



**Huntersville Ordinances Advisory  
Board Agenda  
September 2, 2021  
3:30 p.m. – 5:00 p.m.  
Location: VIRTUAL MEETING**

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**- NOTICE VIRTUAL MEETING -**

**Virtual Meeting Information** - Members of the public may view the meeting on Facebook Live at <https://www.facebook.com/HuntersvilleNCTownGovernment>. If you would like to speak at the upcoming meeting during public comment, please send your name and email address to Tracy Barron at [tbarron@huntersville.org](mailto:tbarron@huntersville.org) to be added to the speaker's list. The Town will use your email address to send you an email invitation from Ring Central. This will allow you to call in and/or access the meeting to deliver your comments (the 3-minute time limit still applies). In addition, the Town will receive written comments for the public comment below by email to Tracy Barron at [tbarron@huntersville.org](mailto:tbarron@huntersville.org).

- A. **Adoption of August 5, 2021 Minutes** (Attachment 1)
- B. **Comments from Audience (3 minutes per person allocation)**
- C. **Action Items**
  - 1. Recommendation on TA 21-12 TIA Amendment Options: 1) Increase Thresholds; 2) Repeal TIA (Attachments 2, 3, 4, 5, 6)
  - 2. Recommendation on TA 21-13, an amendment allowing perennial streams in the Mountain Island Lake Watershed Overlay District that drain under 50 acres to be impacted if approved through a Corporate Business Conditional District rezoning in the (Attachments 7, 8)
- D. **Discussion Items**
  - 1. Review Text Amendment Checklist (Attachment 9)
  - 2. Legal refresher on text amendments and conflicts of interest (Attachment 10)
- E. **Adjourn**



**Huntersville Ordinances Advisory  
Board Minutes  
August 5, 2021  
3:30 p.m. – 5:00 p.m.  
Location: VIRTUAL MEETING**

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**A. Call to Order**

Attendance: M. Jones, T. Taylor, D. Boone for L. Munger, K. Jones, J. Henson, S. Moore, F. Gammon, T. Finlay, and B. Skelly

Non-voting members present: J. Simoneau, J. Glass & T. Barron

**B. Adoption of July 1, 2021 Minutes (Attachment 1)**

S. Moore made a Motion to Approve the July 1, 2021 Minutes. J. Henson seconded the motion. The motion passed unanimously (9-0).

**C. Comments from Audience (3 minutes per person allocation)**

**D. Other Business**

1. TA21-09, a request by Strategic Capital Partners to amend Section 8.25 allowing the Board of Commissioners to approve modification of a SWIM buffer through a conditional rezoning process in the Corporate Business zoning district using Army Corps of Engineer mitigation practices (Attachment 2 Applicant Proposal, Attachment 3 Staff Alternative Language).

S. Moore made a Motion to Approve TA21-09 with the alternate language provided by staff and a request for the Ordinance Advisory Board to look at additional zones in future. J. Henson seconded the motion. The motion passed (8-1) with F. Gammon opposed.

2. TA 21-08 S.W.I.M. a request by Huntersville Planning to clarify the method for delineating S.W.I.M. buffers (Attachment 4).

F. Gammon made a Motion to Approve TA21-08 as written. J. Henson seconded the motion. The motion passed unanimously (9-0).

3. TA 21-10, a request by Huntersville Planning to modify the 80' buffer in the CB, SP and CI zoning districts along street frontages (Attachment 5, 6).  
B. Priest, Principal Planner reviewed the proposed amendment and indicated that staff is seeking to clarify the wording and provide some flexibility of tiers or segments of buffers based on the use and visibility along the street with the proposed building type and use.

J. Henson thanked staff for reviewing and proposing this as it will likely provide reasonable flexibility without compromising on aesthetics.

D. Boone asked for clarity that the proposed change would take buildings in interior business parks from an 80' buffer to 20'. Staff stated that the buffer can be reduced from 80 to 20 if it's interior to a business park and there is no unaesthetic uses in the front of the building.

J. Henson made a Motion to Approve TA21-10. K. Jones seconded the motion. The motion passed (8-1-0) with D. Boone abstaining.

4. Continued discussion on text amendment checklist

Chairman M. Jones provided a sample checklist for review by the Board to begin to identify what the basic criteria may be for the Board to utilize in considering a text amendment.

T. Finlay commented that he likes the concept and would like staffs input regarding the criteria proposed as they will likely be affected by it the most.

S. Moore commented that a checklist is a good idea particularly with how laws can change and we need to stay on top of that. Keeping the process simple will also be helpful for keeping things moving.

F. Gammon asked if the burden to the citizen should be considered or is included in the list. M. Jones agreed that it should be considered.

5. Legal refresher on text amendments and conflicts of interest (Attachment 7)

S. Moore made a Motion to Continue Item 5 to the next regular meeting. F. Gammon seconded the motion. The motion passed unanimously (9-0).

**E. Adjourn**

T. Finlay made a Motion to Adjourn. D. Boone seconded the motion. The motion passed unanimously (9-0).

**AN ORDINANCE TO AMEND ARTICLE 14 OF THE ZONING ORDINANCE TO MODIFY THE THRESHOLD TO REQUIRE A TIA, THE THRESHOLD TO REQUIRE AN INTERSECTION TO BE STUDIED, AND OTHER VARIOUS CLARIFICATIONS**

**Section 1.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.2.1(a) of the **Zoning Ordinance** is hereby amended as follows:

- a) A TIA is required for any development or portion thereof, which is expected to create one hundred **fifty** (~~100~~ **150**) or more peak hour vehicle trips or one thousand **five hundred** (~~1,000~~ **1,500**) or more daily vehicle trips except as provided in subsections (c) through (f) below or when road improvements are excluded by North Carolina State Law. Daily trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the ITE (Institute of Transportation Engineers) Trip Generation Manual, with the exception of public and private schools which will be based on the **North Carolina Department of Transportation's** (NCDOT's) most recent MSTC School Traffic Calculator. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town Engineering staff approval. **The Town Engineer may waive the TIA requirement set forth herein when a TIA is required by NCDOT and completed pursuant to NCDOT standards.**

**Section 2.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.2.1(d) of the **Zoning Ordinance** is hereby amended as follows:

- d) Where a development is expected to generate less than one hundred **fifty** (~~100~~ **150**) peak hour trips, but is anticipated to adversely impact intersections within the Town, a TIA may be required as determined by the Town Engineer.

