



## CITY OF BURLINGTON PLANNING AND ZONING COMMISSION

**October 24, 2022 - 7:00 p.m.**

*Meetings are being held in person at the City Municipal Building in the Municipal Conference Room (lower level) located at 425 S. Lexington Ave., Burlington, NC 27215*

[https://youtu.be/leESD\\_YKXQ8](https://youtu.be/leESD_YKXQ8)

### **CITY MEMBERS:**

Richard Parker, Chairman  
James Kirkpatrick, Vice-Chairman  
Charles Beasley  
John Black  
Lee Roane

### **EXTRATERRITORIAL MEMBERS:**

Joan Zec Nelson  
Ethan Raynor (Alternate)

### **MEMBERS ABSENT:**

Patricia Gamble (Alternate)  
Amber Wright (Alternate)

### **CITY STAFF:**

Jamie Lawson, Planning Director  
Conrad Olmedo, Planning Manager  
Brianna Smith, Planning Office Manager

## **AGENDA**

### **ITEM NO. 1:**

Mr. Richard Parker, Chair called the meeting to order at 7:00pm.

Mr. Parker advised applicants and the public present that the Planning and Zoning Commission was an advisory board and that all items from that night would move forward to City Council who would make the final decision on the rezoning.

### **ITEM NO. 2:**

Approval of the September 26, 2022 minutes of the Planning & Zoning Commission meeting.

Mr. James Kirkpatrick, Vice-Chair, made a motion to approve and Mr. John Black, Member, seconded the motion.

The item was passed unanimously.

Approval of the October 10, 2022 minutes of the Planning & Zoning Commission meeting.

Mr. Lee Roane made a motion to approve, and Mr. Beasley seconded the motion.

The item was passed unanimously.

**ITEM NO. 3:**

REZONING-22-017: Mr. Oliver Kaija, applicant, to present a request to rezone properties from Medium Density Residential (MDR) and Medium Industrial (MI) to Medium Industrial – Limited Use (MI-LU). The properties are located at the terminus of S. Anthony Ct. and on the westerly side of Keck Dr., south of Anthony Rd., addressed as 2347 Keck Rd., 0 Anthony Rd., 0 S. Anthony Ct., and 0 Keck Dr., and consisting of Alamance County Tax Identification Numbers 120225, 120226, 120240, 120241, 120242, 120245, 120259 and 120277.

Mr. Paul Knoots, Oertel Koonts & Oertel PLLC, gave a brief overview of what the applicant had accomplished in regard to the proposed use list since the September 26, 2022 meeting. Mr. Koonts gave an overview of the neighborhood meeting and noticing procedure. Mr. Knoots also detailed the items that were taken off the proposed use list.

Mr. Parker inquired for any conflicts of interest with this item amongst the commissioners. There were none.

Mr. Kirkpatrick inquired about what the main concerns of the neighbors in the area of rezoning. Mr. Koonts responded that the neighbors were worried about the visibility of the property rather than the uses. Mr. Koonts stated that they had shared a conceptual plan at the neighborhood meeting. Mr. Koonts also stated that they were worried about traffic flow on Anthony Rd. and Keck Rd.

Mr. Kirkpatrick inquired if the applicant shared a concept plan with the neighbors in the area. Mr. Koonts affirmed that they did share the concept plan. Mr. Kirkpatrick inquired if Mr. Koonts had brought the plan with him to present. Mr. Koonts responded that he did not because it was not required to present the rezoning plan.

Mr. Kirkpatrick inquired about if there was anything not addressed that neighbors may be concerned about. Mr. Koonts responded that he did not believe so due to the responses from the neighborhood meeting. Mr. Koonts stated that neighbors seemed to be more concerned about what it wasn't going to be and that apartments were not going to be in the area.

Mr. Parker inquired about the egress off of Keck Rd. only being for cars and not tractor trailer trucks and on the location of the egress. Mr. Koonts stated that the developer had met all DOT requirements and had followed the City of Burlington's standards a development in the area.

