

**AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, DECEMBER 6, 2018, 7:00 PM**

1. Call to order.
2. Moment of silent prayer and pledge of allegiance.
3. Consent agenda:
 - (a) Approval of the meeting minutes for the regular city council meeting on November 8, 2018.
 - (b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for October 1, 2018.
 - (c) Approval of the final decision document for land use case no. CUP-18-16.
 - (d) Approval of an ordinance setting the dates for the regular city council meetings during the 2019 calendar year.
 - (e) Approval of three budget ordinances pertaining to the FY 2018-2019 budget:
 - (i) General Fund amendment pertaining to labor costs in multiple departments and for enhancements to the city's information technology/systems operations.
 - (ii) General Fund amendment pertaining to pass thru grant money for economic development activities with Technimark.
 - (iii) A Water and Sewer Fund amendment pertaining to labor costs.
 - (f) Approval to schedule for January 10, 2019, and to advertise, a public hearing on the application to rezone a parcel of land at 132 Gum Street (Randolph County Parcel Identification Number 7754909702) from R10 (Medium-Density Residential) and R15 (Low-Density Residential) to B2 (General Commercial).
 - (g) Approval of a resolution authorizing the destruction of surplus city-owned personal property with no legal value or that poses a potential threat to the public health and safety.

(h) Approval of a joint renewal disclosure form with the fixed based operator, Cardinal Air, LLC, at the Asheboro Regional Airport.

4. Public comment period.
5. Community Development Director Trevor Nuttall will introduce the following land use items:
 - (a) The city-initiated application for general text amendments throughout the subdivision ordinance to reflect changes in state legislation and to address practical and clerical issues identified within the text of the ordinance.
 - (b) The requested appointment of Pamela Vuncannon to a new 5-year term of office (January 1, 2019 to January 1, 2024) on the Asheboro Planning Board.
 - (c) A request for council authorization to forward to the Randolph County Board of Commissioners a request for the reappointment of Thomas Rush to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction.
 - (d) Authorization to commence a city-initiated zoning map amendment for properties located along South Cox Street and Greensboro Street.
6. City Engineer Michael Leonard, PE will request the adoption of a resolution stating the council's intent, consistent with the recommendation from the Asheboro Airport Authority, to transfer the existing Hangar A lease agreement from Stephen Knight to Bradley Lanier for the remainder of the existing lease term.
7. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.
8. Adjournment.

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, NOVEMBER 8, 2018
7:00 p.m.**

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and city management team members present:

Walker B. Moffitt) – Mayor Pro Tempore Presiding

Clark R. Bell)
Edward J. Burks)
Linda H. Carter) – Council Members Present
Jane H. Redding)
Katie L. Snuggs)
Charles A. Swiers)

David H. Smith) – Mayor Absent

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk
John L. Evans, Assistant Community Development Director
David L. Hutchins, Public Works Director
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Assistant Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney
Willie Summers, Fire Chief
Kristen P. Terry, Human Resources Assistant

1. Call to order.

A quorum thus being present, Mayor Pro Tem Moffitt called the meeting to order for the transaction of business, and business was transacted as follows.

2. Moment of silent prayer and pledge of allegiance.

After a moment of silence was observed in order to allow for private prayer and meditation, Mayor Pro Tem Moffitt asked everyone to stand and recite the pledge of allegiance.

3. Update on senior adults association activities.

Mr. Mark Hensley, who is the Executive Director for the Randolph County Senior Adults Association, gave an overview of the programs and services provided by the association to senior adults. Some of the programs and services include, but are not limited to, Home-Delivered Meals (Meals-on-Wheels) and Adult Day Care.

A copy of the 2017-2018 annual report as presented by Mr. Hensley is on file in the city clerk's office.

4. Report on the 2018 Employee United Way Campaign.

Ms. Kristen Terry and Mr. John Evans briefly reported that the city's 2018 Employee United Way Campaign was a success with a total of 134 city employees contributing to United Way. Approximately \$33,000 was pledged by city employees.

No action was taken by the council during this portion of the meeting.

5. Consent agenda.

Upon motion by Mr. Bell and seconded by Ms. Carter, the Council Members voted unanimously to approve/adopt the following consent agenda items.

(a) The meeting minutes for the city council's regular meeting on October 4, 2018.

The approved minutes are on file in the city clerk's office, and an electronic copy of the approved minutes is posted on the city's website.

(b) The meeting minutes for the city council's special meeting on October 22, 2018.

The approved minutes are on file in the city clerk's office, and an electronic copy of the approved minutes is posted on the city's website.

(c) The final decision document for land use case no. CUP-18-13.

**Case No. CUP-18-13
Final Decision Document
City Council of the City of Asheboro, North Carolina**

**IN THE MATTER OF THE APPLICATION BY NEW JERUSALEM PENTECOSTAL HOLINESS
CHURCH, INC. FOR A CONDITIONAL USE PERMIT AUTHORIZING
A PLACE OF WORSHIP LAND USE**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING, WITH CONDITIONS,
THE REQUESTED LAND USE APPROVAL**

THIS LAND USE CASE was heard by the Asheboro City Council (the "Council") during a properly advertised quasi-judicial hearing on October 4, 2018. During this hearing, the Council received evidence, including sworn testimony, and considered all competent evidence and argument. On the basis of competent, material, and substantial evidence, the Council does hereby enter the following:

FINDINGS OF FACT

1. By and through Ms. Hattie Johnson, who is an authorized agent of the church, New Jerusalem Pentecostal Holiness Church, Inc., which is a North Carolina non-profit corporation, (the "Applicant") properly applied for a conditional use permit (a "CUP") authorizing a land use identified by the Asheboro Zoning Ordinance (the "Ordinance") as a place of worship on the church's land.

2. The place of worship is proposed for the church's real property at 618 and 622 Franks Street in Asheboro. The church property subject to the requested CUP is approximately 0.67 of an acre in size and consists of two parcels of land (collectively, the "Zoning Lot") that are more specifically identified by the following Randolph County Parcel Identification Numbers: 7761144135 and 7761144098.

3. In a legislative act, the Council placed the Zoning Lot in a conditional use district, specifically a CU – O & I (Conditional Use Office and Institutional) zoning district, before deliberating about the requested CUP.

4. Section 102 of the Ordinance describes a conditional use district as follows:

Each Conditional Use District corresponds to a related district in this Ordinance. Where certain types of zoning districts would be inappropriate under certain conditions, and the rezoning applicant desires rezoning to such a district, the CU District is a means by which special conditions can be imposed in the furtherance of the purpose of this Ordinance.

5. Section 102 of the Ordinance also provides:

Within a CU District, only those uses specifically permitted in the zoning district to which the CU District corresponds (i.e., R15 and CUR15) shall be permitted, and all other requirements of the corresponding district shall be met. It is the intent of this ordinance that all requirements within a CU District be equal to or more stringent than those in a corresponding non-CU District.

In addition, within a CU District no use shall be submitted except as pursuant to a Conditional Use Permit authorized by the City Council, which shall specify the use or uses authorized. Such permit may further specify the location on the property of the proposed use or uses, the number of dwelling units or Floor Area Ratio, the location and extent of supporting facilities including but not limited to parking lots, driveways and access streets, the location and extent of buffer areas and other special purpose areas, the timing of development, the location and extent of rights-of-way and other areas to be dedicated for public use, and other such matters as the applicant may propose as conditions upon the request. In granting a Conditional Use Permit, the Council may impose such additional reasonable and appropriate safeguards upon such permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured and substantial justice done.

The authorization of a Conditional Use Permit in any CU District for any use which is permitted only as a Special Use in the zoning district which corresponds to the CU District shall preclude any requirement for obtaining a Special Use Permit for any such use from the City Council.

6. Section 1013.2 of the Ordinance establishes the following standards for the issuance by the Council of a CUP:

In considering an application for a Conditional Use Permit, the City Council shall give due regard that the purpose and intent of this ordinance shall be served, public safety and welfare secured and substantial justice done. If the City Council should find, after a public hearing, that the proposed Conditional Use Permit should not be granted, such proposed permit shall be denied. Specifically the following general standards shall be met:

1. *That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.*
2. *That the use meets all required conditions and specifications.*
3. *That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and,*
4. *That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.*

7. Subsection G in Section 210 of the Ordinance contains a statement of intent for the O & I zoning district, and this statement of intent provides as follows:

The Office and Institutional district is intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O & I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.

8. Pursuant to the Ordinance's Table of Permitted Uses (Table 200-2) a place of worship is permitted as a principal use in an O & I zoning district.

9. The land uses surrounding the Zoning Lot are as follows:

North: Membership Organization

East: Single-Family Residential

South: Single-Family Residential

West: Undeveloped Residential

10. With regard to the city's comprehensive development plans, the growth strategy map identifies the area in which the Zoning Lot is located as a primary growth area, and the proposed land development plan map designates the area as neighborhood residential.

11. The last permitted land use on the Zoning Lot was a single-family residential use.

12. The Zoning Lot is inside Asheboro's city limits.

13. Franks Street is a local, city-maintained street.

14. The area in which the Zoning Lot is located consists primarily of single-family residential uses with multi-family and institutional uses across Franks Street and extending westward to Watkins Street.

15. The adopted land development plan's design principles are generally supportive of a compatible mix of institutional, civic, and residential uses appropriately located and designed.

16. As proposed, the place of worship will be located within an existing structure that covers an area of approximately 988 square feet. No additions are proposed for the existing structure, and no new structures are proposed for the Zoning Lot.

17. The general zoning requirements in the O & I district prohibit parking in the required front yard. Also, buffering/screening is required for parking areas adjacent to residential properties.

18. The Applicant proposes to use existing vegetation to comply with part of the buffering/screening requirements.

19. The parking requirements specified by the Ordinance are based on the size of the main assembly area, such as the sanctuary, within the place of worship. The Applicant's site plan indicates that five parking spaces are proposed. This number of proposed parking spaces would accommodate up to 16 people.

20. Mr. Ben Morgan, Esq. was placed under oath and provided testimony on behalf of the Applicant. As part of his testimony, Mr. Morgan expressed agreement with the following conditions that were recommended by the city's planning staff for attachment to the requested CUP in order to ensure long-term compliance of the proposed development with the Ordinance:

- (A) Notwithstanding information provided on the site plan, if only one of the driveways shown on the site plan is constructed, such an action will not be considered a modification of the CUP as long as all of the parking spaces and maneuvering areas required by the Ordinance are provided.
- (B) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the Applicant shall provide details showing the following:
 - (1) Compliance of the handicapped ramp design and handicapped parking with the North Carolina Building Code. Minor changes necessary to comply with these requirements shall not be considered a modification of the CUP requiring further review by the Council.
 - (2) Required plantings that supplement the existing vegetation shown on the site plan so as to achieve and maintain compliance with Sections 304A and 308A of the Ordinance.
 - (3) Solid waste facilities that conform to Section 307A of the Ordinance.
- (C) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the zoning administrator for recordation in the Office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this CUP in the chain of title for the Zoning Lot.

21. The proposed place of worship does not pose any elevated risk of generating health and safety concerns.

22. No testimony was offered in opposition to either the Applicant's request or the testimony/evidence introduced during the hearing of this land use case.

Based on the foregoing findings of fact, the Council hereby enters the following:

CONCLUSIONS OF LAW

1. When an applicant has produced competent, material, and substantial evidence tending to establish the existence of the facts and conditions that the Ordinance requires for the issuance of a conditional use permit, prima facie the applicant is entitled to the permit. A denial of the permit has to be based upon findings contra that are supported by competent, substantial, and material evidence appearing in the record.

2. In this case, the Applicant properly submitted an application, including the required site plan, for a conditional use permit authorizing a place of worship on the Zoning Lot in a conditional use office and institutional zoning district.