**Section 3.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.2.3 of the **Zoning Ordinance** is hereby amended as follows:

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA **scoping**. **Once the TIA scoping is complete, the applicant may proceed with the TIA** ~~report~~, in accordance with the terms of the most recent version of the *Town of Huntersville TIA Process and Procedures Manual*, as approved by the Town Engineer and all applicable Zoning Ordinance and Subdivision Ordinance requirements. The draft TIA shall be submitted to Town staff 30 days prior to either the Town Board Public Hearing (for rezoning cases) or the Planning Board Meeting (subdivisions). Resubmittals of TIAs ~~are to be received~~ **shall be submitted** a minimum of 20 business days prior to the scheduled Town Board final action. The final sealed TIA shall be completed and accepted by Town staff prior to final action by the Town Board or permit issuing authority.

**Section 4.** Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.3 of the **Zoning Ordinance** is hereby amended as follows:

The impact study area designates the intersections for a TIA study where potential increases in traffic from the development may cause degradation of levels of service. Where traffic from the proposed development is anticipated to increase a signalized or major unsignalized intersection single approach by ~~30~~ **40** vehicles in a peak hour or increase the total of all approaches by ~~50~~ **70** vehicles in a peak hour, the intersection shall be studied in the TIA. Should an intersection be considered at its ultimate buildout laneage or configuration or within the delivery portion of the current NCDOT State Transportation Investment Program (STIP) prior to final action taken by the Town Board, the Town Engineer may waive the requirement to include the intersection for study in the TIA.

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.4.2 of the **Zoning Ordinance** is hereby amended as follows:

Infrastructure shall be considered sufficient if the ICU percentage is at or below those established in Section 14.4.1 or when, as a result of proposed development, an increase in the ICU percentage is three (3) percent or less.

Where an ICU percentage is above those established in Section 14.4.1 or, as a result of proposed development, becomes greater than the adopted standard ~~and~~ **AND** has increased by more than 3 percent; a development application may be approved if the applicant proposes measures that fully mitigate the transportation impacts of the proposed development.

Proposed mitigation shall fully reduce the ICU percentage of the impacted intersection to either the adopted standard in Section 14.4.1 or to within 3 percent of the no-build ICU percentage.

Proposed mitigation measures ~~required~~ to meet the ICU percentage standards of Article 14.4.1 may be modified, subject to Town Board approval, in order to substantially achieve the intent of this ordinance with input provided by the Town Engineer.

A modification to the proposed mitigation, which may be considered by the Town Board as meeting the intent of the ordinance, is where proposed mitigation at an impacted intersection provides measurable and beneficial surplus capacity (above and beyond ~~that required to meet the minimum~~ **ICU percentage standards requirements**) such that the surplus capacity may be counted toward credit in the mitigation of other impacted intersections. The method of measurement considered in determining the acceptability of such modifications will be the net effect on the cumulative ICU percentage totals.

Proposed mitigation may also include the provision of funding for transportation improvements on planned or funded Town or NCDOT projects previously adopted such that the improvements can be advanced to mitigate the impacts of the proposed development. This funding mitigation may be accepted by the Town Board only where it is shown that such mitigation is a reasonable substitute for actual construction based on the ICU percentage totals and anticipated construction schedules of the projects. Proposed mitigation shall be included as a condition of approval.

Transportation improvements provided through mitigation, pursuant to this Article, shall be completed and available within three (3) years of the approval of the development proposal, unless expressly provided otherwise by the Town Board or other applicable Town permitting authority. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be secured by a performance guarantee at 115 percent of the cost ~~to complete~~ **to complete** of the remaining ~~required~~ improvement(s), as reviewed and approved by the Town Engineer. All necessary right-of-way for the ~~required~~ transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy, **whenever practicable.**

Mitigation measures shall be consistent with the Standards found within the Town of Huntersville TIA Process and Procedures Manual and the Town Engineering Standards and Procedures Manual.

Section 6. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.5.3b) of the **Zoning Ordinance** is hereby amended as follows:

Roadway and intersection improvements funded by the Town in the current year Capital Improvement Plan, NCDOT, or other party, scheduled to be completed ~~and available within three (3) years of the approval of the development proposal~~ or within the delivery portion of the current NCDOT State Transportation Investment Program (STIP) and which

either have or are reasonably certain to have all necessary governmental approvals and funding such that these timeframes can be met.

Section 7. That this ordinance shall become effective upon approval by the Huntersville Town Board.

**HUNTERSVILLE ORDINANCE ADVISORY BOARD:** September 2, 2021

**PUBLIC HEARING DATE:** October 4, 2021

**PLANNING BOARD MEETING:** October 26, 2021

**TOWN BOARD DECISION:** November 1, 2021

**AN ORDINANCE REPEALING ARTICLE 14 OF THE ZONING ORDINANCE AND AMENDING ARTICLES 9 AND 11 OF THE  
HUNTERSVILLE ZONING ORDINANCE**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that Article 14 of the Huntersville Zoning Ordinance is repealed, and Articles 9 and 11 of the Huntersville Zoning Ordinance is amended as follows:

Section 1. Article 14 of the Zoning Ordinance entitled "Traffic Impact Analysis (TIA)" is repealed in its entirety.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 9.23b of the **Zoning Ordinance** is hereby amended as follows:

~~b. That the proposed or existing use will be in compliance with the rules and regulations as established by Traffic Impact Analysis (TIA) Article 14.~~

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 11.6.1b4) of the **Zoning Ordinance** is hereby amended as follows:

~~4) if required under Article 14, no Traffic Impact Assessment has been approved by the Town.~~

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 11.6.2a) of the **Zoning Ordinance** is hereby amended as follows:

a) Site plans shall be required from applicants prior to issuance of any Permit (building, zoning, special use permit, variance) if deemed necessary by the Zoning Administrator to determine zoning compliance. ~~If required by Article 14, a Traffic Impact Assessment shall be submitted with the residential or nonresidential site plan.~~

Section 5. That this ordinance shall become effective upon approval by the Huntersville Town Board.