Mr. Black expressed concern with the property being close to the airport and inquired about concerns in regard to restrictions because of airspace. Mr. Koonts responded that he had not inquired about those concerns and that it did not seem to be a current concern.

Ms. Jamie Lawson, Planning Director, inquired if there had been any conversation with the owner of the parcel in the middle of the subject property. Mr. Ryan Frasier, Senior Vice-President with Vision Real Estate

Partners, stated that they had spoken with the owner’s father-in-law and notified them that they had not planned to develop anything on that parcel.

Mr. Parker inquired if there would be any improvements on that particular parcel. Mr. Fraiser responded that there would be no improvements on that property.

**PUBLIC COMMENTS:**

There were no public comments.

Mr. Parker inquired staff if they had received any calls or written comments about this property. Staff responded that only general curiosity calls had been made.

**DISCUSSION:**

Mr. Parker inquired if the rezoning would affect adjacent properties. Ms. Lawson responded that it would not.

**STAFF RECCOMENDATION:**

Ms. Lawson stated that while the request is inconsistent with the Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan, in that a portion calls for the area to be Rural Residential/Agriculture; the request is consistent with the portion that calls for the area to be General Industrial. It also supports the recommendations within the Big Alamance Creek (BAC) Area Study, which identifies this area as being suitable a mix of residential and non-residential development for economic development purposes. Staff recommends approval of the rezoning request based on the Land Use Plan and the recommendations within the Big Alamance Creek (BAC) Area Study, per Option 2, as provided in the Consistency Statements Sheet.

**MOTION:**

Mr. Beasley made a motion to recommend approval of the request to rezone property from Medium Density Residential (MDR) and Medium Industrial (MI) to Medium Industrial – Limited Use (MI-LU). The properties are located at the terminus of S. Anthony Ct. and on the westerly side of Keck Dr., south of Anthony Rd., addressed as 2347 Keck Rd., 0 Anthony Rd., 0 S. Anthony Ct., and 0 Keck Dr., and consisting of Alamance County Tax Identification Numbers 120225, 120226, 120240, 120241, 120242, 120245, 120259 and 120277.

While the request is inconsistent with the Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan, in that a portion of the area is called to be Rural Residential/Agriculture; the request is consistent with the portion that calls for the area to be General Industrial. The request also supports the 2018 Big Alamance Creek (BAC) Area Study, which identifies lands that may be suitable to transition from low density single-family land use patterns to some other mix of residential and non-residential land uses for economic development purposes.

The Commission finds that:

- The request is compatible with the existing industrial uses in the area.

This action is reasonable and in the public interest, in that:

- The Comprehensive Plan encourages a sustainable balance of land uses.
- The request is compatible with the existing zoning and land uses in the area.
- The request is supported by the 2018 Big Alamance Creek (BAC) Area Study.

Mr. Kirkpatrick seconded the motion.

**VOTE (7-0):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Zec Nelson, Roane, Raynor)

The motion was passed unanimously.

**ITEM NO. 4:**

REZONING-22-018: Mr. Brad Moore, applicant, to present a request to rezone properties from Medium Density Residential (MDR), Light Industrial (LI), and Office Institutional (OI) to Office Institutional – Limited Use (OI-LU). The properties are located on the north side of W. Front St., between Paris St. and Saddle Club Rd., addressed as 2635 W. Front St., and consisting of Alamance County Tax Identification Numbers 115754, 115864, and 115865.

Mr. Brad Moore, Applicant, gave a brief overview of the proposed rezoning and planned use for the property. Mr. Moore stated that the reason for the rezoning request was to make the zoning in the area more consistent.

Ms. Lawson stated that the rezoning request for the Office Institutional – Limited Use (OI-LU) is for College/University uses. There was a brief discussion about the College/University uses and how there are multiple uses.

