AGENDA

Agenda Meeting of the Southern Pines Town Council
September 2, 2015, 7:00 PM, Community Room, Southern Pines Police Department
450 West Pennsylvania Avenue

1. **Manager's Comments**

2. **Consent Agenda**

All items listed below are considered routine and will be enacted by one motion and without discussion.

A. Adopt Retreat Minutes of April 1, 2015, Worksession Minutes of July 27, 2015, Agenda Meeting Minutes of August 5, 2015 and Regular Business Meeting Minutes of August 11, 2015 as written.

B. Budget Amendment
- Cycle NC and the Mountains to Coast Event 10-410-6300 $1,000.00

3. **Public Hearings**

OA-02-15; Ordinance Amendments to the UDO; Petitioner, Town of Southern Pines Planning Department

4. **Miscellaneous**

A. Final Plat Approval for CU-02-14; Conditional Use Permit for Major Subdivision for Single Family Homes along Crestview Rd.; Petitioner, Floyd Properties & Development, Inc

MINUTES
Worksession Meeting of the Southern Pines Town Council
July 27, 2015, 3:00pm, Community Room, Southern Pines Police Department
450 W. Pennsylvania Avenue

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Jim Simeon, Councilwoman Teresa VanCamp

Absent: Councilmember Fred Walden

Call to Order

1. **Memorial Park Ct. Speed Limit**

Assistant Town Manager Adam Lindsay gave a brief overview of the item and explaining the Boys and Girls Club has completed their recent renovations. The Boys and Girls Club's Executive Director Caroline Eddy was present to discuss a petition to reduce the speed limit from 35 mph to 25 mph due to the amount of children and pedestrians in the area.

Mayor Pro Tem Fields suggested lowering the current speed limit to 20 mph to be more consistent with downtown area speed limits.

Councilmember Simeon inquired if Council could vote on this speed limit reduction to 20 mph today.

Assistant Town Manager Lindsay commented, there is no reason Council could not approve this today. He added, we will need time to order the signs if we do not have them in stock.

Upon motion by Councilmember Simeon, seconded by Councilwoman VanCamp and carried unanimously, it was approved to lower the speed limit on Memorial Park Ct from 35 mph to 20 mph.

Mayor Pro Tem Fields stated there have been voiced concerns regarding the speed limit of 55 mph signs on North May Street at Duncan Road. Mr. Fields commented the speed limit most likely needs to be 35 mph in this area to keep the steady flow of traffic until you get more out of the downtown area.

Mayor McNeill asked staff to follow up with the Department of Transportation regarding this request.

2. **Primary School on S. Carlisle Street**

Jacob Monroe, the School System's Director of Maintenance was present to discuss a request to place additional "No Parking" signs in front of the Primary School on S. Carlisle Street. Mr. Monroe stated this is a high volume traffic area during the times of drop off in the mornings and pick up in the afternoons. Mr. Monroe stated due to parents not using the designated drop off lanes creates dangerous situations with parents and students crossing the busy road in front of the school. Mr. Monroe stated this has caused great concern for safety and therefore they are requesting additional "No Parking" signs.

Assistant Town Manager Lindsay stated staff has discussed this with the Southern Pines Police Department and they are in support of adding additional "No Parking" signs for pedestrian safety.

Discussion ensued. Council asked that the signs specify "No Parking" during school hours or to match the School Zone speed limit rules already in effect in that area. Also, staff was requested to locate the minimum number of signs possible but that is consistent with Town practice.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Simeon and carried unanimously, the "No Parking" signs were approved for the Primary School on S. Carlisle Street.

(Upon further review it was discovered that this action requires an amendment to the Code of Ordinances which will be acted upon at the August Regular Meeting.)

3. Coalition Building Expansion

The Coalition's Executive Director Barrett Walker and Robert Anderson were present to discuss their request to expand the current two coalition buildings located on Pennsylvania Avenue by approximately 2,000 square feet. Ms. Walker stated they would adjoin the two buildings in the middle. Ms. Barrett stated this would allow the organization to process incoming donations more efficiently. Ms. Walker also stated the new addition will help prevent what many times it may appear to donors that they have an overstock of donated items. In reality, they just don't have enough current indoor space for staff to properly process the incoming items. Ms. Walker explained the non-profit organization relies heavily on the community donations that provide the majority of the resources for the organization.

Discussion ensued.

Mayor McNeill asked Ms. Walker what time frame they are looking at building if approved.

Ms. Walker responded hopefully within the year.

Discussion ensued.

Mayor McNeill commented that Ms. Walker may pursue the request upon submitting more information regarding exactly what they will be proposing.

4. Amendment to Chapter 50 Water & Sewer Rates

Assistant Town Manager Lindsay gave an overview of the item and stated the sewer rates will increase 2% and all other fees will remain the same, as Council had previously discussed during the budget process. The Sewer Rate increase is a reflection of the cost increased passed along from Moore County.

Upon motion by Mayor Pro Tem Fields, seconded by Councilwoman VanCamp and carried unanimously, the Amendment to Chapter 50 Water & Sewer Rates was approved.

5. Backflow Prevention Program

Assistant Town Manager Lindsay along with Public Works Superintendent Ron Istre, and Town Civil Engineer Brent Lockamy gave a brief overview of the Backflow Prevention Program and the need to incorporate a Town Ordinance. Staff explained that the mandate for this program is from the Federal and State government. The program is vital to ensuring protection of the Town's potable water supply. Moore County is currently implementing and the proposed ordinance language is largely borrowed from them. We currently propose to allow one year coming into full compliance but that timeframe may be adjusted per Council's wishes.

Discussion ensued.

Assistant Town Manager Lindsay stated staff would continue to research and will come back before Council.

6. Water & Sewer Use Ordinance Update

Assistant Town Manager Lindsay explained the need for a Water & Sewer Use Ordinance Update. As staff prepares 10 to 15 year water and sewer capital improvement plans, water and sewer impact fees are an allowed revenue source that might help cover those expenses. Otherwise, the Town might have to rely solely on water and sewer rate

adjustments to cover those types of expenses. Impact fees are justified based on the idea that because the impact created by new connections to the system will expedite maintenance and upgrades to the system in future years, charging a fee up front ensures that they bear some of that cost that current users otherwise would not have had, if the system had not grown. Currently, TOSP charges a universal water impact fee and only sewer impact fees for Warrior Woods and Nick's Creek. Staff researched other neighbor communities and communities of a similar size across North Carolina and found that TOSP impact fees are low in comparison and that universal water and sewer impact fees are common. The proposed increases to the water and sewer impact fees to reflect the rates seen in comparison groups. It also proposes making sewer impact fees universal for all development throughout Town.

