

Town of Sedalia

Planning Board Meeting

Sedalia Town Hall / 6121 Burlington Road
November 21, 2019 / 7:00 PM

Minutes

Meeting was called to order at 7:00 PM by Planning Board Chairman Robert Jones, followed by a Moment of Silence, Pledge of Allegiance, and Roll Call.

Members Present: Chairman Robert Jones, Sandra Hamlett Monroe Smith, Calvin Atkins

Members Absent: Vice-Chairman Serita Faison, Marian Jeffries

MOTION to approve the agenda was made by Planning Board member Hamlett and seconded by Planning Board member Smith. Motion carried.

MOTION to approve the minutes of the October 17th meeting was made by Planning Board member Hamlett and seconded by Planning Board member Smith. Motion carried. Note: It was suggested that minutes be reviewed prior to the meeting.

Business / Reports / Discussions

I. 2019 NC Legislation Related to Planning & Development Regulation

Chairman Jones reported that pages 1 through 6 of the 2019 N.C. Legislation Related to Planning and Development Regulations were reviewed at the last Planning Board meeting. The most significant land use legislation is the adoption of Chapter 160D. All city and county zoning, subdivision, and other development regulations including unified-development ordinances will need to be updated with the changes described in Chapter 160D by January 1, 2021

Chairman Jones suggested continuing to read through the new regulations starting with 'Subdivision Changes' on page 6, then discussing each section. The Planning Board members reviewed the following sections during the meeting:

- Subdivision Changes – Performance Guarantees; Completion, not maintenance; and Parties with rights (p. 6-7): Planning Board member Atkins requested clarification on whether the third party would be the bank if the project was financed. It was believed that would be the case.
- Subdivision Changes – Type of financial instrument; Amount; Timing for issuance; Multiple guarantees; Duration; Extension; and Release (p. 7): Planning Board

member Hamlett asked if the changes applied to new subdivisions or improvements to existing subdivisions. It is believed the changes apply to new subdivisions when the plat is submitted for approval, and existing subdivisions when improvements are proposed. Chairman Jones commented the document presents a summation of the changes to the Planning and Development regulations that have been approved. The summation is provided to give local governments an opportunity to review and adopt the changes. Town Clerk Dungee added these new changes must be adopted into the Town's ordinances by January 1, 2021. The Planning Board reviews the changes and makes recommendations regarding the changes to the Town Council. The Town Council then votes on the changes and the changes are incorporated into the Town's ordinances. It was suggested the Planning Board and Town Council meet to review document together.

Town Clerk Dungee reported information will be sent to the Planning Board regarding a proposed subdivision on the McLean Property. The draft map shows the property to be subdivided into four large tracts, but it is unknown what is proposed to be built. The developer is involved primarily with commercial developments. At this time, no application or Development Clearance Certificate has been submitted. Once an application is submitted, the Planning Board would review it and hold a public hearing. The earliest a public hearing could be held is January, with a review and vote by the Town Council in February. Chairman Jones commented the proposed site is currently zoned Agriculture and that if the proposed development is commercial then it would need to be rezoned. The draft map shows an entrance to the property from Rockhurst Drive. Rockhurst Drive is the only entrance and exit to a subdivision. An additional access road may need to be considered. It was noted the access road to the property is an undeveloped road that has never been opened.

- Other Provisions – Power-line burial, Waste disposal & Local Act (p. 8): Planning Board member Atkins asked whether the Town has a recreation fee. Town Clerk Dungee responded the Town does not have a recreation fee. Planning Board member Atkins asked about including a recreation fee in the development ordinance. He added Orange County collects a registration fee. For example, a \$50.00 fee could be used to provide revenue for a park or bike trails within the Town. Chairman Jones suggested reviewing what other counties have regarding a recreation fee.
- Permit Choice – Scope (p. 8-9): Town Clerk Dungee expressed concern about the applicant's choice to have their application reviewed under an old rule or new rule. For example, if an applicant proposes to open a specific type of business that is not zoned for that property, and the state changes the regulations so that specific type of business is allowed now in that zoning, does that mean the applicant gets to choose under which rule the application is reviewed. It is likely the applicant will select the

rule that benefits them most. Also, the applicant will come to the Town for a Development Clearance Certificate, and then go to the County or State for a permit. The Town's review process is approximately one week, but the County or State's review process may be longer.

- Permit Choice – Process (p. 9): Chairman Jones indicated this section clarified several issues and stated the importance of having a reference to support any decisions the Town makes regarding development applications.
- Vested Rights – Categories – Development permits, Site-specific development plans, Development agreements, Multi-phased developments; Term of Vesting, Appeals of Vested Rights Claims (p. 9-11): Planning Board Atkins asked what are meant by vested rights. Chairman Jones responded that once an applicant invests time and money in a project, vested rights may be granted to the project.

Chairman Jones stated the Planning Board will continue the review at the next Planning Board meeting starting at the section 'Definitions in Development Regulations' (p. 11).

II. Citizens Concern

No comments.

III. Information Sharing

- a) Information was provided on the 12 Scams of Christmas: What to Look for and How to Avoid Them. Remember, do not give out personal information.
- b) EPA's Report on the Environment

IV. Announcements

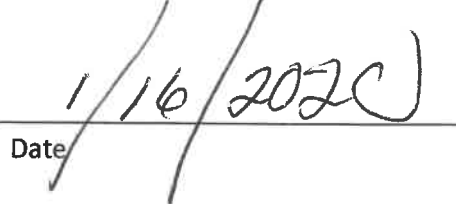
All regular scheduled meetings begin at 7:00pm at the Sedalia Town Hall:

- The next Town Council Agenda Meeting will be on November 25th.
- The next Town Council Meeting will be on December 2nd.
- The Christmas Senior Luncheon will be on Dec. 4th; please RSVP.
- The next Planning Board Meeting scheduled on December 19th has been canceled unless urgent business arises prior to December 19th.

Meeting adjourned.

Approved By:


Robert Jones, Chairman


Date