Mr. Parker inquired for any conflicts of interest with this item amongst the commissioners. There were none.

Mr. Parker inquired if the applicant had a neighborhood meeting. Mr. Moore stated that they did not due to notification being sent out and that there had been correspondence with a neighbor who had asked questions about the planned zoning.

Mr. Beasley inquired if the intent was to continue to use the property with the current uses. Mr. Moore responded that they did plan to continue the same uses on the property with the potential to add student housing and farming.

Mr. Black inquired if they had planned to use tractors or farm equipment on the property and surrounding roads. Mr. Moore responded that they did not.

**PUBLIC COMMENTS:**

Mr. Shawn Barfield, 2602 W Front St., stated that he lives in a home across from the subject property. Mr. Barfield inquired about a home on the property being demolished and inquired about how much construction was going to happen in front of his property. Mr. Moore responded that they had not included the demolition of the home into the plan thus far.

Mr. Shawn Barfield inquired about the entrances the applicant had planned to have on Front St. and if it was going to add to the traffic. Mr. Moore responded that they had planned to use the existing entrance.

**DISCUSSION:**

Mr. Black inquired if the applicant had planned to have farm animals on the property. Mr. Moore responded that they had no plans except for potentially small animals. Mr. Moore stated that the plan for the property was to be used for sustainable farming.

Mr. Kirkpatrick inquired about the number of students who could live on the property if the applicant went that route. Mr. Moore stated about 30 students could potentially live on the property.

**STAFF RECCOMENDATION:**

Ms. Lawson stated that while the proposed Office Institutional – Limited Use (OI-LU) zoning district is inconsistent with the Land Use Plan, which calls for this area to be Rural Residential/Agriculture, staff recommends approval of the rezoning request based on the Land Use Plan, per Option 2, as provided in the Consistency Statements Sheet.

**MOTION:**

Mr. Black made a motion to recommend approval of the request to rezone properties from Medium Density Residential (MDR), Light Industrial (LI), and Office Institutional (OI) to Office Institutional – Limited Use (OI-LU). The properties are located on the north side of W. Front St., between Paris St. and Saddle Club Rd., addressed as 2635 W. Front St., and consisting of Alamance County Tax Identification Numbers 115754, 115864, and 115865.

While the request is inconsistent with the Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan, in that it calls for this area to have Rural Residential/Agriculture uses:

- The request is compatible with the existing institutional uses occurring on the property.

This action is reasonable and in the public interest, in that:

- The Comprehensive Plan encourages a sustainable balance of land uses.
- The request is compatible with the existing zoning and land uses in the area.

Mr. Roane seconded the motion.

**VOTE (7-0):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Zec Nelson, Roane, Raynor)

The motion was passed unanimously.

**ITEM NO. 5:**

REZONING-22-019: Mr. Darrell Gauthier, applicant, to present a request to rezone property from Office Institutional (OI) to Light Industrial (LI). The property is located on the west side of Huffman Mill Rd., southwest from the intersection of Grand Oaks Blvd. and Huffman Mill Rd., addressed as 1559 Huffman Mill Rd., and consisting of Alamance County Tax Identification Number 107153.

Mr. Darrell Gauthier, Applicant, gave an overview of the proposed project. Mr. Gauthier stated that they had planned to take the 14-15 acres of the property and develop it into a light industrial park. Mr. Gauthier stated that he owns an engineering firm in Elon, which would be utilizing this property. The company designs replacement parts for pharmaceutical equipment. Mr. Gauthier stated the purpose of the industrial park would be to expand the business and bring more jobs to the area. Mr. Gauthier stated that the company had been in business for 23 years and delivers equipment to customers around the world.

Mr. Parker inquired if the applicant had a neighborhood meeting. Mr. Gauthier responded that they did not due to the understanding that the City of Burlington sent out notifications to the neighboring area and that it is already an industrial area so there were no neighbors to meet with.

Mr. Parker inquired for any conflicts of interest with this item amongst the commissioners. There were none.