Staff also proposes that the method for changing Water and Sewer tap fees follow the current approach of water impact fees, based on CPI and adjusted accordingly every October 1 automatically.

Additional language changes to the ordinance were proposed in order to align with the index.

Discussion ensued.

Mayor McNeill stated Council will consider this an initial introduction of this item and Council will address this at a future date in order to consider the effects of incorporating this request.

Assistant Town Manager Lindsay stated the adjusted amendment language will make it easier for staff and the public to understand the individual rates as well as how and when they adjust.

As so incorporated to these minutes of July 27, 2015 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as if fully set out in the minutes.

There being no further business the meeting adjourned at 4:46 p.m.

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Peggy K. Smith
Town Clerk

Minutes

Agenda Meeting of the Southern Pines Town Council
July 8, 2015, 7:00 PM, Community Room, Southern Pines Police Department
450 West Pennsylvania Avenue

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Fred Walden, Councilmember Jim Simeon, Councilwoman Teresa VanCamp

Absent: None

Call to Order

1. **Manager's Comments**

2. **Consent Agenda**

A. **Adopt Worksession Minutes of May 26, 2015, Joint Worksession Minutes of June 1, 2015, Agenda Meeting Minutes of June 3, 2015 and Regular Business Meeting Minutes of June 9, 2015 as written.**

Corrections to minutes were noted by Administrative Technician.

B. **Budget Amendments**	**Line Item**	**Code**	**Increase**
- General Fund	Fund Balance Appropriations	10-397-1000	$ 7,343.00
- General Fund	Surplus Property Sales	10-335-0100	$ 11,880.00
- Police-Patrol	Department Supplies	10-511-3300	$ 19,223.00

C. **Board Appointments**

- Board of Zoning Adjustment

D. **Annexation AX-03-15 164 Congaree Road**

- Resolution Directing Clerk
- Resolution Calling a Public Hearing

E. **Annexation AX-04-15 Morganton Park South**

- Resolution Directing Clerk
- Resolution Calling a Public Hearing

F. **Amendment to Sprint Lease: Eastman Road Tower**

Town Manager Parsons gave an overview of the Consent Agenda.

3. **Miscellaneous**

A. **CU-05-14 Final Plat Approval; Conditional Use Permit for Major Subdivision for Single Family Homes along Duncan Road and E. Manley Avenue; Petitioner, Moore HL Properties, LLC**

Mayor Pro Tem Fields stated he moves to approve Final Plat CU-05-15 and that Finding of Fact #1 that the application is complete and that the facts submitted are relevant to the case.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, Finding of Fact #1 was approved.

Mayor Pro Tem Fields stated under Finding of Fact #2 he moves that as a finding of fact the application complies with Section 2.20.9(G) Criteria for a Final Plat.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, Finding of Fact #2 was approved.

Mayor Pro Tem Fields stated he moves that the proposed Final Plat is consistent with the approved Preliminary Plat, and he moves to approve Final Plat for CU-05-15.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, the Final Plat for CU-05-15 was approved.

4. Public Comments

Mr. Williams of 464 Petty Street inquired about the removal of the old warehouse structure, tree removal, and the retention ponds relative to the conditions of CU-05-15.

Town Manager Parsons stated what is currently located at the site is not the final product. Retention of the warehouse block building was discussed by the applicant during the Hearing, but ultimately Council did not make it a condition of the approval. The pond locations are currently being utilized as silt basins as part of the erosion control permit, and are ultimately designed to be converted to a more aesthetically pleasing retention area upon closeout of those permits.

Discussion ensued.

Mayor McNeill stated further research will be conducted by staff and Mr. Williams will be contacted and updated.

Paulette Greenfield of Southern Pines spoke regarding her concerns regarding the building that is taking place throughout Southern Pines.

No further business was discussed.

As so incorporated to these minutes of July 8, 2015 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 7:34 p.m.

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Peggy K. Smith
Town Clerk

Minutes

Regular Business Meeting of the Southern Pines Town Council
August 11, 2015, 7:00 PM, Douglass Community Center, 1185 W. Pennsylvania Avenue

Present: Mayor David McNeill, Mayor Pro Tem Mike Fields, Councilmember Fred Walden, Councilmember Jim Simeon, Councilwoman Teresa VanCamp

Absent: None

Call To Order

Pledge of Allegiance

Chief of Police Robert Temme presented Police Officer Kevin Dean with the "Making a Difference Award", Police Sergeant Jason Embler with the "Employee of the Quarter Award". Police Officers Jason Caulder and Michael Glover were presented with service awards for their outstanding performance beyond duty during a specifically sensitive case involving an infant.

Mayor McNeill congratulated the Officers for their commendations on behalf of Town Council and thanked them for their dedicated service.

1. Manager's Comments

Town Manager Reagan Parsons gave an overview of the proposed consent agenda.

2. Consent Agenda

A. Adopt Worksession Minutes of June 22, 2015, Joint Worksession, Agenda Meeting Minutes of July 8, 2015, and Regular Business Meeting Minutes of July 14, 2015 as written.

B. Request for One-Year Extension for Z-04-12 The Knollwood Track PUD; Petitioner, Knollwood Partners, LLC – Extension will expire on November 13, 2016.

C. Ordinance designing a "No Parking Zone" along a portion of S. Carlisle Street

Upon motion by Councilmember Walden, seconded by Councilmember Simeon and carried unanimously, the consent agenda was approved.

3. Public Hearings

A. <u>AX-03-15; Voluntary Annexation for 164 Congaree Road; Petitioner, Susan E. Iverson</u>
Ms. Susan E. Iverson is requesting voluntary annexation for her property located at 164 Congaree Road. The subject property is a single family residence consisting of 1.037 acres in the RS-3 (Residential Single Family-3) zoning classification.

Senior Town Planner Chris Kennedy gave a brief overview explaining AX-03-15. Mr. Kennedy stated this is the only property in this area that is not currently annexed by the Town.

The public hearing was officially opened by Mayor McNeill.

No public comments were voiced at this time.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, the public hearing for AX-03-15 was closed.

Mayor Pro Tem Fields stated he moves to approve AX-03-15 the voluntary annexation request for 164 Congaree Road; this motion was seconded by Councilmember Walden and carried unanimously to approve AX-03-15.

