

Minutes
Special Called Meeting
Aberdeen Board of Commissioners

July 28, 2009
Tuesday, 5:30 p.m.

Aberdeen Town Hall
Aberdeen, North Carolina

The Aberdeen Town Board met on Tuesday, July 28, 2009 at 5:30 p.m. for a Special Called Meeting to review the Unified Development Ordinance. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Jim Thomas, and Walter Wright. Commissioners Robbie Farrell and Donna Shannon were not in attendance for the meeting. Others in attendance were Town Manager Bill Zell, Town Clerk Regina Rosy, Planning Director Kathy Liles, Planner Patti Jilson, Permit Technician Jenni McKay and Town Attorney T.C. Morphis. Planning Board members in attendance were Sarah Ahmad, Bob Rigsby, Johnny Ransdell, Bill Prevatte and Elease Goodwin.

Mayor Mofield called the meeting to order. Manager Zell informed everyone that at 10:00 this morning, the Town of Aberdeen became the proud owner of about 31 acres which was a piece of property known as Powell's Pond.

Attorney Morphis stated he and Planning Director Liles would like some guidance on a timeframe for completing the UDO. Attorney Morphis also wanted to know if the Board wants the public to give input on the UDO before adoption. Planning Director Liles stated a work session could be held in late September and a public hearing in October if possible. Attorney Morphis explained one major change would be special use permits would be added to the UDO – which would allow the Planning Board to review and approve without having to send to the Board to simplify the process. Attorney Morphis stated another major change would be minor and major subdivisions (with minor going to Planning Board and major requiring a conditional use permit). Attorney Morphis stated staff will need advice from the Board on open space requirements, performance standards, and table of permissible uses.

The Board decided to go by bullet points, rather than by article for review. Attorney Morphis started with Article II which was all the definitions. He stated there are many new definitions in this section. Attorney Morphis talked some about sexually oriented businesses. Manager Zell asked if this had to be included in the UDO. Attorney Morphis stated yes it was necessary.

Attorney Morphis went on to Article IV where he discussed the added special use permits.

Attorney Morphis stated Article VII creates a list of criteria for issuing civil penalties. Attorney Morphis stated Article VIII doesn't currently cover nonconforming use. Attorney Morphis stated this section now specifically lays out rules for nonconforming uses.

For Article X, Planner Jilson questioned the raising or keeping of ten or more dogs – Planner Jilson stated the Board approved only five. Attorney Morphis suggested this item be referred to only in the UDO and be revised to reflect five. Commissioner McMurray questioned

R-6 MH which she thought had been removed. Attorney Morphis stated the ordinances since 2006 do not reflect that it was removed.

Attorney Morphis stated Article XIII will now show what restrictions are for property. Mayor Mofield asked why subdivisions with less than 15 houses were exempt. Attorney Morphis stated this was developed for developers who were not developing large subdivisions. Mayor Mofield wanted to know why that would be exempt – she felt all subdivisions should have open space. Attorney Morphis stated perhaps we should look at this issue to find suitable language. Mayor Mofield stated exemption should be removed. Attorney Morphis stated he would strike that section.

Planning Director Liles questioned how wetlands and water bodies and golf courses are counted towards open space. Attorney Morphis stated he does not know the answer to that question but he will look into it.

Attorney Morphis stated Article XIV is essentially our current streets and sidewalks standard. Attorney Morphis stated there are several street types listed – he stated freeways and expressways are not really needed. Attorney Morphis asked if there should be a cutdown of some of the street types listed. Sarah Ahmad asked if the Town was going to go up US 1 with sidewalks and bike paths together. She wanted to know if that is addressed in the UDO? Attorney Morphis stated a bike plan would need to be established if that was an issue of the Board. Sarah Ahmad asked if bicycles could be ridden on the sidewalks. Attorney Morphis stated he believes bicycles have to be ridden on the streets but issue would depend on enforcement from Police Department.

Attorney Morphis stated Article XV refers to provision about fire hydrants and street lighting policy.

In Article XVI, Planning Director Liles asked if Holland consulting work could be transferred into this article. Attorney Morphis stated that would be fine.

Attorney Morphis stated Article XVII would need to be looked at in a separate meeting due to all of the changes to this section. Planning Director Liles stated this is the section that gets so much attention from citizens and staff due to the noncompliance.

Attorney Morphis stated Article XVIII is about parking – he stated most of this is the current standard. He stated loading docks were added in to fill holes in the current ordinance.

Attorney Morphis stated Article XIX has been revised to include a chart that will simplify the process of finding what is required as far as screening and landscaping. Mayor Mofield questioned the Table of Screening and Landscaping Requirements. Attorney Morphis pointed out that the copies were too dark and not very legible. He explained to the Board what the chart does and the reason for incorporating it into this article.

Attorney Morphis stated Article XX is about amendments, and he stated this is all pretty much state law. Attorney Morphis stated the first section allows Planning Director Liles to make amendments for typos without getting approval of the Board.

Attorney Morphis stated the appendixes are not complete yet – he advised the Board to take a look at what is there and check for accuracy.

Attorney Morphis stated tonight was just an overview – he would advise there be 1-2 additional meetings to discuss changes and any other questions. Planning Director Liles asked when the Board would want to hold the public hearing on the UDO and then we can decide how to proceed. Mayor Mofield thought it would be nice to adopt the UDO at the October Board meeting. Planning Director Liles stated she would build a timeline so that everyone could stay on schedule. Commissioner Wright stated he would like the Board to review this UDO more closely and let the Board raise concerns. Commissioner Wright stated he would like to see at least an hour allocated to the UDO. The Board agreed if it wasn't up for adoption until November, then that would be okay.

Planning Director Liles stated the zoning map will be readopted and ETJ map will be readopted at the same time as UDO. Planning Director Liles stated the ETJ is not on record properly so she felt it would be best to readopt the ETJ map. Planning Director Liles stated she would like to add the zoning map to the agenda for Thursday night for the Work Session.

Mayor Mofield thanked the Planning Board members for their service to the Town and all the hard work they have been doing.

With no further items for discussion or review, a motion was made by Commissioner Wright, seconded by Commissioner Thomas, to adjourn the Special Called Meeting. Motion unanimously carried.

Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on July 29, 2009

Elizabeth B. Mofield, Mayor

Minutes were adopted
August 10, 2009