Mr. Beasley inquired about the other 11 acres and what the applicant had planned to utilize it for. Mr. Gauthier stated that building an industrial park was the goal for the whole property. Mr. Gauthier stated he could foresee HVAC, Electrical, Plumbing, etc. due to it being a central location.

Ms. Zec Nelson inquired about the visual aspect of the industrial park. Mr. Gauthier stated that they were envisioning an "industrial estate" for the property. Mr. Gauthier stated that independent industrial companies were the target market for the industrial park.

#### **PUBLIC COMMENTS:**

Mr. Chuck Sharpe, 1648 & 1620 Huffman Mill Rd, stated that he lives across from the property, and was curious about what the development plan for the property was. Mr. Gauthier responded by giving a brief overview of the company.

#### **DISCUSSION:**

Mr. Parker inquired staff if they had received any calls or written comments about this property. Staff responded that only general curiosity calls had been made.

Mr. Black inquired the applicant about the industrial estate and if he was planning to keep the tree coverage in the area. Mr. Gauthier responded that they did plan to keep trees in the area to help with the look of the industrial estate.

Ms. Zec Nelson inquired if the applicant thought the industrial estate was compatible with housing in the area. Mr. Gauthier responded that the goal was to make the area accessible and safe for homes and potential development in the area.

Mr. Parker inquired staff if this rezoning would affect any adjacent properties. Ms. Lawson responded that it would not affect any of the adjacent properties.

#### **STAFF RECOMMENDATION:**

Ms. Lawson stated that the proposed Light Industrial (LI) zoning district is consistent with the Land Use Plan, which calls for this area to be Business Park/Light Industrial, staff recommends approval of the rezoning request based on the Land Use Plan, per Option 1, as provided in the Consistency Statements Sheet.

**MOTION:**

Mr. Roane made a motion to recommend approval of the request to rezone property from Office Institutional (OI) to Light Industrial (LI). The property is located on the west side of Huffman Mill Rd., southwest from the intersection of Grand Oaks Blvd. and Huffman Mill Rd., addressed as 1559 Huffman Mill Rd., and consisting of Alamance County Tax Identification Number 107153.

The motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that:

- The Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan calls for this area to have Business Park/Light Industrial.
- The request is compatible with the adjacent industrial uses.

This action is reasonable and in the public interest, in that:

- The Comprehensive Plan calls for industrial uses in the area.
- The request is compatible with the existing zoning and land uses in the area.

Mr. Beasley seconded the motion.

**VOTE (7-0):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Zec Nelson, Roane, Raynor)

The motion was passed unanimously.

**ITEM NO. 6:**

REZONING-22-020: Ms. Joyce Padmos, applicant, to present a request to rezone property from Medium Density Residential (MDR) to Light Industrial (LI). The property is located on the south side of Anthony Rd., south from the intersection of Hanford Rd. and Anthony Rd., addressed as 1208 Anthony Rd., and consisting of Alamance County Tax Identification Number 132180.

Ms. Joyce Padmos, Applicant, gave an overview of her proposed project. Ms. Padmos stated that she had been renovating the property for a while to be the new space for her accounting practice. Ms. Padmos stated that the request for Light Industrial (LI) was to make the area consistent with surrounding properties. Ms. Padmos stated that she has spoken with her neighbors, and they are in support of the project.

Mr. Parker inquired for any conflicts of interest with this item amongst the commissioners. There were none.

Mr. Parker inquired if the applicant had a neighborhood meeting. Ms. Padmos responded that the neighbors in the area had spoken with her as work was done on the property and all were in support of the improvements to the property.

Mr. Black voiced his support of the work that the applicant had put into the property and the area.

Mr. Parker inquired how many clients the applicant would have at the business at a time. Ms. Padmos responded that most of her business is electronic and would have few customers coming in person. Ms. Padmos stated that she would also have 1-2 staff besides herself working and different times during the year.

