

CHATHAM COUNTY PLANNING BOARD
MINUTES
January 8, 2008

The Chatham County Planning Board met in regular session on the above date in the auditorium of the Cooperative Extension Building in Pittsboro, North Carolina. A quorum was present to begin the meeting. The members present were as follows:

Present:

Sally Kost, Vice-Chair
B.J. Copeland
Karl Ernst
Barbara Ford
Warren Glick
Jim Hinkley
David Klarmann
Randall Sartwell
Judy Sharman
Peter Theye
Delcencia Turner

Absent:

Planning Department:

Keith Megginson, Planning Director
Jason Sullivan, Assistant Planning Director
Kay Everage, Clerk to the Board

County Attorney

Kevin Whiteheart

- I. CALL TO ORDER: Ms. Kost called the meeting to order at 6:30 p.m. and welcomed new Planning Board member, Peter Theye. Mr. Theye was appointed by Commissioner Barnes to complete the term of Chris Walker who recently resigned.

- II. APPROVAL OF AGENDA: Mr. Hinkley made a motion; seconded by Ms. Sharman to approve the agenda as submitted. There was no discussion and the motion passed unanimously.

- III. CONSENT AGENDA:
 - A. Minutes: Consideration of a request for approval of Planning Board minutes for December 4, 2007 meeting.

The following revisions were noted:

- Page 267 - Motion to approve with revision

Mr. Hinkley referenced his request to amend Mr. Copeland's motion to add the following language: "to recuse oneself and his or her physical presence - Mr. Copeland stated that this would be done in "Rules of Procedure". Mr. Hinkley stated that this was not reflected in the minutes (page 270 under VII. Conflict of Interest). Discussion followed. Mr. Copeland reiterated that the "Rules of Procedure" address this. Mr. Hinkley stated that it needs to be clear that the Board member would not only recuse themselves but would also leave the room during the discussion of that particular issue.

- Page 274, Item #13 "Access"

Mr. Hinkley stated that this needs more clarification. He suggested the following language: "Access in new development will be by interior driveways and streets".

Ms. Turner noted the following:

- Page 269, Remove Item E. that states, "Review and take part in the planning process of any public facilities sponsored and/or funded, whether in whole or in part, by Chatham County". - "It was the consensus of the majority of the Board to remove item E. as noted above".

Ms. Turner stated that she and Mr. Hinkley were against the removal of Item E. Following discussion it was determined that the minutes should state, "The majority of the Board agreed to remove item E. with Board member's Hinkley and Turner being against".

Motion to approve minutes with above revisions

Mr. Ernst made a motion; seconded by Mr. Copeland to approve the minutes as submitted with revisions as discussed above. There was no further discussion and the motion passed unanimously.

End Consent Agenda

- IV. 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.

- V. ZONING AND ORDINANCE AMENDMENTS: *Items for January 22, 2008 Public Hearing:*

Mr. Megginson reviewed items A – E listed below that are scheduled for public hearing January 22, 2008. He noted that information material was included in tonight's agenda packets.

- A. Public hearing request by New City Design on behalf of CRCED Treatment, Inc. to rezone approximately 8.73 acres from Residential/Agricultural (RA-40) and 1.41 acres from Conditional Use B-1 to Conditional Use O & I, Parcel No. 73288, 10.14 acres located at 176 Lassiter Homestead Road, Williams Township.
- B. Public hearing request by New City Design on behalf of CRCED Treatment, Inc. for a Conditional Use Permit to accommodate congregate care facilities, family care homes, hospital, health and welfare centers, and nursing homes and/or convalescent homes located on 10.14 acres and to remove the conditional use permit on 1.41 acres on Parcel No. 73288 at 176 Lassister Homestead Road, Williams Township.

