



**Town of Laurel Park
Planning Board**

Date of Meeting: October 11, 2022

Time of Meeting: 3:00 pm

Location: Town Hall, 441 White Pine Drive, Laurel Park NC 28739

1. Appoint meeting moderator
2. Call to Order
3. Approval of the Agenda
4. Approval of the Minutes
 - a. June 14, 2022
5. Old Business
 - a. Ecusta Crossing Updates
6. New Business
 - a. Zoom Meetings
 - b. Vice-Chair Representative
 - c. Draft UDO Board Amendments
7. Adjourn



PLANNING BOARD
AGENDA ITEM SUMMARY

Title of Item: Ecusta Crossing Updates

Presenter: Alex Carmichael, Town Manager

Attachment(s): Yes/**No**

Summary of Item:

At the June Planning Board meeting member Jeffrey Pieper asked staff to review the record and provide an overview as to how the Ecusta Crossing was permitted in its current form.

Suggested Action: N/A

Suggested Motion: N/A



PLANNING BOARD
AGENDA ITEM SUMMARY

Title of Item: Zoom Meetings

Presenter: Alex Carmichael, Town Manager

Attachment(s): Yes/No

Summary of Item: In August 2022 the Governor announced that he will let the State of Emergency expire on August 15. The State of Emergency authorized local governing boards to conduct meetings electronically. G.S. 160A-74 and -75 require board members to be physically present. In the absence of a State of Emergency, boards will no longer be able to conduct meetings electronically. This may apply to both board members and public comment. However, the Town may broadcast meetings for viewing purposes.

Suggested Action: Staff requests the Planning Board discuss live Zoom meetings.

Suggested Motion: Move to have/not have Zoom meetings.



PLANNING BOARD
AGENDA ITEM SUMMARY

Title of Item: Vice-Chair Representative

Presenter: Jordan Jones, Assistant to the Town Manager

Attachment(s): Yes/**No**

Summary of Item: A Vice-Chair representative is needed to facilitate the Planning Board meetings in the absence of the Chair. The Chair was not able to attend the previous meeting, which, called for the Planning Board to vote that day on who would facilitate the meeting.

Suggested Action: Staff recommends that the Planning Board establish a Vice-Chair.

Suggested Motion: Move to appoint _____ as Vice-Chair for the Planning Board.



PLANNING BOARD
AGENDA ITEM SUMMARY

Title of Item: Draft UDO Board Amendments

Presenter: Alex Carmichael, Town Manager

Attachment(s): **Yes/No**

- Laurel Park UDOTA2-22 10-4-22

Summary of Item: UDO text amendments clarifying the review authority composition and member terms for the following advisory boards: Planning Board, Board of Adjustment, and Parks & Greenways Board.

Suggested Action: Discussion.

Suggested Motion: Move to recommend draft UDO Board Amendments to the Town Council.

UNIFIED DEVELOPMENT ORDINANCE

Town of Laurel Park

Adopted: June 15, 2021

Effective Date: August 18, 2021

Last Amended: ~~May 17, 2022~~ [October 13, 2022](#)

ACKNOWLEDGEMENTS

Town Council

J. Carey O’Cain, Mayor
Debra Hinson Bridges
A. Paul Hansen
George W. Banta
Kristin Dunn

Planning Board

Henry Scott Gregg
Philip Wiehe
Clint DeWitt
Moyland Rainey
Cecily Timmons
Jeffrey Pieper



Town Staff

Alex Carmichel, Town Manager
[Jordan Jones, Assistant to the Town Manager](#)
[Andrew Griffin](#) [Brandon Johnson](#), Public Works [Director](#)

Consultant

CodeWright Planners, LLC
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TABLE OF AMENDMENTS

UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO TA-1-21	11.16.21	Amendments to setbacks on lots with steep & very steep slopes, amendments to the number of allowable building stories in TC & MM districts, amendments to stormwater treatment on lots with steep and very steep slopes, amendments to erosion control plan requirements, amendment to CO procedure related to new requirements for as-built plans, and amendments to alternative lot access provisions (requiring easements)
UDO TA-1-22	5.17.22	Amendments to streetscape buffers to differentiate only between local and all other streets, additional guidance regarding perimeter buffer requirements between the TC and MM districts, and minor changes to the required public notice table
UDO TA-2-22	10.13.22	Amendments clarifying the review authority composition and member terms

1.14: THE PLANNING BOARD

The Planning Board is hereby established in accordance with Section 160D-301 of the North Carolina General Statutes, and the following.

1.14.1: POWERS AND DUTIES

The Planning Board shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:

A: APPLICATION DECISIONS

The Planning Board shall review and decide applications for site plans. Compliance with district-specific requirements and design standards shall be determined during site plan review.

B: APPLICATION REVIEWS

The Planning Board shall review and make recommendations on the following applications:

- 1: Planned developments;
- 2: Preliminary plats;
- 3: Rezoning; and
- 4: Text amendments to this UDO.