Ms. Zec Nelson inquired the applicant why she chose Light Industrial instead a different zoning. Ms. Padmos responded that she chose Light Industrial to stay consistent with the area and neighboring businesses.

**PUBLIC COMMENTS:**

There were no public comments.

Mr. Parker inquired staff if they had received any calls or written comments about this property. Staff responded that only general curiosity calls had been made.

**DISCUSSION:**

Mr. Parker inquired if the rezoning would affect adjacent properties. Ms. Lawson responded that it would not.

**STAFF RECCOMENDATION:**

Ms. Lawson stated that the proposed Light Industrial (LI) zoning district is consistent with the Land Use Plan, which calls for this area to be General Industrial, staff recommends approval of the rezoning request based on the Land Use Plan, per Option 1, as provided in the Consistency Statements Sheet.

**MOTION:**

Mr. Black made a motion to recommend approval of the request to rezone property from Medium Density Residential (MDR) to Light Industrial (LI). The property is located on the south side of Anthony Rd., south from the intersection of Hanford Rd. and Anthony Rd., addressed as 1208 Anthony Rd., and consisting of Alamance County Tax Identification Number 132180.

The motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that:

- The Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan calls for this area to have General Industrial uses.
- The request is compatible with the adjacent industrial uses.

This action is reasonable and in the public interest, in that:

- The Comprehensive Plan calls for industrial uses in the area.
- The request is compatible with the existing zoning and land uses in the area.

Mr. Kirkpatrick seconded the motion.

**VOTE (7-0):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Zec Nelson, Roane, Raynor)

The motion was passed unanimously.



A member of the public inquired about the different colored "Z" on the rezoning signs. Ms. Lawson gave explanation for the signage.

**ITEM NO. 7:**

REZONING-22-021: Mr. Ryan Moffitt, applicant, to present a request to rezone properties from Office Institutional (OI) and Medium Density Residential (MDR) to High Density Residential (HDR). The properties are located on the southeast corner of the intersection of Grand Oaks Blvd. and Kirkpatrick Rd., addressed as 0 Kirkpatrick Rd. and 0 Grand Oaks Blvd., and consisting of Alamance County Tax Identification Numbers 112931 and 113189.

Mr. Ryan Moffit, Vernon Law Firm, representing Grand Oaks East LLC,. Mr. Moffit also had the principal and engineer on the project present. Mr. Moffit gave an overview of the property and the rezoning request. Mr. Moffit stated that the applicant had planned to add 180 Senior Living Apartments and stated that they had changed that number to 200. Mr. Moffit stated that the proposed project would be low density and consistent with the surrounding land uses. Mr. Moffit stated the applicant had hopes that the apartments with bring more people to Burlington as the location is close to the highway.

Mr. Parker inquired for any conflicts of interest with this item amongst the commissioners. There were none.

Mr. Parker inquired if the apartments were going to be similar to the nearby Ethan Pointe apartments. Mr. Dennis Euliss, Principal of Grand Oaks East, LLC, stated that they had planned to do four-story apartments for senior living. Mr. Euliss stated that it would still be low density and have a lot of open space. Mr. Euliss stated that he is conversing with a neighboring parcel about potentially acquiring the parcel for the project.

Mr. Parker inquired Mr. Euliss if he would be interested in adding more units if he was able to get the additional parcel. Mr. Euliss responded that he would possibly add more but was unsure currently. Mr. Kirkpatrick inquired if Mr. Euliss purchased the lot if he would be adding a similar building if he was able to acquire the parcel. Mr. Euliss responded that it would be consistent with the other buildings.

Mr. Parker inquired staff if they had received any calls or written comments about this property. Staff responded that only general curiosity calls had been made.

**PUBLIC COMMENTS:**

There were no public comments.

**DISCUSSION:**

Mr. Parker inquired if the rezoning would affect adjacent properties. Ms. Lawson responded that it would not.