3. In light of the evidence and the Applicant's acceptance of the conditions attached to the conditional use permit by the Council, the Applicant's proposed land use is compliant with the applicable requirements of the Ordinance.

4. On the basis of substantial evidence in the record, the Council has concluded that, with the clarifications and protections provided by the conditions attached to this permit, the proposed land use meets the four general standards for granting the requested conditional use permit. The proposed land use will not materially endanger the public health or safety, meets all required conditions and specifications of the Ordinance, will not substantially injure the value of adjoining or abutting property, and will be in harmony with the area in which it is to be located and is in general conformity with Asheboro's plan of development.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

Subject to the following conditions, a conditional use permit authorizing the proposed place of worship on the Zoning Lot is hereby approved and issued to the Applicant and the Applicant's heirs, successors, and assigns. The continuing validity of this conditional use permit is hereby made expressly contingent upon the Applicant and the Applicant's heirs, successors, and assigns complying at all times with the applicable provisions of the City of Asheboro Zoning Ordinance, the approved site plan, and the following supplementary conditions:

- (A) Notwithstanding information provided on the site plan, if only one of the driveways shown on the site plan is constructed, such an action will not be considered a modification of the CUP as long as all of the parking spaces and maneuvering areas required by the Ordinance are provided.
- (B) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the Applicant shall provide details showing the following:
 - (1) Compliance of the handicapped ramp design and handicapped parking with the North Carolina Building Code. Minor changes necessary to comply with these requirements shall not be considered a modification of the CUP requiring further review by the Council.
 - (2) Required plantings that supplement the existing vegetation shown on the site plan so as to achieve and maintain compliance with Sections 304A and 308A of the Ordinance.
 - (3) Solid waste facilities that conform to Section 307A of the Ordinance.
- (C) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the zoning administrator for recordation in the Office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this CUP in the chain of title for the Zoning Lot.

The foregoing final decision document was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

- (d) **Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for September 4, 2018.**

The minutes of the meeting held by the Asheboro ABC Board on September 4, 2018, have been received by the city clerk, distributed to the mayor and members of the city council for review, and are on file and available in the city clerk's office.

- (e) **The temporary closure from 7:00 p.m. to 8:30 p.m. on Friday, December 7, 2018, of the streets indicated on the parade permit application and map for the Asheboro/Randolph Chamber of Commerce Christmas Parade.**

The parade permit application with the requested street closure, including a map, was included in the council's materials. Copies of these items are on file in the city clerk's office. The said temporary street closure was approved as requested in the application.

- (f) **The temporary closure from 6:00 p.m. to 9:00 p.m. on Friday, December 14, 2018, of the streets indicated on the parade permit application and map for the annual "Christmas on Sunset" event sponsored by the Asheboro/Randolph Chamber of Commerce Downtown Development Committee.**

The parade permit application with the requested street closure, including a map, was included in the council's materials. Copies of these items are on file in the city clerk's office. The said temporary street closure was approved as requested in the application.

- (g) **An extension to December 31, 2018, of the due date for the FY 2017-2018 audit.**

A copy of the amended audit contract is on file in the city clerk's office.

- (h) **Approval to schedule for December 6, 2018, and to advertise, a public hearing on the text amendments proposed by the city staff for the subdivision ordinance.**

The above-listed text amendments for the subdivision ordinance will be advertised and heard by the Council on December 6, 2018.

- (i) **A Stormwater Fund Amendment.**

18 ORD 11-18

ORDINANCE TO AMEND STORMWATER FUND FY 2018-2019

WHEREAS, at the December 7, 2017 meeting, the City Council approved the Stormwater Project fund to track expenses relating to Summey Engineering Associates, PLLC storm water study in the Dixie Land Acres area, as well as to track other possible future related projects, and;

WHEREAS, Public Works Director David Hutchins has confirmed with Mack Summey of Summey Engineering that the storm water study is complete and all expenses have been paid, and;

WHEREAS, the City Manager and staff have not identified any other areas that will need storm water mitigation at this time or in the near future, and;

WHEREAS, the City of Asheboro has received a grant from NCDOT (DOT Project EB-5862) for sidewalk improvements, and:

WHEREAS, the City would like to change the title of the Stormwater Fund to the Sidewalk Improvement fund to track the expenses for the NCDOT grant and reallocate the existing fund balance in the Stormwater fund for the purposes of Sidewalk Improvements, and;

WHEREAS, the expenses anticipated with the NCDOT grant improvements are expected to be in the area of professional services, including environmental documentation, design, specifications and engineer's estimate, related to the construction of a portion of sidewalk along the south side of Industrial Park Avenue between the entrance to Randolph Community College (RCC) and the RCC Continuing Education and Industrial Center, and

WHEREAS, City of Asheboro desires amend the 2018-2019 project fund budget to incorporate the anticipated revenue and expenses for the Sidewalk improvements to be in compliance with all generally accepted accounting principles.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1:

That the Fund title be changed from Stormwater Fund to Sidewalk Improvements Fund and the expense description for account 73-400-0000 be changed from Professional Services – Dixie Land Acres Phase 3 to Design and Environmental Documentation and the budget allocation remain at \$25,000

Section 2: That the following revenues are increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
73-300-2000	Contribution from Randolph Community College	\$35,000
73-300-3000	Grant Proceeds – NCDOT - TAP	\$174,000
		\$209,000

Section 4. That the following expense lines are increased / decreased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
73-400-0002	Construction	\$148,100
73-400-0003	Construction Administration	\$22,200
73-400-0004	NCDOT Oversight	21,700
73-400-0005	Miscellaneous	18,643
73-400-0001	Land Acquisition & Easements (stormwater)	(1,643)
		\$209,000

Adopted this the 8th day of November 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (j) **A General Fund (FY 2018-2019) amendment pertaining to programming at the Sunset Theatre.**

19 ORD 11-18

**ORDINANCE TO AMEND THE GENERAL FUND
FY 2018-2019**

WHEREAS, RhinoLeap Productions has presented a proposal to the City of Asheboro for use of the City of Asheboro Sunset Theatre for three theatrical productions to be held at the Sunset Theater and has requested sponsorship from the City of Asheboro in the amount of \$20,000 for each of these performances, and;

WHEREAS, these productions are 8 performances of "To Kill a Mockingbird" from November 8th-18th, 8 performances of "It's a Wonderful Life- A live Radio Play" from December 22-30 and 11 performances of "The 39 Steps" from May 17-June 9th, and;

WHEREAS, the total requested sponsorship of these performances is \$60,000, and;

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following revenue line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-399-0000	Fund Balance Appropriation	60,000

Section 2: That the following expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-615-1201	Programs- Sunset Theatre	60,000

Adopted this 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (k) **The closure of the Sunset Theatre Project Fund (Fund #67).**

20 ORD 11-18

ORDINANCE TO CLOSE SUNSET THEATRE PROJECT (FUND #67) FY 2018-2019

WHEREAS, the last ordinance to amend the Sunset Theatre Project Fund was approved June 29, 2016, and

WHEREAS, this amendment allocated the remaining Sunset Theatre Project Fund Balance back to the General Fund to pay debt service, and

WHEREAS, the purpose of the Sunset Theatre Project Fund has been completed and no additional pledge revenues have been received since June 2018, and

WHEREAS, during the 2017-2018 audit, the auditor requested that I submit a final budget ordinance to close the Sunset Theatre Project Fund.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA that the Sunset Theatre Project Fund is officially closed.

Adopted this the 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

(I) **A resolution to approve the city's water shortage response plan.**

RESOLUTION NUMBER 27 RES 11-18

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION APPROVING THE CITY OF ASHEBORO
WATER SHORTAGE RESPONSE PLAN**

WHEREAS, Section 143-355(l) of the North Carolina General Statutes requires each unit of local government that provides public water service and each large community water system to develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan that is submitted to the Department of Environmental Quality (the "Department") for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the City of Asheboro (the "Plan") has been developed and submitted to the Asheboro City Council (the "Council") for approval; and

WHEREAS, the Plan is attached to this Resolution as EXHIBIT 1 and is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the Council finds that the Plan is in accordance with the provisions of Section 143-355(l) of the North Carolina General Statutes and that the Plan will provide appropriate guidance for the future management of water supplies for the City of Asheboro as well as providing useful information to the Department for the development of a state water supply plan as required by statute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the Plan titled *City of Asheboro Water Shortage Response Plan*, dated November 8, 2018, is hereby approved and shall be submitted to the Department's Water Planning Section; and

BE IT FURTHER RESOLVED that the Council intends that this Plan shall be revised to reflect changes in relevant data and projections at least once every five years, or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

EXHIBIT 1
City of Asheboro
Water Shortage Response Plan

The procedures herein are written to reduce potable water demand and protect existing drinking water supplies whenever they are in danger of being inadequate to meet customer needs. This plan is adopted to give the City of Asheboro guidelines to deal with water emergency issues related to drought. Elements of this plan may also be used to deal with reservoir contamination or if there is equipment or facility failure. Conditions justifying declaration of water emergency.

- (a) *Insufficient reserve supply.* A water emergency may be declared to exist when the combined reserve supplies available from Lake Reese and Lake Lucas shall have reached the point where the reserve supply has been so reduced that the citizens cannot be supplied with water to protect their health and safety without curtailing substantially the water demand.
- (b) *Reservoir contamination.* A water emergency may be declared to exist when the reserve supplies available at Lake Reese and Lake Lucas have been contaminated in such a manner as to permit contamination to pass through the water treatment plant, damage equipment or endanger employees, or cannot be treated to the standards *established* by the Safe Drinking Water Act or the standards established by the state, or endangers the health and safety of the citizens.
- (c) *Equipment or facility failure.* A water emergency may be declared in the event of failure of raw water transmission lines, chlorination systems, flocculation systems, settling systems, filtration systems, chemical feed systems, storage systems, including finished water reservoirs and elevated tanks, high-service pumps or elements of the distribution system. Equipment or facility failure shall include any occurrence, which reduces the ability to produce and distribute water at the designed capacity of the water plant or to the minimum level necessary to protect the health and safety of the citizens.

I. Authorization

Subject to review by the City Council at any regular or special meeting of the City Council, a water emergency may be declared by the City Manager or his or her designee to exist when any condition or situation exists that may threaten the availability and/or safety of either treated or potable water from the water supply, treatment, and distribution system operated and maintained by the city. A water emergency shall be declared by the City Manager or his or her designee to exist when users of the city water system cannot be supplied with treated or potable water without substantially curtailing the water demand placed on the city's water system. Furthermore, a water emergency shall be declared to exist when production, treatment, transmission, and storage facilities are incapable of meeting all daily water demands or when projections of available water show that the available supply of water will not meet the daily water demands.

II. Notification

A declaration of the existence of a water emergency by the City Manager or his or her designee shall specify the level of severity of the emergency and be in the form of a signed executive order that, upon its issuance, shall be distributed to the Mayor and members of the City Council in a manner designed to provide the most expeditious notification possible. Once the distribution of the declaration of the existence of a water emergency to the Mayor and members of the City Council has been undertaken, the City Manager or his or her designee shall give notice to the general public by means of a public press announcement of the existence of a water emergency and the severity thereof. The regulatory provisions authorized by this plan will become effective 24 hours after the issuance of the public press announcement specified in the preceding sentence.

III. Levels of Response

Four levels of water emergency response are outlined in the table below. The four levels of water emergency response are: voluntary restrictions and mandatory restrictions I, II, and III. A detailed description of each response level and corresponding water reduction measures follow below.