**HUNTERSVILLE ORDINANCE ADVISORY BOARD:** September 2, 2021

**PUBLIC HEARING DATE:** October 4, 2021

**PLANNING BOARD MEETING:** October 26, 2021

**TOWN BOARD DECISION:** November 1, 2021

**ARTICLE 14: TRAFFIC IMPACT ANALYSIS****14.1 Overview**

To lessen congestion in the streets and to facilitate the efficient and adequate provision of transportation and other public services pursuant to N.C.G.S § 160D-701, proposed development plans shall be subject to a determination of the sufficiency of infrastructure as defined by predetermined levels of service in accordance with this Article.

When a Traffic Impact Analysis (TIA) is required to determine the sufficiency of infrastructure pursuant to Section 14.2, the TIA will be prepared by a qualified traffic engineering consultant retained by the applicant or petitioner and reviewed and approved by the Town.

Infrastructure shall be considered sufficient where it is demonstrated to have available capacity to accommodate the demand generated by the proposed development, as well as other approved developments and the Comprehensive Transportation Plan.

Pursuant to subsection 14.4.2, when infrastructure is determined to have insufficient capacity to accommodate the demand generated by the proposed development, the applicant or petitioner may propose to mitigate the impact of the development by constructing, or providing sufficient funding for the construction of, infrastructure or facilities necessary to provide sufficient capacity to accommodate the development. The commitment to construct or fund the construction of infrastructure or facilities shall be included as a condition of development.

**14.2 Applicability****14.2.1 Generally.**

- a) A TIA is required for any development or portion thereof, which is expected to create one hundred ~~fifty (15000)~~ or more peak hour vehicle trips or one thousand ~~five hundred (1,500000)~~ or more daily vehicle trips except as provided in subsections (c) through (f) below or when road improvements are excluded by North Carolina State Law. Daily trips are those occurring on peak days on the roadway adjacent to the proposed development, based on the current edition of the ITE (Institute of Transportation Engineers) Trip Generation Manual, with the exception of public and private schools which will be based on the [North Carolina Department of Transportation's \(NCDOT's\)](#) most recent MSTa School Traffic Calculator. Alternative trip generation rates/equations for non-standard uses may be utilized subject to Town Engineering staff approval. The Town Engineer may waive the TIA requirement set forth herein when a TIA is required by NCDOT and completed pursuant to NCDOT standards.
- b) The determination of the number of trips generated also shall take into account pass-by trips, internal trip capture for integrated mixed-use projects (e.g., roadway and/or pedestrian connectivity) and any proposed transportation demand management system where adequate warranties are provided by the applicant to the Town, which ensure the proposed demand management system will function as proposed for the life of the project. In addition, if the proposed development is designed and integrated with an adjacent mixed-use project, a credit for trips may be permitted.
- c) For redevelopment projects, including changes of use, trip generation thresholds shall be defined as the number of net new trips anticipated to be generated by the proposed development over and above the number of trips generated by the current use of the site.
- d) Where a development is expected to generate less than one hundred ~~fifty (15000)~~ peak hour trips, but is anticipated to adversely impact intersections within the Town, a TIA may be required as determined by the Town Engineer.

## ARTICLE 14

## TRAFFIC IMPACT ANALYSIS

- e) No TIA shall be required for special events, which either are temporary in nature, consistent with the Town Zoning Ordinance, or which generate trips that meet or exceed the thresholds set forth in (a), but which do not occur during the peak hours of the roadways adjacent to the proposed development.
- f) A “Determination of Need” for a TIA shall be made by the Town in accordance with the trip generation standards set forth in subsection 14.2.1. (See the *Town of Huntersville TIA Process and Procedures Manual* for additional information.).
- g) Nothing herein shall prohibit the Town from determining the sufficiency of infrastructure as defined by the predetermined levels of service in accordance with this Article, regardless of whether the thresholds set forth above for requiring a TIA have been met.
- h) The provisions of this Article shall not be interpreted or deemed to affect any rights that have vested prior to the effective date of this Article, nor shall any provision of this Article be applied to a specific property or applicant in a manner that would result in a taking of property.
- i) The provisions of this Article shall not apply to any development proposal that was part of a conditional zoning plan or subdivision plan submitted prior to the effective date of this Article.

**Commented [ES1]:** Will need to be updated as necessary to align with any changes adopted in this Article.

### 14.2.2 Consecutive or Sequential Applications.

Proposed developments may not be phased or subdivided in piecemeal fashion to avoid application of this Article. Two or more developments represented to be separate developments shall be aggregated and treated as a single development under this Article if the Administrator determines them to be part of a unified plan of development and physically proximate to one another, based on the following factors:

- a) There is unified ownership, indicated by the fact that:
  - 1) The same person has retained or shared control of the developments;
  - 2) The same person has ownership or a significant legal or equitable interest in the developments; or
  - 3) There is common management of the developments controlling the form of physical development or disposition of parcels of the development.
- b) There is a reasonable closeness in time between the completion of eighty (80) percent or less of one development and the submission to the Town of a development proposal for a subsequent development that is indicative of a common development effort.
- c) The voluntary sharing of infrastructure that is indicative of a common development effort or is designated specifically to accommodate the developments.
- d) There is a common advertising scheme or promotional plan in effect for the developments.
- e) Any information provided by the applicant that the project is not being phased or subdivided to avoid the requirements of this Article.