- C. Public hearing request by Chatham County to rezone property located at 1310 Old US 1, Moncure, NC, a portion of Parcel No. 62655 (1 acre), Haw River Township, owned by Thomas C. Lewis, from Business (B-1) to Residential/Agricultural (RA-40).
- D. Public hearing request by Chatham County to rezone properties located at 1334 and 1352 Old US 1, Moncure, NC, Parcel No. 11554 (.25 acres), a portion of 11531 (2 acres), and a portion of 11557 (.49 acres), Haw River Township, owned by James & Rachel Brady, from Business (B-1) to Residential/Agricultural (RA-40).
- E. Public hearing request by the Chatham County Board of Commissioners for a revision to the following sections of the Chatham County Ordinance Establishing a Planning Board: Section 1.B to change the date for Planning Board member appointments and make technical correction, Section 2.A to specify that the procedure for electing the Chair and Vice-Chair is defined in the Planning Board Rules of Procedure.

VI. NEW BUSINESS:

A. Major Corridor Ordinance Task Force Presentation

Ms. Kost stated that three (3) Planning Board members serve on the Major Corridor Ordinance Task Force (Barbara Ford, Karl Ernst and herself) along with other citizens (as noted on page 6 of Exhibit 1 included in tonight's agenda packet); and that meetings have been on-going since last March. She introduced John Graybeal, Chair of the Major Corridor Ordinance Task Force (and former Planning Board member).

Mr. Graybeal stated that the Chatham County Board of Commissioners created the Major Corridor Ordinance Task Force to provide development guidelines along Chatham County major corridors (as recommended in the Land Conservation and Development Plan). He referenced his information material included in tonight's agenda packets titled,

- "Major Corridor Ordinance Task Force Recommendations" (dated January 7, 2008), and
- "Summary of Recommendations" (dated January 7, 2008).

Copies are filed in the Planning Department. Some specifics noted were:

access and traffic;
 packing areas;
 building design and layout;
 landscaping and buffers; and
 signs.

Mr. Graybeal reviewed additional packet material as follows:

1. **Land Conservation and Development Plan Amendment Text** – with information regarding

- Economic Development Nodes (see map included)
- Types of Nodes
- Crossroads Activity Center (CAC)
- Neighborhood Node
- Community Node
- Regional Node
- Special Node
- US 64 / NC 751 Node
- US 1 Technology Corridor Node
- Moncure Node;

2. Land Use Plan Amendment Process – General Overview;

**3. Chatham County Corridor Overlay Districts – 43 pages of material;
and**

4. Corridor Overlay District Maps.

He asked that Board members review this material and submit comments and/or suggestions to the committee. He noted that some Planning Department suggestions have been incorporated in additional recommendations as noted in tonight's packet.

Buffering was discussed.

Paul Black of Triangle J Council of Governments and facilitator of the Major Corridor Ordinance Task Force (MCOTF) presented a Power Point presentation and reviewed the following major topics:

- Original Charge to the MCOTF
- How the MCOTF met the charge
- Final "Plan" Nodes
- Node Types – Crossroads, Neighborhood, Community, Regional
- Why a plan amendment process
- Final "Zone" Nodes
- Moncure – US 1 Overlay; US 64/NC 751 Overlay
- Cole Park, Chatham Downs, Briar Chapel, and Bear Creek Area Overlays
- What the overlay standards do / and do NOT do; and
- What you have before you – three (3) items as follows
 - a. Policy document changes to the Land Conservation and Development Plan that include the "Plan" Map of the nodes, the node type descriptions, and a formal plan amendment process;
 - b. The overlay zoning district language and maps; and
 - c. Additional text amendments for other parts of the zoning ordinance to support the overlay districts plus additional recommendations.

He noted four (4) key concepts that the standards use:

1. Forested or replanted buffers along roadways to screen the buildings from the major corridors;
2. Create a built environment that is pedestrian and transit friendly, promoting mixed used to reduce traffic and pollution;

3. Require fewer parking spaces and increase tree canopy in parking lots so that there is less exposed impervious surface; and
4. Reduce the visual impact of signs on the roadway by limiting the size, number, type, and lighting of the signs.