Level	Response	Description
1	Voluntary Restrictions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for emergency.
2	Mandatory Restrictions I	Water users must abide by required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water emergency conditions are expected to persist. Allows maintaining jobs and landscaping investments related to water use.

3	Mandatory Restrictions II	Bans additional water usages not included in Level 2 Mandatory Restrictions I
4	Mandatory Restrictions III	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.

- (1) *Level I (Voluntary)*. During a declared Level I water emergency, consumers of water from the city water system shall be encouraged to implement the following voluntary water conservation practices:
 - (a) Watering of lawns, ornamental plants, and gardens should be limited to the hours between 7:00 p.m. and 7:00 a.m.;
 - (b) Use of water for wash down of outside areas such as driveways, parking lots, and sidewalks should be curtailed;
 - (c) Faucets should not be left running while shaving, brushing teeth, or washing dishes;
 - (d) The use of clothes and dishwashers should be limited where possible, and these units should be operated with full loads;
 - (e) Washing cars and other vehicles should be curtailed to Saturday and Sundays, and hoses should not be left running while washing;
 - (f) The use of flow restriction and other water saving devices is encouraged;
 - (g) Showers should be used for bathing, and showers should be limited to four minutes or less; and
 - (h) Filling of pools should be deferred or limited to hours between 7:00 p.m. and 7:00 a.m.
- (2) *Level II (Mandatory)*. During a declared Level II water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the city water system:
 - (a) The watering of lawns, ornamental plants, and gardens shall be limited to the hours between 7:00 p.m. and 7:00 a.m.;
 - (b) The watering of lawns, ornamental plants, and gardens shall not be done except by handheld containers (buckets, jugs, etc.), and no applications for irrigation meters will be accepted or approved;
 - (c) With the exception of situations where a wash down of outside areas is necessary due to public health and safety concerns, the residential use of water for wash down of outside areas is prohibited. Commercial pressure washers shall be permitted to continue normal operations. However, the commercial pressure washer owners and/or operators shall ensure that water wastage does not occur;
 - (d) Residential washing of cars and other vehicles is prohibited. Automobile retail establishments and commercial automobile washing facilities including those providing hand held washing nozzles shall be permitted to continue normal operations. However, the facility owner/operator shall ensure that water wastage does not occur;
 - (e) Restaurants and other food serving establishments shall serve water to patrons only at the request of the patron(s);
 - (f) Commercial, industrial and construction operations shall eliminate all possible waste of water. Large scale commercial and industrial operations and construction activities that utilize 20,000 cubic feet or more of water per month shall submit a water reduction compliance plan to achieve 25%, 50%, or 75% water reduction as specified under the Level II water emergency declaration within 14 days of the effective date of the regulations and restrictions specified in the Level II water emergency declaration; and
 - (g) Above-ground pools, Jacuzzis, and hot tubs having a capacity of 500 gallons or more and all newly constructed or drained in-ground pools shall be filled by permit only. The Water Resources Director or his or her designee shall review applications for such fill permits. The issuance of such a permit may be denied on the basis of the assessment by the Water Resources Director of the severity of the situation.
- (3) *Level III (Mandatory)*. During a declared Level III water emergency, the following mandatory use restrictions shall be in effect for consumers of water from the city water system:
 - (a) Any form of watering or irrigating lawns, gardens, and/or other plants is prohibited;
 - (b) With the exception of situations where the wash down of certain outside areas is necessary due

- to public health and safety concerns, the use of water for wash down of outside areas is prohibited;
- (c) With the exception of situations where the washing of certain items is necessary due to public health and safety concerns, the washing of cars, vehicles, and/or other equipment is prohibited;
 - (d) Restaurants and other food serving establishments shall utilize single serving utensils and plates in addition to serving water to patrons only at the request of the patron(s);
 - (e) Recreational use of potable water, including filling of pools, is prohibited;
 - (f) Large scale commercial and industrial water customers and construction activities utilizing 20,000 cubic feet or more of water per month shall achieve mandatory restrictions in daily water usage of 25%, 50%, or 75% through whatever means are available. The target reduction percentage shall be determined by the severity of the water emergency and shall be publicly announced as part of the emergency declaration. The Water Resources Director shall determine compliance with the daily usage reduction targets. Variances to this restriction may be granted by the Water Resources Director to public health facilities including, but not limited to, hospitals and nursing homes;
 - (g) Drinking water taps or hydrant permits shall be issued or revoked at the discretion of the Water Resources Director; and
 - (h) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited.
- (4) *Level IV (Mandatory)*. During a declared Level IV water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the city water system:
- (a) All use of water for purposes other than the maintenance of public health and safety is prohibited;
 - (b) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited;
 - (c) Where the city water system is functional, monthly residential water use shall not exceed 1,200 cubic feet of water at each metered location;
 - (d) Where the city water system is not functional, National Guard and emergency services vehicles shall be utilized to distribute water for household use at prearranged locations within the affected area. Usage by individuals shall be limited to those amounts necessary to sustain life through drinking, food preparation, and personal hygiene; and
 - (e) The compliance plan for industries during Level IV remains the same as Level III or as directed by the State Public Health Officials.

In the event of the declaration of a "water emergency" it shall be unlawful for any person to use or permit the use of water from the water system of the city in violation of any of the provisions set forth in this plan until such time as the City Manager or his or her designee has declared the restrictive provision(s) in question to be no longer in effect.

IV. Triggers

Triggers for the City of Asheboro levels of response are provided in Table 1 below. The City's main sources of water are Lake Lucas and Lake Reese. The following measurements of usable storage and/or days of available supply trigger entry into corresponding water restriction stages based on lake level data maintained by the Water Resources Division.

Restriction Level	Usable Storage	Days of Available Supply
1	<60%	<190 Days
2	<50%	<150 Days
3	<40%	<125 Days
4	<35%	<100 Days

Table 1

Once a water emergency has been declared and the appropriate staged restrictions imposed, the Water Resources Director or his or her designee shall review the operational status of the city's water system and the supply of water available to the city's water system and keep the City Manager or his or her designee apprised of the operational status of the city's water system and the available water supply. On the basis of the information gathered, the Water Resources Director or his or her designee shall recommend to the City Manager or his or her designee when a different stage of restriction should be implemented. The City Manager or his or her designee shall make the final determination to change the restriction stage. If such a change in the stage of restriction is warranted, the notification procedures prescribed by Division II above shall be followed in the same manner as for the initial declaration of a water emergency.

V. Enforcement

The provisions of the water shortage response plan will be enforced by the City of Asheboro'. Violators may be reported to the Water Resources Division at (336)-626-1201 Ext. 258 or the Water Treatment Plant at (336) 626-1215.

Compliance with this plan shall be enforced by personnel of the Water Resources Division, the Police Department, and any other personnel designated by the City Manager. Failure to comply with any of the regulations or restrictions of this plan shall be unlawful and a violation of this plan. All remedies authorized by law for noncompliance with this plan, including the issuance of a civil penalty citation or an action for injunctive relief, may be exercised to enforce the provisions of this plan. It shall be unlawful to fail to act in accordance with the provisions of this plan or to use water in any manner that constitutes an attempted and/or actual evasion or avoidance of the water restrictions prescribed by this plan.

Any consumer of water from the city water system who violates any provision of this plan shall be subject to civil penalties as defined in Section 50.027 (EMERGENCY WATER MANAGEMENT PROCEDURES) of the Code of Asheboro.

VI. Variance Protocols

Water use variance requests may be made to the office of the City Manager at 146 N. Church Street (336) 626-1201. The City Manager or his designee may authorize relief from specific provisions of these restrictions in order to maintain an economic or public investment or to continue employment by business or industrial customers

VII. Revision

The Water Shortage Response Plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years, as required by the provisions of G.S. 143-355(l). Further, the Water Resources Director will review procedures following each emergency to recommend any necessary revisions to the plan to the City Council.

Approved by the Asheboro City Council on November 8, 2018.

- (m) **An ordinance that will increase the number of spaces designated for handicapped parking on Holly Street.**

ORDINANCE NUMBER _____ 21 ORD 11-18

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE TO AMEND THE PARKING REGULATIONS APPLICABLE TO
A SECTION OF HOLLY STREET**

WHEREAS, Section 160A-296 of the North Carolina General Statutes provides that a city shall have general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 160A-301(a) of the North Carolina General Statutes provides that the "city may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets, alleys, and bridges within the city;" and

WHEREAS, during its regular meeting on November 8, 2018, the Asheboro City Council concluded that the parking plan for the section of Holly Street between South Park Street (North Carolina Secondary Road 1451) and South Church Street (North Carolina Secondary Road 1707) should be updated to provide three additional reserved parking spaces on the south side of Holly Street for persons with mobility impairments; and

WHEREAS, the city's engineering department has prepared a detailed diagram dated October 2018, which is titled "Parking Plan for Holly Street (East of South Park Street)," to accurately depict the location of the additional handicapped parking spaces on the south side of Holly Street, east of South Park Street; and

WHEREAS, the diagram described in the immediately preceding recital is attached to this Ordinance as EXHIBIT 1 and is hereby incorporated into this Ordinance by reference as if copied fully herein (the revised parking plan proposed for adoption by the Asheboro City Council and shown on the attached diagram will be referred to as the "October 2018 Revised Holly Street Parking Plan").

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. The October 2018 Revised Holly Street Parking Plan submitted by city staff and attached hereto as EXHIBIT 1 is hereby approved and adopted, without modification, as the city's official on-street parking plan for the section of Holly Street shown in the attached exhibit.

Section 2. The city manager is hereby directed to cause all of the handicapped parking spaces shown on the adopted October 2018 Revised Holly Street Parking Plan to be posted with signage and otherwise marked in strict compliance with Section 20-37.6(d) of the North Carolina General Statutes.

Section 3. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

[Exhibit 1 that is referenced in the above ordinance is on file in the city clerk's office.]

6. Community Development Items:

- (a) Case No. RZ-18-15: Public hearing on the application to rezone the property located at 505 East Salisbury Street (Randolph County Parcel Identification Number 7761039088) from R7.5 (Medium-Density Residential) and B1 (Neighborhood Commercial) to OA6 (Office-Apartment).**

Mayor Pro Tem Moffitt opened the public hearing, which was legislative in nature, on the application by Stephen David Wright (the "Applicant") to rezone approximately 0.28 of an acre of land located at 505 East Salisbury Street from R7.5 (Medium-Density Residential) and B1 (Neighborhood Commercial) to OA6 (Office-Apartment) zoning. The Applicant's land is more specifically identified by Randolph County Parcel Identification Number 7761039088.

Mr. Nuttall utilized a visual presentation to summarize the planning staff's analysis of the request. The staff report noted the following:

1. The property is located inside the city limits.
2. East Salisbury Street is a state-maintained major thoroughfare.
3. The majority of the property is currently zoned B1, described by the zoning ordinance as "intended to provide for limited retail and personal service uses on free-standing parcels or for small centers to serve adjacent residential neighborhoods. These districts shall normally be located in nodes along minor thoroughfares or higher classification streets." A small portion of the property is zoned R7.5 (Medium-Density Residential).
4. The requested zoning district allows residential, office and institutional uses, and limited commercial uses. The OA6 zoning district is described by the zoning

ordinance as “intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.” Heavier commercial uses (such as retail, eating establishments, motor vehicle sales and major/minor repair, etc.) are prohibited in the OA6 district.

5. There is currently a single-family dwelling on the property that tax records indicate was built in 1940. This is a legal non-conforming use in the B1 zoning district, which places restrictions on future expansion or additions. If the property is rezoned to OA6, the current use becomes a use permitted by-right in the OA6 zoning district.
6. The adjoining property to the east was rezoned from CU-OA6 (Conditional Use Office-Apartment) to M (Mercantile) in 2014.

