



Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting
January 14, 2020 @ 6:30 P.M.
Board of Commissioners Meeting Room
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval of December 10, 2019, Planning and Zoning Commission Meeting Minutes
3. **New Business – Planning Board Function:**
 - Harrisburg Area Land Use Plan Update 2020
 - Consider adjusting residential densities
4. Directors Report
5. Legal Update



Cabarrus County Government – Planning and Development

Planning and Zoning Commission Minutes
January 14, 2020

Mr. Jeffrey Corley, Chair, called the meeting to order at 6:32 p.m. Members present, in addition to the Chair, were Mr. Adam Dagenhart, Mr. David Hudspeth, Mr. Andrew Nance, Ms. Ingrid Nurse, Mr. Chris Pinto, Mr. Charles Paxton, Mr. Brent Rockett and Mr. Jerry Wood, Jr. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Ms. Arlena Roberts, Clerk to the Board and Mr. Richard Koch, County Attorney.

Roll Call

Approval of December 10, 2019 Meeting Minutes

Mr. Andrew Nance **MOTIONED, SECONDED** by Mr. Jerry Wood, Jr, to **APPROVE** the December 10, 2019, meeting minutes. The vote was unanimous.

Planning Board Function:

Harrisburg Area Land Use Plan Update 2020 – considering adjusting residential densities.

Ms. Susie Morris, Planning and Zoning Manager addressed the Board presenting the Harrisburg Area Land Use Plan Update 2020.

This item is to amend the Harrisburg Land Use Plan. This is the 2018 plan, the latest plan that we did. The town has had somewhat of a change of heart and actually lowered the densities in the plan. They have asked that we consider co-adopting lowering those densities as well. It went to their Council in November and went to Planning and Zoning in October and their Council approved the changes.

She walked the Board through the plan.

The one page that says future land use, the two pages that have the descriptions, would be the only two pages in the plan that change and what would change is the descriptions of the densities.

For very low density residential, which is the green section that would be changed to gross densities less than one unit per acre. For us, that is our CR zoning district, which is a two acre lot. If they did a conservation subdivision, they are still going to have that one acre lot threshold. That is consist with the County's current zoning designations, so there are no conflicts there.

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With the lower density residential, that currently allows up to three dwelling units per acre and the Town is proposing one to two dwelling units per acre. This lowers that density as well and that area is essentially this swath and then this bit of property here, (showed on map) heading out towards the Speedway.

She said with the medium density residential, that would go from three to four dwelling units per acre down to two to three. That is the medium density residential area, so that is everything that is closer in to town. A lot of that is already developed, but there are some parcels that would be available for redevelopment. They are either underutilized or the density could be higher or could be a different product type.

They are still not really having discussions about apartments, so when I say different product type, it is more town house, condo type development or much smaller houses on much smaller lots. They are still not really having discussions about allowing additional density for apartments.

The last residential district that would be impacted would be the high density residential district. That is the more brown color that you see on the map and that would go from four to fifteen units per acre to three to ten. Overall, the districts would be adjusted by anywhere from one to five units per acre; everything less.

The next map in the packet shows what the impact would be for the County. When you are in closer to the Town limits, we really do not have a lot of properties left. But, up until last year, and until the Publix development, that property was actually just ETJ property. It was not in the Town limits.

There are still some gaps, where it is surrounded by county, donut holes, if you want to think of it in terms of that way. We do have some residential left on the eastern side. She said this area here, (showed on the map) is over near the park. It is over near the area where we had that proposal for mining; over towards Pharr Mill park.

The density which we allow would be a 2 acre lot or up to 1.5 units per acre if they did an open space subdivision with us, so that is consistent. The light green area would remain up to one unit per acre for up to two with conservation subdivision design. That is consistent because our lot size in that area is a two acre lot or up to one unit per acre if they use the conservation design subdivision.

The trend that we are seeing in this area is people do not want to develop with the County, they want to develop with the Town, so that they can have utilities. If it is a developer, they definitely want the utilities to get the densities that they need to make the projects work.

It still does keep the focus that was established back in 2008, with the initial update to the plan in 2010, trying to push the density back towards the town limits and back toward to where that investment already is instead of encroaching into the more open space areas at this point. By

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changing these densities, that is another tool that will redirect the development, hopefully, back to where the infrastructure is located.