He concluded by reviewing the following issues addressed in tonight's packet material:

- Policy document changes to the Land Conservation Development Plan (Map, description of each node, plan amendment process)
- Zoning District language and zoning maps with overlay districts
- Additional text amendments (existing Zoning Ordinance would require some changes to support various things, i.e. allow for lesser uses in some of the more intense districts)
- Additional definitions
- Clearing permit process, i.e. saving the trees, nothing mandatory in this process
- Storm water process needs to be put in place
- Non-conformities be allowed to expand
- Jordan Lake zoning, i.e. RA-5 / 1500' corridor, and
- Other recommendations (from work session).

(Note: All materials referenced above are filed in the Planning Department.)

Discussion followed.

Existing businesses: Commissioner Lucier stated that the Commissioners think existing businesses along these corridors should be allowed to expand; that a particular business might want to change based on economic conditions and etc; and that the Commissioners want to allow as much flexibility as possible to make this happen.

Bear Creek vs. Hwy. 87 North: Mr. Klarmann questioned why Bear Creek was designated an economic development node and Hwy. 87 North was not. Mr. Black stated that there is a neighborhood node on NC 87 North but that the exact location was not designated by the Task Force

How the Planning Board is to proceed: Ms. Kost stated that the Commissioners asked the Planning Board to as a first step is to decide how to proceed with the Planning Board's review. She distributed and reviewed a document titled, "Proposed Review Schedule of the Major Corridor Task Force Recommendations, Chatham County Planning Board" that lists proposed dates / actions. A copy is filed in the Planning Department and dates are listed below:

- 8-Jan
- 5-Feb*see
suggestion below to change this date
- 4-Mar
- 17-Mar
- 7-Apr

The majority of the Board was in agreement with the above process.

Changes / Suggestions:

- Mr. Hinkley asked how the recommendation of the Zoning Committee to zone the entire county would be dealt with. Ms. Kost agreed that this issue be completed and that the rest of the zoning aspects would follow.
- Mr. Copeland inquired, since the original node was not limited in size; why not stay with 1500 feet. Mr. Black stated that it is still 1500 feet in terms of the regulatory portion.
- *Mr. Graybeal asked that the Board consider changing the February 5, 2008 Planning Board meeting to February 12, 2008 (since he and some others could have a conflict with).

Motion to change February 5 Planning Board meeting to February 12:

Following discussion, Mr. Glick made a motion; seconded by Mr. Hinkley to change the February 5 Planning Board meeting to February 12, 2008. Discussion followed. Mr. Megginson cited that the Board might want to consider the fact that the Planning Board calendar (meetings and submittal deadlines) has been posted. Following discussion, the motion to change the February Planning Board meeting date failed 2-9 with Glick and Hinkley voting in favor of the motion; and all other Board members voting against.

General discussion:

- Lack of citizen involvement, timing of information material, and municipality nodes

Mr. Ernst stated concern regarding the lack of citizen involvement and the timing of available information that should have been submitted months ago. He inquired about municipality nodes. Mr. Black stated that a newer version of the map shows municipalities and is available on their website but was not included in tonight's presentation. Ms. Kost indicated that there will be public forums to answer questions about the Task Force's recommendations and that these forums may help address Mr. Ernst's concerns.

- Crossing existing business property

Ms. Sharman recalled an issue recently discussed by the Board regarding the ability to cross property in the back of a business located in the corridor zoning area (rezoned residential). She inquired if it would be permitted to cross a scenic area (buffer) to get to other properties. Mr. Black explained that there are additional standards; that residential zoning was done in the unzoned portions of the county because this is the holding zone; that overlay standards now apply (within the 1500 feet corridor).

B. Planning Director's Report

1. December 10, 2007 Public Hearing – update

Buffers:

Mr. Megginson stated that the County Commissioners adopted the riparian buffer requirements and environmental assessment requirements

effective to begin January 23, 2008 unless amended during the Commissioner's retreat (scheduled for January 16 and 17, 2008). He noted that Fred Royal, Chatham County Environmental Resources Director is working to meet the January 23rd deadline.

