MINUTES

Wake County Planning Board
Wednesday, December 7, 2016
1:30 P.M., Room 2700
Wake County Justice Center
301 S. McDowell St.
Raleigh, N.C.

Members Present (8): Mr. Alan Swanstrom (chair), Mr. Jason Barron (vice-chair), Mr. Thomas Wells, Mr. Asa Fleming, Ms. Tara Kreider, Mr. Amos Clark, Mr. Phil Feagan, and Mr. Wayne Maiorano

Members Not Present (2): Mr. Ted Van Dyk and Ms. Ashley Foxx

Staff Members Present (8): Mr. Steven Finn (Land Development Administrator), Mr. Bryan Coates (Planner III), Mr. Tim Maloney (Planning, Development & Inspections Director), Mr. Keith Lankford (Planner III), Mr. Andy Kuhn (Executive Assistant), Mr. Frank Cope (Community Services Director), Ms. Regina Halyard (Student Assistant), and Mr. Russ O'Melia (Clerk to the Board)

County Attorney Present (1): Mr. Kenneth Murphy

1. Call to Order – Mr. Swanstrom called the meeting to order at 1:30 p.m.

2. Petitions and Amendments – There were none.

3. Approval of Minutes of the September 7, 2016 Planning Board Meeting – Mr. Fleming made a motion to approve the minutes from the September 7, 2016 meeting. Mr. Maiorano seconded the motion. The motion passed unanimously.

4. Approval of Minutes of the November 16, 2016 Planning Board Meeting – Mr. Barron made a motion to approve the minutes from the November 16, 2016 meeting. Mr. Fleming seconded the motion. The motion passed unanimously.

5. ZP-891-16: To rezone a 4.74-acre parcel located at 5125 Widespan Drive from Highway District (HD) to Conditional Use-Heavy Commercial (CU-HC)

Mr. Lankford presented the staff report to the board.

Request: To rezone a 4.74-acre parcel located at 5125 Widespan Drive from Highway District (HD) to Conditional Use-Heavy Commercial (CU-HC)

Location: The subject property is located at the end of Widespan Drive backing up to the railroad tracks and is addressed as 5125 Widespan Drive.

Current Zoning: Highway District (HD)

Proposed Zoning: Conditional Use-Heavy Commercial (CU-HC)

Existing Land Use: Concrete contractor business

Petitioner: Tom Harrell, Development Engineering, Inc.

Design Firm: Tom Harrell, Development Engineering, Inc.

Owner: Tiffany Properties, LLC, Ken Tiffany, Vice President

PIN: 1740034694

Surrounding Land Uses and Zoning Districts

Direction	Land Use	Zoning District
North	Railroad tracks, vacant wooded land	Highway District, Residential-30 (across RR tracks)
East	Railroad tracks, vacant wooded land	Highway District, Residential-30 (across RR tracks)
South	Industrial, vacant land	Highway District
West	Vacant wooded land	Highway District

Land Use/Zoning History

1970: General zoning was first applied to the southeastern portion of Wake County
2004: Fuquay-Varina/Garner Area Land Use Plan was adopted, but did not include the subject property in a designated activity center
2016: Fuquay-Varina/Garner Area Land Use Plan was amended to reclassify the Widespan Drive area from a high-density residential classification to an Industrial/Major Employment Area (Land Use Plan Amendment LUPA-01-16)

Wake County Land Use Plan
The Wake County Land Use Plan's General Classification map designates this area as Garner's Short-Range Urban Services Area (SRUSA). SRUSAs are defined as areas within the county's zoning jurisdiction that are intended to be urbanized—probably within the next ten years. Please see the discussion below under the "Input from the Town of Garner" regarding their feedback on the rezoning petition.

In addition to the general Wake County Land Use Plan, there were several area land use plans that were developed for different portions of Wake County. One of these area plans is the Fuquay-Varina/Garner Area Land Use Plan which was adopted in 2004. This plan designated the subject property and the surrounding area for high-density residential uses of more than eight dwelling units per acre.

The owner of this concrete contractor business wanted to expand the use by adding a 3,750 square foot accessory storage building for equipment that is used in their business. However, the use was considered to be a nonconforming use under the county's existing Highway District zoning and therefore could not be expanded. Therefore, the owner initiated the process to rezone the property from Highway District to Heavy Commercial, which would resolve the nonconforming use issue and allow for the construction of the accessory storage building.

The state law and the Wake County Unified Development Ordinance indicate that any rezoning should be consistent with the Land Use Plan, which for most commercial uses would require that the subject property be included within an area that was designated as an activity center or some other land use classification that was deemed appropriate for nonresidential uses. At that time the proposed rezoning would have been inconsistent with the Land Use Plan's high-density residential designation. Therefore, the owner initiated a

Land Use Plan Amendment (LUPA) to address the inconsistency issue. The county's planning staff worked closely with the planning staff from the Town of Garner on the proposed LUPA (and the anticipated rezoning request) because the Widespan Drive area is within the town's SRUSA, as well as within the area that the town is requesting for an expansion of their extraterritorial jurisdiction (ETJ). All parties agreed that the Widespan Drive area functioned like a small industrial park.

The Wake County Board of Commissioners (with the Town of Garner's support) amended the county's Land Use Plan via LUPA-01-16 on April 4, 2016 and changed the designation of the subject property and the Widespan Drive area to Industrial/Major Employment Area. Industrial/Major Employment Areas are defined as "An area appropriate for multiple uses, including basic employee services. Land suitable for manufacturing, warehousing, industrial and business uses, research and development, and supporting commercial and residential uses, in a manner appropriate for its location relative to other development and environmental constraints."

The existing use and the proposed accessory storage building are consistent with the other industrial uses along Widespan Drive. The requested rezoning to Conditional Use-Heavy Commercial zoning would be consistent with the recently approved LUPA's Industrial/Major Employment land use designation.

The rezoning request also complies with two of the goal statements of the Wake County Land Use Plan. The relevant Land Use Plan goals that have been identified by the petitioner are:

- Goal # 2--To encourage growth close to municipalities, to take advantage of existing and planned infrastructure;
- Goal # 3--To encourage the development of communities which provide adequate land for anticipated demands, in a pattern which allows a mixture of uses;

The petitioner, on behalf of the owner, Tiffany Properties, LLC, Ken Tiffany, Vice President, has voluntarily offered a condition that limits the number and types of uses that would be permissible on the subject property. The petitioner's condition has voluntarily eliminated from future consideration 28 types of uses.