The planning board recommended approval of the zoning map amendment application. This recommendation was based on the planning board’s concurrence with the following analysis from the community development division staff’s evaluation of the consistency of the requested rezoning with the adopted comprehensive plans as well as the reasonableness of the request and whether the requested rezoning is in the public interest:

The Land Development Plan proposes commercial zoning for the property. The Central Small Area Plan further states that commercial uses are designated in scattered locations along thoroughfares to accommodate some further commercial development. Also recommended in the Central Small Area Plan are “limited, local-scale, office and institutional uses” along East Salisbury Street. The requested OA6 district fits this recommendation by providing for office & institutional and limited commercial activities but also excluding heavier commercial uses that may be less appropriate to apply to the property. The designation is also consistent with surrounding land uses, which include single-family and multi-family residential uses, along with some commercial activities. The OA6 classification can also help encourage continued investment into the property by removing its non-conforming status.

There being no further comments and no opposition from the public, Mayor Pro Tempore Moffitt transitioned to the deliberative phase of the hearing.

Upon motion by Mr. Bell and seconded by Mr. Burks, the Council voted unanimously to follow the staff and planning board recommendations to approve the requested rezoning by adopting a multi-part motion that took the following actions:

1. City Council Adoption of the Following Analysis of the Requested Map Amendment: The Land Development Plan proposes commercial zoning for the property. The Central Small Area Plan further states that commercial uses are designated in scattered locations along thoroughfares to accommodate some future commercial development. Also recommended in the Central Small Area Plan are “limited, local-scale, office and institutional uses” along East Salisbury Street.

The requested OA6 district fits this recommendation by providing for office and institutional and limited commercial activities but also excluding heavier commercial uses that may be less appropriate to apply to the property. The designation is also consistent with surrounding land uses, which include single-family and multi-family residential uses, along with some commercial activities. The OA6 classification can also help encourage continued investment into the property by removing its non-conforming status. Considering these factors, the city council has concluded that this application for a zoning map amendment is consistent with the adopted comprehensive Land Development Plan, is reasonable, and is in the public interest.

2. In light of the above-stated analysis, the requested zoning map amendment to place the Zoning Lot in an OA6 (Office-Apartment) zoning district is approved as consistent with the adopted plan.

Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes. Consequently, the above-stated motion was adopted unanimously.

A copy of the slide show utilized by Mr. Nuttall is on file in the city clerk’s office.

- (b) Case Nos. RZ/CUP-18-16: A quasi-judicial hearing on the combined applications to rezone from R10 (Medium-Density Residential) and R15 (Low-Density Single-Family Residential) to CU-R40 (Conditional Use Low-Density Residential) and to receive a conditional use permit authorizing a solar farm on property with road frontage along Hub Morris Road, Lakeview Road, and Old Liberty Road (Randolph County Parcel Identification Number 7763505528).**

Mayor Pro Tem Moffitt opened the public hearing on this combined land use case and asked for the witnesses to be placed under oath. Community Development Director Trevor Nuttall, who was the first witness to testify, provided the City of Asheboro Community Development Division staff's analysis of the 2-part application to place the applicant's property in a CU-R40 zoning district and to obtain a Conditional Use Permit authorizing a solar farm.

The proposed land use is to be located on approximately 37.3 acres of land (the "Zoning Lot") that is currently owned by Roswell Farms, LLC. Randolph County Parcel Identification Number 7763505528 more specifically identifies the property.

Mr. Ben Ludwig filed this application on behalf of Thunderhead Solar, LLC (the "Applicant"). The city planning staff's analysis of the Applicant's request for a zoning map amendment that would rezone the property from R10 (Medium-Density Residential) / R15 (Low-Density Single-Family Residential) to CU-R40 (Conditional Use Low-Density Residential) noted, in part, as follows:

1. The property is partially within the city limits. The portion of the property beyond the city limits is within the city's extra-territorial planning jurisdiction.
2. Old Liberty road is a state-maintained minor thoroughfare. Hub Morris Road is a state-maintained major thoroughfare. Lakeview Drive is a city-maintained local street serving primarily multi-family uses and a manufactured home park.
3. Portions of the property are located within a Special Hazard Flood Area (100 year flood zone and floodway). The floodway is the most restrictive concerning allowing structures.
4. This rezoning request also includes a corresponding request for a Conditional Use Permit for a Solar Farm. The R40 (Low-Density Residential) district and CU-R40 (Conditional Use Low-Density Residential) districts are the only two residential zoning districts that allow a solar farm with a Conditional or Special Use Permit.
5. The property is currently undeveloped. The solar farm described above is proposed to be the sole use of the property.
6. The underlying R40 zoning district is described by the zoning ordinance as "intended to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such a suburban intensity living."

With regard to the application for a Conditional Use Permit, Mr. Nuttall provided the following additional analysis:

1. The request is for a solar farm, which is defined in part as a facility producing solar energy for retail or wholesale sale of generated energy.
2. A solar farm is permitted with a Special Use Permit in the R40 Low-Density Residential zoning district. The requested Conditional Use Permit precludes the need for a Special Use Permit.
3. A solar farm generally requires a 50' landscaped screen (Screen "D") around the perimeter of the property, which includes evergreen trees and/or shrubs. Equivalent existing vegetation may count towards this requirement.
4. The property is currently undeveloped. The sole use of the property as proposed is for a solar farm.
5. A portion of the property is within a flood hazard area (100 year flood zone and floodway). No solar panels or other structure(s) are proposed within the flood area.
6. Two entrances are proposed. One is from Old Liberty Road and one is from Hub Morris Road.

The Community Development Division staff and the Planning Board recommended approval of the requested legislative rezoning based on the following analysis:

Staff's analysis considers all development that is permitted in the underlying zoning district including the requested solar farm use. While a general R40 district may not be appropriate at this location where most residentially zoned properties are designated R10 (Medium-Density Residential) and R15 (Low-Density Single Family Residential), the Conditional Use permitting process helps mitigate concerns over whether potential development can be compatible with surrounding properties, which is a primary concern with properties designated for "Neighborhood Residential" use by the Land Development Plan.

Furthermore, many properties in the area currently have lower-density than what is allowable in the existing R10 and R15 zoning districts, especially along Hub Morris Road, which also helps make the requested CU-R40 district appropriate.

Considering these factors, staff believes the requested CU-R40 district is generally consistent with the Land Development Plan and therefore generally in the public interest and supportive of a reasonable use of the property.

On behalf of the Applicant, Ms. Karen Kemerait, Esq. was placed under oath and addressed the four standards for the issuance of a Conditional Use Permit. As part of her testimony, Ms. Kemerait expressed agreement with the following conditions that were recommended by the planning staff for attachment to the requested Conditional Use Permit.

1. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the Applicant shall submit documentation detailing the following approvals:
 - (i) Driveway permit from NCDOT
 - (ii) Erosion control approval from NC Department of Environmental Quality
2. Landscaping equivalent to Type D screening materials (existing or planted) specified in Section 652.2(iii) shall be installed adjacent to the eastern corner of the James L. Owens and Judith S. Owens property described in Deed Book 2465, Page 1242 and Roswell Farms, LLC property described in Deed Book 2020, Page 750 of the Randolph County Registry.
3. As specified in Section 652.2(iii), both the planted screening proposed on the site plan and existing vegetation may count towards the Screen D requirements along the perimeter of the property.
4. The site plan contains an error labeling a 15' side setback along the front yard setback of Old Liberty Road. This error shall be corrected to reflect the correct 30' front setback and a revised copy of the site plan shall be submitted to city staff for inclusion in the file without further review by the city council.
5. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds, a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this Conditional Use Permit in the chain of title for the Zoning Lot.

Mr. Pat Brantley, Mr. Marcus Montes, Mr. Jose Ayila, and Mr. Jerry Prichett posed general questions in regards to the application, but offered no testimony in opposition to the requested land use approvals. There being no further comments, Mayor Pro Tem Moffitt transitioned to the deliberative phase of the application process.

With regard to the requested zoning map amendment, the Council concurred with the staff and planning board analysis of the consistency of the request with the land development plan. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt a plan consistency statement and to approve the requested rezoning with the following multi-part motion:

1. While a general R40 district may not be appropriate at this location where most residentially zoned properties are designated R10 (Medium-Density Residential) and R15 (Low-Density Single Family Residential), the Conditional Use Permitting process helps mitigate concerns over whether a potential development can be compatible with surrounding properties, which is a primary concern with properties designated for "Neighborhood Residential" use by the Land Development Plan.

Furthermore, many properties in the area currently have lower-density than what is allowable in the existing R10 and R15 zoning districts, especially along Hub Morris Road, which also helps make the requested CU-R40 district appropriate. Considering these factors, the city council has concluded that the requested CU-R40 district is consistent with the

Land Development Plan. The mix of development opportunities and safeguards provided by the requested district is reasonable and in the public interest.

2. In light of the above-listed analysis, the requested zoning map amendment to place the Zoning Lot in a CU-R40 zoning district is approved as consistent with the adopted plan.

Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes. Consequently, the above-stated motion was adopted unanimously.

After approving the zoning map amendment, the Council Members concluded the standards for granting the requested Conditional Use Permit had been met. Upon motion by Council Member Bell and seconded by Council Member Swiers, the Council voted unanimously to approve the requested Conditional Use Permit, with the stated conditions, authorizing a solar farm on the Zoning Lot. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

The slide show utilized by Mr. Nuttall is on file in the city clerk's office.

The final decision document with the council's findings of fact, conclusions, and order, with conditions, will be brought forward for consideration during the next regular council meeting.

(c) Case No. RZ-18-17: A legislative hearing on proposed zoning ordinance text amendments concerning allowable floor area ratios and related clerical corrections to Table 200-1 (Area, Height, Bulk & Placement Regulations).

Mayor Pro Tem Moffitt opened the public hearing, which was legislative in nature, on an application by the City of Asheboro on proposed zoning ordinance text amendments.

Mr. Nuttall utilized a slide show in order to give the Council Members an overview of the staff's proposed amendments to Table 200-1 (Table of Area, Height, Bulk and Placement regulations) related to floor area ratio (permitted ratio of buildings based on land area) and minimum lot sizes in certain districts. During his presentation, Mr. Nuttall noted the following:

1. Staff is proposing text amendments to Table 200-1 concerning maximum gross floor area (FAR). FAR is defined as "the ratio of permitted floor area to the area of the lot."
2. The maximum FAR in R7.5 and R10 (both Medium-Density Residential) districts and the R15 (Low-Density Single-Family Residential) district is 22%. The maximum FAR in the R40 (Low-Density Residential) district is 19%. The RA6 (High-Density Residential) and OA6 (Office-Apartment) district has a more restrictive 17% maximum floor area which applies to all residential uses (single-family, two-family, and multi-family). If a zoning lot with RA6 or OA6 zoning possessed the minimum 6,000 square feet of lot size, this would limit the maximum gross area to a total of 1,020 square feet for a dwelling(s) located on the zoning lot.
3. The intent is to ensure that the maximum floor area is consistent for single-family and two-family dwellings in all residential zoning districts. Therefore, the current proposal is to increase the maximum FAR from 17% to 22% by right for all single-family and two-family dwellings in the RA6 and OA6 districts and from 19% to 22 % for all single-family and two-family dwellings in the R40 zoning district.
4. This helps address concerns over single-family and two-family dwellings becoming non-conforming or becoming unable to make improvements or additions that would be allowable in other residential districts should a property be rezoned from one district allowing single-family and two-family residential uses to another district allowing these residential uses.
5. Changes are not proposed related to the maximum FAR for multi-family dwellings, which is 17% by right in an RA6 (High-Density Residential) or OA6 (Office-Apartment) zoning district or 22% with a Special Use Permit.
6. The proposal would not allow more dwelling units on a zoning lot than what is currently permitted.
7. FAR provisions do not apply within the Center City Planning Area. The scale of buildings in this area is addressed through height limitations and maximum impervious coverage requirements.

