will also ensure that residential development that does take place is afforded a greater buffer between new residences and existing agricultural uses.

Vagn Hansen stated since the goal of the agricultural land use classification is to ensure the viability of agricultural operations, this should lead to the ability of farmers to continue using their land as they have in the past. Since there is a general absence of municipal utilities in the areas where we anticipate extending this zoning designation, the increase in the minimum lot size will also ensure that residential land uses that are established have more than adequate land area for well and septic systems, including sufficient room for large repair areas for septic systems.

Board member Whit Moose Jr. wanted to know if this is one resident per 2 acres. Vagn Hansen of Benchmark stated yes, that is correct. The county has country side residential and this will make it more like the county.

Vagn Hansen stated that all setbacks will remain the same as they are now, even though density will increase there would not be that much pushing dwellings back any farther from the property line than they are now.

Board member James Senecal wanted to know if a developer came in and purchased that property would he be held to these standards. Vagn Hansen stated yes, without a rezoning. Vagn Hansen stated if this were applied to a 50 acre tract of land that a developer had his eye on, they would need to convince us and then come and persuade the Planning Board and Town Board that we should take a look

at our future land use map to amend it for their vision. If that went well they would apply for a rezoning of the property based on that new land classification and at that point they could have more density. Vagn Hansen stated in the future if something might change or the sewer line extended or something else it might be appropriate to have a higher density.

Chairman Murdock wanted to know if this is consistent with the philosophy of the Town. Vagn Hansen stated first this is consistent with the Town's general goal of ensuring we zone property according to what the infrastructure is in terms of water and sewer, also in terms of preserving the ability of agricultural uses to be able to operate into the future.

Vagn Hansen said one acre density is not necessarily compatible in all instances with agricultural operations, particularly if it is something a little bit more intense. So decreasing the density would more likely make it have a situation where residency is already developed in an agricultural area, as many areas as there are outside of Town. Having larger lots would allow more space between new residents and the surrounding agricultural used property.

The Planning Board has already made a recommendation and this is also in consistence with the goal instituting any classification of lower density outside of Town.

Board member James Senecal stated there was one piece of property in particularly and that is the Foil Property. He wanted to know if the property is under agricultural use as farm land. Vagn Hansen of Benchmark stated yes, that's all under agricultural use. It is currently zoned RL. There is a small portion outside town, but 80% is farm land.

With no further discussion Chairman Murdock entertained a motion to accept Text Amendment TA 2012-01. Board member James Senecal made a motion to accept Text Amendment TA 2012-01 to amend minimum lot size in the agricultural district from 1 dwelling per acre to 1 dwelling per 2 acres. We feel this is consistent with the policies of the Town to decrease density in those areas where public utilities are not present or planned for in the future and in consistency with goals of the proposed future land use maps. Board member Whit Moose Jr. seconded the motion with all members in favor. (5-0)

Chairman Murdock stated the next item on the agenda is Text Amendment TA 2012-02. Amendment to revise the Agricultural (AG) District Purpose Statement.

Vagn Hansen of Benchmark stated the proposed Text Amendment will the propose statement for the Agricultural (AG) District contained in Section 4.3.3 of the UDO. Vagn Hansen stated the current wording includes two statements that indicates that the AG District is appropriate district for large scale industrial operations.

He stated this is in conflict with the proposed future land use map, and does not reflect other provisions in the UDO since the Table of Permitted Uses does not make

any accommodation for industrial or manufacturing uses in the AG district beyond mining and landfills. Vagn Hansen stated because of these inconsistencies, staff has proposed to remove the sentence regarding industrial use from the AG district purpose statement to eliminate any confusion in the future regarding the true intent of this district.

Vagn Hansen of Benchmark stated as part of this amendment, staff is also proposing renumbering the provisions in this section to make them conform to the UDO numbering system as it was intended. He stated this provision should currently be 4.3.2.1 since it is established as a subsection of 4.3.2 which contains the purpose statements for all base zoning districts.

Vagn Hansen stated subsequent amendments to the numbering in the remainder of the Section and throughout the UDO will be made to conform to this change.