Just for informational purposes, she included the power point presentation that Harrisburg used for the planning meeting and also for their Town Council meeting. If the Board remembers, one of the suggestions or recommended actions that came out of the 2018 iteration was that Harrisburg go in and consider revamping their Unified Development Ordinance. If you remember, there were a lot of developers that complained during the meetings about the process, that it takes too long and they make you do this and they make you do that and why are they doing this.

Harrisburg moved to conditional district zoning probably three or four years ago. They do not do conditional use zoning anymore. They moved strictly to conditional district zoning, so they pretty much negotiate every development out with the developer as it moves through the process. That was another reason why it was suggested that they come up with those uniform standards in the UDO of what the Town wants to see, put it in the Ordinance so that is codified and then moving forward everybody knows what the rules are for the game.

You will see that they are proposing to, when they do this rewrite project, to also have consistency with the zoning districts and those densities in the zoning districts. The descriptions in the Unified Development Ordinance, would also be amended to the same densities and is what they are currently proposing.

Could the consultant come back and say something different? Yes, but at this point we would anticipate that since the Town has already amended the land use plan, the consultant would ensure that the UDO was consistent with those proposed densities.

She said this does not create any inherent conflicts for the County. It is actually more consistent with what our current zoning designations are on the ground in the Harrisburg area.

Mr. Charles Paxton said to confirm, this would just be in that service area that Harrisburg operates not any other location?

Ms. Morris said this particular land use plan only applies to this area, up to the Speedway and the corner across from the Speedway next to Phillip Little's gas station, that is Harrisburg, so that is the tip, down to where the 485 exit is where the Harris Teeter and the Brookdale Shopping Center is, over to Pharr Mill Road. Lower Rocky River Road is actually that boundary and then up to Shamrock where the industrial park is and then back over to the other side back up to Roberta Road. That is the area that our Harrisburg Area Plan covers for the County as well.

The Board will be making a recommendation to the Board of Commissioners and they will make the final decision on whether or not to adopt the amendment.

The Chair said the Board needs to discuss this and make some findings. Their Board has already

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approved this and if we agree, he thinks it is important that we go on record and put our seal on this as well. He thinks it is great that there is a consistency with the existing County zoning as well that provides some predictability for existing neighbors and nearby subdivisions on what may come next to them.

Mr. Adam Dagenhart said the changes are in the best interest of everybody, less density is always better. They seem to struggle with being really dense and over populated. He agrees with the proposed changes and he thinks it make sense.

The Chair thinks it does focus development around infrastructure that is already in place and less density means less traffic, less students, less everything else, so it seems to accomplish a lot of task with the challenges that we are already facing as a community.

He said the motion would be to recommend our approval to the Board of Commissioners.

Ms. Morris said yes, if the vote is in the affirmative, to recommend that they consider approving the proposed amendments to the Land Use Plan.

There being no further discussion, Mr. Charles Paxton, **MOTIONED, SECONDED**, by Mr. Jerry Wood, Jr. to recommend **APPROVAL** of the proposed amendment to HALUP to the Board of Commissioners. The vote was unanimous.

Directors Report:

Ms. Susie Morris, Planning and Zoning Manager, said on January 30, 2020, staff will be attending the School of Government travelling road show on Chapter 160D of the North Carolina General Statutes, to find out exactly what needs to be changed in the Ordinance and the game plan for making the changes. There may potentially be some text amendments in between that and then following that. Mr. Chris Pinto has agreed to serve on the Text Amendment Committee.

As far as the Census, the Board should have received an email from her, for those of you that are involved with different groups. The link did actually show what the survey is going to be. If you have a sitting area in your place of business or at your church or something like that where people sit and would look at it, if you are so inclined, print a copy and set it there. We put some copies in the County Manager's office so that people could look at it and at our desk in permitting.

We will be presenting an update to the Board of Commissioners at the January regular meeting and we anticipate that the next meeting of the Complete Count Committee will be sometime hopefully in early February. We received some promotional items from the Census and we will have a meeting to distribute communication plans and also to distribute those materials.