### 14.2.3 TIA Submission and Completion Requirement

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA scoping. ~~Once the TIA scoping is complete, the applicant may proceed with the TIA study report.~~ in accordance with the terms of the most recent version of the *Town of Huntersville TIA Process and Procedures Manual*, as approved by the Town Engineer and all applicable Zoning Ordinance and Subdivision Ordinance requirements. The draft TIA shall be submitted to Town staff 30 days prior to either the Town Board Public Hearing (for rezoning cases) or the Planning Board Meeting (subdivisions). Resubmittals of TIAs ~~are to be received~~ shall be submitted a minimum of 20 business days prior to the scheduled Town Board final action. The final sealed TIA shall be completed and accepted by Town staff prior to final action by the Town Board or permit issuing authority.

14.3 Impact Study Area

The impact study area designates the intersections for a TIA study where potential increases in traffic from the development may cause degradation of levels of service. Where traffic from the proposed development is anticipated to increase a signalized or major unsignalized intersection single approach by ~~30-40~~ vehicles in a peak hour or increase the total of all approaches by ~~50-70~~ vehicles in a peak hour, the intersection shall be studied in the TIA. Should an intersection be considered at its ultimate buildout laneage or configuration or within the delivery portion of the current NCDOT State Transportation Investment Program (STIP) prior to final action taken by the Town Board, the Town Engineer may waive the requirement to include the intersection for study in the TIA.

14.4 Intersection Capacity Utilization Percentage Standards; Mitigation; Compliance; Excess Capacity

14.4.1 Intersection Capacity Utilization Percentage Standards

The following Intersection Capacity Utilization (ICU) percentage standards, measured using the most recent methodology, shall be used when determining the adequacy of intersections within the applicable impact area:

| Zoning District        | Adopted ICU Percentage* |
|------------------------|-------------------------|
| Rural and TR Districts | 73.0 (LOS C)            |
| Town Center and TOD    | 91.0 (LOS E)            |
| All other Districts    | 82.0 (LOS D)            |

*\*ICU percentage relates to the relative capacity of an intersection to accommodate vehicular traffic where a value of 100 percent means that the intersection is at capacity and likely experiences congestion periods of 60 minutes.*

Where an intersection is located within more than one zoning district, the less restrictive ICU percentage shall apply to the entire intersection for purposes of complying with this Article.

14.4.2 Mitigation

Infrastructure shall be considered sufficient if the ICU percentage is at or below those established in Section 14.4.1 or when, as a result of proposed development, an increase in the ICU percentage is three (3) percent or less.

Where an ICU percentage is above those established in Section 14.4.1 or, as a result of proposed development, becomes greater than the adopted standard ~~and~~AND has increased by more than 3 percent; a development application may be approved if the applicant proposes measures that fully mitigate the transportation impacts of the proposed development.

Proposed mitigation shall fully reduce the ICU percentage of the impacted intersection to either the adopted standard in Section 14.4.1 or to within 3 percent of the no-build ICU percentage.

Proposed mitigation measures ~~required~~ to meet the ICU percentage standards of Article 14.4.1 may be modified, subject to Town Board approval, in order to substantially achieve the intent of this ordinance with input provided by the Town Engineer.

## ARTICLE 14

## TRAFFIC IMPACT ANALYSIS

A modification to the proposed mitigation, which may be considered by the Town Board as meeting the intent of the ordinance, is where proposed mitigation at an impacted intersection provides measurable and beneficial surplus capacity (above and beyond ~~that required to meet~~ the minimum ICU percentage standards requirements) such that the surplus capacity may be counted toward credit in the mitigation of other impacted intersections. The method of measurement considered in determining the acceptability of such modifications will be the net effect on the cumulative ICU percentage totals.

Proposed mitigation may also include the provision of funding for transportation improvements on planned or funded Town or NCDOT projects previously adopted such that the improvements can be advanced to mitigate the impacts of the proposed development. This funding mitigation may be accepted by the Town Board only where it is shown that such mitigation is a reasonable substitute for actual construction based on the ICU percentage totals and anticipated construction schedules of the projects. Proposed mitigation shall be included as a condition of approval.

Transportation improvements provided through mitigation, pursuant to this Article, shall be completed and available within three (3) years of the approval of the development proposal, unless expressly provided otherwise by the Town Board or other applicable Town permitting authority. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be secured by a performance guarantee at 115 percent of the cost ~~to complete~~ of the remaining ~~required~~ improvement(s), as reviewed and approved by the Town Engineer. All necessary right-of-ways for the ~~required~~ transportation improvements shall be acquired prior to the issuance of a Certificate of Occupancy, whenever practicable.

Mitigation measures shall be consistent with the Standards found within the Town of Huntersville TIA Process and Procedures Manual and the Town Engineering Standards and Procedures Manual.

### 14.4.3 Compliance

- a) If the ICU percentage for an impacted intersection is greater than the adopted ICU percentage identified in Section 14.4.1 or, as a result of the proposed development, is anticipated to be greater than the adopted ICU percentage in Section 14.4.1, no application or petition subject to the requirements of this Article shall be approved unless the applicant or petitioner proposes sufficient mitigation of the impact of the proposed development. This determination shall be based on methodology identified in section 14.4.2
- b) In the alternative to mitigation, the developer may elect to phase the project, reduce its intensity, or delay the project until the ICU percentage standards have been met as a result of a constructed transportation improvement by the Town, NCDOT or other party.

## 14.5 Contents of TIA

### 14.5.1 General.

TIAs shall generally follow the guidelines set forth by the ITE's publication entitled *Transportation Impact Analysis for Site Development* and be consistent with the *Town of Huntersville TIA Process and Procedures Manual*, or guidelines as required by the Town Engineer, and may include, but are not limited to, the following:

- a) traffic analysis information related to trip generation, peak hour impacts, and other factors evaluated to determine compliance with applicable ICU percentage standards for intersections within the impact area;
- b) site location map and site layout;
- c) existing and proposed land uses;
- d) timing and phasing of the proposed development, by month and/or year;
- e) a narrative describing the project, including any special transportation-related impacts or considerations; and
- f) other information determined by the Town's Traffic Engineer to be necessary in order to determine whether the proposed project complies with the requirements of this Article and the requirements of the ITE guidelines for the preparation of transportation impact analysis for site development.