B. <u>AX-04-15: Voluntary Annexation Request for Morganton Park South Development; Petitioner, Pinehurst Lowes, LLC</u>
The petitioner, Pinehurst Lowes, LLC is requesting voluntary annexation for property located south of

W. Morganton Road. The subject property is a part of the Morganton Park South development and the property in this annexation request consists of 18.8501 acres in the PD (Planned Development) zoning classification. The request for annexation also includes the right-of-way for Morganton Road.

Senior Town Planner Kennedy gave an overview of AX-04-15.

The Public Hearing for AX-04-15 was officially opened by Mayor McNeill.

There were no public comments voiced.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, the public hearing for AX-04-15 was closed.

Councilmember Walden stated he moves to approve AX-04-15 requesting voluntary annexation of Morganton Park South Development; this motion was seconded by Councilmember Simeon and carried unanimously to approve AX-04-15.

4. Public Comments

Jim Crawford of 160 Broadmeade Drive voiced several items regarding code enforcement that he had questions about. Mr. Crawford gave several examples of issues that have raised his concerns.

Mayor Pro Tem Fields asked Mr. Crawford to email him the list of concerns he has voiced.

Councilmember Simeon asked Mr. Crawford if he has communicated these concerns with Town staff.

Mr. Crawford replied he has been in contact with a couple of Town staff members.

Discussion ensued.

Mayor McNeill stated Town staff will further research these issues of concern with Town staff and will follow up with Mr. Crawford.

Greg Zywocinski of 230 Grove Road stated he has concerns regarding code enforcement by Town staff and inquired when the new proposed traffic signal will be installed on Morganton Road.

Town Manager Parsons stated the Department of Transportation is currently working on a solution for this site.

Discussion ensued.

Mayor McNeill stated Town staff will look into Mr. Zywocinski's listed concerns.

Upon motion by Mayor Pro Tem Fields, seconded by Councilmember Walden and carried unanimously, the meeting was adjourned.

As so incorporated to these minutes of August 11, 2015 are exact copies as so recorded in the ordinance and resolution books of the Town of Southern Pines as fully set out in the minutes.

There being no further business the meeting adjourned at 7:36 p.m.

Peggy K. Smith
Town Clerk

Reagan:
Thank you for seeing me today. As we discussed, could you please put me on the agenda for the town council work session on Monday, August 24th. This would be in regards to Cycle NC. I will basically ask for some financial support to cover the many expenses we will be incurring to put this event on. I will make sure I have documentation for them to see about those expenses we will be incurring.
Thank you again and please let me know if I need or should do anything else to help my case!
Jodi

Jodi Heimrich
Special Services Coordinator
FirstHealth Fitness - Pinehurst
In the FirstHealth community, we view exercise as medicine.

Sponsorship Banners and signage	1000
shuttles and drivers	2000
beer and SPFD donation for beer garden	1250
band for Sunrise	2500
sound for Sunrise Band	900
stage for Sunrise band	1200
tent rental	500
traffic control	1500
charging station	800
historical tours	250
posters	150
permit fees	250
Volunteer Tee shirts?	300
misc	1000
Bands for Memorial Park Campsite	1500
total	15100

AGENDA ITEM

To: **Reagan Parsons, Town Manager**

Via: **Bart Nuckols, Planning Director**

From: **Chris Kennedy, Senior Planner**

Subject: **OA-02-15; Ordinance Amendments to the UDO; Petitioner, Town of Southern Pines Planning Department**

Date: **September 8, 2015**

OA-02-15; Ordinance Amendments to the UDO; Petitioner, Town of Southern Pines Planning Department

On behalf of the Town of Southern Pines, the planning department staff has submitted a request to amend the Unified Development Ordinance (UDO) with a list of amendments for the consideration of the Town Council. The current UDO was adopted in October 2013 and later amended with a group of amendments in June 2014. As staff implements the ordinance unforeseen externalities of the standards and restrictions become evident. Staff would like to present a list of red-line edits prepared by Town staff and the UDO consultant, Planning Works.

Planning Board Recommendation:

At the July 23, 2015 meeting of the Planning Board the board held a public hearing to discuss the proposed amendments to the Town of Southern Pines Unified Development Ordinance. The Planning Board opened the public hearing and after an extended discussion decided to keep the public hearing open until the August Planning Board meeting to allow staff to make any necessary adjustments to the amendment proposal. At the August 20, 2015 meeting of the Planning Board the board continued the public hearing to discuss the proposed amendments to the Town of Southern Pines Unified Development Ordinance. The Planning Board voted unanimously to recommend to the Town Council the approval of the ordinance amendment application OA-02-15.

Attachments:

- Planning Board Memo and Packet
- Ordinance Amendment Application

Town Council Actions:

The Town Council shall vote on whether the proposed amendment is consistent with *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Town Council could make one of the following motions for recommendations or any alternative they wish:

1. Motion to **approve** the requested text amendment and to make a finding and determination that the approval of the text amendment request is consistent with the adopted Land Use Plan and that the approval of the text amendment request is reasonable and in the public interest due to the approval being consistent with the comprehensive plan and, as a result, the approval furthers the goals and objectives of the comprehensive plan; OR

2. Motion to **deny** the requested text amendment and to make a finding and determination that the denial of the text amendment request is consistent with the adopted Land Use Plan and that the denial of the text amendment request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Then:

1. I move to approve OA-02-15;

2. I move to deny OA-02-15; OR

3. I move to approve OA-02-15 with the following additional conditions…

Agenda Item

To:	**Planning Board**
Via:	**Bart Nuckols, Planning Director**
From:	**Chris Kennedy, Senior Planner**
Subject:	**OA-02-15; Ordinance Amendments to the UDO; Petitioner, Town of Southern Pines Planning Department**
Date:	**August 20, 2015**

OA-02-15; Ordinance Amendments to the UDO; Petitioner, Town of Southern Pines Planning Department

On behalf of the Town of Southern Pines, the planning department staff has submitted a request to amend the Unified Development Ordinance (UDO) with a list of amendments for the consideration of the Planning Board. The current UDO was adopted in October 2013 and later amended with a group of amendments in June 2014. As staff implements the ordinance unforeseen externalities of the standards and restrictions become evident. Staff would like to present a list of red-line edits prepared by Town staff and the UDO consultant, Planning Works.