If any of the Board members have any groups that you are involved with that have newsletters or

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a website where things can be posted, Facebook page, Instagram or any of that. If you think that group, whoever maintains that social media or takes care of that, if they would be willing to post or retweet things, please send her their information and she will get that information to our PIO for the list of people who need to be notified, that will help us continue to spread the word.

April 1, 2020, is officially Census Day and they hope to be wrapped up by September, which is their target date. On April 1, 2020, our libraries are planning on having a little celebration to bring attention to the Census. As other items become available, she will forward them to the Board when she sends them to the group as well.

Legal Update

Mr. Koch said remember the Topaz case which involved the Rowan and Cabarrus County line, the Commissioners decided to let Topaz go to Rowan County and we settled the case. The whole county line up there has not been resolved yet, but as far as that particular area involving those three parcels, we let Mr. Rizzo go to Rowan County, so that has been resolved.

In the Shelly case, we actually had a conference call with the Judge today. That thing had been sitting around for about six months. But, Judge Bragg, who had handled it up to the point where he retired last summer is now back on the case as an emergency Judge and he will see it through to its conclusion. That was good news for us because he ruled with us almost every time. We still have a little ways to go with it but at least he is back in it and that was good news for the County.

The Board may have seen in the newspaper where the State arrested Phillip Little for not paying sales tax at his gas station. Remember, we had that case with him where we ended up having to collect money from him. He is glad that we got ours ahead of the State because he owes them quite a bit.

Mr. Jerry Wood, Jr. asked if there were any updates on the solar farm.

Mr. Koch said we have not been reporting on it because it is still kind of in a state of flux, as to what is going on with the landscaping out there. He thinks they have put most of it in now, but some of what they put in was not according to their specs. There was a report that came out last week or the week before from Kimley-Horn about that. We are still trying to get that worked out and figure out what actually is out there and what is not and why they made some substitutions.

It is not really settled down to the point where we can bring it before the Board to have you deal with it. Once we really know what is going on with it, we will. It may be some time in the next month. An email came today that he and Ms. Morris were talking about. This has been going on kind of on a weekly basis, trying to deal with it to be able to give you an accurate report on what is really out there. We are both trying to deal with it.

The Chair asked if the gentleman that came in last month had submitted what we previously

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discussed with them; are they moving forward.

Ms. Morris said shortly after the meeting they came and asked staff whether or not they could proceed with the one building that was shown on the plan without doing the rezoning. So, we had to consult with legal to find out what they needed to do. Since that was in the purview of the original permit, we told them that they could proceed with that building because it would not really cloud the matter that was before the Board, but they have not delivered plans or turned anything in for that building or for the actual rezoning case. She thinks they are still potentially working with their consultants.

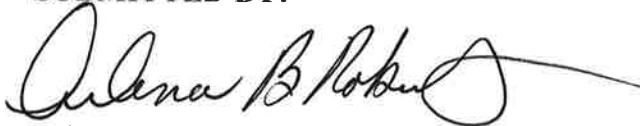
There being no further discussion, Mr. Jerry Wood, Jr., **MOTIONED, SECONDED** by Mr. Brent Rockett to **ADJOURN**. The vote was unanimous. The meeting ended at 6:57 p.m.

APPROVED BY:



Mr. Jeffrey Corley, Chair

SUBMITTED BY:



Arlena B. Roberts

ATTEST BY:



Susie Morris, Planning and Zoning Manager

Memo

To: Cabarrus County Planning and Zoning Commission

From: Susie Morris, Planning and Zoning Manager

cc: File

Date: January 6, 2020

Re: Harrisburg Area Land Use Plan Update 2020

The Town of Harrisburg amended the Harrisburg Land Use Plan to lower the permissible densities for the residential districts outlined in the plan. The amendment to the plan was recommended by the Harrisburg Planning and Zoning Board and adopted by Town Council on November 12, 2019.