While the stated proposed use is to allow for the construction of an accessory storage building to support the concrete contractor business, any decision on a rezoning petition must be based upon all possible uses. The petitioner has voluntarily offered a condition to limit the possible future uses on the subject property (if the site is redeveloped). The requested Conditional Use-Heavy Commercial zoning allows for a wide range of nonresidential uses that are generally consistent with the Land Use Plan's Industrial/Major Employment Area designation, are reasonable, and appropriate for the area. Any future use on this property will have to be determined to be consistent with the Land Use Plan via a site-specific development plan before it can be approved.

In accordance with the North Carolina General Statutes and the Wake County Unified Development Ordinance, any proposed rezoning should be consistent with the Wake County Land Use Plan. It is the planning staff's professional opinion that the rezoning petition for Conditional Use-Heavy Commercial zoning, the stated proposed use of an accessory storage building to support the existing concrete contractor business, and the permissible range of uses would be consistent with both the general Wake County Land Use Plan and the Fuquay-Varina/Garner Area Land Use Plan, are reasonable, and appropriate for the area.

The petitioner also voluntarily included two conditions related to the use of cut-off (or shielded) light fixtures on buildings and light poles, and the use of flush mounted light fixtures on any future gas station canopies (if the site were to be redeveloped at some point in the future). These conditions are intended to mitigate off-site impacts.

Required Statement of Consistency with the Land Use Plan, Reasonableness, and Public Interest

North Carolina General Statute 153A-341, and Section 19-21-6 (C) of the Wake County Unified Development Ordinance, require that the Planning Board provides the Board of Commissioners with a statement of whether or not the proposed rezoning petition is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and general welfare. In making a determination of whether or not to approve the rezoning petition, the Board of Commissioners must adopt a statement describing whether or not the proposed rezoning petition is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and general welfare, or why it chose to deviate from the Land Use Plan and how that decision is reasonable and in the public interest.

The petitioner has provided several statements indicating (1) why they believe that the proposed rezoning and subsequent use is a public necessity, and (2) explaining its impact on the surrounding neighborhood and adjacent properties. They have also provided statements of (3) how the rezoning complies with the Land Use Plan; (4) how the rezoning benefits the adjacent and surrounding properties and (5) how it otherwise advances the public health, safety and general welfare.

Two-Step Conditional Use Rezoning Process

The Wake County Unified Development Ordinance establishes a two-step conditional use rezoning process. The first step is to obtain a conditional use rezoning from the Board of Commissioners. The second step requires that the Wake County Planning Board review and process a Planned Compliance Permit (PCP) for most uses (although some commercial uses could be approved administratively by staff if they were less than 2,500 square feet in size).

The petitioner has stated that the purpose of the rezoning is to allow for the construction of a 3,750 square foot accessory storage building to support the existing concrete contractor business. While this is their stated purpose, any rezoning decision must be based upon all possible uses of the subject property.

The Planning Board acts as the permit issuing authority, via a public hearing process, for uses requiring a PCP (as per Section 19-22 of the Wake County Unified Development Ordinance). The PCP process requires the petitioner to submit a detailed site plan to the planning staff and Planning Board to demonstrate that the proposed project conforms with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of PCP or class of PCPs. The planning staff and Planning Board will also ensure that any rezoning conditions are incorporated into the site plan. The Planning Board may impose additional "reasonable" conditions to address any impediments to the board reaching the required findings that are necessary for approval of the PCP.

A General Use Permit would be processed administratively by the planning staff for nonresidential uses of less than 2,500 square feet (except for those with gas sales) after demonstration of full compliance with all applicable regulations and standards.

If the rezoning is approved, the permit for the accessory storage building would be processed by the Wake County Planning Board. If the Town of Garner's ETJ request is

approved by the Wake County Board of Commissioners, then any future redevelopment of the site would be processed by the Garner planning staff.

Input from the Town of Garner
As part of the Wake County planning staff's review of any rezoning request, a copy of the petition is forwarded to the relevant municipality who's Urban Services Area that the subject property lies within to allow them the opportunity to provide courtesy review comments. The subject parcel is classified as the Town of Garner's Short-Range Urban Services Area (SRUSA)

The subject property, and the adjacent Widespan Drive industrial park, is located within an area that is being petitioned by the Town of Garner for an expansion of their municipal extra-territorial jurisdiction (ETJ). The Wake County planning staff worked closely with the Town of Garner's planning staff on the Land Use Plan Amendment that reclassified the Land Use Plan designation of the Widespan Drive area from high-density residential to Industrial/Major Employment Area (and in anticipation of their pending ETJ request).

Garner's planning staff has provided courtesy review comments indicating that they had "no comments or concerns" with the requested rezoning to Conditional Use--Heavy Commercial. Additionally, the town's planning staff stated that "If this area comes into our ETJ in the future, we will have to rezone the entire subdivision to heavy commercial or industrial." The requested rezoning would make the county's zoning more consistent with what the town proposes to apply to the property if their ETJ request is approved.

Input from Neighboring Property Owners
The planning staff mailed out letters to all property owners within 1,000 feet of the subject property, and posted a public meeting notice sign on Widespan Drive on November 26, 2016. The planning staff has received no response and no objection to the rezoning request in response to those efforts to solicit neighborhood feedback.

The petitioner held a neighborhood meeting on Tuesday, July 26, 2016 to discuss the requested rezoning and the proposed accessory storage building to support the existing concrete contractor business. Only one person attended this neighborhood meeting and they noted that "the subject site is [located] on the opposite side of a public street (E. Garner Rd) and a railroad track from their property" and that the "existing contractor's office business has no impact on their property".

Utilities
The subject property is classified as being in the Town of Garner's Short-Range Urban Services Area (SRUSA). The Wake County Land Use Plan defines SRUSAs as areas within the county's jurisdiction that are intended to be urbanized--probably within the next ten years. The existing concrete contractor business currently uses an on-site well and septic system, and the construction of the accessory storage building will not require water or sewer. Municipal water and sewer are currently not available to the subject property, but may be extended to the subject property by the Town of Garner at some point in the future if the site is redeveloped.

Environmental Issues
There are no Federal Emergency Management Agency (FEMA) regulatory floodplains, Wake County flood hazard soils, or streams with Neuse River protected buffers located on the subject property. The Wake County Unified Development Ordinance includes provisions that would require the installation of stormwater control measures to mitigate any potential off-site impacts of the development.

