



CHATHAM COUNTY PLANNING BOARD
Minutes
January 3, 2012

The Chatham County Planning Board met in regular session on the above date in the Henry H. Dunlap, Jr. Building Classroom, Pittsboro, North Carolina. Members present were as follows:

Present:

Karl Ernst, Chair
B.J. Copeland, Vice-Chair
Philip Bienvenue
Kathryn Butler
Philip Canterbury
James Elza
Donna Kelly
Cecil Wilson

Absent:

Mike Grigg
Dwayne Howard
Timothy Keim

Planning Department:

Jason Sullivan, Planning Director
Angela Birchett, Zoning Administrator
Kay Everage, Clerk to the Board

Other:

Tom Glendinning, Parliamentarian

- I. CALL TO ORDER: Chair Ernst called the meeting to order at 6:30 p.m. He stated that Mike Grigg was out of town and would not be in attendance.
- II. DETERMINATION OF QUORUM: The clerk stated that a quorum was present to begin the meeting (8 members).
- III. APPROVAL OF AGENDA: See next Item - IV. Approval of Consent Agenda.
- IV. APPROVAL OF CONSENT AGENDA:
Minutes: Consideration of a request for approval of the December 6, 2011 Planning Board minutes.

Board members had no objections to above items III. and IV. and considered them approved as submitted.
- V. PUBLIC INPUT SESSION: Fifteen-minute time of public input for issues **not** on agenda. Speakers limited to three minutes each.

There were no requests to speak at this time.

VI. ZONING AND ORDINANCE AMENDMENTS:

Chair Ernst stated that items 1, 2, and 3 listed below are scheduled for public hearing Tuesday, January 17, 2012; that the meeting begins at 6:00 p.m. in the auditorium of the Agriculture Building in Pittsboro, NC.; that he plans to attend and encouraged other Board members to attend if possible; that evidence presented at the hearing regarding the quasi-judicial request is what is to be considered during the Planning Board discussion; that no new evidence is to be introduced; and that application information was included in tonight's agenda packet.

Legislative Request:

- Public hearing request by the Chatham County Board of Commissioners for the proposed Chatham County – Town of Cary Joint Land Use Plan.
- Public hearing request by Warren Mitchell dba Iron Clad Storage to rezone Parcel No. 71691, consisting of approximately 5.41 acres, located at 102 Vickers Rd., and approximately five (5) acres from Parcel No. 18872, from Conditional Use Light Industrial (CU-Ind-L) and Residential 1 (R1) to Conditional Use Regional Business (CU-RB), Williams Township.

Quasi-Judicial Request:

- Public hearing request by Warren Mitchell dba Iron Clad Storage for a revision to the existing conditional use permit on Parcel No. 71691 to add the additional five (5) acres from Parcel No. 18872 to the permit for the uses of self-storage facility/mini warehouse storage facility with related retail and services (i.e. moving truck rental), recreational vehicle storage facility, and boat storage facility.

VII. NEW BUSINESS:

1. 2011 Annual Planning Board Report

Chair Ernst reviewed his report included in tonight's agenda packet. Board discussion followed.

Mr. Copeland noted other Board action during 2011 as follows:

- received eight (8) new members that changed the complexion of the Board
- revised "Planning Board Rules of Procedures"
- initial meeting with the Economic Development Commission (EDC)
- ordinance revisions, i.e., streamline procedures and reduce process time
- consensus that the economic revitalization of Chatham County was a top priority

Mr. Copeland stated that he and Chair Ernst agreed that he (Mr. Copeland) would draft an annual report and submit to Planning staff Thursday of this week to be forwarded to Board members for their input.

Mr. Bienvenue offered the following suggestions referenced as his "wish list":

- > look at where the Planning Board currently is
- > look at what the Planning Board has done in the past

- > look towards the future
- > land use planning map – not done
- > conditional use permit – try to simplify process

Mr. Bienvenue praised the Planning Board and staff and suggested that the Board create items for review that would be beneficial to Chatham County's future.

Mr. Copeland suggested that the annual report, 1.) reflect the 2011 actions, and 2.) concludes by addressing issues and goals.

Board discussion followed regarding wording on Page 2 that states, "**Anti-growth mindset**"; and some members thought this wording should be excluded from the annual report. Also discussed was the need to reduce conflict of difference regarding various ordinances.

Mr. Sullivan addressed Zoning Ordinance text amendments. He stated that the Commissioners directed staff to begin working on:

- 1) switching our parallel conditional use district rezoning and conditional use permit process to a conditional zoning process (1 step process); and
- 2) major overall of the Zoning Ordinance – section by section (staff will be working with the Planning Board).

He noted that it is difficult to discuss potential business locations without a Land Use Plan map.