Staff Comments:

Below are the proposed amendments to the Unified Development Ordinance
(Note: grammatical, spelling errors, and updates to Exhibits and Section numbering are not included in the following list)

- Updates to Table of Contents and Table of Exhibits to reflect the any new numbering to Section or Exhibit labeling as well as an update to page numbers.
- § 2.5.1 Legislative Development Approval: add a subsection (D) to include "Watershed Protection Permit" to the list of approvals under the format of a Legislative Hearing procedures.
- § 2.5.2 Quasi-Judicial Development Approval: Keep the planning board as quasi-judicial.
- § 2.5.2 Quasi-Judicial Development Approval; (A): delete final plats from the list of quasi-judicial hearings.
- § 2.5.3 Ministerial Development Approval:
    - Add subsection (A) Architectural Compliance Permits (under 3,499 square feet).
    - Add subsection (R) Final Plats.
    - Add subsection (S) Final Development Plans.
- Updates to Exhibit 2-1: Review Process Overview
    - Change Public Review Process for Conceptual Development Plan from Quasi-Judicial to Legislative.
    - Change Public Review Process for Preliminary Development Plan from Quasi-

Judicial to Legislative and Add language stating that Preliminary Plat approval is a Quasi-Judicial decision.
    - Change Public Review Process for Final Development Plan from Quasi-Judicial to --- (staff reviewed). Add includes final zoning approval and may include final plat approval. Delete may include architectural compliance permit.
    - Change Final Decision for Final Plat from Town Council to Planning Director.
    - Change Appeal for Final Plat from District Court to Town Council.
    - Change Public Review Process for Sketch Plat from Quasi-Judicial to Legislative.
    - Change Final Plat Public Review Process to --- (staff reviewed).
    - Change Final Plat Final Decision from Town Council to Planning Director.
    - Change Final Plat Appeal from District Court to Town Council.
    - Change Public Review Process for Certificate of Appropriateness – Major Work to Quasi-Judicial Hearing.
    - Change Appeal for Certificate of Appropriateness – Major Work from Planning Board to Board of Adjustment.
    - Change Final Decision for Vacation of Streets and Alleys from City Council to Town Council.
- §2.11 Exemption from the UDO: Include cross reference in Section 2.21 Conditional Use Permit and Section 2.18 Planned Development for Section 2.11.
- Updates to Exhibit 2-2: Notice Requirements
    - Change Review Process for Conceptual PD Plan to Legislative.
    - Change Review Process for Final PD Plan to staff review or blank cell.
    - Change Certificate of Appropriateness – Major Work to include mail notification.
    - Add Development Agreement to Exhibit 2-2: requires publication, mail, signage, and internet notice.
- § 2.10.3 Format and Timing; (C) Posted Notice: change the requirements for posted notice from fifteen (15) days to not less than ten (10) days nor more than twenty-five (25) days to keep notice requirements consistent.
- Updates to Exhibit 2-2: Notice Requirements
    - Change Review Process for Conceptual PD Plan to Legislative Hearing.
    - Change Review Process for Final PD Plan to reflect no hearing required.
    - Change Review Process for Sketch Plat to Legislative Hearing.
    - Change Review Process for Final Plat to reflect no hearing required.
    - Change Review Process for Development Agreement to Legislative Hearing.
- Change § 2.14.8 Findings of Fact and Conclusions to § 2.14.8 Findings of Fact and § 2.14.9 Conclusions of Law with the following language:
    - § 2.14.8 Findings of Fact

(A) To either approve or deny an application, the Hearing Body must make findings of facts. The findings of fact are a summation of the facts presented that the members of the Hearing Body think are relevant to the application.

(B) Hearing Bodies shall investigate facts or ascertain the existence of facts, weigh evidence, and make final findings applicable to the specific proposal as a basis for their official action.

    - § 2.14.9 Conclusions of Law

(A) To either approve or deny an application, the Hearing Body shall also make conclusions of law. Conclusions of law are the application of standards and criteria in this UDO

that are relevant to the application by the Hearing Body.

(B) Hearing Bodies shall exercise their discretion applying the standards and criteria of this UDO and draw conclusions from them as a basis for their official action.

- § 2.17.6 Update Protest Petition language to reflect NC General Statutes and House Bill 201.
- § 2.17.9 UDO Text/Map Amendments (Rezoning): Add a new section or portions of a section to separate criteria for UDO Ordinance Amendments and Rezoning Amendments to the official zoning map.
    - Rename § 2.17.9 Criteria to § 2.17.10 Criteria for a Zoning Map Amendment (Rezoning) and change the opening paragraph to the following: "In its review of an application, the Hearing Bodies shall consider the following criteria as applicable to the Zoning Map amendment. No single factor is controlling; instead, each must be weighed in relation to the other standards."
    - Add a section for Ordinance Amendment Criteria as § 2.17.9 and re-number the subsequent sections in Section 2.17.
        - § 2.17.9 Ordinance Amendment Criteria (Text Amendments)
            - In its review of an application, the Hearing Bodies shall consider the following criteria as applicable to the UDO text amendment. No single factor is controlling; instead, each must be weighed in relation to the other standards.
            - (A) Consistency. The text amendment shall be consistent with the adopted Comprehensive Plan.
            - (B) Health, Safety, and Welfare. The amending ordinance must bear a substantial relationship to the public health, safety, or general welfare, or protect and preserve historical cultural places and areas.
            - (C) Public Policy. Certain public policies in favor of the text amendment may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with the Town, area, neighborhood, or specific plans.
            - (D) Other Factors. The Hearing Body may consider any other factors relevant to a text amendment application under state law.
            - (E) Impacts. The Hearing Bodies shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed amendment on the public at large. (reference with edit for Section 2.17.8 listed below)
- § 2.17.8 Town Council Action: add subsection (G) Impacts. The Town Council shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.
- § 2.18.1 Purpose: change to the following: The purpose of this section is to establish procedures and review criteria for the establishment of Planned Development Districts (PDD) that comply with the purposes and standards established in Section 3.5.14. Subdivision may be approved but no building permits shall be issued prior to Final Development Plan approval within a PDD.
- Exhibit 2-7: Approval Process Summary: Change Final Development Plan existing language to "includes final zoning approval and may include final plat approval".