Article 4.3.3. AG Agricultural District states industrial and commercial uses .Vagn Hansen of Benchmark suggest taking out the statement industrial and, also industrial operations which require large expanses of land area and which generate low traffic levels are also suitable for this district, and adding 4.3.2.1 Ag Agricultural District. The district is established to provide areas for low intensity agricultural operations as well as agri-business and supportive commercial uses. AG zoning protects and preserves valuable agricultural areas, implements agricultural protection zoning, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, sets maximum permissible densities or new zoning districts, defines specific areas for rural commercial uses, and identifies areas appropriate for agricultural preservation.

Chairman Murdock entertained a motion to recommend to the Town Board TA Text Amendment 2012-02.

Board member James Senecal made a motion to recommend to the Town Board TA Text Amendment 2010-02 ~~Amendment to revise the Agricultural (AG) District Purpose Statement and~~ ~~the~~ We the Zoning Board feels that it is consistent with the policies of the Town to remove statements in Article 4.3.3 and add Article 4.3.2.1. Board member Michael Steiner seconded the motion with all members in favor. (5-0)

Chairman Murdock stated the next item is Text Amendment TA- Text Amendment 2012-03 to delete Article 5.24 and Revise Table 4.6-1 regarding Residential Development in the AG, I-1 and I-2 Districts.

Vagn Hansen of Benchmark stated the proposed Text Amendment will delete Section 5.24 of the UDO. It establishes special requirements for the development of single family residences in the AG, I-1 and I-2 districts. He stated Staff feels these standards are redundant and unnecessary, and in the case of the industrial districts, contrary to the intent of those districts and good planning practice.

Vagn Hansen of Benchmark stated as the second portion of this amendment, staff recommends that the Table of Permitted Uses be amended to, first reflect the removal of these special requirements, and second, to remove single family dwellings as a use that is allowed in the industrial districts with a Conditional Use Permit.

With no questions asked, Chairman Murdock entertained a motion to recommend Text Amendment TA 2012-03 to the Town Board.

Board member Michael Steiner made a motion to recommend Text Amendment TA 2012-03 – to delete Article 5.24 and Revise Table 4.6-1 regarding Residential Development in the AG, I-1 and I-2 District to the Town Board, stating the Planning Board feels that this is consistent with the policy of the Town. Board member James Senecal seconded the motion with all members in favor. (5-0)

The next item on the agenda is Text Amendment TA 2012-04 – Delete Article 5.35 regarding Subdivisions in the AG District.

Vagn Hansen of Benchmark stated the proposed Text Amendment will delete Section 5.25 of the UDO. This section currently establishes additional standards for residential subdivisions in the Agricultural District.

Vagn Hansen stated these regulations are somewhat vague in their direct application to Mt. Pleasant since it references the “Rimer Community Overlay District.” These regulations, through their effort to limit density in the Agricultural District, are also inconsistent with the goals of the updated future land use map and the density limits that staff has proposed for the Agricultural District.

Vagn Hansen stated the Town has proposed establishing new minimum densities that would be lower than what this regulation establishes for divisions of land where the parent tract is ten acres or smaller. If the new density regulations are approved in the Agricultural District, those limits, in conjunction with amendments that were made in the past two years to the general subdivision regulations, would achieve the same goal with fewer regulations needing to be in place, which in turn simplifies the UDO and eliminates the possibility for conflicts and inconsistencies.

The deletion of this Section will also require the deletion of Section 6.1.2.3 in Article 6 (Subdivision Regulations), which is a restatement of the requirement to comply with the provisions of Section 5.25.

Vagn Hansen stated we need to simplify these standards and have 1 set of standards. Board member Whit Moose Jr. asked if this would delete all of Article 5.25, and Section 6.1.2.3. Vagn Hansen stated it would.

Chairman Murdock asked if there were any questions or comments. With no more questions or comments Chairman Murdock entertained a motion to recommend to the Town Board Text Amendment TA 2012-04 – Delete Article 5.25 regarding Subdivisions in the AG District.

Board member Whit Moose Jr. made a motion to make a recommendation to the Town Board Text Amendment TA 2012-04 stating the Planning Board believes it is

consistent with the policy of the Town to delete Article 5.25 regarding Subdivisions in the AG District. Board member Shirley Freeman seconded the motion with all members in favor. (5-0)

Staff Report:

Vagn Hansen of Benchmark stated 2 Zoning Permits and 1 Temporary Use Permit had been issued.

