

July 2026 Planning Board

Meeting Minutes

July 6, 2026, 7:30 PM

1102 Unionville Church Road, Unionville, NC, US

Town of Unionville — Planning Board Meeting Minutes

Date: Monday, July 6, 2026 | Time: 7:30 PM Location: Unionville Town Hall, 1102 Unionville Church Road, Unionville, NC

Opening Proceedings

The meeting was called to order at 7:30 PM. Members stood for the Pledge of Allegiance, after which an invocation was delivered by Board Member Jerry Adams.

Chairman Hayes noted that two regular board seats were temporarily vacant and called upon Alternate Members Whitney Wall and Mark to serve on the board for the evening to achieve a full complement.

Present: JR Hayes, Jerry Adams, Doug Helms, Steve Outen, Will Crook, Whitney Wall (Alternate), Mark Arrowood (Alternate), Land Use Administrator Melody Braswell, and Michael Harvey with N-Focus Absent: Devin Clontz, Annette Harris, and Deputy Clerk Sonya Gaddy

ACTION ITEMS

1. Consideration of Minutes — May 4, 2026 Planning Board Meeting Minutes

Chairman Hayes noted that the minutes from the May 4, 2026 meeting had been distributed and asked whether members had reviewed them. There being no corrections or amendments, a motion was made to approve the minutes as presented.

Motion to approve the May 4, 2026 Planning Board meeting minutes was made by Board Member Jerry Adams and seconded by Board Member Will Crook. The motion carried unanimously.

2. Recommendation for Expiring Terms

a. Steve Outen – Second Term Expires July 2026

Chairman Hayes confirmed that Board Member Steve Outen's second consecutive term was expiring in July 2026. Consistent with the board's term limit policy, members serving two consecutive terms are required to take a break from service. Board Member Outen acknowledged this and his departure from the active board was noted.

b. Doug Helms – First Term Expires July 2026

Chairman Hayes noted that Board Member Doug Helms's first term was expiring and invited a recommendation for his reappointment to a second term.

Motion to recommend Board Member Doug Helms for a second term on the Planning Board was made by Chairman Hayes and seconded by Board Member Jerry Adams. The motion carried unanimously.

Appointment of Alternate Member Whitney Wall to Full Board

With Board Member Outen's seat becoming vacant, the board discussed which of the two current alternates — Whitney Wall and Mark Arrowood — should be recommended to fill the active seat. Board Member Steve Outen noted that, based on the order of application submission, Whitney Wall had applied first (February 19,

2025) compared to Mark (March 4, 2025), and recommended she be elevated to the full board on that basis. The board agreed by consensus.

Motion to recommend Alternate Member Whitney Wall be elevated to a full active seat on the Planning Board was made by Board Member Will Crook and seconded by Board Member Doug Helms. The motion carried unanimously.

Appointment of John Hinson as Second Alternate Member

With Whitney Wall's elevation, the board discussed filling the now-vacant alternate position.

Motion to recommend John Hinson for appointment to the Second Alternate Member position on the Planning Board was made by Board Member Doug Helms and seconded by Board Member Jerry Adams. The motion carried unanimously.

Melody Braswell confirmed that all recommendations for open seats would be forwarded to the Town Council for action so that all positions could be filled by August.

UNIFIED DEVELOPMENT ORDINANCE REVIEW

3. Review of Recommended Table of Permitted Uses, Article 6, and Signs section of Unified Development Ordinance

Presenter: Michael Harvey, N-Focus

Michael Harvey of N-Focus led the board through a review of three major components of the draft Unified Development Ordinance (UDO): the Table of Permitted Uses, Article 6 (General Standards), and the Signs section.

Table of Permitted Uses

Mr. Harvey opened by soliciting any remaining feedback on the Table of Permitted Uses, which had been reviewed at a prior meeting. He reminded the board of a key constraint under current North Carolina state law: local governments are prohibited from "down zoning," meaning they cannot reduce the permitted density or eliminate permitted land uses from a district without the unanimous consent of all affected property owners. As a result, the updated table will substantially reflect the current table, reorganized for clarity and consistency.

Mr. Harvey explained several relevant state law mandates. Family care homes — defined under NCGS as residences providing room, board, personal care, and habilitation services to no more than six persons with disabilities — must be permitted in every residential district as a matter of state law. The board's only regulatory option is to establish a minimum separation requirement of one-half mile between such facilities. A discussion followed regarding how family care homes differ from home health care arrangements and from halfway houses or drug rehabilitation facilities, which are treated as distinct land use categories. Mr. Harvey noted that family care homes are typically staffed around the clock and are operated as a business, not simply served by visiting home health aides.