- §2.18.3 add title to subsection (A) Pre-Application Conference Required.
- §2.18.3 add title to subsection (B) Application Filing.
- §2.18.3 add title to subsection (D) Neighborhood Meeting Required.
- §2.18.4 add a new subsection (C) and move the subsequent subsections down one letter. Add the following as subsection (C): Conceptual Development Plan Process Overview. The approval process and typical timing for Conceptual Development Plan approval are summarized in Exhibits 2-8 and 2-9. Actual timing may vary based on the date of the submittal and scheduled hearing dates.
- Add a new Exhibit 2-8: Conceptual Development Plan Approval Process Summary.
- §2.18.5(A) (5) change language to the following: The proposed Development Patterns and Development products are compatible with the character and vitality of the neighborhood and community.
- §2.18.5(G) Town Council Action: change the language to the following: The Town Council shall conduct a Legislative Hearing and approve, conditionally approve, or deny the Preliminary Development Plan based on the criteria in the following paragraphs. Approval of the preliminary plat shall be subject to the approval criteria established in Section 2.20.5(G).
- §2.18.5(H) Criteria: delete criterion (5).
- §2.18.5(I)(2): change language to the following: Action on the Preliminary Development Plan may include approval of the Preliminary Plat for subdivision of all or a portion of the proposed Planned Development. Conditional Use Permit approval is not required for a Preliminary Plat approved concurrently with a PDD application.
- §2.18.5(I)(4): change language to the following: Action on the Preliminary Development Plan may include contingent approval of the PDD zoning, the conditions of which shall be met and the effective date established for the date of the Final Development Plan approval by the Planning Director.
- Add subsection (6) to §2.18.5(I): (6) if Preliminary Development Plan approval is accompanied by Preliminary Plat approval, the applicant may proceed with final plat approval pursuant to Section 2.20.9.
- Add subsection (J) Expiration to §2.18.5:
    - §2.18.5(J) (1): the approval of the Preliminary Development Plan shall be null and void unless a Final Development Plan for at least the initial phase has been submitted for review and approval within three (3) years after the date of approval of the PDD application and, if not submitted within such time frame, the zoning for the property shall revert to its previous zoning classification.
    - §2.18.5(J)(2): Upon written request, one extension of time may be granted by the Town Council for a period not to exceed one (1) year for good cause shown. No request for an extension shall be considered unless a written request is submitted to the Planning Director no later than forty-five (45) calendar days prior to the date the PDD is to expire.
    - §2.18.5(J) (3): The extension shall be deemed granted until the Town Council has acted upon the request for extension. Failure to submit an application for an extension within the time limits established by this section shall render the approved PDD Land Use Plan null and void upon expiration of the three-year term.
- §2.18.7(A): replace the word "shall" with "may" in the second sentence.
- §2.18.7(C): change language to the following: No hearing is required for Final

Development Plan unless the Applicant chooses to appeal the staff decision to the Town Council or the Applicant proposes a major design modification from the approved Preliminary Development Plan. The Applicant may attend the TRC meeting to provide information pertinent to the application.

- Delete existing Exhibit 2-10.
- Delete existing Exhibit 2-11.
- §2.18.7(E): rename subsection (E) "Action by Planning Director"
- §2.18.7(E): change the language to the following:
  - (E) Action by Planning Director. The Planning Director shall review the application and shall determine if the application is complete pursuant to the provisions of Section 2.6. Upon finding that the application is complete and consulting with the TRC, the Planning Director shall:
  - (1) Determine if the Final Development Plan is in compliance with the Preliminary Development Plan approval, and, upon making such determination, shall approve such plan, and:
    - (A) Transmit notice to the Planning Board and Town Council of the approval of the Final Development Plan together with a copy of the Final Development, and:
    - (B) Notify the applicant of the approval and the effective date of the PDD zoning for the area included within the Final Development Plan.
  - (2) Should the Planning Director determine that the Final Development Plan submittal is not in compliance with the Preliminary Development Plan approval, the Planning Director shall deny the Final Development Plan submittal. If denied, the Applicant may:
    - (A) Revise and resubmit such Final Development Plan;
    - (B) Elect to have the submittal forwarded to the Planning Board or Town Council for appeal; or;
    - Add subsection: (C) If the Preliminary Development Plan constitutes a major design modification, forward the plan to the Planning Board and Town Council for a public hearing.
  - Add subsection: (3) Following approval of the Final Development Plan, the Planning Director shall secure necessary signatures to execute the Final Development Plan.
  - Delete existing subsection §2.18.7(F).
  - Delete existing subsection §2.18.7(G). Keep the current criteria to assist the decision-making of the Planning Director.
  - Change existing subsection §2.18.7(H) to subsection (F) and delete existing subsection §2.18.7(H) (3).
  - Change existing subsection §2.18.7(I) to §2.18.7(G) and add the language "Preliminary or" in front of the words Final Development Plan in the first sentence.
  - Add the language "Preliminary or" in front of the words Final Development Plan in new §2.18.7(G) (3).
  - Change existing subsection §2.18.7(J) to §2.18.7(H) and change the first sentence to: Major Design Modifications to the Preliminary Development Plan shall be resubmitted for Preliminary Development Plan review and approval, and include.
  - In new §2.18.7(H) (3): Replace the word "Final" with "Preliminary".

    - In new §2.18.7(H) add subsection (9): Other design modifications to the approved Preliminary Development Plan that the Planning Director determines to be major.
    - Delete existing subsection §2.18.7(K).
- §2.19.3 (A) (1) (a): Delete subsection (a). Minor subdivisions will not be determined by land use.
- §2.19.4: Include example plat endorsements or reference to endorsements in Appendix.
- Exhibit 2-12: Major Subdivision Approval Process Summary: Change Final Plat existing language to "CUP becomes effective upon recordation".
- §2.20.4(F): Keep Planning Board hearing Quasi-Judicial.
- §2.20.5(F): Keep Planning Board hearing Quasi-Judicial.
- §2.20.5(G) (3): replace the language "codes" with "and federal regulations".
- Delete existing subsection §2.20.5(G) (7).
- Delete existing subsection §2.20.5(G) (8).
- Delete existing subsection §2.20.5(G) (9).
- Delete existing subsection §2.20.5(G) (10).
- §2.20.5(H): Change the existing language in the last sentence in heading to the following: The CUP shall not become effective until the Planning Director approves and the Applicant records the Final Plat for the applicable area.
- §2.20.5(J) (4): In the second sentence replace the words "Planning Board" with "Town Council".
- §2.20.5(J) (6): Change the existing language with the following: Approval of the Preliminary Plat by the Town Council shall not be deemed final approval of the overall subdivision.
- §2.20.6 (J): Reference Code of Ordinances Chapter 100 § 100.20- § 100.27. Reference right-of-way to be accepted only if provisions in General Statutes and Code of Ordinances are satisfied.
- §2.20.7 (E) (1): In the first sentence replace the words "Town Council" with "Town Manager".
- §2.20.8 Development Agreements: add reference to NC General Statutes: NCGS § 160A-400.20. Add reference to Section 2.20.8 (D) and (E).
- §2.20.9: Include example plat endorsements or reference to endorsements in Appendix.
- §2.20.9(C): delete the words "and scheduled hearing dates".
- Exhibit 2-17: Final Plat Approval Process Summary: Replace "Town Council Action" with "Planning Director Action".
- Exhibit 2-18: Timing: Replace "Town Council Hearing" with "Planning Director and TRC Review";; replace "Town Council Decision" with "Planning Director Decision";; replace "30 days (from Town Council Public Hearing) with "10 days (from TRC Review Completion
- §2.20.9(E): Rename the subsection "Review and Action".
- §2.20.9(E): Change the existing language with the following:
    - (1) The Planning Director shall review the application and shall determine if the application is complete pursuant to the provisions of Section 2.6.
    - (2) Upon finding that the application is complete the Planning Director shall determine whether the Final Plat complies with the approved Preliminary Plat and other applicable standards of this UDO. The Applicant may submit a Final Plat for only that portion of the approved Preliminary Plat, if such portion conforms to all

