

Union County 2050 Implementation Committees Recommendations

July 1, 2022

The Union County Board of Commissioners appointed residents to six committees in January 2022 in order to identify specific actions that are both supported and effective at addressing issues identified in the Union County 2050 comprehensive plan. Over 70 residents applied for the 42 positions on these six committees. Monthly meetings began in January 2022, where meeting schedules were established and chair-persons were elected. These committees' monthly meetings were open to the public. There was a public comment period at the beginning of each meeting, however discussion of agenda items was limited to the committee members only. Numerous residents, elected officials, and community leaders attended these meetings and provided their input into the development of the eventual strategies.

As a reminder, there were six committees formed based on the issues identified in the adopted Union County 2050 comprehensive plan. These committees and their mandates are listed below:

- 1.) **Stormwater:** How to reduce the negative effects of runoff from existing and future development
- 2.) **School Siting:** How to minimize impacts from new schools
- 3.) **Cluster Development Standards:** How to provide flexibility for property owners in areas of the county designated for rural development patterns by recognizing the lot size flexibility afforded by public water and sewer service
- 4.) **Open Space in Rural Areas:** How to preserve open space inside residential developments in areas of the county designated for rural development patterns, as well as what types of environmental features should be prioritized in protected open space
- 5.) **Litter Task Force:** How to reduce litter in Union County
- 6.) **Broadband Internet Access:** How to expand broadband access and affordability to residents and businesses throughout Union County

The first two to three months for each committee was focused on research and learning about the topics. The committees heard from peer

communities, NCDOT, private sector experts, community leaders, and Union County staff. After identifying potential strategies, each committee used an anonymous survey to gather member feedback on support for the various strategies. The results of these surveys were used to present to the Planning Board and Board of Commissioners for feedback in April 2022.

After continued refinement in April and May, the committees each approved their recommendations to the Planning Board and Board of Commissioners at their respective meetings in June 2022. The following pages introduce committee members, process, and results of six months of work that each committee is recommending for approval by the Planning Board and Board of Commissioners.

Stormwater Committee

The Stormwater Committee met on the 4th Thursday of each month at 3 PM. The members of this committee were:

- Chairman Josh Allen
- Kathie L. Price
- Taylor Grove
- Kristyna Culp
- Thomas J. Smith
- Kami Merritt
- Jerry W. Hardin, PhD

The committee members were responsible for developing stormwater control standards for new development. Union County encounters frequent and increasingly severe flooding events and runoff onto adjacent properties as development occurs.

During the course of these meetings, the committee was informed by several different speakers about topics related to stormwater and development. Brian Hawkins, Union County's stormwater engineer gave information about the county's current standards, as well as some of the municipality's standards. Keith O'Herrin, the county's Urban Forester informed the committee on some of the environmental impacts of current development practices, as well as the benefits of natural stormwater control methods. Hunter Nestor, who works for the city of Marvin, gave insight on their stormwater practices for new development. Finally, a representative of the County's Soil and Water Conservation District presented information on their programs.

As the committee gained information and discussed ideas, a survey was created to assess member positions on various issues. The Committee considered the following strategies:

- Incentives to retrofit current development
- Limiting clear cutting and mass grading during development
- Requiring post-development remediation
- Adopting the Charlotte-Mecklenburg Stormwater Manual
- Considering downstream runoff during development review
- Assigning a higher runoff classification for clear cut development

The following recommendations are strongly supported by this committee for consideration by the Planning Board and Board of Commissioners:

- Incentives to retrofit current development by increasing funding for education and grant programs through the Soil and Water Conservation District
- Limiting clear cutting and mass grading during development by keeping stream buffers and contiguous forests in protected open space
- Assigning a higher runoff classification for turfgrass planted over mass graded soils compared to undisturbed native grass
- Supporting the open space and environmental protection strategies of the Cluster Standards and Open Space in Rural Areas committees to minimize runoff
- Adopting the current version of the Charlotte Stormwater Design Manual as the standard for Union County
- Requiring enhanced stormwater mitigation when a development is upstream of known recurring flooding areas

There are two strategies that were identified through the process, but the committee was unable to meet to formally vote on whether to recommend them. That decision has been left to the planning board.