**STAFF RECCOMENDATION:**

Ms. Lawson stated that while the proposed High Density Residential (HDR) zoning district is inconsistent with the Land Use Plan, which calls for this area to be General Industrial, staff recommends approval of the rezoning request based on the Land Use Plan, per Option 2, as provided in the Consistency Statements Sheet.

**MOTION:**

Mr. Kirkpatrick made a motion to recommend approval of the request to rezone properties from Office Institutional (OI) and Medium Density Residential (MDR) to High Density Residential (HDR). The properties are located on the southeast corner of the intersection of Grand Oaks Blvd. and Kirkpatrick Rd., addressed as 0 Kirkpatrick Rd. and 0 Grand Oaks Blvd., and consisting of Alamance County Tax Identification Numbers 112931 and 113189.

While the request is inconsistent with the Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan, in that it calls for this area to have General Industrial uses:

- The request is compatible with the existing residential uses in the area.

This action is reasonable and in the public interest, in that:

- The Comprehensive Plan encourages a sustainable balance of land uses.
- The request is compatible with the existing zoning and land uses in the area.

Mr. Black seconded the motion.

**VOTE (6-1):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Roane, Raynor)

Disapproved by Ms. Zec Nelson.

The motion was passed 6-1.

**ITEM NO. 8:**

UDOTA 5-22: On behalf of the City of Burlington, Mr. Chad Meadows, to present Unified Development Ordinance Text Amendments.

Mr. Chad Meadows, Principal of Code Wright, gave a description of the previous amendments that had been made to the UDO. Mr. Meadows stated that there had been a total of 18 revisions and gave a brief description of each revision and why the revision was made.

Mr. Parker inquired about applicants wanting to have a large number of potential uses on their applications and what the potential would be to limit the amount of uses they were allowed to have. Mr. Meadows responded that they could limit the uses, but it may not be in the commission or staff’s best interest.

Mr. Black inquired about the list of 45 proposed uses and if they were able to group the different uses into groups of uses. Mr. Meadows responded that there is potential to explore that option but is unsure if it would be in the best interest of the staff, the commission, or the public.

Mr. Parker inquired if it would be possible to limit the amount to being 20 uses. Mr. Meadows responded that they could look into how that would be best executed.

Mr. Kirkpatrick stated that he liked the idea of grouping the uses and also felt that the Limited Use zoning was working well. Mr. Kirkpatrick also stated that he felt that staff was guiding the applicants to the Limited Use zoning and that he felt if the applicant wanted to have 35 uses, they were allowed to.

Ms. Lawson stated that during the informal Pre-Application Conferences (PACs) that staff offers guidance but the final decision of what the applicant is requesting is up to them.

Ms. Zec Nelson inquired on the purpose of having so many uses available. Mr. Meadows responded that the UDO has a large amount of uses available to applicants and that the UDO tries to be sufficiently broad to allow for applicants to have access to use the potential uses.

Ms. Nelson stated that some applicants come in and appear that they don't want to let the commission know what the potential project could be and that she felt applicants were camouflaging what they actually wanted to do, with all the other potential uses. Mr. Meadows responded that the North Carolina Zoning Laws were set up in a way to have Conventional Zoning Districts which are written to accommodate whatever range of uses that a local government chooses to permit within the zoning district and Limited Use Zoning Districts. Mr. Meadows also stated that changing the way zoning uses operate could make things harder on the public and the commission.

Mr. Parker stated that he would like Mr. Meadows to work on applicants not being able to bring 45 uses to the commission. Mr. Black stated that applicants may not be revealing their uses to protect the property value and stated that people may get nervous about how they are going to be affected as they find out what property is being used for.

Mr. Parker inquired if owners of Moveable Tiny Homes would be required to have a license. Mr. Meadows responded stated that they would not be required to have a license and would operate similar to a RV and applicants would not be allowed to live in it permanently.