8. The proposal slightly increases the allowable FAR for non-residential uses (i.e. places of worship, schools) that typically require a Special Use Permit in the R40 (from 19% to 22%) and RA6 (from 17% to 22%) district.

The proposed amendments to Table 200-1 of the Asheboro Zoning Ordinance are as follows:

Table 200-1									
Table of Area, Height, Bulk and Placement Regulations									
District	Minimum Lot Size in Sq. Ft.	Lot Width (Frontage) In Feet*	Front Required Yard in Feet*	Side Required Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R40	40,000 SF	100	Required Yards* (Setbacks) Front Side Rear			35	22% -19		
	80,000 Duplex		1 Single Family or 1 Duplex Only				22%		
	40,000 NonRes						22%		
R15	15,000 SF	100	30	15	25	35	22%		
			1 Single Family Only						
R10	10,000 SF	75	30	10	25	35	22%		
	15,000 Duplex		1 Single Family or 1 Duplex Only				22%		
	10,000 NonRes						22%		
R7.5	7,500 SF	60	25	10	20	35	22%		
	11,500 Duplex		1 Single Family or 1 Duplex Only				22%		
	7,500 NonRes						22%		
RA6	Residential (SF & Duplex)								
	6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000 Less than 45,000 sq.ft. 4						17%	30%	
	Multi Family: Greater than 45,000 Min 45,000 sq.ft for 5 or more units						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP WITH SUP 45,000 sq. ft. min. required						22%	52%	3.3%
	Non-residential								
	6,000	60	25	10	20	35	22%		
OA6	Residential (SF & Duplex)								
	6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000 Less than 45,000 sq.ft. 4						17%	30%	
	Multi Family: Greater than 45,000 Min 45,000 sq.ft for 5 or more units						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP WITH SUP 45,000 sq. ft. min. required						22%	52%	3.3%
	Non-residential								
	6,000	60	25	10	20	35	30%		
O&I	6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units Min 45,000 sq.ft for 5 or more units						30%		
B1	6,000	60	25	15	15	25	33%		
M	10,000	75	25	10	10	25	33%		
B2	10,000	75	25	0 or 5	0 or 5	35	100%		
TH	40,000	100	30	10	10	35	100%		
B3	N/A	N/A	0	0 or 5	0 or 5	50	N/A		
I1	10,000	75	10	10	10	45	N/A		
I2	20,000	100	10	10	10	45	N/A		
I3	30,000	100	50	20	20	45	N/A		
*Except as specifically modified by this Ordinance -by Article 300 or by buffering and screening requirements.									

[*Shaded text and italics reflect amended text.]

The Planning Board concurred with the following planning staff’s analysis and recommended approval of the proposed text amendments.

The proposed text amendments are designed to provide consistent single-family and two-family residential floor area ratio (FAR) among residential districts. The proposed text amendments do not change the allowable density (i.e. dwellings per acre) of residential development, but are designed to allow a reasonable use of

property by helping to remove barriers to residential investment, particularly on smaller parcels of land in established neighborhoods.

While there is also a small increase in the allowable floor area for certain non-residential uses in residential districts, the quasi-judicial review process typically required for these uses can ensure development is at an appropriate scale in those limited cases.

Considering these factors, staff believes the proposed text amendments are consistent with the Land Development Plan and therefore are generally in the public interest and support a reasonable use of property.

There being no further comments and no opposition from the public, Mayor Pro Tem Moffitt transitioned to the deliberative phase of the hearing.

Upon motion by Mr. Bell and seconded by Mr. Burks, the Council voted unanimously to follow the staff and planning recommendations to approve the proposed text amendments by adopting a multi-part motion that took the following actions:

1. The proposed text amendments are designed to provide consistent single-family and two-family residential floor area ratio (FAR) among residential districts. The proposed text amendments do not change the allowable density (i.e. dwellings per acre) of residential development, but are designed to allow a reasonable use of property by helping to remove barriers to residential investment, particularly on smaller parcels of land in established neighborhoods.

While there is also a small increase in the allowable floor area for certain non-residential uses in residential districts, the quasi-judicial review process typically required for these uses can ensure development is at an appropriate scale in those limited cases. Considering these factors, the city council has concluded that this application for text amendments to the Asheboro Zoning Ordinance is consistent with the Land Development Plan, is reasonable, and is in the public interest.

2. In light of the above-stated analysis, the above-stated text amendments are approved as consistent with the adopted plan.

Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

A copy of the slide show utilized by Mr. Nuttall is on file in the city clerk's office.

7. Public comment period.

Mayor Pro Tem Moffitt opened the floor for public comments.

Mr. John Elkin, a member of Boy Scout Troop 501, asked the council members for their support regarding his proposed Eagle Scout project. Mr. Elkin's proposal focused on the installation of additional grills within the picnic area located near Frazier Park.

After his presentation, with the general consent of the council members, Mayor Pro Tem Moffitt asked the city manager to assist Mr. Elkin with his proposed project. Mr. Ogburn expressed his support for the project and his willingness to enable Mr. Elkin to bring the proposed project to a successful conclusion.

8. Update on Zoo City Sportsplex.

City Engineer Michael Leonard, PE presented updated plans for the proposed Zoo City Sportsplex. The Council Members expressed their support for the updated plans and for the continuation of the project.

No formal action was requested of the governing board, and none was taken.

A copy of the updated plans is on file in the city clerk's office.

9. Update on recycling.

Public Works Director David Hutchins reported that city staff is continuing to review and modify the city's recycling operations in order to address the loss, due to fire, of the vendor that previously accepted the city's recyclables. According to Mr. Hutchins, city staff is currently working with Waste Management to finalize a recycling services agreement that will resolve the question as to where the city should deliver the recyclables collected by the municipal program.

Additionally, Mr. Hutchins reported that a new and improved drop-off site for recyclables will open at the transfer station in February 2019. This site will be staffed.

The Council Members expressed their general support for the actions taken to adapt to changed circumstances for the recycling program.

No action was requested of the council, and none was taken.

10. Consideration of an annexation petition from the State Employees' Credit Union for the annexation of its approximately 14.521 acre parcel of land that is identified by Randolph County Parcel Identification Number 7761738476.

Mayor Pro Tem Moffitt opened a public hearing on the question of the annexation petition submitted by the State Employees' Credit Union. This petition requested the contiguous annexation of a parcel of land owned by the credit union and identified by Randolph County Parcel Identification Number 7761738476.

As part of the public hearing, City Engineer Michael Leonard, PE presented the staff's analysis of the annexation petition. No citizen wished to be heard during the public hearing.

Once the city council entered the deliberative phase of the hearing, Mr. Burks moved, and Mr. Bell seconded the motion, to approve the following annexation ordinance by reference. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

ORDINANCE NO. 22 ORD 11-18

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE TO EXTEND THE ASHEBORO CITY LIMITS BY ANNEXING A PARCEL OF LAND THAT IS CONTIGUOUS WITH THE EXISTING PRIMARY CITY LIMITS AND IS OWNED BY THE STATE EMPLOYEES' CREDIT UNION

WHEREAS, in accordance with Section 160A-31 of the North Carolina General Statutes, the State Employees' Credit Union, which is a North Carolina non-profit corporation acting by and through its authorized corporate officers, petitioned the City of Asheboro to annex into the primary city limits the non-profit corporation's approximately 14.521-acre parcel of land that is identified by Randolph County Parcel Identification Number 7761738476; and

WHEREAS, the territory proposed for annexation, including territory within the public right-of-way for East Salisbury Street, is described by metes and bounds in Section 1 of this Ordinance; and

WHEREAS, on October 4, 2018, by means of a duly adopted resolution (Resolution Number 24 RES 10-18), the Asheboro City Council directed the city clerk to investigate the sufficiency of the annexation petition, and the city clerk has in fact certified the sufficiency of the petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 25 RES 10-18, a legal notice was published on October 19, 2018, in *The Courier-Tribune*, a newspaper with general circulation in the City of Asheboro, announcing that a public hearing to consider the adoption of an ordinance annexing the described territory into the City of Asheboro would be held during the Asheboro City Council's next meeting, which would be a regular meeting scheduled to begin at 7:00 o'clock p.m. on the 8th day of November, 2018, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

WHEREAS, the public hearing was held, as advertised, on the 8th day of November, 2018; and

WHEREAS, the Asheboro City Council has determined that the annexation petition meets the requirements of Section 160A-31 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. By virtue of the authority granted in Section 160A-31 of the North Carolina General Statutes, the following described territory is hereby annexed and made part of the City of Asheboro, North Carolina:

Asheboro Township, Randolph County, North Carolina:

BEGINNING on the existing City of Asheboro primary city limits line at a mathematical point in the southern margin of the public right-of-way for East Salisbury Street (North Carolina Secondary Road 2237), the

beginning point is North 78 degrees 01 minute 56 seconds East 181.08 feet from a control point located by means of the North Carolina Coordinate System at the coordinates of North 712,331 feet and East 1,767,543 feet (NAD 83); thence from the beginning point proceeding along the proposed Asheboro primary city limits line across the public right-of-way for East Salisbury Street North 03 degrees 40 minutes 38 seconds East 64.97 feet to an iron rod or pipe set in the northern margin of the public right-of-way for East Salisbury Street at the southwestern corner of the State Employees' Credit Union property described in Deed Book 2611, Page 556, Randolph County Registry (this State Employees' Credit Union property is the parcel of land for which an annexation petition, which also lists Book of Record 2611, Page 559, Randolph County Registry as a deed reference for the property, has been received; this property is currently identified by Randolph County Parcel Identification Number 7761738476; and the described parcel of land will be hereinafter referred to as the "Annexation Parcel"); thence departing from the northern margin of the public right-of-way for East Salisbury Street and proceeding along the proposed Asheboro primary city limits line by following the western boundary line of the Annexation Parcel the following two courses and distances: North 03 degrees 40 minutes 38 seconds East 1,277.95 feet to an existing iron rod or pipe; thence North 02 degrees 28 minutes 46 seconds East 705.70 feet to an existing iron rod or pipe at the northwestern corner of the Annexation Parcel; thence departing from the Annexation Parcel's western boundary line and continuing along the proposed Asheboro primary city limits line by following the Annexation Parcel's northern boundary line South 84 degrees 34 minutes 19 seconds East 353.96 feet along the Faedene R. Maness property described in Deed Book 1942, Page 912, Randolph County Registry to a mathematical point at the northeastern corner of the Annexation Parcel; thence departing from the northern boundary line of the Annexation Parcel and following the proposed Asheboro primary city limits line along the eastern boundary line of the Annexation Parcel the following course and distance: South 04 degrees 32 minutes 31 seconds West 1,883.09 feet to a mathematical point in the northern margin of the public right-of-way for East Salisbury Street at the southeastern corner of the Annexation Parcel; thence continuing along the proposed Asheboro primary city limits line by proceeding South 04 degrees 32 minutes 31 seconds West 68.09 feet across East Salisbury Street to a mathematical point in the southern margin of the public right-of-way for East Salisbury Street; thence departing from the proposed Asheboro primary city limits line and following the existing Asheboro primary city limits line South 78 degrees 01 minute 56 seconds West 321.51 feet along the southern margin of the public right-of-way for East Salisbury Street to the point and place of BEGINNING, and containing a total of 14.994 acres of land (14.521 acres in the Annexation Parcel and 0.473 of an acre within the public right-of-way for East Salisbury Street), more or less, to be annexed.