The Town has asked Cabarrus County to consider co-adopting the changes to the land use district densities as well. The Town will incorporate these same density changes into the UDO zoning districts as part of the UDO rewrite project. The proposed changes are as follows:

- Very Low Density-remains unchanged at less than 1 unit per acre
- Low Density- change from up to 3 units per acre to 1-2 units per acre
- Medium Density-change from 3-4 units per acre to 2-3 units per acre
- High Density- change from 4-15 units per acre to 3-10 units per acre

Attached you will find the current HALUP land use map, a map showing county zoning areas in the Harrisburg Planning Area, and the presentation used by Harrisburg Staff for the Planning Board and Town Council meetings.

The proposed changes are consistent with the currently assigned county zoning designations and should not create any conflicts.

The first step in the process is for the Planning and Zoning Commission to make a recommendation to the Board of Commissioners on the proposed amendments to the plan.

Please read over the materials and be prepared to make a recommendation to the Board of Commissioners.

This map displays a conceptual future road network and will serve as input into the future Comprehensive Transportation Plan (CTP), maintained by Cabarrus-Rowan Metropolitan Planning Organization (MPO). The future road alignment will generally follow the concept, exact road alignments and designs are subject to future engineering studies, and final designs. Alternate alignments for Caldwell Road Extension, identified as "Alt. 1" and "Alt. 2" on the Future Transportation Network Concept map (see Appendix H), represents two options and are subject to future engineering studies to determine which option is the most feasible.

Future Land Use

- Park
- Private Recreation
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Mixed Use Center
- Office
- Institutional
- Commercial
- Light Industrial

Parks and Recreation

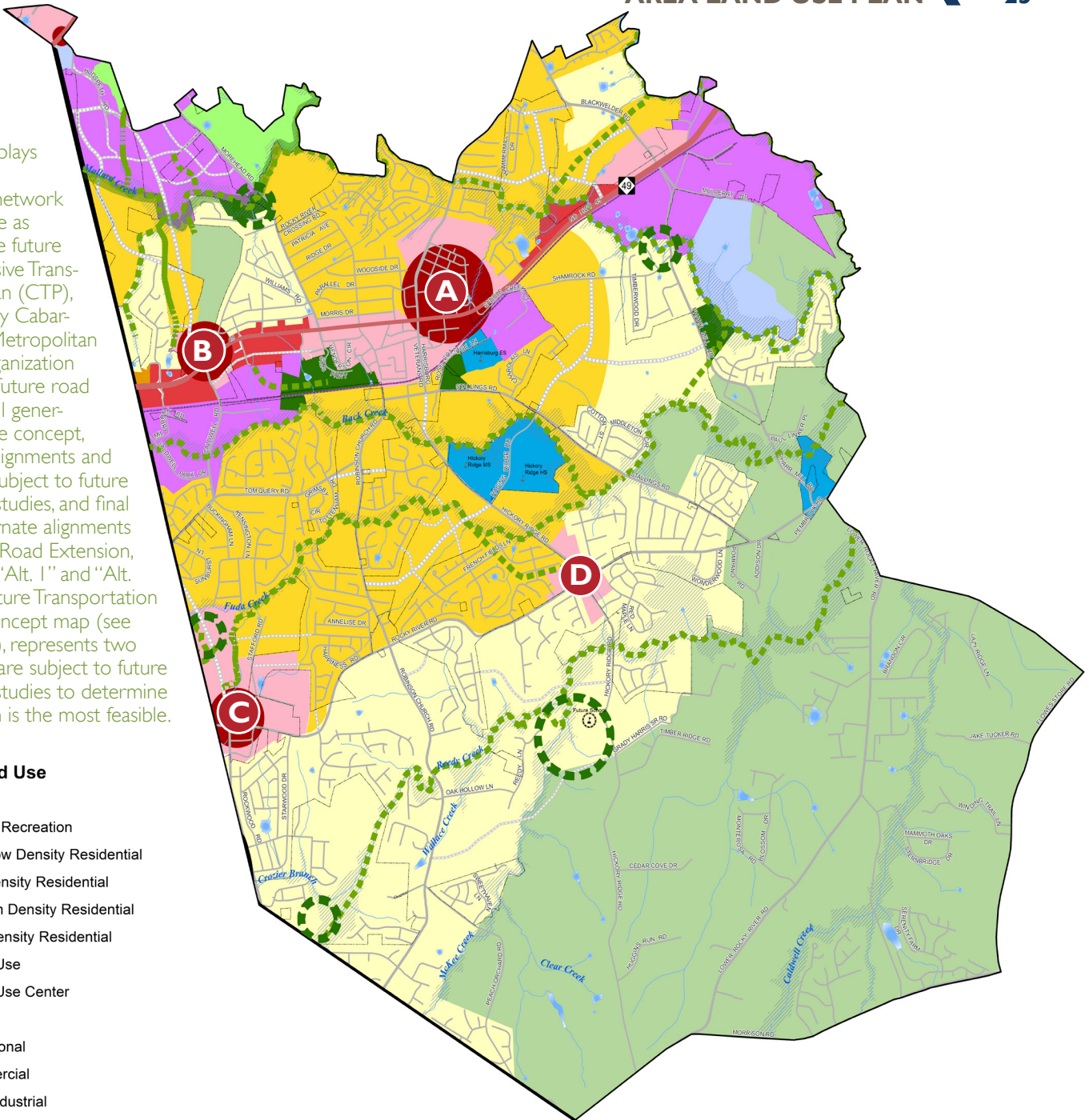
- Planned Greenways
- Potential Thread Trail
- Proposed Parks