Mr. Harvey also addressed the broader principle that land uses legally permitted under the current ordinance must be preserved in the updated code unless all affected property owners consent to their removal — a requirement stemming from a December 2024 amendment to the General Statutes. He cited data centers and adult establishments as illustrative examples of land uses that can be regulated in terms of location and standards, but cannot be arbitrarily eliminated. He noted that at least four bills have been introduced in the General Assembly to repeal or modify this provision, but none have advanced. The board was advised to submit any final feedback on the Table of Permitted Uses to Melody Braswell prior to the August meeting.

Article 6 — General Standards

Mr. Harvey presented the substance of Article 6, which consolidates dimensional standards, general development standards, and supplemental regulations that are currently scattered across multiple sections of the existing ordinance.

Key highlights of Article 6 included:

Dimensional and Lot Standards: All dimensional requirements will be consolidated into a single article. Graphics have been added to clarify lot types (interior, corner, flag, through, cul-de-sac, reverse corner), measurement of setbacks, height determination, and related concepts — items that Melody Braswell and her predecessor had specifically requested for staff and applicant guidance.

Split Jurisdiction: Consistent with NCGS 160D-203, a provision was included allowing the town and an adjacent jurisdiction (such as Union County or the City of Monroe) to agree, at a property owner's request, on which jurisdiction's regulations apply to a split parcel, without requiring a zoning map amendment.

Administrative Modifications: A new mechanism would allow Melody Braswell, as Land Use Administrator, to approve minor administrative adjustments to dimensional standards in cases where a good-faith error has resulted in a technical non-conformity — for example, where a slight change in building materials inadvertently caused a structure to encroach a fraction of a foot into a required setback. This provision is not intended to accommodate deliberate requests for larger structures; those would still require a formal variance before the Board of Adjustment.

Access and Street Frontage: The draft ordinance would eliminate private access easements as a basis for lot creation going forward, given persistent problems with the current allowance of up to two lots off a 20-foot easement — particularly with respect to emergency vehicle access. Existing lots with frontage on a recorded easement would remain legal. Private streets built to a 50-foot right-of-way standard would still be permitted, particularly for smaller subdivisions that will not meet DOT thresholds for public road acceptance.

Housing Types: The ordinance defines and provides graphic examples of various housing types — single-family attached, semi-attached, duplex, townhome, multi-family, and zero lot line development — to provide clarity for staff and applicants. Co-living and Cottage Court provisions, previously proposed, were removed at staff's recommendation as impractical for Unionville given the absence of public sewer.

Bona Fide Farms: Consistent with the town's longstanding position at incorporation, the ordinance reflects that bona fide farm activities are exempt from local zoning regulation. Mr. Harvey confirmed this is the town's choice, as municipalities — unlike counties — may elect whether to exempt such activities.

Electric Fencing: Board Member Doug Helms raised a concern that the draft ordinance's current restrictions on electrified fencing could adversely impact ordinary residents in a rural community — particularly those with gardens, horses, or livestock on non-farm properties. He noted that electric fencing is commonplace throughout the area. The board reached consensus that the ordinance should be liberalized to permit electric fencing with appropriate safety standards, rather than maintaining existing restrictions. Mr. Harvey confirmed this direction would be incorporated.

General Performance Standards: Article 6 includes baseline provisions addressing electrical interference, noise, air pollution, liquid waste, hazardous materials, and solid waste — largely by cross-referencing applicable state and federal requirements. Mr. Harvey noted these provisions are designed to give the Land Use Administrator clear enforcement authority in cases that arise, as current code language leaves those situations inadequately defined.

Non-Residential Architectural Design Standards (Section 6-8): Mr. Harvey asked the board whether it wished to include optional non-residential architectural design standards. He noted that state law prohibits municipalities from imposing such standards on residential development (single-family through quadruplex), but allows them for commercial and industrial structures. Board Member Doug Helms indicated support, noting the board had previously encountered situations where it lacked authority to shape the appearance of incoming commercial development. The board expressed a desire to have such standards. Mr. Harvey asked members to provide specific feedback on what architectural character standards should look like for Unionville — including materials, style, and design elements — so that language can be drafted. He noted that all properties developed prior to the ordinance's adoption would be deemed conforming.

Plan Development Standards (Section 6-10): The ordinance retains and refines the conditional zoning process and introduces a master plan development construct, allowing applicants to propose comprehensive mixed-use or single-use developments for full board and elected official review. Melody Braswell is continuing to provide feedback on this section.