Transportation Plan
Widespan Drive is a dead-end local road that only serves this small industrial park. As such, Widespan Drive is not listed in the Wake County Transportation Plan, as requiring any right-of-way dedication or roadway improvements. The existing 60-foot right-of-way and 20-foot pavement width are sufficient to meet the traffic needs for the subject property and the industrial park.

Traffic Volumes
Because Widespan Drive is a dead-end local road there are no reported Average Annual Daily Traffic (AADT) counts available from NCDOT. The planning staff estimates that this road has traffic of only a couple hundred vehicles per day. The stated purpose of the rezoning is to allow for the construction of an accessory storage building for the existing concrete contractor business. The applicant has indicated that "We do not anticipate the rezoning to inherently generate additional vehicular trips". The existing roadway appears to be sufficient to meet the existing traffic demand.

Accident Report
Because Widespan Drive (SR 4105) is a dead-end local road there is minimal traffic and no appreciable accident report for this roadway. The planning staff felt that it was more relevant to evaluate the history of accidents at the intersection of Widespan Drive and Guy Road (SR 2558). Guy Road connects US 70 Business to East Garner Road (SR 1004) in this area and Widespan Drive intersects Guy Road toward the mid-point of that road segment, near the railroad tracks.

NCDOT's Traffic Engineering Accident Analysis System report for the five-year period from August 1, 2011 through July 31, 2016 indicated that there have been 26 accidents along this 0.424-mile section of Guy Road during that time span. Most of those accidents (22 of 26) occurred at the intersection of US 70 Business and Guy Road (15) or at the intersection of East Garner Road and Guy Road (7). There were no reported accidents near the intersection of Widespan Drive and Guy Road (although there have been two accidents a few hundred feet away near the railroad tracks).

Traffic Impact Analysis
A Traffic Impact Analysis (TIA) is required by the Wake County Unified Development Ordinance for any development that generates more than 1,000 trips per day, or more than 100 peak-hour trips, as determined by the Institute of Transportation Engineers' (ITE) Trip Generation Manual for specified proposed uses. Any required TIA must be submitted during the site plan approval process.

The stated purpose of the proposed rezoning is to allow for the construction of an accessory storage building to support the existing concrete contractor business. The petitioner has indicated that the requested rezoning and the proposed storage building "would not produce any significant increase in traffic and that a traffic impact analysis (TIA) would not be required per Section 15-12-2 of the Wake County Unified Development Ordinance".

Although rezoning decisions must be based upon all possible uses, and some of the other possible uses would generate more traffic than the stated use, we have historically not required TIAs at the rezoning stage unless there were significant traffic issues--either high traffic volumes, poor Level of Service ratings, or a high number of accidents. None of those conditions are present at this location. Whether or not a TIA would be required is generally a site plan specific determination.

Planning Staff Findings

1. The proposed Conditional Use-Heavy Commercial rezoning, the stated proposed use, and the permissible range of uses are consistent with the Fuquay-Varina/Garner Area Land Use Plan's designation of this area as an Industrial/Major Employment Area, are reasonable, and appropriate for the area.
2. More specifically, the Industrial/Major Employment Area allows for manufacturing, warehousing, industrial and business uses.
3. The proposed rezoning also complies with two (2) stated goals of the Wake County Land Use Plan (see discussion above).
4. There are no environmental concerns, no traffic issues (i.e.—a high traffic volume, poor Level of Service rating, or a high accident rate), or other issues that would be detrimental to the public interest.
5. A detailed site plan must be approved by Wake County prior to construction of the proposed accessory storage building to ensure compliance with all applicable regulations.
6. The Town of Garner's planning staff has indicated that they do not have any objection to the requested rezoning.
7. The Wake County planning staff has received no objections from the surrounding property owners or the general public.

Uses Permissible Within the Proposed

Conditional Use-Heavy Commercial Zoning District

Upper story residence
Business, trade, technical schools
Child care center
Adult day care facility
Park and ride facility
Governmental
Animal Service—including Veterinary, Kennel and animal shelter
Eating and drinking establishments (including drive-through facilities, but excluding bars and nightclubs)
Financial services, (including drive-through facilities, freestanding automated teller machines, pawnshops, currency exchange, and payday loan)
Gas station
Hotel/motel
Office (including conference center/retreat house and medical office, clinic or lab)
Commercial parking
Firearm/archery ranges and clubs
Retail sales and service (including mobile home sales, Neighborhood/convenience-oriented retail (with or without gas sales), outdoor sales/service, displays and/or storage
Vehicle sales and service (including vehicle repair/service, vehicle sales, leasing, or rental)
Contractor's office (landscaping, grading, etc…)
Manufacturing (artisan and limited/light)
Self-service storage
Warehousing
Wholesale trade
Solar energy systems

Static transformer stations, radio/TV and towers, relay station
Telecommunication Facilities (freestanding and collocated)
Water tower

Mr. Fleming asked if the nearby church has expressed any concerns about the proposal. Mr. Lankford said that staff had not received any calls or emails regarding the proposal.

Mr. Wells made a motion in the matter of ZP-891-16 that the Planning Board offers to the Wake County Board of Commissioners the following recommended statement of consistency, reasonableness, and public interest:

1) The Board finds that the requested rezoning to Conditional Use—Heavy Commercial, the stated proposed use, and the permissible range of uses are:

   a) consistent with the Fuquay-Varina/Garner Area Land Use Plan's designation of this area as an Industrial/Major Employment Area, reasonable and appropriate for the area;
   b) consistent with the Industrial/Major Employment Area designation which is intended for manufacturing, warehousing, industrial, and business uses;
   c) consistent with two of the stated goals of the Land Use Plan, more specifically:

      i) Goal # 2--to encourage growth close to municipalities, to take advantage of existing and planned infrastructure;
      ii) Goal # 3--provide adequate land for anticipated demand, in a pattern which allows a mixture of uses;

   d) reasonable, and in the public interest because it would allow for subsequent development that would:

      i) prohibit land uses that are incompatible with other nearby uses and by limiting lighting impacts;
      ii) permit uses compatible with the surrounding neighborhood and adjacent properties;
      iii) meet a demand for the types of uses and services permitted by the proposed rezoning;
      iv) not create any adverse traffic impacts;
      v) not adversely impact adjacent properties from a stormwater perspective.

   e) All of which advance the public health, safety, and general welfare reasonable, and in the public interest because various provisions in the Wake County Unified Development Ordinance and the established development review process with outside agencies such as the North Carolina Department of Transportation and other county departments, will ensure that there are no significant adverse impacts on the public health, safety and general welfare. For example, there are no significant traffic issues on the adjacent roadways, the subsequent development will comply with county requirements regarding buffering, stormwater and erosion control, and protection of environmentally sensitive areas.