Zoning Permit Z-2012-08 - 1220 North College Street: Permit for a 1,920 square foot accessory structure.

Zoning Permit Z-2012-09 - 8560 Cook Street: Replacement monument sign and new wall sign for Cabarrus Family Medicine.

TU- 2012-01 – 9100 E Franklin Street: Temporary use permit for a food vendor (90 day permit)

West Franklin Mill Addressing:

The Town has been working with the manager of the mill on West Franklin Street and Cabarrus County's E-911 addressing coordinator to address all of the individual units within the structure. This was a final step in the process of ensuring the mill was in compliance with life-safety codes. This new addressing will allow emergency responders to more accurately respond to emergencies since the entire mill was assigned a single address.

The owner has made a number of improvements to the property to bring it to compliance with Town codes, fire codes and building codes. The owner can now bring in additional tenants and utilize the unused space in the building.

Farmers Market:

The Farmers Market officially opened April 10th at the Mini Park on North Main Street. We have seven vendors with permits to operate and applications have been sent to several more vendors that we expect will be attending as the season progresses.

We will be surveying vendors later this month to see if what type of improvements in the operation or management of the market the Town could make to improve the functionality of the market.

Carolina Thread Trail:

Staff met with representatives of the Catawba Lands Conservancy on April 4th to discuss the initial phases of the Carolina Thread Trail through the Buffalo Creek Preserve. Plans to begin construction of the initial phases through the property will begin sometime this year. There are plans to hold a volunteer trail building day at

Buffalo Creek Preserve on June 2nd and this information will be passed along as it is received.

The Conservancy also requested assistance from the Town in securing the access from Oldenburg Drive onto their property since this access point is being used by trespassers who are entering the Preserve with ATVs and other motorized vehicles.

New Business:

Revised Western Growth Area Language.

At the joint meeting with the Town Board of Commissioners, the Board requested that the language for the Western Growth Area be revised so that it contained a statement clarifying future commercial development in that area.

Revised Statement: The purpose of this land use classification is to facilitate the establishment of a diverse mix of residential development at an average density of 4 dwelling units per acre, along with well planned, compact and interconnected commercial development nodes in strategically concentrated locations along the primary corridors bounding this area. Commercial development nodes may only be established in areas that allow them to be designed and constructed in a manner that does not reduce the capacity or function of the primary road network in the area. These areas are primarily located between Highways 49 and NC 73 and this will allow for the greatest maximization of water and sewer infrastructure in the area, allowing the area to grow to its highest potential. It will also allow for the maximization of the benefits of the strong transportation links provided by NC Highways 49 and 73 and the local secondary road (Walker and Cold Springs that traverse the area linking the two highways.

It is anticipated that this will be, perhaps the most easily developed area for small to medium scale development projects given the ability to serve the area on gravity sewer and the lack of concern regarding traffic through town.

Side Setbacks in the RV and RC Districts:

Vagn Hansen of Benchmark stated there is some conflict currently in the required side setback in the Village Residential (RV) and Compact Residential (RC) Districts. He stated in the dimensional standards table (4.7-1) the required side setback for each of these districts is shown as 5 feet. There is a note, however, that states the minimum side setback in these districts is 7 feet. Staff is requesting feedback on what the Planning Board feels would be the most appropriate course of action and outcome in the situation given the conflict that exists in the ordinance.


Since the ordinance requires that the most strict provision apply, Vagn Hansen stated he has to use the 7 foot side setback, but this can be very confusing to persons who only skim the ordinance and do not realize there is a note that imposes a higher standards than what is shown in the table.

Vagn Hansen asked the Planning Board what they wanted to do. After a small amount of discussion, Chairman Murdock stated the Board wanted to leave the standard as it is, but change the 5 feet to 7 feet.

Adjournment:

With no other business to come before the Board, Chairman Murdock entertained a motion to adjourn. Board member James Senecal made a motion to adjourn. Board member Michael Steiner seconded the motion with all members in favor.
(5-0)


Chairman John Murdock III


Clerk to Board Joy Eudy

SEAL