- Include the 50 year storm event with the (already regulated) 2 and 25 year events, for developments that are required to regulate post-development runoff rates to pre-development rates
- Require that any proposed development that exceeds 1 acre of disturbance, or ¼ acre of impervious surface, be subject to regulate post-development runoff rates to pre-development rates for the 2 and 25 year storm events (and the 50 year event if approved)

School Siting

The School Siting Committee met on the 3rd Thursday of each month at 2 PM. The members of this committee were:

- Chairwoman Monica Schrader
- Mark Tilley
- Lisa Kawyn
- Diane Rose
- Jim Vivian
- Lisa Bass
- Karen Johnston

The committee members were responsible for the development of regulations in regards to school siting within Union County. Currently, K-12 schools are allowed as a by right use in all zoning districts in unincorporated Union County. This flexibility has resulted in schools being built on smaller parcels of land, with compromises on appropriate vehicular access, buffering, and proximity from conflicting uses.

During the course of these meetings, the committee was informed by several different speakers about topics related to school siting within Union County. Don Ogram and Dave Burnett participated and informed the committee on the perspective and experience of Union County Public Schools (UCPS). Bjorn Hansen from the Planning Department presented the NCDOT's school traffic impact review process. Matthew Rea with the Planning Department presented on zoning districts and how different development proposals may be permitted through Union County.

As the committee gained information and discussed ideas, a survey was created to assess member positions on various issues. The questions asked during this survey were:

- Determining the minimum number of driveways
- Determining the minimum number of roads for site access
- Limiting the zoning districts schools are allowed in
- Mitigating the effects of schools on adjacent properties through buffer and lighting standards
- Determining appropriate approval process for permitting new schools
- Considering roads classification types for school access

UCPS staff provided feedback on proposed strategies, asking for clarification on allowed uses in buffering, considering requiring transportation services at new school sites, and not requiring schools to receive a special use permit.

Based on committee deliberation, including considering feedback by UCPS, the following are the recommendations developed by this committee for consideration by the Planning Board and Board of Commissioners:

- School sites should be required to have at least two driveways into the site. These may be located on the same road or on separate roads
- School sites should be required to have a minimum 75' undisturbed buffer along the main access road to the site, and a minimum 50' undisturbed buffer along the remaining portions of the site. Natural surface play areas and natural surface organized sports facilities would be allowed in the 50' buffer, however. Organized sports structures would not be allowed in the buffer
- School sites should be required to obtain a special use permit through the Board of Adjustment
- The general statute (GS 136-18) should be amended to eliminate NCDOT responsibility for paying for traffic mitigation for school sites and make all schools responsible to pay for their traffic mitigation

Cluster Development Standards

The Cluster Development Standards Committee met on the 3rd Tuesday of each month at 9:30 AM. The members of this committee were:

- Chairman Nathaniel Grove
- Michele King
- Gary Salek
- John Homa
- Jana Vinke
- Pamela Duda
- Julian Coley

The committee members were responsible for creating development standards for clustered lot development in rural areas of the county. Water and sewer service is available in some parts of Union County identified for rural residential and agricultural uses. Serving large-lot residential developments with water and sewer requires excessive infrastructure to build and maintain. As a result, this committee is tasked with developing flexible standards to take advantage of utilities while preserving rural character.

During the course of these meetings, the committee was informed by several different speakers about topics related to cluster development standards in Union County. Area realtors and Union County 2050 comprehensive plan committee members Kathy McCarty and Lauren Moss both presented on the realtor perspective to new development. The county zoning administrator, Jim King, presented on how the county regulates light pollution and calculates development density.

As the committee gained information and discussed ideas, a survey was created to assess member positions on various issues. The questions asked during this survey were:

- What environmental features should be preserved during development
- Committee priority for preserving those features
- Whether to require a percentage of land preserved as open space, possibly ranging from 25 to 75 percent
- Determining a minimum lot size within these developments
- Whether to incentivize cluster development through a density bonus of up to 25 percent

Based on committee deliberation, the following are the recommendations developed by this committee for consideration by the Planning Board and Board of Commissioners:

- The committee reaffirmed the County's current density calculations based on "net" density, which removes stream buffers, floodplain and road right-of-way from developable area
- The committee supports protecting contiguous streams, forested areas, wetlands, views from the road, and then agricultural lands, in that order
- The committee recommends expanding the existing cluster provisions to incentivize 40-60 percent open space through a sliding scale density bonus, so a development with at least 60 percent of the overall property protected would be allowed to develop at 1.25 units per acre. The minimum lot size would be 10,000 square feet. This standard would apply to all residential zoning districts throughout Union County, not only just in areas designated as Rural Residential in the adopted land use map
- "Active" recreation such as pools, tennis courts and other improvements would not be allowed on land designated as open space in areas identified in the adopted land use map as Rural Residential. "Passive" recreation, such as trails, would be allowed
- The committee recommends that these standards be revisited after five years to determine if effective in achieving goals of resource protection