Mr. Fleming seconded the motion. By a vote of 8-0, the motion passed.

Mr. Barron made a motion in the matter of ZP-891-16 that the Planning Board offers to the Wake County Board of Commissioners a recommendation for approval of the rezoning request as presented. Mr. Clark seconded the motion. By a vote of 8-0, the motion passed.

6. Town of Garner ETJ Request

Mr. Coates presented the staff report to the board.

REQUEST: Extend Town of Garner's Extraterritorial Jurisdiction (ETJ) by approximately **6,208 acres**. (The Town of Garner is planning to relinquish 454 acres of current ETJ to Wake County). This would have a net gain of **5,754 acres** to the Garner ETJ.

PETITIONER: Town of Garner

On July 19, 2016, the Garner Town Council adopted a resolution requesting that the Wake County Board of Commissioners consider granting extension of the town's Extraterritorial Jurisdiction. The request includes areas east along US 70, south along White Oak Road, New Bethel Church, and Hebron Church Roads, Southwest along US 401 and Ten-Ten Roads within the Town of Garner Urban Services Area.

State Law

By State law, a municipality of more than 25,000 in population may exercise ETJ over an area not more than three miles beyond its corporate limits. The area beyond the corporate limits is defined as extraterritorial jurisdiction (ETJ). In determining the population of a city for the purposes of this Article, the city council and the board of county commissioners may use the most recent annual estimate of population as certified by the Secretary of the North Carolina Department of Administration. The State Demographer released the most current certified municipal population estimates in September 2016: July 1, 2015 population estimate for the Town of Garner – 28,558.

In accordance with North Carolina General Statutes, if you operate a bona-fide farm and are added into a municipality's ETJ, only land area being used for bona-fide farm purposes is exempt from the municipality's zoning and building requirements. Upon cessation of a bona fide farm use the land area then becomes subject to the municipality's development regulations.

Requested Area

The largest area of request (Area A) is along the southeastern edges of Garner between the Town and the Wake/Johnston County line. This area is roughly **4,000 acres** and extends from Rock Quarry Road and the North Carolina Railroad corridor in the north to Swift Creek in the south. The northern portion - part of the White Oak Creek drainage basin - has seen considerable commercial, industrial, and multi-family development over the past decade. Meanwhile the southern portion lies within the Swift Creek drainage basin, adjacent to the site of the new South Garner High School. The area has seen considerable residential growth pressure in the past year within Garner and Wake County jurisdictions.

The second largest area of request (Area B) is centered on McCuller's Crossroads, north of Ten Ten Road. It stretches from Lake Wheeler Road in the west to Old Stage Road in the east, and encompasses **1,390 acres**. This area is largely served by municipal utilities due to the annexation and development of nearly (2) square miles of land in this area is outside of the Town's current ETJ.

The third largest area of request (Area C) is adjacent to Swift Creek along US 401/Fayetteville Road comprising **465 acres**. Approved developments will extend water and sewer into this general area of request.

The last requested area of significant size (Area D) is between Old Stage Road and Norfolk Southern railroad line running south to Fuquay-Varina, and it comprises **345 acres**. The Town expects this area to experience development pressure in the coming years.

The remaining request areas (Area E) are a series of small areas along the perimeter of Lake Benson watershed. Generally, these areas are located in close proximity to past annexations and are large enough to accommodate development.

Finally, the request also includes a desire to relinquish ETJ back to Wake County along Inwood Road between Lake Wheeler Road and Norfolk Southern Railroad line comprising of **454 acres** (Area F).

Purpose

ETJ allows a municipality to have its development policies, procedures and standards in place in advance of development. This provision proactively influences the character of development in an area that is expected to urbanize and be serviced by municipal utilities in the near future. This enables the municipality to plan for timely, efficient provision of development and associated infrastructure and urban services, and address code enforcement issues that might impair their development. Seven criteria have been developed to review ETJ expansion requests:

1) Classification as Urban Services Area
2) Commitment to Comprehensive Planning
3) Adoption of Special Regulations
4) Municipal Water and Sewer Service
5) Evidence of Feasibility for Urban Density Development
6) Annexation within Ten (10) Years
7) Existing ETJ

Background/History

The Town of Garner Council adopted a resolution requesting an extension of the Town's extraterritorial planning jurisdiction (ETJ) on July 19, 2016.

The Town of Garner Planning Department notified property owners of the ETJ request. The notification letter contained ETJ information, a Frequently Asked Questions page and meeting location details.

Garner held a series of community meetings to address property owners concerns and questions. The meetings were held at the following locations:

Wednesday, Oct. 19, 2016 – Garner Senior Center, 205 E. Garner Road

Thursday, Oct. 20, 2016 – St. Andrews United Methodist Church, 1201 Maxwell Drive
Wednesday, Oct. 26, 2016 – Highland Baptist Church, 8524 Crowder Road

ANALYSIS:

Staff has reviewed the Town of Garner's ETJ expansion request. The review is based on the County's criteria for evaluating ETJ requests.

ETJ CRITERIA

(1)<u>Classification as Urban Services Area</u>:

The area proposed for ETJ expansion should be classified as Urban Services Area associated with the municipality.

The proposed ETJ extension area is within the Town of Garner's Long Range and Short Range Urban Service area in the Wake County Land Use Plan.

- ✓ 1,490 acres are located in the Town's Short Range Urban Services Area
- ✓ 4,718 acres are located in the Town's Long Range Urban Services Area

The Town of Garner has annexation agreements with the Towns of Fuquay-Varina and Raleigh.

<u>The Town of Garner's request complies with the criterion</u>

(2)<u>Commitment to Comprehensive Planning</u>:

The municipality should demonstrate a commitment to comprehensive planning, preferably including adopted land use, public facilities and transportation plans, engineering studies, and a capital improvements program (CIP) including funding to implement the CIP. This commitment must be demonstrated through official actions by the governing body.