Lighting:

Mr. Megginson stated that the zoning portion of the Ordinance dealing with lighting goes into effect February 1, 2008.

Ms. Kost inquired about the status of other portions of the county since lighting regulations were only applied to the zoned areas of the county. Mr. Megginson stated that the Commissioners would be discussing this issue during their upcoming summit meetings.

2. 2008-09 Planning Department Budget

Mr. Megginson referenced the document included in tonight's agenda packet titled, "Planning Department Major Issues 2008-09". He stated that this is currently where the department is in the budget process; and that major issues and budget priorities are items to be discussed during the upcoming Commissioner's summit meetings.

Board concerns:

- Additional staffing needed, i.e. Chatham County Transportation Plan (dates back to 1980's)

Mr. Megginson noted two groups:

1. Metropolitan Planning Organization, and
2. Rural Planning Organization

Mr. Sullivan gave a brief review of these organizations. He stated that staffing is one of the problems occurring at the State level.

Mr. Megginson stated that if the Commissioners decide to implement county-wide zoning or have more of our ordinances apply county-wide (i.e. environmental, lighting) that there is staffing implications. He noted that staff has just finished interviewing for a planner position and should have that person in the office soon.

- Timing of hiring needed staff

Mr. Megginson explained that after the moratorium was effective staff evaluated some potential department needs listed below; that a position was advertised; that staff received several applications; and that interviewing was done only a couple weeks ago.

Potential needs

- a) planner to cover more enforcement for lighting, zoning, mobile homes, junk yards and etc.

- b) planner to help with the writing of ordinances, doing transportation planning (someone specifically trained in transportation planning), or,
- c) hire a generalist.

- Subdivision Subcommittee assistance needed

Ms. Sharman stated that efforts of the committee have been slowed down with the limited amount of time that Mr. Black has been able to dedicate to this committee; and that the Planning Department may want the new planner to help in this regard. Mr. Megginson stated that the additional planner could possibly assist the Subdivision Subcommittee later in the year but not in time to meet the moratorium deadline; that staff would have a much clearer sense of direction after the Commissioner's upcoming summit; and that he would update the Board on the summit meeting during the February Planning Board meeting.

- Additional Staff needed to perform site inspections

Ms. Turner stated that the concern for site inspections was the topic of the initial discussion regarding the need for additional staff. Mr. Hinkley cited disappointment that additional staff had not yet been hired.

- Moratorium expiration

Board members discussed the possible influx of subdivision submittals with the moratorium expiration (June 3, 2008).

Transportation Planning

Mr. Hinkley stated that if the county allows NCDOT to do the county planning it would put the county in a situation where our land use planning would have to be adjusted to match the State's ideas; that there needs to be some transportation planning capacity on the Planning Department staff; that a land use planner could also do transportation planning; and that we would have an idea where we want our transportation corridors to be rather than just reacting to what the State suggests.

Mr. Sullivan stated that the State provides staff a process where they work with local communities to develop a plan; that the State is not telling us what we have to do but rather providing the process, framework and staffing to develop a plan that they would run and hopefully be adopted locally; and that NCDOT would then use this plan.

Attorney Whiteheart stated that the county has much less authority on the road process; that the county does not own roads; and that sometimes NCDOT priorities change that could affect a particular plan.

Mr. Black noted three (3) tiers once a plan is in place with NCDOT as follows:

- 1) Comprehensive – 30 or 50 years not constrained by finances

- 2) Long Range Transportation Plan – 20 or 25 years and has fiscal constraints built in, and
- 3) State Transportation Improvement Program – 7 year fully funded (or shows where the funding is or isn't for a specific project)

Corridors identified by the State:

Mr. Hinkley inquired if there had been any input on the part of the county to distinguish the corridors identified by the State for the Hwy. 15-501 by-pass (2 to the west of Pittsboro and 3 or 4 in the eastern part of the county). Mr. Megginson noted that Planning Department staff attended the forums presented by NCDOT regarding these corridors; and that most of these corridors are within the jurisdiction of the Town of Pittsboro.