Roadways

- Existing Thoroughfare
- Proposed Arterial
- Proposed Collector/Local

Context

- City Limits
- County Boundary
- Existing Schools
- Future School Site
- Floodplain (100yr)



- A** This area will be the center of activity in Harrisburg. The core will have multi-story buildings with a mix of uses and active street fronts. This node will have the largest footprint of commercial and office of all the mixed-use nodes. It will also include a mix of housing including condominiums and townhomes.
- B** As described in the Morehead West Area Plan, this area will include 2-3 story buildings and commercial (local-serving retail and office) center. Land use will transition to mixed residential development away from NC-49 but "within easy walking distance.
- C** This node will include a small neighborhood- and employment-serving commercial center (retail and offices uses) with 2-3 story buildings, complementing a range of institutional uses.
- D** This node will have a smaller non-residential component comprised primarily of neighborhood-serving uses (convenience retail, small restaurants, and service uses). Adjoining townhome and small-lot single family home developments will be designed with pedestrian connections to the center.

Figure 4. Future Land Use Map

FUTURE LAND USE

The following descriptions are descriptive, not prescriptive, and indicate the general types of land uses desired in each category on the future land use map.



PARKS

Various types of passive and active parks and other recreation facilities may be accommodated in all land use categories. Where depicted on the Future Land Use Map, Park areas may be developed as community-serving facilities, such as public greenways, neighborhood or community parks.



PRIVATE RECREATION

This area is intended to include indoor and outdoor recreation facilities that are suited to sites with adequate road infrastructure. Indoor sports arenas, family-oriented entertainment, and special-use outdoor venues are examples of the types of uses that may comprise these areas.



VERY LOW DENSITY RESIDENTIAL

This area is intended to remain predominantly rural while allowing residential uses at very low densities. Conservation design is a common subdivision approach if utilities are available, allowing smaller lots in exchange for more open space. Architecture is sensitively integrated, avoiding valuable natural features. **Gross densities are less than one unit per acre** for conventional subdivisions, and up to two if conservation design standards are met. Some business uses typically located in rural areas, such as small engine repair, may be appropriate provided such uses adhere to performance standards to minimize potential impacts to surrounding uses.



LOW DENSITY RESIDENTIAL

This area is characterized by low- to moderate-density residential development (~~up to 3~~ **1 to 2** dwelling units per acre). Single-family detached homes are complemented by natural areas as well as formal and informal open space amenities. Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be recommended in locations with sensitive natural resources.



MEDIUM DENSITY RESIDENTIAL

This area is comprised of predominantly single-family detached homes but may include attached single family units, such as townhomes and duplexes. The mix of housing types are intended to create neighborhoods with a density range of ~~3 to 4~~ **2 to 3** dwelling units per acre. Improved open spaces are interspersed and the streetscape is more formal.



HIGH DENSITY RESIDENTIAL

This area is intended to accommodate a variety of age groups and lifestyle preferences. Attached single family and multi-family units are intended for areas where access to the transportation network is high. Density ranges from 4 to 15 3 to 10 dwelling units per acre.