### 14.5.2 Demand Measures. TIAs shall take into account the following demand factors:

- a) Existing traffic volumes;
- b) Background traffic, including, historical growth traffic and projected trips associated with approved, but unbuilt development(s); and
- c) The trips to be generated by the proposed development.

### 14.5.3 Capacity Measures. TIAs shall take into account the following existing or anticipated capacity measures:

- a) Existing road segments and intersections;
- b) ~~Roadway and intersection improvements funded by the Town in the current year Capital Improvement Plan, NCDOT, or other party, scheduled to be completed and available within three (3) years of the approval of the development proposal,~~ or within the delivery portion of the current NCDOT State Transportation Investment Program (STIP) and which either have or are reasonably certain to have all necessary governmental approvals and funding such that these timeframes can be met.

### 14.5.4 Description.

TIAs shall describe what, if any, transportation facility improvements within the impact area are needed in order for the proposed development to comply with Section 14.4 of this Article. A TIA that does not identify the transportation facility improvements within the impact area to comply with Section 14.4 will be returned to the applicant or petitioner as incomplete.

## 14.6 Intergovernmental Coordination

While the Town coordinates with NCDOT and other appropriate governmental agencies on development proposals, it is the responsibility of the applicant or petitioner to contact NCDOT to discuss access and traffic impact issues on state roads.

#### **14.7 Appeals and Variances**

An applicant may seek a variance from the terms of this Article or appeal a determination by the Zoning Administrator or other administrative official-, made pursuant to the terms of this Article, to the Board of Adjustment, as provided in Article 11.3 of the Zoning Ordinance.

# Traffic Impact Analysis

9-2-2021 HOAB

# What can TIAs help us find?

- ▶ A way to quantify the traffic impacts of a new development
- ▶ Compare traffic for different development proposals



# What are we looking to find?



- ▶ Are improvements needed to impacted **intersections**
- ▶ If improvements are needed, what are they

# Changes Summary

- ▶ Raise the threshold to complete a TIA to 150 peak hour or 1,500 daily trips
- ▶ Town Engineer may waive Town TIA if NCDOT is requiring a TIA
- ▶ Raise the threshold for intersections to be studied

OR

- ▶ Not require a TIA for the Town

| Development Name               | AM Trips | PM Trips | Mitigation Required per Article 14 |
|--------------------------------|----------|----------|------------------------------------|
| Ranson Residential             | 76       | 100      | No                                 |
| Cook Farm Subdivision          | 77       | 101      | No                                 |
| Cato Subdivision               | 85       | 113      | No                                 |
| Oak Grove Hill (Carver)        | 88       | 118      | No                                 |
| NVR Asbury Chapel Subdivision  | 94       | 124      | No                                 |
| McIlwaine Subdivision          | 97       | 128      | Yes                                |
| Northbrook                     | 109      | 144      | No                                 |
| Burkert                        | 116      | 121      | No                                 |
| Barnette Tract Subdivision     | 127      | 168      | Yes                                |
| Kurz Phase 1                   | 135      | 131      | No                                 |
| Spring Grove                   | 105      | 141      | Yes                                |
| Magnolia Walk Subdivision      | 149      | 191      | No                                 |
| Phoenix Montessori School      | 150      | 142      | No                                 |
| Hambright Subdivision          | 175      | 228      | No                                 |
| 77 Huntersville Professional   | 176      | 179      | Yes                                |
| Sam Furr Daycare               | 176      | 178      | Yes                                |
| Huntersville Town Center       | 178      | 311      | Yes                                |
| Thrive Athletics               | 190      | 161      | Yes                                |
| Valencia Subdivision           | 213      | 274      | Yes                                |
| Neon at the Park Apartments    | 243      | 240      | No                                 |
| Northstate Mixed Use           | 244      | 217      | Yes                                |
| Jamesburg Industrial           | 279      | 279      | Yes                                |
| 7-Eleven                       | 290      | 242      | Yes                                |
| Caldwell Crossing              | 297      | 265      | Yes                                |
| Walden                         | 300      | 378      | Yes                                |
| Sports Village                 | 377      | 734      | Yes                                |
| Statesville Road Mixed Use     | 430      | 461      | Yes                                |
| Vermillion Village             | 537      | 747      | Yes                                |
| Lake Norman Charter Elementary | 605      | 392      | Yes                                |