Open Space in Rural Areas

The Open Space in Rural Areas Committee met on the 4th Tuesday of each month at 2 PM. The members of this committee were:

- Chairwoman Laura Varela
- Charles Griffin
- Duane Wingo
- Roy Lewis
- Mindy Blum
- Cynthia Chandler
- William McGuirt

The committee members were responsible for developing requirements to preserve environmental features and rural character in new developments. Currently, residential developments with R-40 and RA-40 (40,000 square foot lots) zoning do not have requirements to set aside land and do not have required development planning steps in the permitting process. The strategies listed in this section will pertain to portions of the county as identified in the 2050 land use map to remain rural.

During the course of these meetings, the committee was informed by several different speakers about topics related to open space requirements in the rural parts of Union County. Kathy McCarthy and Lauren Moss gave a realtor's perspective on what people are looking for in new developments. Mark Brody and Keith Fenn gave a developer's perspective on what they look at for development. Traci Colley and David Finley from Environmental Health presented on the technical aspects of well and septic services for residential development. Keith O'Herrin, the county's urban forester, provided insights on intangible value native and mature trees provide on health, stormwater filtration, and air quality. Kacy Cook from the NC Wildlife Resources Commission presented the NC Green Growth Toolbox for potential strategies to include in the county's development standards and examples of what other NC counties and towns have developed.

As the committee gathered information and discussed ideas, they examined several examples of conservation developments and rural plans from the Town of Davidson, as well as Polk County and Randolph County in North Carolina. A survey was created to assess member positions on various issues. The questions asked during this survey were:

- What environmental features should be preserved during development
- Assigning an order of priority to preserving those features
- Requiring a percentage of lots be preserved as open space
- Considering allowing clustered lots on septic where feasible
- Determining a minimum lot size if clustering is allowed

The committee reviewed 19 different strategies that proposed flexibility for clustering lots with smaller lot sizes, a density bonus to incentivize such development, prohibiting major subdivisions in the rural parts of the county, and off-site open space dedication or mitigation. Based on discussion at the May committee meeting, many of the more impactful strategies were not included from the final report, although the recommended Rural Land Use Plan was anticipated to allow revisiting and ultimately recommending some of them.

The following are the recommendations developed by this committee for consideration by the Planning Board and Board of Commissioners:

- The committee recognizes the sensitive areas in the rural parts of the county, and recommends a detailed plan be developed to identify further standards and refined areas to protect. These protected areas could be incorporated into the land use map
- Require an addition to the ordinance to add a pre-plan process that includes a sketch plan design by the developer. This addition would reference summary design guides developed through a Rural Land Use Plan for examples on conservation developments
- The committee recommends protecting contiguous forests, then stream buffers, then wetlands
- The committee recommends preserving a minimum of 30% of the overall development protected as open space
- The 30% minimum would be required of developments with 10 or more new lots, with no cluster provisions
- The committee supports the recommendations of the Stormwater Committee by increasing the runoff calculations for disturbed soil, and requires the protected open space to help absorb runoff. The committee also recognizes the need to retain as much native plant and tree species for overall preservation of essential insects and wildlife

Litter Task Force

The Litter Task Force met on the 2nd Monday of each month at 1 PM. The members of this committee were:

- Chairman Michael Evola
- Michael Winchester
- Loretta Melancon
- Bob Nunnenkamp
- Ronald James
- Teri Evans
- Archie Morgan

The committee members were responsible for researching strategies to prevent and control litter for Union County. Litter along quiet rural secondary roads and higher volume arterials impacts public safety, the environment, and the perception of Union County to outsiders.

During the course of these meetings, the committee was informed by several different speakers about topics related the prevention and control of litter in Union County. Tony Underwood presented on the sheriff's perspective on Litter Enforcement. Mandy Catoe presented on Lancaster County's chapter of the Keep America Beautiful program. Ed Eason presented enforcement activities by Union County Environmental Health. Local resident Edwin Elam gave a presentation on education of the public. Committee member Bob Nunnenkamp, a former beverage company executive, gave a presentation on the benefits of having a deposit for beverage containers to incentivize recycling. Finally, the committee heard from solid waste staff regarding a recent funding and operations study for solid waste activities.

