

**MINUTES OF  
MEETING WITH PLANNING BOARD –  
CITY COUNCIL OF THE CITY OF SANFORD  
SANFORD, NORTH CAROLINA**

The City Council and Sanford Planning Board met jointly on Tuesday, January 26, 2021, at 5:00 p.m., in the Exhibition Hall of the Dennis A. Wicker Civic Center, located at 1801 Nash Street, Sanford, North Carolina. The following people present at the meeting:

Mayor T. Chet Mann	Mayor Pro Tem Byron Buckels
Council Member Sam Gaskins	Council Member Jimmy Haire
Council Member Charles Taylor	Council Member Norman “Chas” Post, III (6:15 pm)
Council Member Rebecca Wyhof Salmon	Council Member James Williams (6:05 pm)
City Manager Hal Hegwer	City Attorney Susan Patterson
City Clerk Bonnie Davis	Deputy City Clerk Vicki Cannady
Management Analyst Holly Marosites	

**CALL TO ORDER**

Mayor Mann called the meeting to order.

**Proposed Changes to the Unified Development Ordinance (Exhibit)**

Community Development Director Marshall Downey announced that Richard Flowe, President and CEO of N-Focus, a company from the Kannapolis/Charlotte area specializing in local government services, would be presenting information on proposed changes to the residential portion of the Unified Development Ordinance (“UDO”). This information was presented to members of the development community on Thursday, January 21. Council has been dealing with planning and growth issues in our community and these changes are being proposed in an effort to improve the process and achieve the neighborhoods and housing products we want. Mayor Mann commented that we are transitioning from a rural area to a more urban area and it is critical that we manage growth in the best way possible.

Mr. Flowe provided background on his work in engineering, planning and design, a field that led him to start his own firm to work with municipalities and private clients; however, N-Focus has focused on municipal clients since 2009. He suggested that complex problems do not always require complex solutions and noted the importance of building “communities” rather than “residential areas.” The goal of these proposed changes is to provide tools that open the door to flexibility while clearly setting standards and creating districts that serve as the foundation for new development. Standards will provide a clear path for typical tract-style development with less guidance from staff, and a clearer path for those doing higher-level development.

Mr. Flowe reviewed the attached exhibit showing examples of how to create great neighborhoods, including terminating vistas to provide more pleasant views at street ends; enhancing views through street lighting and signage; improving common and open spaces; and sloping and grading. He compared our current R-12 zoning to the proposed SFR-3, which would be the standard zoning for a typical tract builder. He pointed out that our current public right-of-way standard is 50 feet including easements and sidewalk and suggested using 60 feet, noting there would be a similar net setback when measured from sidewalks. Building placement and neighborhood block patterns were reviewed, along with streetscapes. Proposals for SFR-3 streetscape include street cross sections with a planter strip to reduce separation of the sidewalk and streets to create inviting pedestrian

oriented spaces. Examples of Traditional Neighborhood Design (“TND”) were reviewed, including five categories of open space – parks, forecourts, greenways, plazas, and natural open spaces – and suggestions to move vehicle storage and electrical, internet, and telecom utilities to the rear to reduce conflicts with water, sewer and gas lines located in the front. Examples of townhomes (single-family attached homes) were reviewed to show how architecture can be used to conceal repetitive front entries and multiple walkways, or improve private open spaces. Examples were also shown of multi-family residential apartments designed to create stronger relationships to streets rather than being isolated clusters. Mr. Flowe reminded everyone that proposed revisions to the non-residential portion of our UDO were not included in this phase of the project.

### **Recess**

A recess was taken at 6:20 p.m. and the meeting was re-convened at 6:30 p.m.

### **Reconvening**

Community Development Director Marshall Downey stressed that if Council approves, lot density and dimensional standards under the existing UDO would be replaced as shown on the attached exhibit (page titled “Lot Standards Comparison: R-12 & SFR-3”). Current districts would be replaced with new districts and new zoning areas would be identified.

Planning Board Member Robert Smith requested clarification on “compatibility” issues. Mr. Flowe explained that this language would be removed, noting there is often a progression of styles rather than clear lines. He also suggested that previous development patterns and benchmarks were not always the best options and shouldn’t constrain future development trends. He also commented that these issues should be based on criteria, not necessarily on property lines, and natural boundaries should be considered. He also stated that decisions don’t have to be “all or nothing” and divisions may need to be made if there are clear edges or borders. Council Member Gaskins agreed that “compatibility” is subjective and the new UDO should include more specific terms.