Postpone sending report to Commissioners

Mr. Ernst made a motion; seconded by Mr. Elza to postpone final decision on the annual report until the February 7, 2012 Planning Board meeting. There was no further discussion and the motion passed unanimously (8). Chair Ernst reiterated that Mr. Copeland would re-write the report and submit it to staff Thursday afternoon, January 5, 2012; and that staff would forward the report to Planning Board members via E-mail for their input.

Other discussion

Ms. Kelly was concerned about 1.) properties being out of compliance with their approved land use applications, and 2.) landowners lack of understanding of the conditional use permitting process. Mr. Sullivan and Ms. Birchett addressed these concerns.

VIII. PLANNING DIRECTOR'S REPORTS:

1. Minor Subdivisions update

Mr. Sullivan stated that tonight's agenda packets included an updated spreadsheet of the minor subdivisions approved by staff since last month's update. "Exempt" maps were discussed, i.e. recombination.

2. Discussion about the Board of Adjustment

Mr. Sullivan stated that currently the Board of Commissioners [BOC] serve as the Board of Adjustment [BOA]; that since we have zoning in the county we must have a BOA; that this Board primarily hears appeals and variance requests (deviations from the adopted standards and regulations); that appeals are

submitted by someone who disagrees with a staff interpretation; that the BOA hears the case and makes a decision on whether or not staff made the right interpretation; that the Commissioners have expressed an interest in moving the BOA to either a separate Board altogether or to a different Board; that this issue is on tonight's agenda to find out if the Planning Board is interested in serving as the BOA; that the Commissioners have not said that they want the Planning Board to do this; but that staff sees this as an option to send to the BOC if the Planning Board has an interest. Some specifics noted were:

- Planning Board currently serves as an advisory board
- Board of Adjustment is a decision making board
- BOA reviews few cases each year
- 4/5 majority vote is required for a decision
- members volunteer their services
- Planning Board already has a set calendar for monthly meetings
- separate attorney's serve the BOA and staff

Mr. Sullivan stated that plans were to submit this issue at the January 17, 2012 Board of Commissioners meeting; but that it could be postponed until February.

Motion

Mr. Copeland made a motion; seconded by Ms. Butler to recommend that the Board of Commissioners appoint and utilize a separate free-standing Board of Adjustment (other than the Planning Board). Some discussion followed about prospective BOA appointments. Mr. Copeland's motion passed 7-0-1 with all Board members present voting in favor of the motion; except Mr. Wilson who abstained stating he had reservations.

IX. BOARD MEMBER ITEMS:

1. *'Prayer at Public Meetings' – decision on holding prayer at Planning Board meetings.*

Chair Ernst stated that this issue was continued from last month's Planning Board meeting. Discussion followed and some specifics noted were:

- Mike Grigg initially presented this issue to the Board but could not present tonight
- Possibly consider a moment of silence before meetings
- Chatham County Commissioners and Town of Siler City Commissioners currently exercise this function before their meetings

Motion

Ms. Butler made a motion; seconded by Mr. Canterbury, to establish a time of prayer before each Planning Board meeting with an appropriate place on the agenda to be determined (possibly following "Determination of Quorum"). Discussion followed regarding:

- consider "The Pledge of Allegiance" to follow the prayer
- members rotate presenting the prayer (offer a prayer or a moment of silence) giving everyone a chance to express individual views

Amendment to Motion

Ms. Butler made a motion for amendment to add that the "Pledge of Allegiance" be presented after the prayer at the beginning of each Planning Board meeting. Mr. Canterbury seconded the motion. There was no further discussion and the motion for amendment passed 6-2 with Butler, Canterbury, Ernst, Copeland, Bienvenue, and Wilson voting in favor of the motion for amendment; and Elza and Kelly voting against.

Vote on Motion/amendment

The above motion/amendment passed 5-3 with Butler, Canterbury, Ernst, Bienvenue, and Wilson voting in favor of the motion; and Copeland, Elza and Kelly voting against.

2. Discussion of calendar year 2012 Board activities

Chair Ernst stated that he added this item on the agenda to receive feedback from Board members regarding issues that members would like to see addressed this year. Some specifics discussed were:

- Land Use Plans
 - a) infrastructure - sewer and water
 - b) Chatham-Gary joint planning
 - c) look at other municipalities/jurisdictions
 - d) ordinances
 - e) continue EDC relations, i.e. economic infrastructure
 - f) recreation fees - higher in eastern portion of county where land does not perk well- sewer and water not available
- Buffer Requirements
 - a) classification / terminology revisions, i.e. seeps and springs, ephemeral

X. ADJOURNMENT: There being no further business, Mr. Copeland made a motion; seconded by Mr. Wilson to adjourn the meeting. There was no discussion and the motion passed unanimously (8 members). The meeting adjourned at 7:45 p.m.

_____/_____
Karl Ernst, Chair / Date

Attest: _____/_____
Kay Everage, Clerk to the Board / Date