requirements of this chapter. Any deviation from the approved Preliminary Plat that does not constitute a minor amendment shall require additional review and approval by the Planning Board and Town Council.

- (3) Unless hearings are required pursuant to the previous paragraph, within thirty-five (35) days of the certification of a complete application submittal, the Planning Director shall approve the Final Plat if: (a) the application complies with this UDO and applicable state and federal rules and regulations, and (b) the application is consistent with the conditions of the prior PDD, Preliminary Plat, and CUP approvals.

- §2.20.9(G) (4): Replace the words "Town Council" with "Planning Director".
- §2.21.6: Keep Planning Board hearing Quasi-Judicial.
- §2.21.7: Replace existing criteria with the following language:
  - A Conditional Use Permit is permitted only if the Applicant demonstrates that:
    - (A) The proposed conditional use shall comply with all regulations of the applicable zoning district; any applicable supplemental use regulations; conform to the character of the neighborhood in which it is located, and not injure the use and enjoyment of property in the immediate vicinity for the purposes already permitted;
    - (B) Adequate public facilities shall be provided as set forth herein;
    - (C) The proposed use shall not impede the orderly Development and improvement of surrounding property for uses permitted within the zoning district or substantially diminish or impair the property values within the neighborhood;
    - (D) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, comfort, or general welfare; and,
    - (E) The public interest and welfare supporting the proposed use shall be sufficient to outweigh individual interests that are adversely affected by the establishment of the proposed use.
- §2.21.8 (A): Replace existing conditions with the following language:
  - (A) In approving any CUP, the Planning Board may recommend and the Town Council may impose such reasonable standards, conditions, or requirements, in addition to or superseding any standard specified in the UDO, as it may deem necessary to protect the public health, safety, and welfare. Such standards may include, but need not be limited to:
    - (1) Adequate and reasonable mitigation of potentially adverse effects on adjacent properties. In making such a determination, consideration shall be given to:
      - (a) The location, type, orientation, design, and height of buildings or structures;
      - (b) The type and extent of landscaping and screening on the site; and,
      - (c) Whether the proposed use is consistent with any policy of Comprehensive Plan that encourages mixed uses and/or densities;
    - (2) Provision of adequate public facilities or services;
    - (3) Dedication of easements or land in fee title;

    - (4) Funding for extraordinary costs associated with the development through direct contribution or agreement to establish an acceptable funding mechanism;
    - (5) Creation of restrictive covenants;
    - (6) Development phasing;
    - (7) Standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, and similar characteristics;
    - (8) Adequate measures to provide ingress and egress designed to minimize traffic hazards and to minimize traffic congestion on the public roads;
    - Existing (10), (11), and (12) will be renumbered (9), (10), and (11) respectively and the language will remain unchanged.
- §2.21.9: Keep Planning Board hearing Quasi-Judicial.
- §2.26.2 (A)(1): Change the language to the following: New construction of an institutional, commercial, or mixed use building with three thousand five hundred (3,500) square feet or more of Gross Floor Area, or a multi-family building with dwelling units.
- §2.26.2 (A)(2): Change the language to the following: Significant modification of any multi-family, institutional, commercial, or mixed-use building or site involving:
- §2.26.2 (A) (2) (a): add GB (General Business) and PD (Planned Development) for commercial structures.
- §2.26.3: add subsection (A) using existing language.
- §2.26.3: add subsection (B) using the following language: (B) Subsequent Applications. If the Architectural Compliance Permit is denied, a new application proposing the same Development for the same property shall not be filed within six (6) months after the initial final decision.
- §2.26.7 (A) (2): add the language "applicable multi-family or" in front of commercial design standards…
- Delete §2.26.7 (B).
- §2.29.3: Change the language from the "Planning Director" to the "Town Manager" as the designated person to initiate the public notice.
- §2.29: Create a provision that if a private party is requesting the vacation of the street or alley that they are responsible party for the cost of the notice and plat preparation. Add language to Section 2.29.3 to include the following: The cost of notice shall be borne by the applicant for the vacation.
- §2.36: Add language stating that the Town Engineer may allow a Compliance Permit in lieu of the Land Disturbance Permit for projects under 30,000 square feet in disturbed area.
- §2.38.2: Change language to six (6) months.
- §2.41.9 (A): Remove existing subsection (A) as the Town does not allow sign over ten (10) feet in height or billboards. Replace existing language in subsection (A) and (B) with the following: (A) Landmark signs or (B) Signs with unusual structural features or any other sign at the Planning Director's discretion.
- §2.44.6(D): reference § 5.22 (D): Allow Special Events to serve alcohol and delete the provisions that only permit Special Events with alcoholic beverages in the CB district. Add language that if a Special Event wishes to provide alcohol that the applicant shall provide written consent from ABC, ALE, or any other agency with delegated power to permit or restrict alcohol sales in a submittal for the Special Event Permit.