MIXED USE

This area encourages the blending of complementary commercial, office and a mix of residential housing types. These areas typically offer a horizontal mix of uses where changes in use occur between adjacent buildings. Buildings are typically one and two stories. Designed to facilitate access via walking and biking, mixed-use areas should be located near potential commercial and mixed use nodes where access via the road network, sidewalks, greenways, and/or future transit is feasible.



MIXED USE NODE

These areas are intended to be centers of activity that include a mix of retail, restaurant, service, and office uses in addition to a variety of residential housing types. The mix of uses can be horizontal as well as vertical where a change in use can occur between floors of the same building. Buildings of two stories and above are common, and connected streets include short block lengths and pedestrian facilities. Open space is integrated in the form of plazas and greens.



OFFICE

These areas include a mix of professional offices, flex space and supporting commercial uses.



INSTITUTIONAL

These areas include schools, churches, hospitals, campus style development and government uses.



COMMERCIAL

These areas are comprised of local-serving retailers, restaurants, professional offices, and service uses. Such uses may be vertically mixed in multi-story buildings. All such uses should be located along major corridors and concentrated at key intersections.



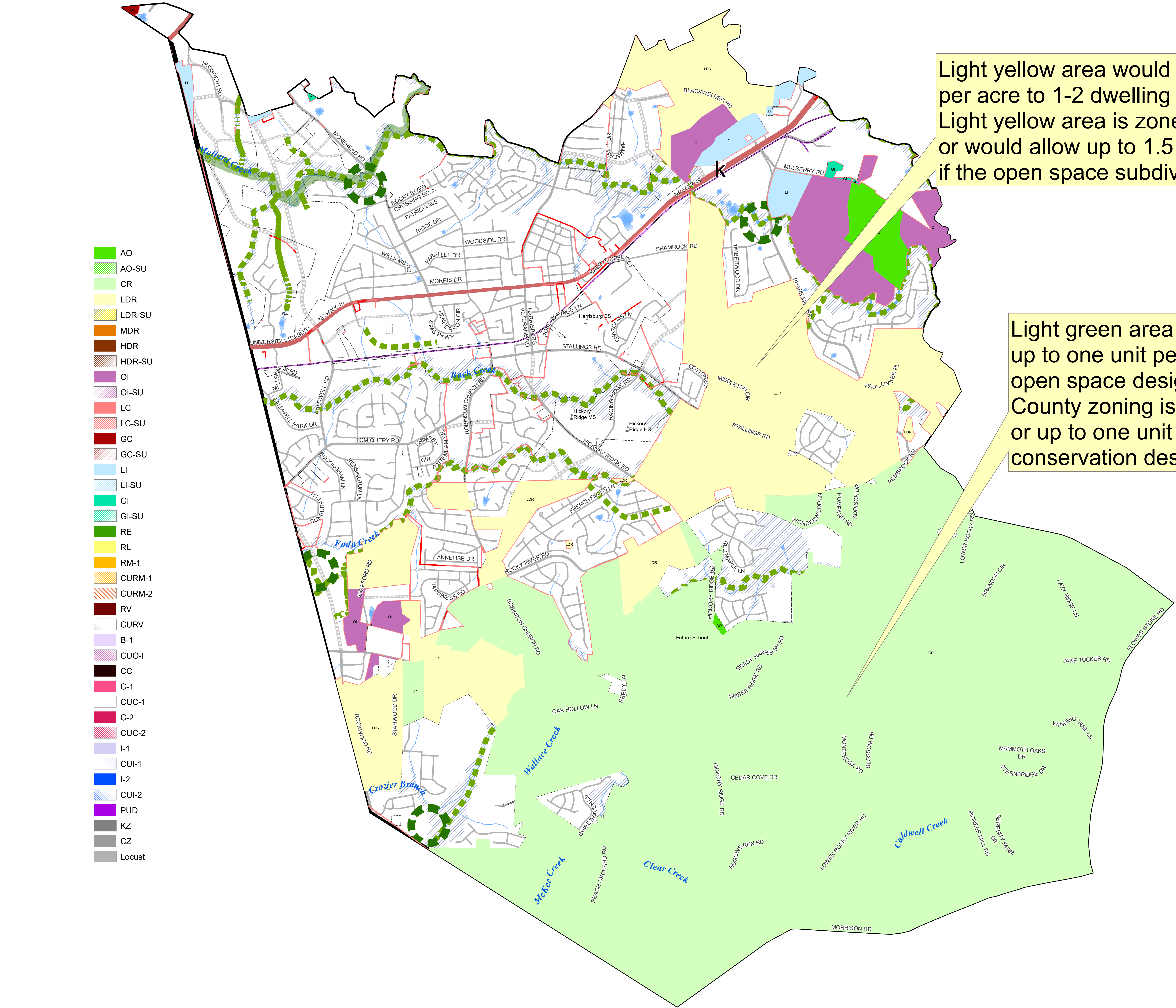
LIGHT INDUSTRIAL

These areas are intended to be light industrial, office, and multi-tenant flex space. This area promotes the concentration of employment-generating uses in an area with desirable access to highways (I-485 via NC-49). Limitations on use should serve to mitigate negative impacts on residential development, such as traffic congestion, noise, and light pollution.

- AO
- AO-SU
- CR
- LDR
- LDR-SU
- MDR
- HDR
- HDR-SU
- OI
- OI-SU
- LC
- LC-SU
- GC
- GC-SU
- LI
- LI-SU
- GI
- GI-SU
- RE
- RL
- RM-1
- CURM-1
- CURM-2
- RV
- CURV
- B-1
- CUO-1
- CC
- C-1
- CUC-1
- C-2
- CUC-2
- I-1
- CUI-1
- I-2
- CUI-2
- PUD
- KZ
- CZ
- Locust

Light yellow area would change from up to 3 units per acre to 1-2 dwelling units per acre. Light yellow area is zoned LDR which allows a 2 acre lot or would allow up to 1.5 units per acre if the open space subdivision design option is used.

Light green area would remain up to one unit per acre or up to two if open space design/conservation option is used. County zoning is CR, which requires a two acre lot or up to one unit per acre if conservation design is used.