A. Land Use Planning

The Town of Garner adopted its current "Comprehensive Growth Plan" in September 2006. The Town is continuing in its commitment to land use planning by undertaking the drafting of a new plan between April 2016 and the summer of 2017. The Town of Garner's new plan includes its entire urban services area and requested ETJ. www.garnerforward.com

B. Transportation Planning

The Town of Garner adopted its current "Garner Transportation Plan – 2010" in October 2010. The Town is continuing in its commitment to transportation planning by undertaking the drafting of an updated plan between April 2016 and summer of 2017. It should be noted that all roads in the Town's existing ETJ and proposed ETJ extension areas are either state maintained or privately maintained. Upon

annexation, some roads may become Town roads and are then maintained with funds from the Town of Garner Public Works Department's annual operating budget.

C. Capital Improvements Program (CIP)

The Town of Garner has maintained a CIP since 1990 that has contained at the minimum a 4-year projection. The program has addressed capital needs with the Town's General Fund and its Utility Fund. In 2002 the Town closed various enterprise funds as the Town's water and wastewater systems were transferred to the City of Raleigh. The Town maintains a 4 to 6-year program today that identifies funding source for each project. The Town's CIP is attached and contains a variety of projects.

The Town of Garner's request complies with the criterion

(3)Adoption of Special Regulations:

Where the municipality proposed ETJ expansions along major transportation corridors designated by the County as Special Transportation Corridors, the municipality should have adopted and be willing to apply regulations comparable to those for Special Transportation Corridors.

Wake County has designated Interstate 40 (I-40) in Garner's Urban Services Area as a special transportation corridor that is regulated by the county's Special Highway Overlay District (SHOD). The Town of Garner has long maintained a similar overlay district for I-40, titled the "I-40 Overlay District".

With the extension of NC 540 from Holly Springs, it is anticipated that the I-40 Overlay District would serve as a model for an overlay district for that controlled access freeway corridor. The overlay district imposes development standards that protect the corridors for future expansion as well as creating a gateway into the community. The Town of Garner has implemented and shown commitment in adopting many overlay districts such as US 70/401, Timber Drive, Timber Drive East, and Garner Road.

*Where the municipality proposed ETJ expansions within a **water supply watershed**, the municipality should have adopted, and be willing to apply, water supply watershed protection policies and provisions that meet or exceed the applicable State water supply watershed regulations or an adopted Plan for the water supply watershed.*

Lands downstream of Dempsey Benton Water Treatment Plant and Lake Benson along Swift Creek are currently regulated by the Swift Creek Conservation District rules found within the Town of Garner Unified Development Ordinance. The purpose of these regulations is to protect and preserve the water quality of the Swift Creek Watershed below Lake Benson while allowing the orderly development of land within this sensitive area. No part of the request is within the Lake Benson water supply watershed.

Portions of the request (Areas B & C) are within the Swift Creek Land Management Plan and classified as Existing Urban Compliance, Existing Non-Compliance, and New Suburban which allows density and development that could support annexation and urban services.

The area proposed to be relinquished within the current ETJ is within the Swift Creek Land Management Plan and classified as Rural. The Rural designation requirements and density do not allow urban services and make annexation challenging.

For evaluating an ETJ expansion request, the municipality's application of such special regulations to its existing ETJ should be considered as evidence of its willingness to apply these special regulations.

The Town of Garner will apply all of its ordinances and policies in the requested ETJ area. The Town of Garner participates in the Wake County Historic Preservation Program and has County Landmarks within its Town limits.

The Town of Garner's request complies with the criterion

(4) Municipal Water and Sewer Service:

The municipality should show how the area proposed for ETJ expansion would be served by water and sewer service within five (5) years of the effective date of ETJ extension. The systems should be designed with adequate treatment capacity and adequately sized major trunk line extensions to service the area proposed for ETJ extension. The municipality should include needed improvements in its capital improvements program (CIP).

1. **Water Treatment**
   The Town of Garner's water is supplied by the City of Raleigh through its two (2) treatment facilities at Falls Lake and Lake Benson – the E.M. Johnson Water Treatment Plant and Dempsey E. Benton Water Treatment Plant respectively. Both plants combined can currently supply a total of 116 million gallons daily (MGD) of potable water. On average, these two plants combined are producing 50 MGD to meet current consumption levels, leaving 66 MGD available in current capacity.

   In 2015, the Town of Garner was allocated 6.3 MGD of the total 116 MGD, and this allocation increases by 3% each year through 2025 according to current agreements. Of those 6.3 MGD, the Town used 2.1 MGD or 33% of its allocated capacity. This percentage of capacity used has decreased from a high of 48% in 2010. In the past 5 years, capacity has outpaced consumption in the Town of Garner. It is reasonable to state that Garner has considerable room to take on additional growth in terms of potable water. The current population of roughly 28,000 and its associated commercial/industrial development could more than double and still not use all of the Town's current allotment of water through the agreement with the City of Raleigh.

2. **Wastewater Treatment**
   The Town of Garner's wastewater is treated by the City of Raleigh at its Neuse River Resource Recovery Facility (N3RF). The N3RF has the capacity to treat a maximum of 60 million gallons of wastewater per day, and in 2015, it treated an overall average of 46 MGD (77% capacity). The City of Raleigh operates two other treatment plants that handle much of the wastewater from the communities of Wake Forest and Zebulon, as well as portions of Rolesville.

   In 2015, the Town of Garner was allocated 5.6 MGD of the total 60 MGD of treatment capacity, and this allocation increases by 3% each year through 2025 according to current agreements. Of those 5.6 MGD, the Town used 1.9 MGD or 34% of its allocated capacity. This percentage of capacity has decreased from a high of

51% in 2010. The Town of Garner could more than double in size before it utilizes its entire allotment for wastewater.

The City of Raleigh is currently engaged in a project to upgrade the N3RF to an overall treatment capacity of 75 MGD – a gross percentage total capacity increase of 25%. The project would be completed in 2019.

3. **Water Transmission Mains**
A major water line along US 70 already serves the northern parts of Area A; however, the completion of a 16-inch section further west along Garner Road will improve the circulation in the vicinity of the future 540. A new above ground water storage tank in the White Oak vicinity of Area A will improve water pressure, and a major upgrade of existing mains along Jones Sausage Road will boost overall capacities as well.

Several looping projects will expand water service in the southern portion of Area A. The installation of a 24-inch line from the Dempsey Benton Water Treatment Plan to the east along Oregon Trail will improve water capacities around the new South Garner High School. Additional projects along New Bethel Church Road and Hebron Church Road will ensure good circulation connecting to White Oak Road and Clifford Road.