- §2.5.2 (A): Delete Final Plats from Section 2.5.2(A) as the Final Plat is now staff reviewed. Add Final Plats to Section 2.5.3 Ministerial Development Approval.
- §2.5.2 (C): Delete subsection (C) as Site Plan review is not a public hearing. Add Site Plans to Section 2.5.3 Ministerial Development Approval.
- §2.5.3 (P): Watershed Protection Permits are only Ministerial Development Approvals when in the CB (Central Business) zoning classification. All other approvals of the Watershed Protection Permit should be a legislative hearing in front of the Town Council therefore is should be listed under Section 2.5.1 as well with a note to which approval procedure applies.
- §3.5.8 (C) (2): Not applicable in DTO; reference Section 3.6.3(C) (1).
- Exhibit 3-11: Add language to table to include minimum lot size for one (1) dwelling unit to be 10,000 square feet.
- Exhibit 3-13: Highway Corridor Overlay District Development Standards. Add a cell that states the applicable corridor is four-hundred (400) feet from the right-of-way for the Urban Transition HCO and three-hundred (300) feet from the right-of-way for the Urban Village HCO.
- §3.6.6(C) (1): Change to "Village of Pinehurst".
- Exhibit 3-15 Table of Permissible Uses: LBCS 2722; change to ZS
- Exhibit 3-15 Table of Permissible Uses: LBCS 6511; Change title to clinics and health spas and include "other licensed or certified health care providers" to description.
- Exhibit 3-15 Table of Permissible Uses: LBCS 6520; change to ZS in GB.
- Exhibit 3-15 Table of Permissible Uses: LBCS 9910, 9911, 9912; change to ZS
- Exhibit 3-15 Table of Permissible Uses: LBCS 9920; allow temporary use by right in all zoning classifications. Add Z to each cell.
- Exhibit 4-1: Change table note (7) to a 10,000 square feet minimum for a single dwelling unit.
- § 4.2.1(F): Change height maximum to forty-five (45) feet to match Exhibit 4-1.
- Exhibit 4-1: Building Height, Setbacks and Lot Dimensions: add table note for industrial height maximum that references § 4.2.1(G).
- Exhibit 4-3: Minimum Buffer Widths: correct the zoning designations to "RS" rather than "R".
- Exhibit 4-6: Vehicle Use Area Planting Requirements: add note to table: Trees shall be required at the following rates, either in combination of small and large trees or with large trees only to add up to the required landscape area.
- § 4.3.12(B): Change to one-hundred fifty (150) percent.
- § 4.4.6 Construction Activity on or Adjacent to Public Right-of-Ways: Replace language: "A zoning or building permit shall be required for…" with the following language: "A Permit for Right-of-Way Encroachment and Construction shall be required for…"
- Exhibit 4-7: Minimum Number of Required Parking Spaces: adjust outdoor seating for restaurants to a standard that uses gross square footage regardless of indoors or outdoors or adjust for indoor square footage and a separate standard for outdoor square footage. Eliminate the provision that determines parking by the number of seats outdoors. Change language to the following: 1 space per 100 square feet of Gross Floor Area plus one space per 100 square feet of outdoor seating area.
- Exhibit 4-8: Change stall depth to nineteen (19) for 90 degree parking.
- § 4.5.5(D): Add language to differentiate between a parking drive aisle and a driveway.

- § 4.6: Update Sign Ordinance to include a severability and content neutrality statement
- § 4.6.14 (I) (6) should be Section 4.6.14 (J). Adjust subsequent Section 4.6.14 sections accordingly.
- § 4.8.2 (I): Delete subsection (I) or reword. The word "assist" may convey financial support from the Town for bringing lights into conformance.
- § 4.8.3 (B) (3): Delete subsection (B) (3) to modify the dark skies initiative application in the UDO lighting standards. Eliminate standards with respect to residential property. Maintain existing commercial standards. Add subsection (B) (6) with provisions to allow for public property lighting standards to be regulated by town council discretion.
- § 4.10: Include Section 5.12, Section 5.14, and Section 5.20 into current Section 4.10 and rename section Development Design Standards.
- § 4.10.1(A): Add PD to applicability.
- § 4.11.2: Add definition for commercial street (reference Exhibit 4-17).
- Exhibit 4-17: Include Arterial and Marginal Access Street into Exhibit.
- Exhibit 4-17: Provide note to table that allows Town Engineer to deviate at his/her discretion. Criteria?
- Exhibit 4-18: Provide note to table that allows Town Engineer to deviate at his/her discretion. Criteria?
- § 5.3.2 (A) (2): Define the word compatible.
- § 5.11.3: Add a new subsection (A) with the following language: Existing Continuing Care Retirement Communities that are not authorized by zoning classification shall be considered conforming uses for purposes of reconstruction or expansion, subject to the provisions of this section. All new or expanded structures for principal or accessory uses shall be located on the existing site. Any expansion to adjacent or contiguous sites outside of the existing property boundaries will require an approval through the PD zoning process.
- § 5.12 Large Scale Retail Development: Include this as part of Section 4.10 rather than having another location for design standards. Rename Section 4.10 to Development Design Standards and include the Large Scale Retail Development Standards as a subsection of Section 4.10.
- § 5.13 Manufactured Home Park Development Standards: Include this as part of Section 4.10 rather than having another location for design standards. Rename Section 4.10 to Development Design Standards and include the Multi-Family Development Standards as a subsection of Section 4.10.
- § 5.14 Multi-Family Development Standards: Include this as part of Section 4.10 rather than having another location for design standards. Rename Section 4.10 to Development Design Standards and include the Multi-Family Development Standards as a subsection of Section 4.10.
- § 5.20 Single-Family Attached Development Standards: Are we allowed to regulate residential design? Include this as part of Section 4.10 rather than having another location for design standards. Rename Section 4.10 to Development Design Standards and include the Single-Family Attached Development Standards as a subsection of Section 4.10.
- § 5.22 (D): Allow Special Events to serve alcohol and delete the provisions that only permit Special Events with alcoholic beverages in the CB district. Add language that if a Special Event wishes to provide alcohol that the applicant shall provide written consent from ABC, ALE, or any other agency with delegated power to permit or restrict alcohol sales in a submittal for the Special Event Permit.

- § 8.19.4: Change the number of days from sixty (60) to thirty (30).
- § 8.19.6: Add a new subsection (B) and include the following language: (B) Violations of the provisions of this chapter, or failure to comply with any of its requirements including violations of any conditions and safeguards established in connection with grants of variances, special use permits, or conditional use permits shall constitute a misdemeanor, punishable by a fine of up to fifty (50) dollars for each day that the violation continues to exist, or a maximum of thirty (30) days imprisonment.
- Add standards relative to Portable Moving Containers and other types of temporary storage/construction structures. Add language to Section 5.3.2 as an accessory structure. Require that Portable Moving Containers must meet minimum setbacks for the district, shall not be located on the right-of-way, and shall be removed within ten (10) business days after the project receives a Certificate of Occupancy. If the Portable Moving Containers is not being used an association with a building permit, then the maximum number of days is thirty (30) calendar days that the Portable Moving Container is allowed to be located on the property. The property owner may receive a one-time extension for an additional thirty (30) calendar days at the discretion of the zoning official. Each property may only receive one (1) Portable Moving Container permit and one (1) extension in a calendar year. Require a zoning compliance permit for the Portable Moving Containers structure in either case.