The above-stated legal description is in accordance with a plat of survey identified as Drawing 18-0048-ANNEX for Project No. 18-0048 that was completed under the direct and responsible charge of Thomas A. Tellup, Professional Land Surveyor with Registration Number L-4298. The plat of survey is titled "ANNEXATION MAP FOR: STATE EMPLOYEES' CREDIT UNION."

Section 2. Upon and after November 8, 2018, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. The above-described territory shall be subject to municipal taxes according to Section 160A-58.10 of the North Carolina General Statutes.

Section 3. The Mayor of the City of Asheboro shall cause to be recorded in the Office of the Randolph County Register of Deeds and in the Office of the North Carolina Secretary of State an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Randolph County Board of Elections as required by Section 163A-1594 of the North Carolina General Statutes.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall be in full force and effect upon and after the 8th day of November, 2018.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of November, 2018.

/s/Walker B. Moffitt
Walker B. Moffitt, Mayor Pro Tempore

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

Approved as to form:

/s/Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney

11. Discussion of potential changes in the council's meeting schedule for 2019.

Mayor Pro Tem Moffitt led a discussion of two potential changes in the council's meeting schedule for 2019. Due to the Independence Day holiday, the July 2019 meeting will be scheduled for July the 11th rather than July the 4th. Also, due to the Labor Day holiday, the September 2019 meeting will be scheduled for September the 12th instead of the September 5th.

An ordinance setting the schedule for regular meetings during the 2019 calendar year will be presented for adoption during the Council's next regular meeting on December 6, 2018.

12. Upcoming events.

Mayor Pro Tem Moffitt led a brief discussion of upcoming events occurring within the city government and the community in general. No action was taken by the city council during this portion of the meeting.

There being no further business, the meeting was adjourned at 9:05 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk

Walker B. Moffitt, Mayor Pro Tempore

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on October 1, 2018

The Asheboro ABC Board met on October 1, 2018, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC.

Present were Chair Brooke Schmidly, Board Member Steve Knight and Bob Morrison, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

The Board reviewed and there being no objection, approved the minutes of the September 4, 2018, Board meeting.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

The Board heard reports from the General Manager concerning the following issues:

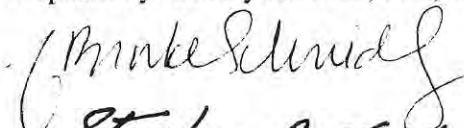
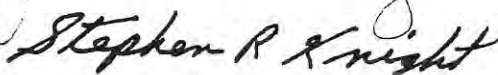
1. Asheboro ABC sales statistics comparing:
 - September sales with the previous month indicate:
 - An overall -4.2% change (all sales and tax collections)
 - September 2018 sales with sales from the same month last year indicate:
 - Retail Sales +2.2 (\$242,876.80)
 - Mixed Beverage Sales: +12.4% (\$33,417.81)
 - Sales Tax Collections: +2.3% (\$17,047.10)
 - Overall Collections: +3.25% (\$293,341.71)
 - September 2018 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: -2.3%
 - Mixed Beverage Bottle Sales: +6.9%
 - Overall Bottle Sales: -1.8%

The next regular Asheboro ABC Board meeting will be held Monday, November 5, 2018, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board

11-5-18 
GM

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE SETTING THE DATES FOR REGULAR MEETINGS
OF THE ASHEBORO CITY COUNCIL DURING THE
2019 CALENDAR YEAR**

WHEREAS, Section 31.04(A) of the Code of Asheboro provides that the “City Council shall hold a regular meeting on Thursday after the first Monday of each month;” and

WHEREAS, in an effort to avoid reasonably foreseeable scheduling conflicts with the Independence Day and Labor Day holidays, the Asheboro City Council has decided to reschedule its regular meetings in July 2019 and in September 2019.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. During the 2019 calendar year, and subject to any notices to the contrary issued in accordance with the applicable laws and ordinances, regular meetings of the Asheboro City Council will begin at 7:00 p.m. on the dates listed herein and will be held in the Council Chamber at Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203.

Section 2. Due to the Independence Day holiday, the regular meeting of the Asheboro City Council in July 2019 shall be held in the Council Chamber at Asheboro City Hall, with a beginning time of 7:00 p.m., on the 11th day of July, 2019.

Section 3. Due to the Labor Day holiday, the regular meeting of the Asheboro City Council in September 2019 shall be held in the Council Chamber at Asheboro City Hall, with a beginning time of 7:00 p.m., on the 12th day of September, 2019

Section 4. For purposes of clarity, the schedule is as follows for regular meetings of the Asheboro City Council during the 2019 calendar year:

<u>Month</u>	<u>Meeting Date</u>
January	10 th
February	7 th

March	7 th
April	4 th
May	9 th
June	6 th
July	11 th
August	8 th
September	12 th
October	10 th
November	7 th
December	5 th

Section 5. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed to the extent that such ordinances conflict with the intent of the Asheboro City Council to hold its regular meetings in accordance with the schedule found in Section 4 of this Ordinance. With the exception of rescheduling the Asheboro City Council's regular meetings in July 2019 and in September 2019, the provisions of Section 31.04 of the Code of Asheboro remain in full force and effect.

Section 6. This Ordinance shall become effective upon adoption and shall sunset at midnight on December 31, 2019.

This Ordinance was adopted in open session during a regular meeting of the Asheboro City Council held on the 6th day of December, 2018.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

**City of Asheboro
Finance Office**

To: John N. Ogburn, III, City Manager
From: Debbie Reaves, Finance Director 
Date: November 29, 2018
Re: Ordinance to amend General Fund and Water & Sewer Fund for December 6, 2018 meeting

Attached are three budget amendments for consideration at the December 6th Council Meeting.

In the General Fund, I am requesting an allocation, using fund balance, to address three different needs as explained below.

First, I am requesting an allocation to cover the overtime costs and associated fringe benefit costs that have already been incurred in the first 5 months of the year that are outside budget as well as set aside some monies in those areas for the next few months. In the 6 departments that I am asking to amend, the overtime budget combined is \$80,000. The overtime wage costs in the first 5 months for these departments (Police, Fire, Operations, Fleet Maintenance, Street, Environmental Services) is \$172,248. Of this OT wage, \$45,715 is attributable to Hurricane Florence response. The remaining OT wage excess of \$126,533 can be attributed to two things – 1) a change in operation practices and 2) the recent change employee policy outlining changes in the way we account for time in the Police and Fire Departments and the payment of overtime wage in lieu of accrued comp time. The requested allocation is for the departments that have already exhausted their overtime budget or are about to. The request for each department is meant to 1) fund the department's Hurricane Florence costs which we hope to be reimbursed for thru FEMA and 2) to allocate funding cover the next few months. I am not asking for allocation to cover the full year of apparent OT costs in both the APD and AFD at this time as this allocation would be very significant. I am hoping that as revenues come in later in the year, that 1) some of this can be funded from regular revenue vs fund balance and 2) that the departments themselves can find savings elsewhere in their budgets that can be reallocated to the overtime budget line item and thus avoid the fund balance allocation or 3) schedules / practices can be amended that will reduce the accumulation of OT wage.

Second, I am requesting an allocation, using fund balance, to provide for 6 months of salary and benefits for the newly advertised / reopened Assistant Engineer position that was not funded when the budget was adopted for 2018-2019. The Assistant Engineer position has always been in the pay plan but had been closed. The City has several projects going at this time that require engineering support and thus the need to reopen and fund this position.

Third, I am requesting use of fund balance for an allocation in the IT department to change our server backup method which will allow us to enhance our disaster recovery option to add recovery via virtual servers and improve our ransomware detection. The company Todd has been talking to has offered to extend the coverage period to include an extra year of support and extra 6 months of cloud archiving if we make the change now vs. in 2019-2020 as we originally planned. The cost will be incurred immediately but over the 4 years coverage, it will be a net wash in comparison to our current pay annually method.

The second General Fund Budget amendment is to account for the One NC Grant for Technimark. I just received notification that the Department of Commerce has processed the deposit of the pass thru grant money into the City of Asheboro's operating account. Since this money needs to be distributed to Technimark within 30 days, I need to appropriate funding at the December Meeting. The expense in the Planning Department will be offset with the revenue from the Department of Commerce.

In the Water & Sewer Fund, I am requesting an allocation, using fund balance, to cover the overtime costs and associated fringe benefit costs that have already been incurred in the first 5 months of the year that are outside budget. In the 3 departments that I am asking to amend, the overtime budget combined is \$20,500. The overtime wage costs in the first 5 months is \$22,500. While there were some OT cost incurred that was associated with Hurricane Florence, unlike the General Fund, it was minimal as most repairs to W&S facilities took place after the hurricane passed during normal business hours. A majority of the excess OT cost incurred is in the Meter department and is attributable to change in business practices relating to 1) focus of rapid installation of radio read meters during non-standard hours and 2) the practice of having a meter reader added to the on call team schedule. I expect that the adjustment of OT in the meter department for on call activity will be offset by a reduction of OT wage in the water / sewer maintenance departments but at this time, it is difficult to discern exactly how much. It is my hope that the requested allocation will cover the OT costs for the remainder of the Fiscal Year.

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2018-2019

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following Revenue line item be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
10-399-0000	Fund Balance Allocation	340,553

Section 2: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-510-0201	Overtime (APD)	92,000
10-510-0702	FICA / Medicare	7,038
10-510-0705	Retirement	7,820
10-510-0706	401K	4,600
10-530-0201	Overtime (AFD)	87,000
10-530-0702	FICA/Medicare	6,631
10-530-0705	Retirement	6,787
10-550-0201	Overtime (Operations)	4,060
10-550-0702	FICA/Medicare	311
10-550-0705	Retirement	318
10-555-0201	Overtime (Fleet)	15,389
10-555-0702	FICA / Medicare	1,177
10-555-0705	Retirement	1,205
10-565-0201	Overtime (Street)	21,000
10-565-0702	FICA / Medicare	1,606
10-565-0705	Retirement	1,644
10-580-0201	Overtime (Env Services)	15,485
10-580-0702	FICA / Medicare	1,185
10-580-0705	Retirement	1,212
10-575-0200	Salary (Engineering)	26,000
10-575-0702	FICA / Medicare	1,989
10-575-0704	Insurance	4,750
10-575-0705	Retirement	2,046
10-490-7400	Capital Outlay (IT)	29,300
		340,553

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2018-2019

Adopted this 6th day of December, 2018

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2018-2019

WHEREAS, The City of Asheboro and Technimark LLC, Wellmark LLC, Green Light Holdings LLC, and TMark Holdings LLC together applied for a \$450,000 One NC Grant with the NC Department of Commerce for Technimark LLC's expansion project and was awarded the grant November 6th, 2014, and;

WHEREAS, Technimark LLC and others have submitted the appropriate paperwork and satisfied the requirements for the second grant distribution of \$225,000, and;

WHEREAS, the City of Asheboro received the "pass thru" grant funds from the NC Department of Commerce on November 29, 2018 and would like to remit the funds to Technimark LLC in a timely fashion, and;

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for these changes in revenues and expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following Revenue line item be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
10-349-0000	State Grants	225,000

Section 1: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-490-3200	Grants- Technimark, LLC	225,000

Adopted this 6th day of December, 2018

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE WATER AND SEWER FUND
FY 2018-2019

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following Revenue line item be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
30-399-0000	Fund Balance Allocation	39,535

Section 2: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-810-0201	Overtime (Meter)	16,506
30-810-0702	FICA / Medicare	1,263
30-810-0705	Retirement	1,292
30-820-0201	Overtime (WTP)	2,500
30-820-0702	FICA/Medicare	191
30-820-0705	Retirement	195
30-840-0201	Overtime (W Maint)	5,506
30-840-0702	FICA/Medicare	421
30-840-0705	Retirement	431
30-850-0201	Overtime (WW Maint)	1,506
30-850-0702	FICA / Medicare	115
30-850-0705	Retirement	118
30-870-0201	Overtime (System Maint)	8,218
30-870-0702	FICA / Medicare	629
30-870-0705	Retirement	644
		39,535

ORDINANCE TO AMEND
THE WATER AND SEWER FUND
FY 2018-2019

Adopted this 6th day of December, 2018

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk



Request by City of Asheboro for General Text Amendments throughout the Subdivision Ordinance to reflect changes in state legislation and address practical and clerical issues that have been identified

Staff Summary, Staff/Planning Board Recommendations, and Proposed Text

Summary of proposed Subdivision Text Amendments:

Purpose: The following text amendments to the Subdivision Ordinance are proposed to update language to reflect changes in state legislation and to address practical issues that have been identified:

Article IV (Legal Provision)

- Change "Planning Director" to "Community Development Director"

Article V (Definitions):

- Mirror subdivision definitions in NC General Statutes (NCGS 160A-376)
- Other revisions to better reflect intent of various definitions

Article VI (Compliance with Official Plans):

- Change "Thoroughfare Plan" to "Comprehensive Transportation Plan" to reflect current plan title.

