

***Item from March 23, 2004 Public Hearing:***

- B. Amendments to the Chatham County Zoning Ordinance, Subdivision Regulations and Watershed Protection Ordinance incorporating the Chatham County Compact Communities Ordinance.

Chairman Lucier stated that the intent and plan of this evening is for the Board to discuss substantial issues that were raised at the March public hearing and to forward the Planning Board recommendations on to the County Commissioners. Some of the issues raised are as follows:

- maximum size
  - separation distance
  - location
  - landscape master plan
  - stormwater structures
  - stream buffers
  - size of commercial structures on Hwy 15-501
- and,
- waiver provisions.

Chairman Lucier proposed, if agreeable with the Board, to go through the above issues to see if there are additional recommendations to the Commissioners that are different. He stated that if the scenario is that the Planning Board recommends substantial revisions to the draft Ordinance, (and those recommendations are approved by the Commissioners) then the system would require another public hearing. The Chairman cited that this has been a long process and that the intent of the Commissioners is to take action on the Ordinance during their April 19, 2004 meeting.

**Motion:**

Charles Eliason stated that the Chairman Lucier's comments stated above were all good points but that he would like to make a motion to send the draft ordinance as it stands and as it was sent to public hearing [with the waiver] on to the County Commissioners for their consideration. Mr. Wilson seconded the motion.

**Discussion:**

Mr. McBee stated that, during the public input session earlier tonight, he did not hear anything new that had not already been discussed in great detail.

Mr. Wilson stated that the public has had adequate input; that during the February 10 joint meeting of the Planning Board and County Commissioners the public was allowed a large amount of input; that on February 11 Board members received an e-mail from a citizen commending the Board on the fact that a lot of citizen requests had been integrated into the draft Ordinance; that some sort of public input has been allowed at all Planning Board meetings; and that there is no need to revisit these issues.

**Re: Chatham County Compact Communities Ordinance – con't**

Ms. Andrews noted that the only change from what the Planning Board recommended and what the Commissioners sent back was the waiver.

Chairman Lucier stated that, regarding separation distance and location concerns, he has had some discussion with Keith Megginson, Charlie Horne, Bob Gunn and Paul Messick regarding this issue; that Mr. Gunn's opinion was that reducing the footprint would not require another public hearing; that one of the options discussed was leaving Andrews Store Road, Manns Chapel Road and Hwy. 15-501 in tack; that there is currently 2500 feet outside of Andrews Store Road; and that another option discussed was to reduce the footprint 2500 feet south, east and west of Andrews Store Road and requiring a compact community to have access to a 4-lane highway (and reducing the footprint only up to Jack Bennett Road on the east side of Hwy. 15-501).

Ms. Austin noted that during an earlier discussion of this target area when the Board reviewed separation criteria, it was established that there was nothing to prevent within that separation band (if even proposed) for a major subdivision to be developed (other than a compact community).

Chairman Lucier stated that he could not support the motion (on the floor) due to the waiver and separation issues, i.e. further review needed.

Mr. Hicks stated that if Board members have not had a change of opinion to any of the recommendations forwarded to the County Commissioners then a recommendation at this time by the Planning Board would not be in favor of the Ordinance as proposed by the Commissioners.

It was noted that a previous vote by the Planning Board on whether or not there should be a size limit on compact communities was a split 5-5 vote.

**Vote:**

The motion failed due to a tie vote of 5-5 as follows:

**Voting in favor of the motion:**

Charles Eliason  
Cecil Wilson  
Jennifer Andrews  
Jeff Austin  
Mark McBee

**Voting against the motion:**

George Lucier  
Larry Hicks  
Caroline Siverson  
Winnie Smith  
Chris Walker

Discussion followed regarding the split vote. Mr. Wilson stated that, since the above vote was a tie, it would be appropriate to include Mr. Hicks' comments noted above with the recommendation to the Commissioners. Mr. Megginson explained that previously the Commissioners have received issues that were a 5-5 vote and that unless there is some other motion that passes by a majority it can go on to the Commissioners. Chairman Lucier suggested that Mr. Hicks make a motion expressing his comments stated above.

**Motion:**

Mr. Hicks made a motion; seconded by Mr. Walker that the Planning Board forward to the Board of County Commissioners public hearing draft dated March 1, 2004 with the exception of the waiver, i.e. removal of the provisions for the waiver (Item 15).

**Discussion:**

It was the consensus of the Board that recommendations of The Appearance Commission and concerns of Habitat for Humanity could be addressed at a later time if necessary.

**Vote:**

The motion passed 6-4 as follows:

**Voting in favor of the motion:**

Larry Hicks  
Chris Walker  
George Lucier  
Mark McBee  
Caroline Siverson  
Winnie Smith

**Voting against the motion:**

Jennifer Andrews  
Jeff Austin  
Charles Eliason  
Cecil Wilson

Chairman Lucier thanked everyone for working with the Planning Board on the Compact Communities Ordinance.

**VIII. MISCELLANEOUS REQUESTS or REQUIRED ACTIONS:**

No issues were discussed.

**IX. NEW BUSINESS:**

**A. Planning Director's Report**

- **Cape Fear River Basin:** Mr. Megginson informed the Board that the Cape Fear River Basinwide Water Quality Planning Workshop conducted by the State Division of Water Quality is scheduled for Thursday, May 27, 2004, from 6:00 p.m. – 9:00 p.m. in this same room (auditorium of the Cooperative Extension Building in Pittsboro, NC). Mr. Megginson referenced information from the workshop flyer. He noted that attendees would hear from State water quality experts on recent monitoring in the river basin and from local groups working on water quality issues; that there would be an opportunity to ask questions of and provide guidance to the Division of Water Quality in the development of the next Cape Fear River Basinwide Water Quality Plan. Mr. Megginson stated that, throughout all the river basins, the State is conducting a basin study and coming up with very different recommendations depending on size, where they drain and quality. He noted that because of State cutbacks they can't do them all at one time so they are beginning with those considered more critical basins and then working on down to the least critical.