Planning Board Actions:

The Planning Board shall vote on whether the proposed amendment is consistent with *Comprehensive Long Range Plan* that has been adopted and any other officially adopted plan that is applicable. The Planning Board could make one of the following motions for recommendations or any alternative they wish:

1. Motion to **approve** the requested text amendment and to make a finding and determination that the approval of the text amendment request is consistent with the adopted Land Use Plan and that the approval of the text amendment request is reasonable and in the public interest due to the approval being consistent with the comprehensive plan and, as a result, the approval furthers the goals and objectives of the comprehensive plan; OR

2. Motion to **deny** the requested text amendment and to make a finding and determination that the denial of the text amendment request is consistent with the adopted Land Use Plan and that that the denial of the text amendment request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Then:

1. I move to recommend to the Town Council the approval of OA-02-15;

2. I move to recommend to the Town Council the denial of OA-02-15; OR

3. I move to recommend to the Town Council the approval of OA-02-15 with the following additional conditions…

Agenda Item

To: **Reagan Parsons, Town Manager**

Via: **Bart Nuckols, Planning Director**

From: **Chris Kennedy, Senior Planner**

Subject: **Final Plat Approval for CU-02-14; Conditional Use Permit for Major Subdivision for Single Family Homes along Crestview Rd.; Petitioner, Floyd Properties & Development, Inc.**

Date: **September 8, 2015**

Final Plat Approval for CU-02-14; Conditional Use Permit for Major Subdivision for Single Family Homes along Crestview Rd.; Petitioner, Floyd Properties & Development, Inc.

The petitioner Floyd Properties & Development, Inc. is requesting the approval of the Final Plat for Conditional Use Permit (CU-02-14). The Town Council approved the Conditional Use Permit (CU-02-14) request for a Major Subdivision for nine (9) single family homes along Crestview Road. Per Section 2.20 Major Subdivisions of the Unified Development Ordinance any subdivision of land creating greater than five (5) lots requires a Conditional Use Permit (CUP). The subject property is a 4.48 acre tract comprised of three (3) parcels located at the beginning of Crestview Rd. as it connects to Bennett St with the following parcel identifiers: PIN #8588219515601 (Parcel ID: 00032803); PIN #8588219515436 (Parcel ID: 00032806); PIN #8588219515264 (Parcel ID: 00032805). The property is zoned Residential Multi-Family (RM-2); single Family Residences are also permitted in the RM-2 zoning classification so this request requires no rezoning of the property. Each lot exceeds the 10,000 square feet minimum so each proposed lot is compliant with the RM-2 zoning classification for single family residences. Per the Moore County Tax records, the property owner is listed as Floyd Properties & Development, Inc.

Staff Comments:

- Per Section 2.20.9(F), the Town Council shall approve, conditionally approve, or deny the Final Plat if it meets the criteria set forth in 2.20.9(G). The Town may introduce conditions not applied to previous application only upon finding that new information reveals conditions that directly affect the subdivision's ability to satisfy the criteria of the UDO. Furthermore, the Town Council need not hold a public hearing on the Final Plat but may take comments on the plat if a hearing is required for the approval of a Development Agreement.
- Per Section 2.20.9(G) Criteria:
  - The application shall comply with all applicable rules and regulations; and,
  - Shall be consistent with the conditions of the prior PDD, Preliminary Plat, and CUP conditions.

Attachments:

- x GIS Location
- x Proposed Final Plat
- x Approved Preliminary Plat
- x Future Land Use Map

Town Council Actions:

To either approve or deny the *Final Plat*, the Town Council must make findings of fact and conclusions to the applicable standards. The Town Council shall first vote on whether the application is complete and whether the application complies with the criteria as set forth in Section 2.20.9(G) Criteria for a Preliminary Plat, Criteria 1-10. The Town Council may choose one of the following motions or any alternative they wish:

Finding of Fact #1

1) I move that as a finding of fact that the application is complete and that the facts submitted are relevant to the case, in that….

Or

2) I move that as a finding of fact the application is incomplete and/or that the facts submitted are not relevant to the case, in that……

Finding of Fact #2

1) I move that as a finding of fact the application complies with Section 2.20.9(G) Criteria for a Final Plat, in that…..

Or

2) I move that as a finding of fact the application does not comply with Section 2.20.9(G) Criteria for a Final Plat, in that…..

The Town Council shall vote on whether the proposed *Final Plat* is consistent with the approved *Preliminary Plat*. The Town Council could make one of the following motions for recommendations or any alternative they wish:

I move that:

1. The proposed ***Final Plat*** is consistent with the approved Preliminary Plat; or
2. The proposed ***Final Plat*** is not consistent with the approved Preliminary Plat, in that …..

I move to:

1. Approve the Final Plat for CU-02-14
2. Deny the Final Plat for CU-02-14; OR
3. Approve the Final Plat CU-02-14 with the following additional conditions…

Final Plat for CU-02-14 Major Subdivision along Crestview Rd.

PIN #8588219515601 (Parcel ID 00032803); PIN #8588219515436 (Parcel ID 00032806); PIN #8588219515264 (Parcel ID 00032805)

PIN #8588219515601 (Parcel ID 00032803); PIN #8588219515436 (Parcel ID 00032806); PIN #8588219515264 (Parcel ID 00032805)

Proposed Final Plat

Approved Preliminary Plat

References:

Owner/Developer:

Site Data:

Addrn1:	Town of Southern P"onn
Pore-10:	Crnt<iew Rood
PIN#:	00032803, 00032806, 00032110
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	Booii495,P09e 879
	Book 509, Poge 365
	Book 4«, Poge 5J
	R1.l-2 (10,000 sf min. lot site)
Win. Lot S:e:	10,000"
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	+/- 40(1 Acrn
-Mowoble Unit1	40 6 Acru
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Open Spate Per 49.1 (Q)	5X of Development
	Q05 = 4.06 Atrn = 0.20 Atrn (R rqui)
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Future Land Use Map: Single Family Lots along Crestview Rd.

This map was created by the Town of Southern Pines Planning Department. The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether expressed or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

= Subject Property