NCDOT  
required TIA

7/18/2021

## Offsite Improvements by Developers

| Year Approved | Development Name                       | Improvement                                                                    | Built |
|---------------|----------------------------------------|--------------------------------------------------------------------------------|-------|
| 2009          | Huntersville Town Center               | northbound left-turn lane on NC 115 at Gilead/Huntersville-Concord             | Yes   |
|               |                                        | southbound right-turn lane on US 21 at Gilead                                  | Yes   |
| 2013          | Valencia                               | northbound right-turn lane on NC 115 at Holbrooks Rd                           | Yes   |
| 2014          | 77 Huntersville Professional           | add second southbound left-turn lane on US 21 at NC 73                         | Yes   |
|               |                                        | add second northbound left-turn lane on US 21 at NC 73                         | Yes   |
| 2014          | Walden Subdivision                     | northbound left-turn lane on Asbury Chapel at Huntersville-Concord             | No    |
|               |                                        | eastbound right-turn lane on Huntersville-Concord at Asbury Chapel             | No    |
|               |                                        | eastbound left-turn lane on Huntersville-Concord at Ferrelltown Parkway        | Yes   |
| 2015          | Arrington Subdivision (Barnette Tract) | westbound right-turn lane on Gilead at Bud Henderson Escrow                    | Yes   |
| 2016          | Farrington Subdivision (McIlwaine)     | southbound right-turn lane on McCoy at McIlwaine                               | Yes   |
|               |                                        | westbound right-turn lane on Hambright at McCoy                                | Yes   |
| 2016          | Lake Norman Charter Elementary         | southbound left-turn lane on Mt Holly Huntersville at US 21 Southbound ramp    | Yes   |
|               |                                        | eastbound and westbound right-turn lanes on Hambright at Mt Holly Huntersville | Yes   |
|               |                                        | eastbound and westbound left-turn lanes on Hambright at US 21                  | Yes   |
| 2016          | Cato Subdivision                       | eastbound right-turn lane on Huntersville-Concord at Hiwasee                   | Yes   |
|               |                                        | westbound left-turn lane on Huntersville-Concord at Ferrelltown Parkway        | Yes   |
| 2017          | Huntersville Sports Village            | northbound left-turn lane on McCoy at McIlwaine                                | No    |
|               |                                        | eastbound and westbound left-turn lanes on Hambright at Mt Holly Huntersville  | No    |
|               |                                        | extend northbound left-turn lane on Mt Holly Huntersville at Hambright         | No    |
|               |                                        | westbound right-turn lane on Hambright at McCoy                                | No    |
| 2019          | Birkdale Mixed Use                     | southbound left-turn lane on Beatties Ford at Gilead                           | No    |
| 2019          | Thrive Athletics                       | eastbound left-turn lane on Hambright at Mt Holly Huntersville                 | No    |
|               |                                        | westbound left-turn lane on Hambright at Mt Holly Huntersville                 | No    |
| 2020          | Jamesburg Industrial (Phase 2)         | add second westbound left on NC 73 at Northcross Center Court                  | Yes   |
| 2020          | Northstate Mixed Use                   | southbound right-turn lane on NC115 at Gilead/Huntersville Concord             | No    |
| 2021          | Statesville Road Mixed Use (Phase 1)   | eastbound right-turn lane on Hambright at Statesville                          | No    |
|               | (Phase 1)                              | westbound right-turn lane on Hambright at Statesville                          | No    |
|               | (Phase 2)                              | northbound through lane on US 21 to extend to Alexandriana                     | No    |
|               | (Phase 2)                              | eastbound right-turn lane on Alexandriana at US21                              | No    |
|               | (Phase 2)                              | northbound right-turn lane on Mt Holly Huntersville at Hambright               | No    |
| 2021          | Sam Furr Daycare                       | second northbound left-turn lane on NC115 at NC73                              | No    |
| 2021          | Vermillion Village                     | southbound left-turn phasing on NC115 at Gilead                                | No    |

# Changes Summary

- ▶ Raise the threshold to complete a TIA to 150 peak hour or 1,500 daily trips
- ▶ Town Engineer may waive Town TIA if NCDOT is requiring a TIA
- ▶ Raise the threshold for intersections to be studied

OR

- ▶ Not require a TIA for the Town

## **AN ORDINANCE TO AMEND SECTION 6 OF THE HUNTERSVILLE SUBDIVISION ORDINANCE**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 6 of the Subdivision Ordinance is hereby amended as follows:

Section 1. Section 6.200(19) shall be amended to read as follows:

### ***19. Impact of Development on Public Facilities***

When reviewing certain subdivisions, the town shall consider the impacts the proposed development will have on public facilities in light of the requirements of Section 6.300(13) and ~~Article 14 of the Town Zoning Ordinance~~, as applicable. The developer shall demonstrate the proposed subdivision does not adversely affect the health, safety and welfare of the community, and where applicable, the developer may provide mitigation measures to minimize adverse impacts. Examples of mitigation measures include altering development layout and plans, providing improvements at nearby intersections to address impacts of that development (not existing deficiencies), and providing street connections to adjoining property for safe and efficient movement of traffic, as further provided in Section 6.300(13) and ~~Article 14 of the Zoning Ordinance~~.

Section 2. Section 6.300(13) shall be amended to read as follows:

### **13. ~~Traffic Impact Assessments~~; Physical Analysis.**

- ~~1. a Traffic Impact Assessment for certain subdivisions, as required by Article 14 of the Town Zoning Ordinance, which is hereby incorporated by this reference.~~
- ~~2.~~1. for developments of twenty (20) or more residential units or equivalent traffic generation a Physical Analysis (type of units expected including number of bedrooms, projected values, size and timing of phases, etc.).

Section 3. Section 6.850 shall be amended to read as follows:

### **~~6.850 TRAFFIC IMPACT ASSESSMENTS~~**

~~Where required, Traffic Impact Assessment shall be provided by the applicant, in accordance with Article 14 of the Town Zoning Ordinance, which are incorporated by this reference.~~

Section 4. That this ordinance shall become effective upon approval by the Huntersville Town Board.

**HUNTERSVILLE ORDINANCE ADVISORY BOARD:** September 2, 2021

**PUBLIC HEARING DATE:** October 4, 2021

**PLANNING BOARD MEETING:** October 26, 2021

**TOWN BOARD DECISION:** November 1, 2021



## Text Amendment Application

Date of Application August 26, 2021

### Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

### Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

### Description of Change

Proposed text amendment will affect the following:

Ordinance(s): Zoning Article(s): 8 Section(s): 8.25.10

Current Ordinance

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Proposed Text

See Attached

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Reason for Proposed  
Change

See Attached

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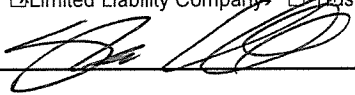
Attach additional pages if needed.

**NOTE:** If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

## Applicant

Printed Name Sherrie Chaffin / Trinity Capital Advisors, LLC

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_

Signature  Date 8/26/21

Title Director of Development Email sls@trinitycapitaladvisors.com

Address of Applicant 440 S. Church Street, Suite 800, Charlotte, NC 28202

## Property Owner (if different than applicant)

\* Printed Name \_\_\_\_\_

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Email \_\_\_\_\_

Address of Property Owner \_\_\_\_\_

\* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

## Contact Information

Town of Huntersville  
Planning Department  
PO Box 664  
Huntersville, NC 28070

Phone: 704-875-7000  
Fax: 704-875-6546  
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078  
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

## 8.25. 10 ATTACHMENT TO TEXT AMENDMENT

### **ORDINANCE: Huntersville Zoning Ordinance**

#### **Sections:**

Section 8.25.10 Buffer Impacts Permitted Under Section 8.25, S.W.I.M.

