



UDO PLANNING BOARD SUBCOMMITTEE
MINUTES

Wednesday, July 20, 2022, at Noon
Remote GoTo Webinar Meeting, Pittsboro, NC

Attendance: Jon Spoon, George Lucier, Caroline Siverson, Jamie Hager, Eric Andrews, Clyde Frazier, James Fogleman, Angela Plummer, Chance Mullis, Dan Garrett, Meg Nealson, Richard Poole, William Bell, Diane Crompton, Thelma Garbutt, Keith Horil, Jeannie Ambrose, and Julie Esther.

I. CALL TO ORDER

- Chair Spoon called the meeting to order and confirmed there was a quorum with 7 members, Mr. Fogleman entered the meeting after actions.

II. VIRTUAL MEETING GUIDELINES

- Mr. Mullis gave a brief overview on the virtual guidelines.

III. APPROVAL OF MINUTES

- Consideration to approve the March 7, 2022 minutes. No corrections required and the minutes were approved 6-0.

IV. EX-OFFICIO MEMBERS

- Chair Spoon stated he has spoke with a couple people and one person Richard Poole asked to be an ex-officio member and he is currently the Vice-Chair of the Affordable Housing Board for Chatham County and has been designated as their liaison in the UDO effort. Chair Spoon asked if there were any other members who had spoken to other potential ex-officio members. Mr. Mullis stated he had spoken to two Climate Change Committee members, and they had been asking questions about the UDO subcommittee and might have some interest. Ms. Hager stated she has spoken to Mr. Andy McMahan with Central Carolina Community College, and he was interested, but he is not sure about his availability.
- Chair Spoon conducted a roll call vote to approve Richard Poole as an ex-official member, he was approved 6-0.

V. JUNE BOC MEETING RECAP

- Chair Spoon stated he watched the video of the June BOC meeting where the UDO consultants gave an update to the County Commissioners. There was a two-part discussion, and the first part was preservation of agricultural areas and how to balance the development within those areas and preserving our rural character and have agricultural businesses. The second part was a more specific look at the TIP site and the plans on how Moncure is going to be developed. This area is moving fast, and it will be interesting to watch.
- Chair Spoon stated the agricultural preservation has a lot of moving parts, but it is also grounded and clearly outlined in our Comprehensive Plan and will help guide us as we move forward. With that being said, there was some competing interests on what is wanted in Chatham County, the main thing that was noticed was we have a spectrum of prescriptiveness where on one side we would have rules written that will layout everything that can happen within the county with no flexibility so that way we know we will get exactly what we want. The other end of that spectrum is personal freedom for residents to do what they want to do on their land and sell it for whatever might fit their interests. The discussion progressed into where the commissions are located within this spectrum, and it was tough to discern. At the end Tyson the consultant said he had gathered what they needed to move forward. We seem to be at a place where we want people to do what they want to do, but also in a responsible and correct way. It is a difficult balance between prescriptive rules or to allow people to do what they want.

- Chair Spoon stated there was also a lot of eastern and western county discussion and if models like Briar Chapel or Governors Club should start popping up in the western part of the county which is heavily rural and agricultural, how that would be handled. The discussion was separated into three factors; the character of the land (keep it rural), capacity (should there be a cap on how big development is in the western part of the county or new development all together), and economy (a majority of the county's economy is generated in the west by agricultural businesses). There was a lot of talk about density and how the Comprehensive Plan states specifically on keeping density low in the agricultural areas and it was discussed on how to accomplish that. There was a consensus to have specific locations of density and larger areas of preserved space. There was also discussion about if a large development like Briar Chapel should be allowed in the western part of the county and it always boiled down to if we have the capacity of water and wastewater to support such a development. In this area we may need to be more prescriptive rather than market driven because there would be nothing to stop big developers.
- Chair Spoon stated there was some areas of discussion where the commissioners were not able to give precise direction and feels this UDO subcommittee will be able to help inform and guide those directions and help fabricate the process, the tools, and the ideas that will help find the right balance along the spectrum. Chair Spoon stated in closing that there was a consensus that there needs to be a tiered approach where there is higher density allowable in some areas and lower density in other areas and those would be starting near the ETJ's of the municipalities and some of the nodes that are identified on the Comprehensive Plan as neighborhood areas. Allowing more density in those areas where it is able to be accommodated and where we already have a strong area of active agricultural uses, lowering the density in those areas. Chair Spoon encouraged everyone to watch the presentation if they have not done so because it is interesting to watch the leadership of this county trying to meet everyone's needs.
- Mr. Lucier stated the commissioners did move back and forth quite a bit on the balance between flexibility and prescription regulations, but a nice balance between the two sides of the spectrum was the message received. The Annotated Outline that was written did a good job showing the outcome of those discussions. Mr. Lucier stated it was clear that the commissioners who recognize that there will be more agricultural areas in the west and more density in the east, they do not want different rules between them. They want the county to be treated as one and not separate rules. Another topic of discussion was the transfer of development rights is another way of encouraging land conservation and the way to handle that is a legal and functional question. The commissioners also wanted a much larger array of zoning classifications than what we currently have, which is also reflected in the Annotated Outline.
- Ms. Meg Nealon stated Chair Spoon did a great job summarizing the discussions and there was a lot of conversation and a lot to think about. She encouraged the members to watch if they have not and to look at the Annotated Outline as well.

