

Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, December 5, 2024.

Call to Order/Roll Call

Chairwoman Hallman called the meeting to order at 3:30 pm.

Voting Members Present: A. Hallman, K. Jones, M. Jones, J. Kluttz (late), H. Whittaker, S. Hensley

Voting Members Absent: S. Harrington

Non-Voting Members Present: Commissioner Bergman, B. Richards, T. Barron, and E. Sloop.

Non-Voting Members Absent: None

Approval of Minutes

ITEM 2A. Consider approval of the July 11, 2024, Regular Meeting Minutes.

Motion: H. Whittaker made a Motion to Approve the July 11, 2024, regular minutes. K. Jones seconded the motion.

Vote: The motion passed unanimously (5-0). J. Kluttz not in attendance.

Public Comments

None

Action Agenda

ITEM 4A TA24-16: An amendment to the Zoning Ordinance (Article 11.4.3, d and Article 7.4.2, g); and the Subdivision Ordinance (Section 6.320.3 and Section 6.300, 1, n) regarding Community Meeting Requirements, Existing Features Requirements, and Berm Requirements.

L. Speight, Senior Planner, entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff provided a summary.

The Board questioned if holidays or rescheduling due to an act-of-God should be considered when reviewing Section 1 (Community Meeting Requirements for CD Rezoning) and Section 2 (Community Meeting Requirements for Major Subdivisions). Staff elaborated that holidays have yet to cause conflict and that a reschedule due to an act-of-God would not be defined as a make-up meeting and not considered scheduled.

The Board inquired as to who submits reports regarding Section 3 (Existing Features). Staff clarified that the developer submits the report and there is no statutory requirement to hold community meetings. The Town Ordinance does require that report include community feedback, however, Staff is unable to dictate the structure of that information.

The Board shared that they feel that the Town is overstepping their authority within Section 4 (Berms Along Thoroughfares) as session law 1997-420 specifically provides the authority for the planning, removal and preservation of trees on public and private property within the municipality except for property to developed for use single-family or duplex residential uses. Staff clarified that we do not dictate on single lots. That subdivisions are a major development, not defined as a single-family lot. Additionally, the Board ask that the language be amended to include language to clarify that the existing vegetation shall remain unless it does not meet the requirements.

The Board suggest that all reference to BMPs be replaced with SCMs in Section 5 (BMPs/SCMs in Urban Open Space). Staff anticipates doing that through a larger text amendment in due time.

Motion: K. Jones made a Motion to Approve TA24-16 an amendment to the Zoning ordinance article 11.4.3 d and Article 7.4.2 g and the Subdivision ordinance section 6.320.3 and section 6.3001.n regarding Community Meeting requirements, existing features requirements, and berm requirements. Seconded by J. Kluttz.

H. Whittaker asked if it is being recommended as written or awaiting the rewrite as discussed.

Amended Motion: K. Jones made an amendment to her motion to include updating the text amendment to include the language discussed during the meeting regarding scrub discussed specifically in section 4 and 5. J. Kluttz accepted the amendment.

Vote: The motion passed unanimously (6-0).

Other Business

None.

Adjourn

Motion: H. Whittaker made a Motion to Adjourn. K. Jones seconded the motion.

Vote: The motion passed unanimously (6-0).

Approved this ____ day of _____ 2024.

Chair or Vice Chair

Board Secretary