Ms. Zec Nelson inquired if an applicant would be able install a tiny home in their backyard as an accessory dwelling. Mr. Meadows responded that an applicant could install a Tiny Home if permitted in the district.

Ms. Zec Nelson inquired if an applicant would be able to list a Tiny Home as a short-term rental. Mr. Meadows responded that is a different matter than what is being currently handled and there are no current regulations on Tiny Home Short-Term Regulations. Mr. Meadows stated that staff is investigating needs in relation to Tiny Home and Short-Term Rentals Regulation.

Ms. Zec Nelson inquired if the Text Amendments updated were for all types of flags. Mr. Meadows responded that it was for all flags that are regulated by the ordinance. Mr. Meadows also stated that government flags are exempt from the regulations. Mr. Meadows stated that the UDO cannot regulate content on the flags as it is non-constitutional.

Mr. Roane inquired if the 40ft maximum for flags could be raised to 5x9.5 (47.25 square foot) for Military Flags. Mr. Meadows stated that the square foot could be modified as part of the motion which would continue on to City Council for review.

Mr. Beasley requested clarification on Wall Murals and Public Art Text Amendment and why it was changing from Site Plan to a Zoning Permit. Mr. Meadows stated that for an applicant wanting to install a

mural or wall art would have a difficult time submitting a site plan due to the nature of the request, so the change to the zoning permit change made to make it easier for the applicant to submit the permit request.

Mr. Meadows gave a brief overview of the changes that were suggested in the meeting and stated that staff would review, and they would bring the updates to the Text Amendments back to the Planning and Zoning Commission.

Mr. Parker inquired about if/when the adjustments to the UDO would stop. Mr. Meadows stated that the UDO is a living document and the adjustments to it would most likely never stop due to the nature of it and trying to improve it. Mr. Meadows also stated that the General Assembly is continues to make laws and change the rules, which results in the UDO needing to be updated.

There was a brief discussion about getting physical copies of the UDO with the approved and updated changes and staff stated that they would provide physical copies of the UDO to commissioners who had requested it.

**PUBLIC COMMENTS:**

There were no public comments.

**STAFF RECCOMENDATION:**

The Comprehensive Plan calls for the Unified Development Ordinance to be reflective of the community's current needs. The proposed text amendment is consistent with and provides further clarification into fulfilling the vision of the Comprehensive Plan, Destination Burlington.

**MOTION:**

There was brief discussion on amending the motion to include the addition of the flag standard to fit Military Flags. Discussion was had about what regulations were allowed to change and regulate.

Mr. Roane made a motion to recommend approval of the request to amend the City of Burlington Unified Development Ordinance with the proposed text amendment. With the addition of amending the flag size to be 60 feet and the flagpole being 40 feet.

The motion is based upon the consistency of the proposed text amendment with the Comprehensive Plan, in that:

- Section 4, Land Use, Goal 1, Recommendation 5, of the Comprehensive Plan, calls for an update of the Unified Development Ordinance.
- Section 4, Land Use, Goal 1, Recommendation 5, of the Comprehensive Plan, calls for ensuring sound land planning decisions that are consistent with the vision of the Plan.

This action is reasonable and in the public interest, in that:

- Section 4, Land Use, Goal 2, Recommendation 4, of the Comprehensive Plan, addresses confusion, conflicts, and obsolescence of the Zoning Code through a new Unified Development Ordinance.
- Section 4, Land Use, Goal 2, Recommendation 4, of the Comprehensive Plan, a new UDO will be modern, graphically intensive, and user-friendly from both a public/petitioner and administrative perspective.

Mr. Black seconded the motion.

**VOTE (7-0):**

Approved by (Parker, Kirkpatrick, Beasley, Black, Zec Nelson, Roane, Raynor)

The motion was passed unanimously.

**ADJOURNMENT**

Mr. Kirkpatrick made motion to adjourn. Mr. Black seconded the motion.

The motion passed unanimously.

The meeting ended at 8:52 p.m.