3. Commissioners Summit:

Ms. Kost stated that she would be attending the upcoming Commissioner summit meetings scheduled for January 16 and 17; and that she would express the staffing concerns raised by the Planning Board... Mr. Megginson noted that the summit meetings are scheduled to be held here (auditorium of the Cooperative Extension Building, Pittsboro, NC) beginning at 9:00 a.m.

4. February (and possibly March & April) Planning Board Meetings at CCCC

Mr. Megginson informed the Board that the February 5, 2008 Planning Board meeting would be held at Central Carolina Community College, Building #2, Multipurpose Room, beginning at 6:30 p.m. Ms. Everage noted that the auditorium of the Cooperative Extension Building (our usual meeting room) is not available for the months of February, March and May; that she would reserve the multipurpose room at CCCC again for March and May if possible; but that room reservations for those dates would not be available for scheduling until the first of February (for March) and the first of April (for May).

C. Planning Board Members Items

1. Chatham Conservation Partnership – designate a representative

Ms. Kost stated that this was briefly discussed during last month's Planning Board meeting; and that the Board needs to formally appoint a Board member to represent the Planning Board in the Chatham Conservation Partnership.

B.J. Copeland nominated:

Mr. Hinkley nominated Mr. Copeland. He stated that Mr. Copeland has had a great career in conservation; that he was remotely associated with Mr. Copeland in land use stewardship some years ago; and that he has been very impressed with Mr. Copeland's work over the years. Ms. Sharman 2nd the motion. There were no other nominations. Mr. Ernst made a motion that nominations be closed. The motion to appoint Mr. Copeland to represent the Planning Board in the Chatham Conservation Partnership passed unanimously.

2. Planning Board Officers

Ms. Kost reminded Board members that election of Planning Board officers would be on next month's agenda.

3. Briar Chapel Site Visit

Ms. Kost stated that during last month's Planning Board meeting she indicated that she was trying to schedule a site visit for Board members to visit Briar Chapel; that due to the weather she is planning this for March; and that she would inform the Board when a definite date is set.

4. Report to Commissioners

Ms. Kost stated that she nearly done on the report to the Commissioners (that members saw last month); and that she would share the final report with the Board when it is finished.

5. Triangle J Council of Governments – Smart Growth Committee

Ms. Kost stated that this meeting is scheduled for January 25, 2008 at RTP, at 11:30 a.m. Mr. Black stated some issues to be discussed as follows:

- what constitutes rural smart growth
- how to make forestry and farming sustainable and economically viable (to keep growing trees and crops and dairying instead of growing houses).

He noted that additional information would be available on the Triangle J website within the next few days.

Mr. Black stated that lunch would be available for \$8.00. Mr. Hinkley asked if Planning Board members would be reimbursed for transportation and lunch since there is money in the budget for this. Mr. Megginson stated that he would look into this.

6. Major Corridor Ordinance Task Force - material

Ms. Kost asked that Board members retain this information material provided in tonight's agenda packet regarding this so that staff would not need to recopy it.

7. Rural and Sustainable Farming

Mr. Ernst asked for a clear definition of the terms "Rural" and "Sustainable" farming. Mr. Black stated that emphasis have been on how to keep farmers economically viable; that as the suburbs move out land becomes worth more than the farmer can make; and that the best way to preserve open space is to keep growing trees, farming cattle and etc.

8. Pittsboro Land Use Plan - workshop

Mr. Hinkley stated that Paul Black would be facilitating the next session of the Pittsboro Land Use Plan workshop; and that the meeting is scheduled for Saturday, January 19, 2008 at Central Carolina Community College (Building B, community room) beginning at 10:00 a.m.

VII. ADJOURNMENT: There being no further business, Mr. Ernst made a motion; seconded by Mr. Klarmann to adjourn tonight's meeting. There was no discussion and the motion passed unanimously. The meeting adjourned at 8:40 p.m.

Sally Kost, Vice-Chair

Date

Attest: _____
Kay Everage, Clerk to the Board

Date