



Founded in 1848

Troy W. Barnhardt  
*Mayor*

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**Town of Mount Pleasant  
Planning & Zoning Meeting  
September 14, 2009  
7:00P.M.**

**Members Present:** James Senecal, Shirley Freeman, Whit Moose, Jr.  
Alternate Margaret Strickland.

**Staff Present:** Chairman John Murdock, Vagn Hansen of Benchmark,  
Clerk to Board Joy Eudy, Town Administrator Adrian Cox.

**Members Absent:** Penny Suggs.

**Call to Order:** Chairman Murdock called the meeting to order.

**Quorum:** Chairman Murdock stated a quorum was present.

**Approval of Agenda:**

Chairman Murdock entertained a motion to approve the agenda. Board member Whit Moose, Jr. made a motion to accept the agenda as presented. Board member James Senecal seconded the motion with all members in favor 5-0

**Approval of Minutes:**

Chairman Murdock asked if there were any changes to be made to the minutes. With no changes to be made Chairman Murdock entertained a motion to approve the minutes. Board member Whit Moose, Jr. made a motion to approve the minutes as presented. Board member Shirley Freeman seconded the motion with all members in favor 5-0.

**Planning Board Cases:**

**Text Amendment 2009-05**

UDO Text Amendment to delete the River Stream Overlay District (Article 4.15) and move the modified provisions contained in the district to a new section in Article 9 to be designated Article 9.3 – Riparian Area Management and Protection.

**Chairman Murdock turned this portion of the meeting over to Vagn Hansen, Project Planner with Benchmark Planning Services.**

**Vagn Hansen of Benchmark stated that the provisions of this Section have not been implemented properly in the past, and the standards of the “overlay district” would be difficult to implement within the bounds of the NC General Statutes. He stated in light of the problems with implementing and enforcing these provisions as currently written, while recognizing the benefits that such provisions have for the environment and water quality, it is proposed that these provision be removed from their current location and moved to a newly created Section 9.3 under the Article concerning environmental protection. The new section would be designated as “Riparian Area Management and Protection”.**

**Vagn Hansen of Benchmark stated the primary goal of the formerly designated “overlay district” is preserved in the new Section, however several changes are proposed to enhance the ability of staff, property owners and developers to utilize and enforce the provisions of the Section. These changes relate primarily to the method by which the required vegetated riparian buffer width is calculated. Vagn Hansen stated the Ordinance requires a complex and somewhat vague calculation be made of the average percent of slope of the “area adjacent to the stream”. The main problem with such a requirement is that it is not something that is easily calculated or verified by staff due to the complexity of topographic calculations.**

**Vagn Hansen of Benchmark stated to solve this problem, while maintaining a high degree of environmental protection, it is proposed that the regulations be changed to alter the method by which the required buffer is calculated. Vagn Hansen stated the proposed regulations would achieve several goals.**

**First, it would provide a framework for enforcing stream buffer regulations that is fully within the scope of the Town’s legal authority as opposed to the improper use of the current “overlay district” which was never legally implemented.**

**Second, it would provide a method of buffer calculation that is easier to implement and verify. And, finally, it would preserve and strengthen the environmental protection provided by the current regulations.**

**Vagn Hansen of Benchmark stated this move may not be the easiest way to go, but it will be a lot easier to explain from slope to width.**

**After some questions and some discussion from different board members, Chairman Murdock entertained a motion to make a recommendation to the Town Board for approval and adoption of Text Amendment TA 2009-05 stating that the Planning Board finds the proposed Text Amendment is consistent with the plans and policies of the Town of Mt. Pleasant.**

**Board member Whit Moose, Jr. made a motion to make a recommendation to the Town Board for approval and adoption of Text Amendment TA 2009-05 and that it is consistent with the plans and policies of the Town of Mt. Pleasant. Board member James Senecal seconded the motion with all members in favor 5-0.**

## **Text Amendment TA 2009-06**

**UDO Text Amendment to change the location of, and make modifications to, Article 8.1.2.10 regarding requirements to uplift public streets with curb and gutter and sidewalks. The regulations would be moved to Article 10.1.2.4**

**Vagn Hansen of Benchmark stated that the Proposed Ordinance and Text Amendment requirements for the installation of curb and gutter and sidewalks along public streets are currently located in the Section of the Ordinance dealing with off-street parking (Article 8). Vagn Hansen stated that Staff believes that these provisions are more appropriate to have within the Section of the Ordinance dealing with street improvement standards (Article 10). He stated that their current location is somewhat confusing, and moving these requirements to Article 10 would make it more likely for a developer, surveyor or engineer to find them if they were browsing the Ordinance while they were preparing for a project.**

**Moving and expanding the scope of this regulation will help ensure that it is not overlooked now, or in the future, as development plans are prepared, and that the Town has solid and enforceable provisions for requiring such infrastructure in those places where it is needed and desired by the community.**

**Chairman Murdock entertained a motion to make a recommendation to the Town Board for approval and adoption of the proposed UDO Text Amendment and the Planning Board finds that the proposed Text Amendment is consistent with the plans and policies of the Town of Mt. Pleasant.**

**Board member Whit Moose, Jr. made a motion to make a recommendation to the Town Board for approval and adoption of the Text Amendment 2009-06 and that it is consistent with the plans and policies of the Town of Mt. Pleasant. Alternate member Margaret Strickland seconded the motion with all members in favor 5-0.**

## **Zoning Map Amendment: REZ 2009-03**

**Vagn Hansen of Benchmark stated this item was up for discussion only. No action was requested. This was just an opportunity for the Planning Board to look at the establishment of initial zoning on parcels voluntarily annexed by Green Acres Realty on NC Highway 73.**

**The Town must initiate proceedings to zone the affected parcels within 60 days of annexation. Vagn Hansen stated this item was brought before the Planning Board so that it may develop a consensus on the appropriate zoning of the property prior to the initiation of the formal zoning map amendment. Vagn Hansen stated that it is recommended that the Planning Board consider establishing initial zoning on the property using the RL district.**


Vagn Hansen of Benchmark stated that Staff was looking for a recommendation from the Planning Board. Chairman Murdock made a recommendation to Vagn Hansen to go ahead with the rezoning of the property. Alternate Margaret Strickland made a motion to rezone the property to RL. Board member James Senecal seconded the motion with all in favor 5-0.


**Reports:**

Vagn Hansen of Benchmark gave the Planning Staff report and Town Administrator Adrian Cox gave an update on the Mount Pleasant Community Plan, Greenways, YMCA and the Merchant's Association.

**ADJOURNMENT:**

Chairman Murdock asked if there was any more business to come before the Board. With no other business, Chairman Murdock entertained a motion to adjourn. Board member Whit Moose, Jr. made a motion to adjourn. Alternate member Margaret Strickland seconded the motion with all members in favor 5-0.

  
Chairman John Murdock III

  
Clerk to Board Joy Eudy