VI. UDO PROJECT UPDATE

- Ms. Nealon showed the UDO subcommittee members the UDO timeline and stated currently they are concluding Stage 2 with the Annotated Outline and are starting Stage 3 of the process which is a critical piece of the project. Module 1 is defined as Chapter 1 (Introduction), 2 (Base Zoning Districts), and 3 (Overlay Zoning Districts) which should be of great interest to this group. There will be a 50% draft near the middle of September and a 75% draft near the middle of October all working towards a public review draft in November. Ms. Nealon stated it would be a good idea to plan your next meeting towards the end of September and October so your input could be woven into the staff meetings.
- Chair Spoon stated this project is moving fast and the consultants must already have templates and codes in place that has worked in other jurisdiction to move along and not start from scratch. Ms. Nealon stated that is correct, but we are also customizing it for Chatham County with all of the input that have been received. Chapter 1 is the introduction and is an important chapter with State regulations and the authority Chatham County has to utilize this ordinance and sets the stage for the UDO. Chapter 2 and 3 which is the zoning districts is something you will want to provide a lot of feedback and really take some time to consider. It is always good to provide feedback as a question, this will flag the consultants as something we need to look at.

- Chair Spoon asked if the zoning and overlay maps will be separated out parcel by parcel. Ms. Nealon stated not at this point in the project, it will be more of a broad approach focusing on the districts, but later it will be parcel by parcel. Chair Spoon asked if the end product will be a large, printed document or will there be a useful online tool for the UDO. Ms. Nealon stated there will be a large paper document for reference, but there will be an online tool to utilize the UDO to make it user friendly.

VII. ANNOTATED OUTLINE REVIEW

- Ms. Nealon showed the UDO subcommittee members the UDO table of contents provided in the Annotated Outline and stated as you glance at this sequencing of sections, does the general organization make sense to you. Also, to the extent of the time you have been able to look at the Annotated Outline, do you have questions for the consultants? This meeting is recorded so it will be helpful to hear any questions.
- Mr. Lucier stated the table of contents look good and logical to him. The first section labeled “How To Use This UDO” is so important not only for the applicants, but also for advisory board to help find regulations quickly. Chair Spoon stated he agrees and feels the organization and structure looks good and likes the approach in cross referencing matrices and tables to easily understand information.
- Ms. Plummer stated as a person who uses these documents every day it would be better if all the zoning information could be kept together, and all the subdivision information would be kept together. For example, submittal requirements, will that have zoning and subdivision together or will they be separated out into categories because we are two separate positions in this office. Ms. Nealon stated those are the kinds of comments and questions the consultants are looking for because whether you are a designer or administrator, finding what you are looking for is so important. Chair Spoon asked if it is possible to change how the UDO is navigated while using the online tool, for example if we are just interested in zoning then there could be a zoning module that has all things regarding zoning regulations. Ms. Nealon stated the consultants will use hyperlinks in the online tool to help keep it organized as if you are self-contained with into a topic and the connectivity you are looking for.
- Mr. Lucier had some concern about the legacy districts and the Planning Board still needing to go back and forth between pre-2008 and post-2008 regulations. There was a statement that says legacy districts cannot be expanded and you cannot apply into them after the UDO is approved, but there will be some confusion during the transition and how that language is stated within the UDO is important. Ms. Nealon stated that is part of the growing pains during the transitional period and it is important for staff to help the applicants understand what is required during that timeframe.
- Mr. Andrews asked if annexation and satellite annexation should be something we address in the UDO. Ms. Plummer stated if an area is within a notes distance from a municipality, we work on a volunteer basis for annexation and the county does not have any mechanism in place at this time for that. All of those annexation rules are set by the Legislation with State Statutes, and we cannot change those regulations. Mr. Lucier stated municipalities have a lot of flexibility to annex especially if they have the infrastructure for sewer and water in place.
- Ms. Nealon asked the members if there were any questions in the Annotated Outline she could take back to the consultants for consideration or to address. Chair Spoon stated he is interested in a conservation credit system and curious if we could incentivize projects and development we would like to see in this county. Chair Spoon also stated there is a tool he has seen in other jurisdictions called a rehab code where older structures that could not meet current standards are exempt so they can remain standing rather than be destroyed, something like that would be good for our county. Ms. Nealon stated those are good questions and the answers to those questions will start to come when you see the modules. Your question about conservation credits will show up in chapter 7 and with the incentives and flexibility you will start to see in chapters 4 and 5. The building and rehab codes are issued and administered by the State.
- Mr. Lucier stated for the highway overlay districts, highway 15-501 and highway 421 are addresses, but not Highway 64 or Highway 1 that goes through Chatham. Ms. Nealon stated that can be part of the conversation, but we are implementing the recommendations from the Comprehensive Plan. The UDO can always add overlay districts as needed for the highways.

VIII. NEXT MEETING & DISCUSSION TOPICS

- Chair Spoon stated our next meetings will need to be in person and suggested they be held on Thursday evenings. There was some discussion about the next meetings, and it was agreed to tentatively schedule the next meeting on September 29th and October 27th at 6pm. There was also some discussion about having a meeting in late August. Chair Spoon and Mr. Mullis will get together and discuss the date for the August meeting.

IX. ADJOURNMENT

- The UDO subcommittee was adjourned at 1:08pm.