4. **Sewer Outfalls and Pump Stations**
Work is underway on significant improvements serving the western portions of the Town of Garner's Urban Service Area. The pumping capacity of the Aversboro Pump Station just north of Lake Benson is being upgraded from 1.7 MGD to 4.7 MGD. A parallel force main is being constructed to the east of the pump station along Buffaloe Road to empty into the outfall running to the NC 50 pump station. Within the 10 year plan upgrades will also be made to the White Deer Outfall. All of the projects aim to improve service in central Garner and the McCullers Crossroads area. Secondarily, they also enable the Town of Garner to expand gravity service into the sub-basins further up Swift and Steep Hill creeks.

Work will soon be underway on a significant improvement serving northern portions of the Town of Garner. The pumping capacity of the Big Branch South Pump Station near the corner of Rock Quarry and South New Hope roads in Raleigh will be upgraded from 5.7 MGD to 9.5 MGD. This will benefit north Garner west of Interstate 40 as well as areas north of the North Carolina Railroad line and areas in the Auburn community east of Interstate 40.

The Town of Garner's request complies with the criterion

(5) Evidence of Feasibility for Urban Density Development:

Areas proposed for ETJ extension by a municipality should be capable of being developed to an average density feasible for municipal annexation. This criterion is closely related to the ability of a municipality to serve the area with water and sewer service in accordance with its plan for development.

The Town of Garner is situated at this time to prepare itself for urban growth due to the following important factors:

- ✓ Completion of NC 540 from Holly Springs first to US 401 (by 2020, STIP#R-2721) and to I-40 (by 2024, STIP# R-2828);
- ✓ Planned upgrade of US 401 to superstreet cross-section beginning in 2020 (STIP# U-5302);
- ✓ Completion by 2020 of $35M in local public projects financed by voter approved bonds;
- ✓ Continued county-wide population growth; and
- ✓ Availability of larger undeveloped parcels between the current Town of Garner corporate limits and the NC 540 corridor.
- ✓ Development in the Garner area may be boosted by its proximity to job centers and transportation corridors
- ✓ The Garner area could also be influenced over the next 10 years by the creation of a frequent transit network and a commuter rail connection to Raleigh, RTP, and Durham.

According to state statutes, the urban density threshold necessary for annexation is set at 2.3 persons per acre. According to the Town of Garner's Comprehensive Growth Plan, only three (3) of the 11 land use designations may fall under this threshold (they are classified as open space or industrial/commercial areas. It should be noted that even development as low as 0.9 dwelling units per acre would yield a population of 2.3 persons per acre since the average household size in Garner is 2.59 people per dwelling unit.

The Town of Garner calculated units per acre within the ETJ request and determined that roughly 36,000 residents could be added. The Town did remove roughly 400 acres that would be developed for commercial/industrial and conservation areas. The Land Use Plan suggests densities that would support urban services.

The Town of Garner's request complies with the criterion

(6) Annexation within Ten Years

ETJ extensions should only be granted for areas anticipated to be substantially developed and annexed within ten (10) years. The ten-year period projection should be used as a guideline, and is adopted with the understanding that actual progress in development and annexation of a given ETJ area may vary from that originally projected at the time of ETJ extension. To determine the potential for annexation within ten (10) years the following should be considered: relevant County and Municipal plans and policies, past development experiences, and previous projections.

Town of Garner Policy

The Town's annexation policy has long been to require voluntary annexation as a condition of the provision of municipal water and/or sewer service.

State Annexation Law Changes

Changes to state law in 2011 concerning annexations initiated by municipalities have all but ensured that large investments in water and sewer infrastructure will no longer be made to service existing subdivisions and parcels with functioning well and septic service due to the high costs of installation and extension, and the reduced means of recouping even the costs

of individual service lines. The Town of Garner is unlikely to change its local policy of conducting a voluntary annexation program only.

Within the Town's existing ETJ, approximately 1,321 acres of land are in existing subdivisions; and another 730 acres of land within request areas are in existing subdivisions. Since annexation of these pockets of pre-existing development is challenging, it further highlights the need for ETJ as a tool that can help accomplish the purpose of "carrying out plans in a coordinated and efficient manner" (NCGS 160A-361.a.4). Without it, Wake County would be divided haphazardly into areas with different zoning and development rules, urban services, and governance.

Development Experience: The Town of Garner had a population of 25,765 in 2010 and a certified 2015 population by the NC State Demographer of 28,558. The Town has experienced a five year increase of roughly 2,800 residents.

- ✓ The 1990's were a period of slow growth at approximately 1.8% per year.
- ✓ Garner's growth surged to approximately 4.5% per year between 2000 and 2010.
- ✓ 2011-14, the Town estimates its population growth was between 1% and 2%, although
- ✓ 2015-2020 With several approved apartment projects, townhomes and single family subdivisions are likely to push that figure closer to between 3% and 4% in the near future.

Building Permit Data: Building permits (residential & commercial) and residential units created reflect Garner's growth and urbanization over the past 6 years.

Year	2016	2015	2014	2013	2012	2011	2010
New Residential Permits	75*	61	99	55	85	50	55
New Units Permitted	75*	303	94	349	85	49	54
New Commercial Permits	14*	25	24	35	7	5	4

*Data compiled through October 2016- source: Wake County Revenue and US Census Bureau

The Town has experienced a strong influx of development in the White Oak area within the current ETJ. Additionally in the same area the Town has approved various single family residential developments and two additional multi-family communities.

Annexation of Urban Services: The Town of Garner has annexed approximately 1,552 acres beyond the Town's current ETJ boundary in the last 20 years. This signifies that there is substantial pressure for development nearby.

Although the Town notes it is unrealistic to expect all ETJ areas to be annexed within 10 years due to the presence of existing subdivisions and quarries, as well as fluctuations in the economy, Town staff believe the preceding evidence indicates that a significant portion

will be developed and annexed while providing consistent land development regulations across the requested geographic area.

The Town of Garner's request complies with the criterion

(7) Existing ETJ:

When a municipality requests additional ETJ, the municipality must demonstrate its progress in annexing and supplying municipal services, especially water and sewer, through the entirety of its existing ETJ. For all areas of ETJ granted after May 2, 1988, the municipality must specifically address its progress in complying with the criteria under which that ETJ was originally granted. An ETJ expansion may be granted to a municipality only when it demonstrates substantial progress in meeting this criterion.

On May 2, 1988, Wake County adopted its ETJ criteria. At this time, the Town of Garner contained approximately 4,202 acres of land within its corporate limits. In the 28 years since then, the Town has added roughly 5,849 acres of land to its corporate limits.

Analysis of ETJ Areas Granted after 1988.