FUTURE LAND USE MAP
HARRISBURG AREA LAND USE PLAN



HarrisburgNC
The right side of opportunity

Town Council Meeting

November 12, 2019

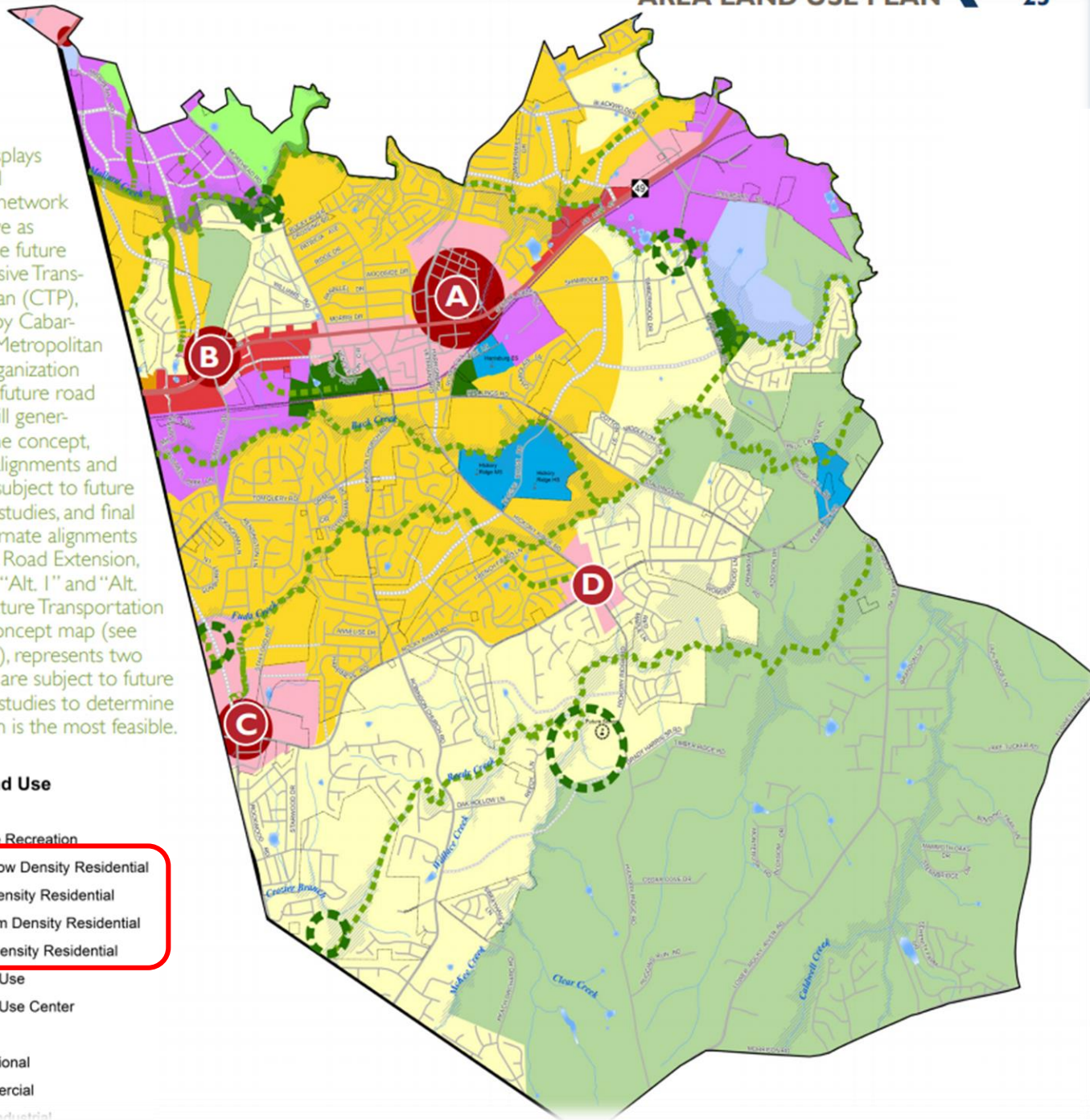
Public Hearing

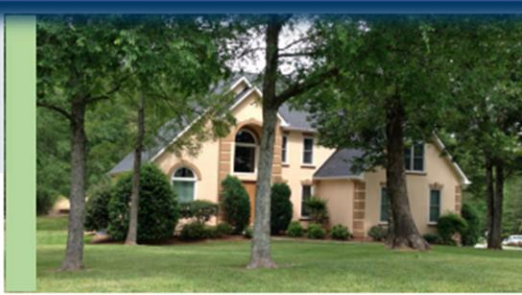
Consider revising the previously adopted gross land use density in the Harrisburg Area Land Use Plan (HALUP).

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HALUP Residential Land Use Density (gross) Changes, Why?

- Staff is in the process of issuing Request for Proposal (RFP) to update the town’s unified Development Ordinance (UDO).
- HALUP Land Use density (vision) translate to UDO Zoning density (Regulatory tool).

HALUP Land USE – Existing Density	UDO Zoning Districts – Existing Density
Very Low Density (up to 1 unit/acre)	AG (mostly agricultural related)
Low Density (up to 3 units/acre)	RE (max 1 unit/acre)
	RL (1 – 2 units/acre)
Medium Density (3 – 4 units/acre)	RM-1 (up to 3 units/acre)
	RM-2 (up to 4 units/acre)
High Density (4 – 15 units/acre)	RV (up to 8 units/acre)
	RC (up to 15 units/acre)

HALUP Residential Land Use Density (gross) – Proposed Change

HALUP Land USE – Existing Density	HALUP Land USE – NEW Density
Very Low Density (up to 1 unit/acre)	Keep at up to 1 unit/acre
Low Density (up to 3 units/acre)	Change to 1 – 2 units/acre
Medium Density (3 – 4 units/acre)	Change to 2 – 3 units/acre
High Density (4 – 15 units/acre)	Change to 3 – 10 units/acre



New adopted residential Land Use density will be incorporated into the upcoming UDO Update (corresponding Zoning Districts)

Staff recommends Planning and Zoning Board consider revising the previously adopted land use density in the Harrisburg Area Land Use Plan (HALUP) and make recommendations to the Town Council.