Article VII (Procedure for Review and Approval of Subdivision Plats):

- Change "Planning Director" to "Community Development Director" and "Public Works Director" to "City Engineer" to reflect current practice.
- Remove requirements for plats to be printed on mylar due to electronic archiving in Randolph County Public Registry (Register of Deeds office)
- Reiterate that surveyor is responsible for recording plat

Article VIII (Requirements for Approval of Subdivision Plats):

- Remove requirements for plats to be printed on mylar due to electronic archiving in Randolph County Public Registry (Register of Deeds office)
- Eliminate the requirement for bearings and distances to be shown on the residual area in which a smaller tract has been divided out of a large tract. This is proposed due to changes in mapping technology that now provide sufficient information to determine that the residual tract complies with subdivision and zoning requirements. It is also proposed because of concerns from surveyors that if residual property is not surveyed, labeling bearings and distances implies a higher degree of precision than what may be known without conducting a survey on the residual property.

Article IX (Required Improvements and Design Standards)

- Various clerical corrections (i.e. reflecting NC Department of Environment and Natural Resources is now NC Department of Environmental Quality, etc.).
- Reflect current erosion control review practice (NC DEQ reviews erosion control. Public Works Department no longer reviews this item).

Article X (Planned Unit Developments):

- Clarify that handicapped parking is required for visitor parking.
- Remove the "sunset clause" for the ordinance allowing street trees within the public right-of-ways within Planned Unit Developments. The sunset clause was originally placed in the ordinance when it was adopted in 2008 and renewed in 2010, 2012, and 2015 in order to ensure the ordinance didn't create unintended effects. Due to no known negative effects and the broad consensus from different agencies concerning this issue, staff is proposing eliminating the sunset clause from the subdivision ordinance.

Article XI (Residential Townhouse Developments):

- Clarify that handicapped parking is required for visitor parking.

Asheboro City Council: December 6, 2018 (Proposed Amendments to the Subdivision Ordinance) **DRAFT**

Staff Recommendation: Staff's recommendation was to approve the proposed text amendments.

Planning Board Recommendation: The Planning Board concurred with staff, recommending approval. The Planning Board proposed no changes to the language as presented by staff.

ARTICLE IV LEGAL PROVISIONS

I. ADMINISTRATION

The Planning Community Development Director shall be the administrator of this Ordinance. The Planning Community Development Director shall be responsible for administering the provisions of this Ordinance, providing necessary materials and information to the Planning Board and City Council and performing all other duties consistent with the administration of this Ordinance. It shall further be the duty of the Planning Community Development Director to enforce these regulations and to bring to the attention of the Asheboro City Attorney any violation or lack of compliance herewith.

II. PROCEDURE FOR PLAT APPROVAL

After the effective date of this Ordinance, no subdivision plat of land within the territorial jurisdiction of the City of Asheboro shall be filed or recorded until it has been submitted to and approved by the City of Asheboro as set forth in Article III, Section 1 of this Ordinance, and until such approval is certified in writing on the face of the plat by the Review Officer Community Development Director. Expedited review for specific classes of subdivisions shall be consistent with NCGS 160A-376 (b) and (c)

ARTICLE V DEFINITIONS

I. SUBDIVISION DEFINED*

A. Subdivision

For the purpose of this Ordinance, "subdivision" means all division of a tract or parcel of land into two or more lots, building sites, or other division for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this Ordinance.

1. The combination or re-combination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the City, as shown in its subdivision regulations;
2. the division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
3. the public acquisition by purchase of strips of land for widening or opening of streets; and

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4. the division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where resultant lots are equal to or exceed the standards of the City, as shown in this Ordinance.
5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

For the purpose of this Ordinance, the following definition also shall not be included in the above definition of a "subdivision".

~~*The conveyance of land to heirs for the purpose of dividing real estate among in said heirs. (This exclusion results from the North Carolina Court of Appeals decision in Claude A. Williamson, Jr., and wife Angela C. Williamson VS. Dorothy A. Avant (21 N.C. App. 211). **~~

~~**This definition is extracted directly from the North Carolina General Statutes, Chapter 160A 376.*~~

II. OTHER DEFINITIONS

BUFFER STRIP AND SCREENING: A solid fence or wall, existing trees, including tree save areas, over six (6) feet in height counted on a one-to-one basis; or a planted strip at least ten (10) feet in width composed of deciduous and/or evergreen trees placed not more than 10 feet apart, and not less than one (1) row of dense shrubs spaced not more than five (5) feet apart, which shall be established in perpetuity by the owner of property whenever required under the terms and provisions of this Ordinance

COMMUNITY DEVELOPMENT DIRECTOR: The director of the Community Development Division of the City of Asheboro, North Carolina.

MAJOR THOROUGHFARE: Major thoroughfares consist of interstate, other freeway and expressway links, and major streets that provide for the expeditious movement of volumes of traffic within and through urban areas. Such thoroughfares are specifically designated in the Thoroughfare Plan Comprehensive Transportation Plan of the City of Asheboro.

MINOR THOROUGHFARE: Minor thoroughfares are important streets in the city system and perform the function of collecting traffic from collector streets and carrying it to the major thoroughfare system. Such minor thoroughfares are specifically designated in the Thoroughfare Plan Comprehensive Transportation Plan of the City of Asheboro.

PLANNING DIRECTOR: The Planning Director of the City of Asheboro, North Carolina.

PRIVATE DRIVEWAY: A roadway serving two (2) or fewer lots, building sites or other division of land and not intended to be provide public ingress or egress.

PUBLIC STREET: A public right-of-way which affords access to abutting properties and ~~when~~ **where** such right-of-ways are designated as public, it shall be presumed to be an offer of dedication to the public.

ARTICLE VI

COMPLIANCE WITH OFFICIAL PLANS

I. TRANSPORTATION THOROUGHFARE PLANS

Where a proposed subdivision includes any part of a thoroughfare which has been designated as such upon the officially adopted ~~Thoroughfare~~ Comprehensive Transportation Plan of the City of Asheboro, such part of such thoroughfare shall be platted by the subdivider in the location shown on the plan and at the width specified in this Ordinance.

ARTICLE VII

PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

I. MINOR SUBDIVISIONS

The City Council of the City of Asheboro, North Carolina hereby designates the ~~Planning Department~~ Community Development Division as the designated planning agency to approve minor subdivisions, pursuant to NCGS 160A-361. ~~General Statutes of North Carolina, Chapter 160A, Article 19, Part 1, 361.~~

Whenever a subdivision of land is within the definition of a "Minor Subdivision" as set forth in Article V of this Ordinance, the subdivider shall submit to the Community Development Planning Director copies of a surveyed plat which shall meet the requirements set forth in Article VIII of this Ordinance.

The Planning Community Development Director shall review the plat for compliance with the requirements set forth in Article VIII of this Ordinance. No minor subdivision plat shall be approved unless it complies with all the requirements of this Ordinance.

When a minor subdivision plat has met all the requirements of this Ordinance, the Planning Director shall place the stamp of approval and his/her signature on the plat. The stamp of approval and the signature of the Planning Community Development Director on the minor subdivision plat will constitute approval. The subdivider or surveyor shall then be responsible for recording the plat at the Register of Deeds.

No building permits shall be issued for any lot in a Minor Subdivision until the Planning Community Development Director is informed of the Book and Page Number assigned the Plat by the Register of Deeds.

II. MAJOR SUBDIVISIONS

A. Sketch Design Plat

Whenever a subdivision of land is within the definition of a "Major Subdivision" as set forth in Article V of this Ordinance and which is located within the territorial jurisdiction established by Article II of this Ordinance, the subdivider shall submit copies of a sketch design plat which shall meet the requirements set forth in Article VIII of this Ordinance to the Planning Community Development Director at least twenty (20) days prior to a regularly scheduled meeting of the Planning Board for a subdivision of land.

At the regularly scheduled Planning Board meeting following submission of the sketch design plat, the subdivider or the subdivider's authorized agent shall discuss the proposed development with the Planning Board and become familiar with the regulations affecting the land to be subdivided.

The Planning Board shall review the sketch design plat for general compliance with the requirements of this Ordinance, and the Zoning Ordinance and any other applicable ordinance. The Planning Board shall advise the subdivider or the subdivider's authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary and final plats. The Planning Board shall not review both a Sketch Design and a Preliminary Plat at the same meeting. If a Sketch Design is presented, then a Preliminary Plat can only be reviewed at the next regularly scheduled Planning Board meeting. The Planning Community Development Director shall refer copies of the sketch design plat and all accompanying materials to those public officials and agencies concerned with new development or those whose advice will, in the opinion of the Planning Community Development Director, be useful to the Planning Board including, but not limited to the City Manager, the Randolph County Health Department, the Asheboro and/or Randolph County Boards of Education, whichever is appropriate, the District Engineer of the N. C. Department of Transportation, the City Engineer, the City Director of Public Works, and the City Building Inspector. If no response is received from these agencies within fifteen (15) days from the date the Planning Community Development Director issues the plats for review, "no comment" will be recorded as the response.

B. Preliminary Plat

Upon completion of the sketch design plat review procedure, the subdivider, or the subdivider's authorized agent shall submit copies of the preliminary plat, engineering data, and any supplementary material which shall meet the requirements set forth in Article VIII of this Ordinance, to the Planning Community Development Director at least twenty (20) days prior to a regularly scheduled meeting of the Planning Board for a subdivision of land which is located within the territorial jurisdiction established by Article II of this Ordinance.

C. Engineering Data

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The subdivider shall submit the Engineering data concerning street grade, design data for street corners and curves and the plan and profile for streets, storm drains and water and sewer lines with the submission of the preliminary plat for approval. Engineering data shall be approved by the City Engineer Director of Public Works prior to review by City Council of the Preliminary Plat. (*amended 7/99*)

D. Improvements

Upon approval (with or without conditions) of the preliminary plat by the City Council and approval of the engineering data by the City Engineer Director of Public Works, the subdivider may proceed with the installation or arrangements for the required improvements and the preparation of the final plat in accordance with the approved preliminary plat and the requirements of this Ordinance.

E. Final Plat Certification

Upon installation or arrangement for the required improvements, the subdivider shall submit a final plat which shall meet the requirements set forth in Article VIII of this Ordinance, to the Planning Community Development Director at least fifteen (15) days prior to a regularly scheduled meeting of the Planning Board. Such submission shall not be more than twelve (12) months after the date on which the preliminary plat was approved nor less than 30 days, otherwise such preliminary plat approval shall be null and void unless a written extension of this time limit is granted by the City Council.