As the committee gained information and discussed ideas, a survey was created to assess member positions on various issues. The questions asked during this survey were:

- Whether to fund a position to coordinate litter reduction initiatives
- Determining how the County handles hazardous waste disposal
- Considering making the task force into a formal standing committee
- Considering proposing a statewide bottle bill as part of the County's legislative agenda

The following are the recommendations developed by this committee for consideration by the Planning Board and Board of Commissioners:

- Fund a new position within Union County to coordinate litter reduction initiatives
- Apply for Keep America Beautiful designation
- Sustain and expand the hazardous material disposal program, ultimately to make available year round instead of the current once a year schedule
- Establish a permanent Litter Committee, with appointments made by the Board of Commissioners. This committee would oversee the Keep America Beautiful program. The composition would be a combination of at-large and geographic representation
- Advocate for a statewide bottle deposit as part of the County's legislative agenda
- Shift the County's funding model from a "pay as you throw" to a fixed-fee model with the goal of eliminating per visit disposal fees to incentivize use of solid waste disposal facilities
- Recognize enforcement as a key part of litter control and continue to support coordination between Solid Waste, Planning, Environmental Health, and the Sheriff's Department to address this issue

Broadband Internet Access

The Broadband Internet Access Committee met on the 3rd Friday of each month at 9:30 AM. The members of this committee were:

- Chairwoman Lillian Melamedas
- Pat Kahle
- Allan Baucom
- Robert Mullis
- Kendall Latham
- Bruce Jenks
- Steven A. Watson

The committee members were responsible for developing a plan to expand the availability of reliable, affordable broadband internet to un-served and under-served residents of Union County. Reliable high-speed internet has become an essential service for working from home and distance learning, as well as for agri-business operations. Internet service is provided by private businesses, meaning that service won't be provided in certain areas if they cannot make money from the investments. These gaps in service are affecting educational equity and economic development in Union County.

During the course of these meetings, the committee was informed by several different speakers about topics related to the expansion of Broadband Internet Access in Union County. Jim Corrin presented for NC Department of Information Technology (NCDIT) on what is being done at a state level. Jay Parker presented the Union County Public School (UCPS) experience on providing internet service to their students. Several telecom companies gave presentations on their capabilities within Union County, including Mark Tanck for Spectrum; Allan Fitzpatrick, Nick Steward, and Rebecca Gauss for Open Broadband; and Sarah Hardin for Windstream. Finally, Jon Amelio, Union County's IT director, provided ongoing information and updates about grant funding opportunities.

As the committee gained information and discussed ideas, a survey was created to assess member positions on various issues. The questions asked during this survey were:

- Considering whether to focus on accessibility, affordability, or both
- Determining whether or not to commit funding to broadband expansion
- Deciding how to approach future grant funding opportunities

- Deciding what types of internet services (fiber, Wi-Fi, etc.) to promote through grant participation

Based on deliberation by the committee members, the following are unanimous recommendations for consideration by the Planning Board and Board of Commissioners:

- Do not focus on advocating for just one technology. 5G cellular, fiber, and even satellite internet services should be supported by Union County if they are the best solution for a specific area
- Affordability matters just as much as accessibility for benefitting Union County residents and businesses. The County should initiate an education campaign to make residents and businesses aware of existing programs through Internet providers. In addition, the County should advocate for a commitment by applicants for enhanced affordability programs applying for state broadband grant programs and when requesting local funding partnerships
- Any education and outreach program for accessing low-cost Internet should evaluate effectiveness of the program, with County subsidies then considered if remaining gaps in eligibility are identified
- Broadband Internet Committee should be made a permanent advisory committee, with appointments made by the Board of Commissioners
- Develop an Internet Plan for Union County, which will help guide investments in accessibility, affordability, and other activities

Conclusion

The members of the six committees created and appointed by the Board of Commissioners worked diligently to research, identify, evaluate, and prioritize strategies to address the issues identified in the Union County 2050 comprehensive plan. These committee members included community leaders, experts in their fields, and interested residents who wanted to help improve Union County. Their varied perspectives helped create recommendations that reflect the varied needs of our large county. The committees met in public meetings, with opportunities for public comment at each meeting.

The 33 recommendations from the six committees include changes to state law, additional flexibility as well as requirements to the unified development ordinance, new programs, and resident education initiatives. Some of these recommendations will require Union County to spend money, but the committees felt the cost was worth the benefit to the county as a whole. These recommendations were voted on individually, with strong majorities in support of each of them. The chairpersons from each of the committees are happy to answer questions from the Planning Board or Board of Commissioners as they review the recommendations and consider implementing them.