The Town of Garner has not requested, nor has it received, any additional ETJ areas since 1988.

	Acreage	Acreage Annexed	Acreage Remaining	Pending Annexations Acreage	% Remaining of ETJ	**Existing ETJ Areas that are challenging to annex	% Remaining not including Areas that are challenging
Original-Pre 1988	13,405	4,301	9,104	140*	66.8%	2,132	51%

* The Town of Garner has two pending annexations of 140 acres for a subdivision and apartment community.

**Existing areas that are challenging to annex within the current ETJ include a 406 acre quarry that is active and in operation, 454 acres of ETJ they plan to relinquish to Wake County and roughly 1,272 acres of existing residential subdivisions that at this time have municipal utilities but were not annexed or do not yet require municipal services. The Town of Garner has four (4) subdivisions that remain in the existing ETJ that are served by municipal water and sewer but were not required to be annexed.

The Town of Garner created two maps included within their ETJ request that demonstrate the water and sewer coverage in relation to the existing ETJ, using a 2,500 foot buffer from existing lines. The 2,500 foot buffer is the distance Wake County requires for connection to municipal services within short range urban services areas.

The Town of Garner's request complies with the criterion

STAFF RECOMMENDATION:

Staff recommends that the Planning Board recommend that the Board of Commissioners approve the Town of Garner proposed ETJ expansion request.

FINDINGS:

1. The Town of Garner request for 6,219 acre ETJ Extension is in accordance with North Carolina State law 160A-360 Article 19.

2. The Town of Garner request of 6,219 acre ETJ Extension complies with Wake County Land Use Plan's seven criteria for ETJ extensions.

3. The Town of Garner is experiencing urban growth in its Short and Long Range Urban Service Areas.

4. The Town of Garner is planning to relinquish 454 acres of existing ETJ to Wake County.

Mr. Coates noted that the Town of Garner annexed some properties on December 5th which slightly changed their request.

Ms. Kreider commented that the request is reasonable. She said that Garner has demonstrated the anticipated development. She noted Garner's proximity to Raleigh, the transportation network that will be opening up there, and the fact that Garner has not requested ETJ since 1988.

Mr. Barron stated that he is comfortable with the proposed ETJ extension.

Mr. Wells asked if there was any contact with the landowners whose properties would be relinquished to Wake County. Mr. Coates said that staff has spoken to a few landowners, including the NC State dairy farm. They said that they would like the entire farm to be in one jurisdiction, so they are in favor of the relinquishment. He said there are property owners in a subdivision on Inwood Road that are also in favor of the relinquishment since the subdivision does not have municipal services.

Mr. Wells asked the Town of Garner staff if there were any areas that were left off the request that they would have liked to include. Mr. Jeff Triezenberg, Assistant Planning Director for the Town of Garner, said that they looked at areas along the future I-540 corridor and near Old Baucom Road, but Garner and Raleigh need to do more planning for utilities in those areas first.

Ms. Kreider made a motion that the Planning Board recommends approval of the Town of Garner ETJ request. Mr. Barron seconded the request. By a vote of 8-0, the motion passed.

7. OA 02-16: Agricultural Amendment (Farmers Markets & Local Agricultural Markets)

Mr. Coates presented the staff report to the board.

Purpose:

To amend the Wake County Unified Development Ordinance (UDO) to include new provisions to allow **farmers markets** and **local agricultural markets**

Background:
Wake County's current UDO does not address **farmers markets** or **local agricultural markets**. The UDO has not kept pace with changes in the local food economy. The proposed amendment would define and regulate these uses.

Board of Commissioners Goals
The proposed UDO amendment relates to various Board goals:

- Community Health
- Economic Strength
- Growth & Sustainability and
- Social & Economic Vitality.

The following groups reviewed and commented on the proposed amendments:

- Wake County Cooperative Extension
- Wake County Soil & Water Conservation District
  (Aligns with this agency's Agricultural Economic Development Plan)
- Wake County Farmers Markets Managers
- Wake County Agri-Business Council and
- Capital Area Food Network.

FARMERS MARKET
The North Carolina Department of Agriculture website lists 16 farmers markets located in Wake County – all within municipal planning jurisdictions (attached map contains most but not all markets). These markets are established and managed by non-profits, community groups and municipal or state governments. Their days and hours of operation vary.

Wake County planning staff and farmers market managers anticipate a growing demand for markets in the County's planning jurisdiction as residential subdivisions continue to develop. County planners estimate approximately 190,000 people currently reside in the County's planning jurisdiction.

Definition
The recurring sell of agricultural products directly to the public by a minimum of 3 individual farmers and/or vendors.

As a Permitted Use
Wake County Planning staff proposes that farmers markets be a permitted use in all zoning districts – if they are co-locating with an existing or proposed public or civic use. The following are example of uses listed under the "Public/Civic Use Group" in the Wake County UDO: places of worship, schools, parks and community colleges. Farmers markets are proposed to be classified as permitted uses in all non-residential zoning districts – with or without co-location.

As a Special Use

Staff proposes requiring a special use permit for a farmers market intending to operate on a property in a residentially-zoned district that is not co-locating with an existing or proposed "Public/Civic Use Group" land use.

Standards
Staff encourages the placement of farmers markets in proximity to residential communities. Locating farmers markets closer to residents may help eliminate barriers in obtaining fresh local food products in the County's less urban areas. Staff is proposing operational, locational, and parking standards to address issues pertaining to compatibility.

LOCAL AGRICULTURAL MARKET
Wake County is home to many existing roadside farm stands that provide consumers with quality, fresh, locally grown fruits, vegetables, ornamental plants, and related farm products.

Several of these roadside farm stands are located within the County planning jurisdiction, selling agriculture products grown to many of the County's 1 million consumers. Wake Planning staff anticipates more farms and small businesses wanting to find additional ways to increase revenue by selling their own and others' agricultural products directly to consumers. The Wake County UDO does not adequately address

Local Agricultural Markets (LAM) is a principal use selling directly to consumers. These markets could be the only use on the site or it may be on the same site as a house or farm.

Definition
An area of land managed and maintained by an individual, group or business to grow and harvest food or non-food crops to be sold for profit on-site, off-site, or both.

Bona fide Farms
Bona fide farms are exempt from county zoning regulations per NC State Statutes. NC State Statutes allow bona fide farms to sell agricultural products grown on site, however agricultural products not grown on the farm or another property which the producer/merchant owns or leases are not exempt from local zoning regulations.