Subsection C (Final Plat)

4. Number of Copies and Graphic Media

A minimum of eight (8) copies of the final plat shall be submitted; at least two (2) of these shall be on three or four mill mylar and the others shall be on black or blue line prints.

ARTICLE VIII

REQUIREMENTS FOR APPROVAL OF SUBDIVISION PLATS

Staff note: The following proposed revisions are excerpts from Article VIII, Subsection I.B and I.D.a of the Subdivision Ordinance that specifies the requirements for minor subdivisions.

I. MINOR SUBDIVISIONS

B. Number of Copies and Graphic Media

Four Two copies of the minor subdivision plat shall be submitted; two of these shall be on mylar, and two shall be on black or blue line paper prints.

D. Contents Required

Existing Information:

- a. The tract to be subdivided shall show boundaries fully with bearings, distances, and closures indicated (the tract to be subdivided includes the

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original entire tract and the new tract being created), however if the residual portion of the tract that is left after all new parcels are created exceeds five (5) acres in area a survey shall not be required for that residual portion. The residual area shall be shown on the plat of the subdivision including its bearings and distances with sufficient detail to determine compliance with the subdivision and zoning ordinance either as a dashed line at the same scale or as a reduced scale map insert. A note indicating that the area is drawn from non surveyed data, where the data was obtained and a statement that this area is not part of the final plat but is reserved for future division or use shall be placed on the plat.

E. Certification Required

1. Certification of Ownership and Dedication

The following certificate shall be placed on the minor subdivision plat and signed by the owner(s) of the subdivision.

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision and dedicate any right-of-way or easements as shown on the plat with my (our) free consent. Further I (we) certify the land as shown hereon is within the subdivision regulation jurisdiction of the City of Asheboro, North Carolina.

(Date) _____ (Owner)

2. Certificate of Survey

The following certificate shall be placed on the minor subdivision plat and shall be signed by the surveyor preparing the plat or under whose supervision it was prepared; the signature shall be accompanied by the seal and registration number of the above mentioned surveyor, and shall be certified as true by a Notary Public or Clerk of Superior Court:

*I, _____, certify that this map was (drawn by me)(drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____ page _____, Book _____, page _____, etc.) (Other); that the error of closure as calculated by latitudes and departures is 1: _____; that the boundaries not surveyed are shown are broken lines plotted from information found in Book _____, page _____; that this map was prepared in accordance with G.S. 47-30 as amended.
Witness my hand and seal this _____ day of _____ A.D., 2 _____.*

3. Certificate of Approval of the Design of Public Utilities Connections

A minor subdivision plat that shows lots that will be connected to City of Asheboro ~~proposes the installation or connection(s) to public utilities such~~ as water and sewer shall have the following certificate placed upon it and signed by the City Engineer ~~Public Works Director:~~

I hereby certify that the water and sewer facilities are available as shown on the plat.

(date) _____ ~~Public Work Director~~ City Engineer

4. Certificate of Approval of Subdivision Ordinance Requirements

The following certificate shall be included on a minor subdivision plat:

This subdivision plat has been found to comply with the provisions of the Subdivision Ordinance of the City of Asheboro, provided that it is recorded in the Office of the Register of Deeds within sixty (60) days of the final approval of the Community Development Director.

_____ (Date) _____ Community Development Director

II. MAJOR SUBDIVISION PLATS

Staff note: The following proposed revisions are excerpts from Article VIII, Subsection II.A (Sketch Design Plat).

3. Contents Required

b. Plat Existing Information:

1. Names of proposed streets and the locations and widths of proposed street rights-of-way and street pavements;
2. Layout of lot arrangement including lot lines, lot dimensions, and lot and block numbers;
3. Proposed minimum building setback lines; in conformance with the Asheboro Zoning Ordinance;
4. Site data:
 - a. Acreage in total tract;
 - b. Acreage in parks and other non-residential use;
 - c. Total number of lots;
 - d. Average lot size;
 - e. Linear feet of streets;
5. As Built Engineering Data: The following information shall be contained in a plan and profile accompanying the final plat.
 - a. The plans for utility layout, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone, and electric service, illustrating connections to existing systems or plans for individual water supply systems and/or sewerage disposal systems. Plans must show lines sizes, the location of fire hydrants, blowoffs, manholes, pumps, and forcemains, and gate valves;

7. Certification Required

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a. Certification of Ownership and Dedication

The following certificate shall be placed on the final plat and signed by the owner(s) of the subdivision.

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent. Further I (we) certify the land as shown hereon is within the subdivision regulation jurisdiction of the City of Asheboro, North Carolina.

_____ Date _____ Owner
_____ Owner

b. Certificate of Survey

The following certificate shall be placed on the final plat and shall be signed by the surveyor preparing the plat or under whose supervision it was prepared; the signature shall be accompanied by the seal and registration number of the above mentioned surveyor. and shall be certified as true by Notary Public or Clerk of Superior Court.

*I _____, certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description record in Book _____, page _____, Book _____, page _____, etc.) (Other); that the error of closure as calculated by latitudes and departures is 1: _____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, page _____, that this map was prepared in accordance with G. S. 47-30 as amended.
Witness my hand and seal this ____ day of _____ A.D., 2 ____.*

c. Certificate of Approval of the Design and Installation of Required Improvements

The following certificate shall be placed on the final plat and shall be signed by the Public Works Director.

*I hereby certify that the street, utility, and other required improvements have been installed or provisions have been made for installation in an acceptable manner and according to City specifications and standards in the _____ subdivision.
_____ (date) _____ ~~Public Works Director~~ City Engineer*

d. Certificate of Approval of Subdivision Ordinance Requirements

The following certificate shall be included on the final plat and signed by the Community Development Director.

Certificate of Approval of Subdivision Ordinance Requirements

This subdivision plat has been found to comply with the provisions of the Subdivision Ordinance of the City of Asheboro, provided that it is recorded in the Office of the Register of Deeds within sixty (60) days of the final approval of the Community Development Director.

____ (Date) _____ Community Development Director

4. Conformity to Thoroughfare Transportation Plan

The alignment of all proposed streets shall follow the general alignments shown in the adopted Asheboro Thoroughfare-Comprehensive Transportation Plan. Proposed thoroughfare streets shall be designed to appropriate thoroughfare standards.

**ARTICLE IX
REQUIRED IMPROVEMENTS AND DESIGN STANDARDS**

Conformity to Thoroughfare Transportation Plan

The alignment of all proposed streets shall follow the general alignments shown in the adopted Asheboro Thoroughfare-Comprehensive Transportation Plan. Proposed thoroughfare streets shall be designed to appropriate thoroughfare standards.

E. WATER AND SEWERAGE SYSTEMS

1. Within the Corporate Limit

b. Before installation, a complete set of construction plans for the proposed water and sewerage system prepared by a registered professional engineer shall be submitted for approval by the Director of Public Works. Also, plans for water improvements must be submitted to the N. C. Department of Environmental Quality and Natural Resources Division of Environmental Health, Public Water Supply Section for approval, and plans for sewer improvements must be submitted to the N. C. Department of Environmental Quality and Natural Resources Division of Water Quality for approval.

2. Within the Extraterritorial Area; except as provided in E. 3. below

b. Before installation, a complete set of construction plans for the proposed water and sewerage system prepared by a registered professional engineer shall be submitted for approval by the Director of Public Works. Also, plans for water improvements must be submitted to the N. C. Department of Environmental Quality and Natural Resources, Division of Environmental Health, Public Water Supply Section for approval, and plans for sewer improvements must be submitted to the N. C. Department of Environmental Quality and Natural Resources Division of Water Quality for approval.

c. 3. Within Areas Designated by the Adopted Land Development Plan as Watershed Residential and Conservation Residential

b. If the proposed water distribution and sewerage disposal system is to be a private system, it shall be approved by the Randolph County Health Department; N. C. Department of Environment and Natural Resources, Public Water Supply Section or N. C. Department of Environmental Quality and Natural Resources Division of Water Quality whichever is (are) appropriate and the Director of Public Works. Layout and easements for the future extension of City sewer must be

IV. PROCEDURE FOR CONSTRUCTION OF IMPROVEMENTS

A. Approvals must be secured for plans of proposed improvements as listed below prior to construction:

<u>Description</u>	<u>Approval Required</u>	<u>Copies of Plans Required</u>
2. Erosion Control	Public Works Department (amended 10/2001) N. C. Dept. of Environmental Quality & Natural Resources (outside City)	3 2 per NCDEQ approval
4. Water Lines	N.C. Dept. of Environmental Quality & Natural Resources Division of Environmental Health, Public Water Supply Section	3
5. Sewer Lines	N. C. Dept. of Environmental Quality & Natural Resources Division of Water Quality	3

B. After preliminary plat approval by the City Council construction should follow the sequence below: *(amended 2/03)*

9. Obtain Certificate of Erosion Control from the ~~Planning Department or~~ N. C. Dept. of ~~Environmental Quality and Natural Resources~~.

II. SEDIMENTATION POLLUTION CONTROL

In order to prevent soil erosion and sedimentation pollution of streams, springs, flat water bodies, or other drainage networks, the subdivider shall comply with all requirements of the N.C. Sedimentation Pollution Control Act of 1973 and the Asheboro Sedimentation Pollution Control Ordinance. Erosion control shall be provided in accordance with **NCDEQNR** requirements.

D. ~~Mylar for As-built Drawings~~

In order to meet certification requirements by State review agencies, the subdivider will be required to resubmit revised ~~copies of the~~ engineering plans showing changes made during construction in the location and grade of streets or water and sewer utilities. These revised plans must also be certified by the design engineer. *(amended 12/89)*

ARTICLE X PLANNED UNIT DEVELOPMENTS

7. In residential PUD's parking spaces for visitor and or overflow parking shall be installed which equals 10% of the total number of units in the project. This parking shall comply with NC Building Code requirements for handicapped parking.

F. Street Trees

This subsection (Article X, Section IV.F) is an Ordinance to determine the feasibility of a system of street tree plantings. The provisions of this subsection shall expire as of midnight, December 31, 2018 without further action by City Council. (Amended December 10, 2015)

**ARTICLE XI
RESIDENTIAL TOWNHOUSE DEVELOPMENTS**

7. In Residential Townhouse Developments parking spaces for visitor and or overflow parking shall be installed which equals 20% of the total number of units in the project, except no additional parking is required for Town Home Development's located within a B3 zoning district. This parking shall comply with NC Building Code requirements for handicapped parking.

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION STATING THE INTENT TO TRANSFER TO A NEW
LESSEE THE LEASE AGREEMENT FOR HANGAR A
AT THE ASHEBORO REGIONAL AIRPORT**

WHEREAS, during its meeting on October 16, 2018, the Asheboro Airport Authority (the “Airport Authority”) gave a favorable recommendation to the Asheboro City Council to approve the joint request from Stephen R. Knight and Bradley Neil Lanier to transfer the existing Hangar A lease agreement from Mr. Knight to Mr. Lanier with the same material terms and conditions that were previously granted to Mr. Knight; and

WHEREAS, the city will not need Hangar A for any other use during the term of the leasing arrangement recommended by the Airport Authority.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that it intends to follow the Airport Authority recommendation and to approve, during the council’s next regular meeting, the transfer of the existing leasing agreement for Hangar A from Stephen R. Knight to Bradley Neil Lanier; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to publish in *The Courier-Tribune* the statutorily mandated 30-day legal notice of intent to authorize the described hangar lease agreement with Bradley Neil Lanier during the council’s regular meeting on January 10, 2019.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 6th day of December, 2018.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk