

**TOWN OF HOPE MILLS
BOARD OF COMMISSIONERS SPECIAL JOINT MEETING WITH
CUMBERLAND COUNTY PLANNING & INSPECTION
THURSDAY, MARCH 8, 2018, 12:00 P.M.
WILLIAM F. "BILL" LUTHER, JR. & DORIS LUTHER MEETING ROOM
TOWN HALL**

GOVERNING BOARD MEMBERS PRESENT

Mayor Jackie Warner, Mayor Pro Tem Mike Mitchell, Commissioners Jessie Bellflowers, Meg Larson and Jerry Legge.

GOVERNING BOARD MEMBERS ABSENT

Commissioner Pat Edwards.

STAFF PRESENT

Town Manager Melissa Adams, Interim Town Clerk Deborah Holland, Finance Director Drew Holland, Inspections Ray Reeves, Public Works Director Hector Cruz, Stormwater Administrator Beth Brown and Planning & Development Administrator Chancer McLaughlin. Also present was Administrative Assistant Tiffany Gillstedt and the following Cumberland County Planning Staff: Patti Speicher, Tom Lloyd, Betty Lynd, Tracy Jackson, Pat Hall, Cecil Combs and Charles Morse.

1. CALL TO ORDER.

Mayor Jackie Warner called the Special Joint meeting of the Hope Mills Board of Commissioners with Cumberland County Planning & Inspection to order on Thursday, March 8, 2018 at 12:15 p.m.

2. INVOCATION.

The invocation was led by Finance Director Drew Holland.

3. PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Mayor Jackie Warner.

4. PRESENTATIONS:

a. Cumberland County Planning and Inspections

Tom Lloyd, Planning Director of Cumberland County Planning and Inspections presented a PowerPoint slideshow featuring the application and notification process for planning and zoning.

6. QUESTIONS/DISCUSSION OF PRESENTATION.

Commissioner Legge inquired if Cumberland County Planning takes the Town of Hope Mills recommended standards for sidewalks and streets into consideration when submitting subdivision reviews. Mr. Lloyd responded Cumberland County does not negate any Town standards; they are required to adhere to the Town's standards and conditions.

Commissioner Legge spoke in reference to the streets in Valley End subdivision not being up to Town standards and whether the county can enforce they be brought to Hope Mills standards. Mr. Lloyd responded Cumberland County Planning does not enforce streets; North Carolina Department of Transportation is responsible for enforcing streets. Mr. Lloyd commented a developer may complete three-quarters of a subdivision but cannot complete the other twenty-five percent until North Carolina Department of Transportation accepts the streets.

Commissioner Larson commented many of the areas Hope Mills is trying to annex in or has already done so are to county standards but not the Town's. Commissioner Larson inquired if Cumberland County Planning is able to create an ordinance that pertains to Hope Mills Municipal Influence Area Standards. Mr. Lloyd responded a mechanism in the form of a punch list is in place. Mr. Lloyd clarified a developer seeking a permit that meets the standards of the county cannot be denied based on Hope Mills' standards.

Development & Planning Administrator Chancer McLaughlin commented North Carolina Department of Transportation has informed Town staff they are not checking the streets and verifying they are up to Town standards. Patti Speicher responded a developer cannot obtain a permit for the remaining twenty-five percent of a subdivision if the streets are not to standard and all punch list items are not approved. Town Manager Adams requested a copy of a punch list.

Cecil Combs commented if the Town's issues are regarding roads, they need to contact the Department of Transportation as Cumberland County Planning cannot address those issues.

Mr. McLaughlin reiterated the Department of Transportation has informed staff they are not checking the roads to ensure they meet Town standards. Patti Speicher responded the Department of Transportation submits completed punch lists to the county and commented their contact is Earl Walker.

Mr. Lloyd commented Cumberland County Planning has transmittal forms in their files they may begin submitting for the Town's review. Mr. McLaughlin inquired what the transmittal refers to. Patti Speicher responded the transmittal contains the punch list with all items needed for further review.

Patti Speicher inquired which member of North Carolina Department of Transportation informed Town staff they are not inspecting the roads. Public Works Director Hector Cruz responded Dick Plummer informed him the Department of Transportation does not inspect the roads.

Commissioner Legge commented his concern that we are unable to enforce our standards in the Municipal Influence Area. Mr. Lloyd responded the process to enforce Town standards in the Municipal Influence Area is through a request to amend the county ordinance with county Commissioners.

Mr. Lloyd commented in order to be subject to the Municipal Influence Area standards for a subdivision review, an area must contain four or more lots.