Example one (1)- Grower A- produces and sells lettuce at a roadside farm stand, would like to sell peaches produced by Grower B. Currently the selling of products from off-site would be considered retail sales and service and needs commercial zoning.

Wake County's proposed local agricultural market use would allow Grower A to sell other agricultural products from off-site through a Special Use Permit in Residential Zoning districts. This allows a broader mix of goods to be sold at existing roadside farm stands.

As a Permitted Use
Wake County Planning staff proposes that local agricultural markets be a permitted use in all non-residential zoning districts.

As a Special Use
Staff proposes requiring a special use permit for a local agricultural market intending to operate on a property in a residentially-zoned district.

Standards
Staff is proposing operational, locational, and parking standards to address issues pertaining to land use compatibility. Staff is also supporting the idea of small-scale retail enterprises

in proximity to residential areas by defining the space allotted for displaying agricultural products not grown or processed on the farm site.

Staff Findings

The proposed amendment:

1) Aligns with County Commissioners' 2015/2016 strategic goals and objectives, Wake County's 2016 "Health in All Policies" initiative and 2014 Wake County Agriculture Economic Development Plan recommendations;
2) Establish currently nonexistent guidelines for the permitting and regulating Farmers Markets and Local Agricultural Markets;
3) Is consistent with Goal #3 of the Wake County Land Use Plan that encourages the development of communities which provide adequate land for anticipated demands, in a pattern which allows a mixture of uses.
4) Is consistent with Goal #6 of the Wake County Land Use Plan that allows owners of significant farmlands and forest lands the opportunity to maintain the productivity of their land.

Staff Recommendation: That the Planning Board recommends **APPROVAL** of the proposed ordinance amendment as presented.

Mr. Swanstrom asked about how the standard for local agricultural markets that stipulates that "sales of agricultural products not grown or produced on site should take up no more than 25% of the Local Agricultural Market retail area or not to exceed 500 square feet" would be policed. Mr. Coates said that the site plan that is submitted to the Board of Adjustment will show the retail area with the square footage of the area with items not grown on the site. In addition, an enforcement officer could inspect the market if a complaint is filed. Mr. Finn said that staff also performs zoning final inspections for approved special use permits.

Mr. Coates said that some agricultural agencies that staff spoke with supported policies that could strengthen agricultural lands and make them more productive or profitable.

Ms. Sara Merz of the Advocates for Health in Action (AHA) and the Capital Area Food Network (CAFN) came forward to address the board. She said that both AHA and CAFN support the proposal. She said that the proposed standards for Local Agricultural Markets address concerns that AHA and CAFN have had. She said that allowing the sales of agricultural products not grown or produced on site supports local foods and the viability of farmers because it will allow the customers of the local agricultural markets the ability to purchase an entire meal from the market.

Mr. Barron asked about farmers markets connected to a homeowners association. Mr. Coates said that staff would view a farmers market at a subdivision clubhouse (either inside or outside) as an accessory use (not a principal use) to the clubhouse. He said that it would not be a part of the public-civic use group in this circumstance.

Mr. Barron commented that the special use permit application process for Wake County is onerous, and he would like the county to make the special use permit application process for a use like a farmers market to be less onerous.

Mr. Wells asked whether there needs to be a regulation included to deal with trash and waste. Mr. Coates said that there are currently no regulations in the ordinance that deal with that issue for any uses. Any complaints related to trash from a farmers market could be dealt with the same way staff would handle it for other uses. Mr. Maiorano said that there are health and safety code requirements that would capture any issues that arise related to trash.

Mr. Clark asked how the off street parking requirement related to land area would be calculated. Mr. Coates said that the site plan would define the land area where the market is actually occurring. The markets could use existing parking lots if they are co-located with an existing use.

Mr. Maiorano made a motion to recommend approval of OA 02-16 to the Board of Commissioners. Mr. Wells seconded the motion. By a vote of 8-0, the motion passed.

8. LUPA 05-16: Land Use Plan Amendment to add language allowing farmers markets and local agricultural markets be allowed outside of activity centers

Mr. Coates presented the staff report to the board.

Request: Amend the Wake County Land Use Plan - Chapter III Residential Support Areas to add language allowing farmers markets and local agricultural markets be allowed outside of activity centers.

Analysis:
The Wake County Unified Development Ordinance (UDO) was recently updated to include the uses of farmers market and local agricultural markets. Neither of these uses is mentioned within the Wake County Land Use Plan. The UDO amendments allow farmers markets and local agricultural markets to be located in all zoning districts within Wake County jurisdiction.

Farmers Markets and Local Agricultural Markets are intended to be located near residents and tend to be low impact non-residential similar to the uses currently allowed within Residential Support Areas.

The Land Use Plan addresses non-residential uses outside of activity centers within Residential Support Areas. The uses are not required to be within activity centers therefore the Residential Support Areas section of the Land Use Plan needs to be updated to reflect the change. The following paragraph would be amended to include farmers markets and local agricultural markets.

Residential Support Areas

The following non-residential uses are among – not limited to - uses that may be permitted outside of activity centers, provided they would meet County policies and standards and would be compatible with existing residences: home occupations, offices of resident members of professions where such professions are carried on in their respective

residences, daycare, parks, low intensity recreation, libraries, schools, churches, fire or other emergency response facilities, plant nurseries, farmers markets, local agricultural markets, family care homes, group homes, and telecommunications towers.

Findings:

1. The Wake County Land Use Plan currently does not address Farmers Markets and Local Agricultural Markets

2. The recently adopted amendments created the two new uses within the Wake County Unified Development Ordinance

3. The proposed Land Use Plan change will clarify and allow for consistency when a farmers market or local agricultural market applies for permitting

Staff Recommendation
That the Planning Board recommend approval of Land Use Plan Amendment 05-16 to amend the Wake County Land Use Plan Residential Support Areas paragraph to include farmers markets and local agricultural markets.

Ms. Kreider made a motion to recommend approval of LUPA 05-16 to the Board of Commissioners. Mr. Barron seconded the motion. By a vote of 8-0, the motion passed.

9. Reports – Ms. Kreider reported that the Land Use Committee discussed several cases since the last Planning Board meeting.

10. Planning, Development, and Inspections Report –

Mr. Finn updated the board regarding recent development trends.

Mr. Maloney reported that the Planning Board will have a meeting on December 21st.

11. Chairman's Report – Mr. Swanstrom thanked Mr. Barron for presiding over the previous meeting.

12. Adjournment – With no other business, the meeting was adjourned at 2:55 p.m.