C: OTHER POWERS AND DUTIES

- 1: To perform studies and surveys of the present conditions and probable future development of the Town and its environs, including but not limited to, studies and surveys of land uses, population, traffic, parking, annexation, and expansions of the extraterritorial jurisdiction.
- 2: To formulate and recommend to the Town Council the adoption and amendment of the Town of Laurel Park Comprehensive Plan and other plans as necessary.
- 3: To initiate proposals for text amendments to the Unified Development Ordinance based upon the findings and recommendations delivered in such studies and adopted plans.
- 4: To determine whether specific proposed developments conform to the principles and requirements of the adopted comprehensive plan for growth and improvement of the Town.

1.14.2: COMPOSITION

- A: The Planning Board shall consist of seven members.
- B: Six members shall reside within the corporate limits of Laurel Park and one member shall reside in the extra-territorial planning jurisdiction (ETJ).
- C: The Town Council shall appoint the members from within the Laurel Park corporate limits from a list of qualified applicants who have submitted a Planning Board application.
- D: The Henderson County Board of Commissioners shall appoint the members from within the ETJ following receipt of a recommendation from the Town Council.
- E: The member from the extra-territorial planning jurisdiction shall have equal rights, privileges, and duties as the members from within the corporate limits.

1.14.3: TERMS

- A: Member terms shall be in accordance with the review authority's rules of procedure.
- B: Term limit requirements , if required by the review authority's rules of procedure, may be waived by the Town Council.

1.14.4: QUORUM

A quorum of four members shall be necessary to transact official business of the Planning Board.

1.15: THE BOARD OF ADJUSTMENT

The Board of Adjustment is hereby established in accordance with Section 160D-302 of the North Carolina General Statutes, and the following:

1.15.1: POWERS AND DUTIES

The Board of Adjustment shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:

A: APPLICATION DECISIONS

The Board of Adjustment shall render final decisions regarding the following permit types:

- 1: Appeal of administrative decisions and determinations;
- 2: Variances except for those pertaining to the watershed protection standards; and
- 3: Special use permits for the establishment of government uses or operations.

B: OTHER POWERS AND DUTIES

To exercise other powers and authority provided to it by the Town Council, this Ordinance, or State law.

1.15.2: COMPOSITION

- A: The Board of Adjustment shall consist of seven regular members and one alternate member.
- B: At least ~~S~~six members shall reside within the corporate limits of Laurel Park and at least one member shall reside in the extra-territorial planning jurisdiction (ETJ).
- C: The Town Council shall appoint the members from within the Laurel Park corporate limits from a list of qualified applicants who have submitted a Board of Adjustment application.
- D: The Henderson County Board of Commissioners shall appoint the members from within the ETJ following receipt of a recommendation from the Town Council.
- E: The member from the extra-territorial planning jurisdiction shall have equal rights, privileges, and duties as the members from within the corporate limits.

1.15.3: TERMS

- A: Member terms shall be in accordance with the review authority's rules of procedure.
- ~~B: Once a member has served two full consecutive terms, the member shall not serve on the Board of Adjustment again.~~
- ~~C:~~ B: Term limit requirements, if required by the review authority's rules of procedure, may be waived by the Town Council.

1.15.4: QUORUM

A quorum of four members shall be necessary to transact official business.

1.15.5: VOTING

- A: The concurring vote of four-fifths of the Board of Adjustment members voting on a case shall be necessary to grant a variance.
- B: A simple majority of the Board of Adjustment members present and voting on a case shall be required to decide an appeal.
- C: Members who are recused from voting due to a conflict of interest shall not be counted towards a simple or super majority.

1.16: THE PARKS AND GREENWAYS BOARD

The Parks and Greenways Board is hereby established in accordance with Section 160D-306 of the North Carolina General Statutes, and the following.

1.16.1: POWERS AND DUTIES

The Parks and Greenways Board shall have the following powers and duties, to be carried out in accordance with the terms of this Ordinance:

A: APPLICATION REVIEWS

- 1: The Parks and Greenways Board shall review and provide comments solely with respect to any tree protection, public park, and public greenway aspects of the following applications:
 - a: Fee-in-lieu requests;
 - b: Performance guarantees;
 - c: Planned developments;
 - d: Preliminary plats;
 - e: Rezoning;
 - f: Site plans; and
 - g: Text amendments of this UDO.
- 2: Comments by the Parks and Greenways Board shall be provided prior to consideration of an application by the Planning Board or the Town Council.

B: OTHER POWERS AND DUTIES

- 1: To plan for the maintenance and development of the Town's Parks and Greenways.
- 2: To serve as the Town's Tree Board and make all final decisions therein.
- 3: To exercise other powers and authority provided to it by the Town Council, this Ordinance, or State law.

1.16.2: COMPOSITION

The Parks and Greenways Board shall consist of seven members and shall be appointed in accordance with the Parks and Greenways Board's Rules of Procedure and applicable Town policy.

1.16.3: TERMS

- A:** Member term limits shall be in accordance with the review authority's rules of procedure.
- B:** Term limit requirements , if required by the review authority's rules of procedure, may be waived by the Town Council ~~if there is a lack of applicants to fill vacancy.~~

1.16.4: QUORUM

A quorum of four members shall be necessary to transact business the official business of the Parks and Greenways Board.