Discussion pursued regarding the request for annexation for Dirt Bag Ales. Ms. Speicher commented the county is holding their permits.

Ms. Speicher commented she believes Hope Mills is attempting to annex too quickly prior to a street qualifying for formal acceptance by the Department of Transportation. The Department of Transportation will not acknowledge a street until there are a number of occupants per so many tenths of a mile.

Cecil Combs commented the purpose of the Planning Board coming today was to define the roles of the county and the Town and legal requirements. A separate meeting with the Department of Transportation would be required to resolve roadway issues.

Mayor Pro Tem Mitchell inquired if the Town is allowed to require developers to post bonds for contingent issues such as streets or stormwater for a five year period. Ms. Speicher responded by law you cannot hold a surety bond for maintenance.

Discussion pursued regarding the streets in Valley End Phase II. Mr. McLaughlin commented it appears the Town should wait to annex until a subdivision is approximately 75% complete. Mr. Lloyd responded the Town would have to annex an area in prior to development and used the example of the assisted living facility near Traemoor Village. Mr. McLaughlin commented the Town viewed the annexation packet for the developer of the assisted living facility one year prior and at the time, it met Town standards. Mr. McLaughlin commented during the final hearing, when reviewing the annexation packet, he identified that the development did not meet Hope Mills' standards. Mr. McLaughlin inquired if there is a way the county may help enforce if the Town wishes to deny the annexation. Mr. Lloyd responded there are statutes in place that state we may not deny a developer a permit simply because we wish to annex them.

Mr. Lloyd commented if the Town enforces too strict of standards, it will dissuade developers and push them to develop in other counties. Mr. Lloyd commented urban standards cannot be imposed in a rural area.

Mayor Pro Tem Mitchell commented in reference to reviewing punch list items; the Town needs to be able to inform the Department of Transportation when streets are not up to our standards even after they have signed off on them. Mr. Lloyd responded the County Planning Board can begin sending the punch list and transmittal to the Town stating the streets qualify.

Charles Morse, Chairman of the Planning Board commented when the Board looks at a rezoning, they consider all the uses and cannot be selective. Mr. Morse wished to address the topic of triggers and when the county goes against the land use plan. The introduction of public utilities are considered triggers to amend a land use plan.

Commissioner Legge inquired what could prevent distasteful vendors from applying for zoning within the Town near a school or neighborhood. Mr. Lloyd commented it depends on the zoning for industrial, commercial or residential.

Town Manager Adams commented it may be time the Town discusses the 10-year and 20-year MIA distinct areas again. Ms. Speicher responded the 10/20-year was recently discussed and adopted in May of 2017.

Mr. McLaughlin inquired how the Town's Chief Building Inspector would handle a recently annexed development with a county issued permit. Mr. Lloyd responded once it is in the county, it adheres to the Department of Insurance for fire and stormwater enforcement. Mr. Lloyd commented the county is required to issue a permit if the developers' plans meet all county standards. The county believes Town standards go above and beyond such as the example of the assisted living facility. Mr. McLaughlin responded the developer of the assisted living facility altered the plan before submitting it to the county.

Discussion pursued regarding interchanges in overlay districts and conditional zoning. Mayor Pro Tem Mitchell inquired if conditional zoning remains with the owner of the property. Mr. Lloyd responded yes, so long as they agree to the zoning.

Mr. McLaughlin inquired how the Board may approve a straight rezoning as they avoid caution contract zoning. Mr. Lloyd responded most developers will agree to conditional zoning to avoid denial.

Ms. Speicher commented the county typically advises Town's to opt for conditional zoning.

Mr. Lloyd commented the Town needs to utilize our representative, Ms. Hall as she can advise at the Planning Board level.

Mayor Warner commented three zonings have recently been denied as no site plans were attached. Mayor Warner suggested the Town opt for conditional zoning in those particular areas as was suggested by the county. Mr. Lloyd responded it is wise to opt for

conditional zoning but not too much if the Town is following the land use plan. Mr. Lloyd recommended the Town refer to the three statements used to adopt or reject a rezoning.

Mayor Warner thanked Cumberland County Planning and Inspection for meeting with the Board and suggested they meet once yearly as well as scheduling a meeting with the Department of Transportation.

7. ADJOURNMENT.

Motion made by Mayor Pro Tem Mitchell, seconded by Commissioner Legge and carried unanimously, to adjourn the meeting.

Mayor Warner adjourned the meeting at 2:17 p.m.

Jackie Warner, Mayor

ATTEST:

Tiffany Gillstedt
Administrative Assistant/Acting Deputy Town Clerk