Outdoor Lighting: The lighting standards were significantly simplified from the current code. Rather than requiring detailed isometric contour data and other complex submittals, the revised ordinance requires only that the applicant demonstrate compliance with specified foot-candle limits at residential and non-residential property lines. Full cutoff fixtures are required consistent with the current code. Mr. Harvey noted that sports field lighting provisions are included to ensure that glare does not negatively impact neighboring properties. In

response to a question from Board Member Steve Outen, Mr. Harvey indicated that curfew times for sports lighting could be added and invited the board to provide preferred times — suggesting 9:00 or 10:00 PM Sunday through Thursday and 11:00 PM or midnight on Friday and Saturday, with flexibility to allow completion of games in progress.

Stream Buffers and Erosion Control: The ordinance references the state-mandated riparian buffer requirements (typically a 50-foot buffer with a 30-foot undisturbed inner zone, and a 100-foot buffer for high-density watershed development), as well as state soil erosion and sedimentation control standards triggered when land disturbance exceeds one acre. These provisions bring the ordinance into clearer conformity with applicable state law and address situations where Melody Braswell has had to manage disputes with applicants unaware of these requirements.

Environmental Assessments: Mr. Harvey noted that this optional section would require professional environmental reports for activities requiring certain state permits (mining, NPDES stormwater, or sludge disposal). After discussion, the board indicated by consensus that, given the absence of such activities in Unionville, this section was not necessary. Chairman Hayes asked whether the standard could be limited to specific zones; Mr. Harvey confirmed it must be applied uniformly if adopted at all. The section will be revised to reference state requirements only.

Traffic Impact Analysis (TIA): At Melody Braswell's request, the TIA section will be substantially revised. Rather than imposing a local TIA requirement, the ordinance will simply reflect that a TIA is required only when triggered by NCDOT, with the town participating in the scoping session to ensure local interests are represented. Mr. Harvey noted that TIAs can cost \$15,000–\$20,000 and that requiring them arbitrarily would create legal exposure for the town.

Performance Guarantees: The ordinance introduces a performance guarantee provision, consistent with state law, allowing developers to post a financial bond — typically at 125% of estimated improvement cost — in lieu of completing required improvements (such as landscaping or tree planting) at a time when it is not practical to do so. This mechanism is designed to protect the town's interests while providing flexibility to developers.

Signs

Mr. Harvey provided an overview of the consolidated Signs section, noting that sign regulation is legally limited to location, height, and size — content regulation is prohibited under the First Amendment and confirmed by the U.S. Supreme Court's decision in *Reid v. Town of Gilbert*. Signs are categorized as permitted (no permit required, such as address signs and small yard signs up to four square feet), prohibited (flashing signs, signs resembling traffic control devices, etc.), or regulated (requiring a zoning permit).

The section includes detailed measurement standards and graphics explaining how sign height and area are calculated, how multi-faced signs are interpreted, and how staff is to apply the standards consistently. Sign types addressed include freestanding pole signs, monument signs, wall signs, projecting signs, awning signs, marquee signs, canopy signs, gas pump signs, and outdoor advertising/billboards — with applicable standards consolidated from what are currently three separate sections of the ordinance.

The draft also addresses nonconforming signs, abandoned sign removal (including for demolished buildings and closed businesses), electronic changeable copy signs, and the creation of common signage plans for large-scale developments. Mr. Harvey noted that sign variances may only be granted for height and setback deviations — not for sign area, which is a use standard applicable to all properties.

The board was asked to review the sign tables and standards and provide any feedback prior to the next meeting.

Summary of Action Items from UDO Review

Mr. Harvey summarized the key revisions to be made before the next iteration of the draft:

- Electric fencing restrictions will be liberalized to allow residential use with appropriate safety standards.
- The TIA section will be revised to reference DOT-triggered requirements only, with town participation in the scoping process.
- The environmental assessment section will be revised to reference state requirements only and will not impose an independent local mandate.
- The board is asked to provide feedback on non-residential architectural design standards (Section 6-8) before the next meeting, including preferred materials and character elements.

- The board is asked to provide feedback on desired sports lighting curfew times.
- Any remaining feedback on the Table of Permitted Uses should be submitted to Melody Braswell by August.

OTHER BUSINESS

4. Other business for discussion

No additional items were raised for discussion.

The meeting was adjourned.

Respectfully submitted,

Melody S. Braswell

Clerk/Tax Collector/Land Use Administrator

Note: These minutes were drafted with the assistance of Clerk Minutes by HeyGov. All content was reviewed and approved by the Clerk prior to submission.