**Party Proposing the Amendment:** Trinity Capital Advisors, LLC

#### **Reason for Requested Change:**

1. The proposed amendment is consistent with the Purposes of the Huntersville Zoning Ordinance ( the “Ordinance”) as set forth in Article 1.2 which states that the purpose of the zoning regulations is to encourage the most appropriate use of land throughout the corporate area in accordance with the Huntersville Community Plan and other adopted long range plans for the Town of Huntersville.
2. The proposed amendment is consistent with the Vision Statement, 2040 Town of Huntersville Community Plan, by, among other things, helping to provide meaningful economic development, balance the tax base, attract target industries, and provide more opportunities for people to work in Huntersville due to expansion of the industrial and commercial base.
3. The proposed amendment is consistent with the Policy Recommendations, 2040 Town of Huntersville Community Plan, by facilitating industrial and commercial growth in areas that are suitable for business and industrial development.
4. The proposed amendment is consistent with the Policy Recommendations, 2040 Town of Huntersville Community Plan, because the amendment improves a development standard that supports business growth.
5. The proposed amendment adds the Protected Area (PA2) of the Mountain Island Lake Watershed Overlay District (MIL District) to Section 8.25.10 and allows, as part of a conditional zoning, the Board of Commissioners to approve a modification of perennial tributary buffers in the PA2 areas of the MIL District which drain less than 50 acres, without a variance as long as one of the nine mitigation techniques set forth in Subsection 11(b) are implemented.
6. Section 3.3.2, Mountain Island Lake Watershed Overlay District, imposes additional buffer restrictions on property that is located in the critical and protected areas of the overlay district. The PA2 of the MIL District is the larger, less restricted area of the overlay district and, as such, a significant amount of property that is designated for Corporate Business in the Community Plan is in the PA2. The PA2 area has fewer restrictions than critical areas because the risk of water quality degradation from pollution is less in the protected areas than in the critical areas. This amendment will allow for industrial and commercial buildings in the Corporate Business, PA2 of the MIL District, that are shown in the 2040 Community Plan as preserved for industrial and commercial businesses, to be built without being required to reduce the size of the building, or not built at all, due to a perennial tributary. Mitigation is still required.

#### **Proposed Changes to the Ordinance:**

In order to accomplish this purpose, the Applicant proposes the following changes to the Ordinance:

2. Amend Section 8.25.10 Buffer Impacts Permitted under Section 8.25, S.W.I.M., by adding the underlined section to .10:

The following buffer impacts are permitted, but design and construction shall comply with the specifications provided in the Charlotte-Mecklenburg Buffer Implementation Guidelines for stabilization of disturbed areas to minimize negative effects on the quality of surface waters.

- Near perpendicular (75° or greater) road crossings for connectivity or transportation links where the Town of Huntersville has granted site plan approval.
- Near perpendicular (75° or greater) utility crossings as approved by Charlotte-Mecklenburg Utilities.
- Parallel water and sewer utility installation as approved by Charlotte-Mecklenburg Utilities, where a logical and appropriate basis for the impact is demonstrated, where disturbance of the Stream Side Zone is minimized to the maximum extent practicable, and where guidelines for restoring vegetation within buffers disturbed as a result of parallel utility installation are met. These guidelines are specified in the Charlotte-Mecklenburg Buffer Implementation Guidelines.
- Public paths and trails parallel to the creek outside the Stream side Zone and near perpendicular stream crossings in any zone. Pathways must use existing and proposed utility alignments or previously cleared areas and minimize tree cutting to the maximum extent practicable. To the extent possible, pathways shall preserve existing drainage patterns and avoid drainage structures that concentrate stormwater.
- Incidental drainage improvements/repairs for maintenance.
- Individual pedestrian paths connecting homeowners to the stream in the form of narrow, pervious footpaths with minimal tree disturbance.
- New domesticated animal trails (farming) where existing trails are lost as a result of action beyond the farmer's control. Stream crossings should be constructed to minimize impacts to the Stream Side Zone and be maintained with fencing perpendicular to and through the buffer to direct animal movement.
- Mitigation approved by a state or federal agency acting pursuant to Sections 401 or 404 of the federal Clean Water Act.
- In the Corporate Business Zoning District as part of an approved conditional zoning, the Board of Commissioners may approve a modification to an intermittent stream buffer and perennial stream buffer draining under 50 acres without a variance subject to implementing one of the nine mitigation techniques in Subsection 11(b) below
- In the event the property is also in the Protected Area (PA2), of the Mountain Island Lake Watershed Overlay District, as defined in Section 3.3.2, and as part of an approved conditional zoning in the Corporate Business Zoning District, the Board of Commissioners may approve a modification to a perennial stream buffer draining under 50 acres without a variance subject to implementing one of the nine mitigation techniques in Subsection 11(b) below.

## Potential Text Amendment Checklist (Matt Jones)

1. Legal review (what is the source of authority and does it comply with statute and or case law)
2. Can it be equally applied?
3. Does it increase/decrease development costs?
4. What is its potential impact on housing affordability?
5. What is the estimated fiscal impact to the town?
6. Does it increase/decrease administrative burden of staff?
7. Does it bear substantial relation to public health, safety, morals or welfare?
8. It is flexible and adaptive?
9. Does it impact the free use of real property and the right to improve one's property?
10. What is the potential impact on developed and undeveloped property values?