Council Member Taylor stated that about 25 people attended the January 21 meeting with members of the development community. He asked Mr. Flowe to address stub streets, buffers and how projects already in process would proceed amid revisions. Mr. Flowe suggested moving away from formula-driven decisions and making decisions based on connectivity, particularly when a formula is clearly not appropriate for a particular situation. He also commented that typical ten- to twenty-foot perimeter buffers around residential subdivisions are terrible ideas since they only create an unusable space. He suggested there should be clear delineation between incompatible uses (such as a neighborhood and a car wash) and buffers should be about 150 to 200 feet to be effective. Regarding projects already in process, state statute requires that we provide permit choice for current and future revisions. Since all projects won’t begin or end neatly before adoption, all those who have bona fide applications pending when the new ordinance takes effect will have the right to choose whether to proceed under the previous version or the new version.

Regarding questions about “taste” and criteria upon which decisions can legally be based, Mr. Flowe explained that subjective standards are limited, other than certain historic preservation standards such as color. Decisions on R-10 and R-12 are criteria based with detailed categories unless otherwise specified in the ordinance. Community Development Director Marshall Downey reminded Council that conditional zoning is an intensive negotiated process but new TND standards will be clearly prescribed so developers are aware of expectations with no need for negotiated standards. Mayor Mann agreed the goal is to have a defined blueprint without need for Council approval.

Council Member Taylor questioned the roles of the Planning Board and Council members in decisions. Mr. Flowe stated that the Planning Board should act as visionary, not as regulatory arm. The zoning map amendment will open the door and Planning Board decisions should be based on whether an area is deemed ready for density based on meeting criteria; if so, the question is whether it is consistent with our Land Use Plan. If so, the Board would recommend approval, a public hearing would be held, and Council would play its legislative role after considering the visionary perspective from the Planning Board and public input. If Council does not feel the timing is right, members can vote against approval. The process would be legislative, not quasi-judicial, as opposed to conditional use, which is evidentiary. If our statutes allow, a short developer ordinance could be written but he cautioned against using “likes and dislikes.” Staff would be charged with weighing a project against the ordinance and performing the technical review before recommending a project to the Planning Board for input. The Planning Board would act in an advisory capacity to review the “big picture” and provide guidance to staff before presenting a project to Council for approval.

Fred McIver, Planning Board Chairman, echoed Mr. Flowe’s comments on Planning Board and Council roles. He also stated that Planning Board members often question issues that should not concern them, such as flooding and aesthetics, and expressed hope that these issues will be more clearly defined going forward. Mr. Flowe added that spending public funds should be seen as an investment, not just expenditures, meant to encourage growth that pays the community back over the years.

Mark Lyzkowski, a local citizen who has worked on many projects over the past 30 years, commended everyone who worked on this project. He expressed support for about 80 percent of the proposals and agreed with Mr. Flowe’s suggestion to increase rights-of-way, the planter strip concept, and open spaces. He also cautioned Council from enacting requirements that will result in higher lot costs that will in turn create higher-priced housing that is out of reach for many citizens. The cost to install sidewalk, curb and gutter, according to Mr. Lyzkowski, is currently at least \$30,000 per lot and a finished lot is in the low \$60,000 range. He also stated that the “sweet spot” for housing in our community is about \$210,000 rather than \$310,000. He suggested an SFR-4 category for 8,000 square foot lots and encouraged Council to hold another workshop to provide more detail before revisions are adopted, especially about lot sizes for developers doing business in Sanford.

**ADJOURNMENT**

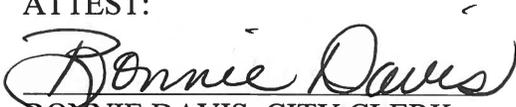
Council Member Williams made the motion to adjourn the meeting; Council Member Taylor seconded the motion, which carried unanimously.

**ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.**

Respectfully Submitted,

  
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T. CHET MANN, MAYOR

ATTEST:

  
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BONNIE DAVIS, CITY CLERK