# Text Amendments 2015-2020

## 2015

- TA15-01 Article 7.10 Urban Open Space TOD-R (Bryton)
- TA15-02 Article 4 - Attached House (Bryton)
- TA15-03 Article 7.7.3(a) - Residential lot trees
- TA15-04 Article 7.4 Specimen Tree Save Mitigation
- TA15-05 Temporary Mobile Food Sales (SP)
- TA15-06 Design Standards
- TA15-07 Article 9.37.2 Update Temporary Mobile Food Sales Condition

## 2018

- Boarding and Rooming in GR (Withdrawn)
- St Marks Accessory Use (Withdrawn)
- TA 18-01 Article 5 (and others) Update
- TA 18-02 Sketch Plan & Conditional Rezoning
- TA 18-03 Hotel Height
- TA 18-04 TIA for Schools
- TA 18-05 Catering with Agri-tourism
- TA 18-06 Hotel Height (in CB)
- TA 18-07 Planning Board and Board of Adjustment Term...
- TA 18-08 Raise TIA Threshold
- TA 18-09 Add Kudzu & bamboo to nuisance list
- TA 18-10 Expedited Subdivision Review
- TA 18-11 Multi-Family in CB

## 2016

- TA - Article 5 Overhaul (picked back up as TA 18-01)
- TA 16-01 Protest Petition
- TA 16-02 Home Occupations in HC, CB, CI, and TOD-E
- TA 16-03 SWIM Buffer Appeals and Variances
- TA 16-04 Site Lighting
- TA 16-05 Indoor Recreation in SP
- TA 16-06 Bonafide Farm Definition
- TA 16-07 TR Lot Minimums
- TA 16-08 Civic Monument Lighting
- TA 16-09 MTC Advertising
- TA 16-10 Landscaping of Parking Lots
- TA 16-11 Traffic Impact Analysis

## 2019

- TA19-01 Driving Ranges in Rural
- TA19-02 Metal Workplace Bldg
- TA19-03 Nonconforming Lots
- TA19-04 LUESA Changes
- TA19-05 Temp Mobile Food in NC
- TA19-06 Farmhouse Cluster Gates
- TA19-07 CB and SP Wall Signs
- TA19-08 NVR 100% Attached in HC
- TA19-09 SWIM Buffer BMPs
- TA19-10 Pool Setbacks

## 2017

- TA 17-01 Nature Preserve Parking
- TA 17-02 Electronic Message Boards
- TA 17-03 Planning Board Term Limit, PB Deferrals and TR Sideyard Setback
- TA 17-04 Watershed Exemption
- TA 17-05 LCID Landfills
- TA 17-06 Open Space
- TA 17-07 Water Quality Amendment
- TA 17-08 Building Access
- WITHDRAWN Apartment Building Height

## 2020

- TA 20-01 Specimen and Tree Save Mitigation
- TA 20-02 PB Deferral
- TA 20-03 Banquet Facility
- TA 20-04 SB 355 Part 1
- TA 20-05 Rural Lot Size
- TA 20-06 Apartment Height
- TA 20-07 100% Attached HC Parcels-Barnes
- TA 20-08 TIA Adjustments

## 2021

- TA 21-01 160D Amendments
- TA 21-02 Adequate Public Facilities Ord...
- TA 21-03 Duplexes in HC (Withdrawn.....)
- TA 21-04 Tree Mitigation Process
- TA 21-05 Metrolina Greenhouses
- TA 21-06 Detached Garages in FC
- TA 21-07 Metal Panel
- TA 21-08 SWIM Buffers (TOH) - Delineation
- TA 21-09 CB SWIM Buffers - Modification
- TA 21-10 CB Buffer Flexibility
- TA 21-11 SUP Hearing Requirements

# Ordinance Advisory Board

## TRAINING MATERIALS

- Text Amendments and Conflicts of interest

TOWN OF HUNTERSVILLE

2021

# Preliminary Matters

- ▶ Opening Meetings Law: Ordinance Advisory Board is subject to the open meetings law.
  - Applies anytime a majority of the Board gather, whether in person, or electronically to conduct public business.
  - Meeting must be open to public.
  - Must gather full and accurate minutes of the meeting.
  - Also subject to public records request.

# Ordinance Advisory Board Role

- ▶ Primary Role- To advise the Town Board on amendments to the zoning and subdivision ordinance
  - ▶ Review and make recommendations to Town planning processes
  - ▶ Other zoning/subdivision ordinance related matters as directed by the Town Board or Planning Board

# Initiating text amendments to the Board

- ▶ There are 3 ways to initiate an amendment to the zoning or subdivision ordinance
  - ▶ i) By the Town Board, the Planning Board, or the HOAB
  - ▶ ii) The property owner filing an official petition
  - ▶ iii) Someone other than the property owner filing an official petition
- ▶ It is key that the Board itself is the proper entity to initiate a text amendment
- ▶ If a member of the HOAB wishes to propose a text amendment, the Board must first vote whether to add that items to the agenda
- ▶ If a member of the public reaches out to you, you should direct them to the planning staff to file an official petition

# Process to propose a text amendment

- ▶ The process for an individual of the HOAB to propose a text amendment is as follows:
  - ▶ i) That HOAB member has an idea for a text amendment to the zoning/subdivision ordinance that he or she believes will help the Town as a whole
  - ▶ ii) That member proposes the amendment to the planning staff along with associated reasoning behind the amendment
  - ▶ iii) Staff shall introduce the proposed amendment during a meeting of the HOAB along with the reasoning
  - ▶ iv) The Board shall vote whether the amendment shall be added to the agenda for the next meeting for further discussion

# Conflicts of Interest

- ▶ Members shall not vote on any advisory or legislative decision regarding a development regulation adopted where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- ▶ Members shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.
  - ▶ Members must disclose these conflicts before a hearing and may be excused from voting.

# Conflicts of Interest continued

- ▶ With the understanding that Members of the HOAB serve private employers who may directly relate to any zoning or subdivision revision, Members should not introduce amendments as a conduit for the business
- ▶ A company may file an official petition with the planning staff for a text amendment
- ▶ HOAB Members should not introduce text amendments for their own gain or benefit
- ▶ If proposed by a Member, text amendments are to benefit the Town, as a whole
- ▶ Amendments should not be introduced only to benefit a neighbor, employer, or certain zoning ideologies
- ▶ Adhere to the Town's code of ethics (provided as an attachment here)

# Voting

- ▶ All Ordinance Advisory Board decisions are advisory and require a simple majority.
- ▶ Based on the 9-member makeup of the board, it requires 5 members to reach the simple majority.
- ▶ This calculation will only change if the Board has a vacancy or if a Member has a conflict. Absent members do not change the voting requirements.