

MINUTES
ORANGE COUNTY PLANNING BOARD
MAY 7, 2014
REGULAR MEETING

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MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Buddy Hartley, Little River Township Representative; Maxecine Mitchell, At-Large Bingham Township; Herman Staats, At-Large, Cedar Grove Township; Tony Blake, Bingham Township Representative; James Lea, Cedar Grove Township Representative

MEMBERS ABSENT: Andrea Rohrbacher, At-Large Chapel Hill Township; Paul Guthrie, At-Large Chapel Hill Township; Vacant- Eno Township Representative; Vacant- Hillsborough Township Representative; Vacant- At-Large;

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz, Special Projects Coordinator; Patrick Mallett, Planner II; Tina Love, Administrative Assistant II

OTHERS PRESENT: Michael Neal, Hartison Jones, Danny Jones, Pam Jones, Laney Jones

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

AGENDA ITEM 2: INFORMATIONAL ITEMS
a) Planning Calendar for May and June
b) May 27, 2014 Quarterly Public Hearing – 7 p.m. @ Dept. of Social Services – Draft Legal Ad Attached for Information

**AGENDA ITEM 3: APPROVAL OF MINUTES
APRIL 2, 2014 REGULAR MEETING**

MOTION by Tony Blake to approve the April 2, 2014 Planning Board minutes. Seconded by Lisa Stuckey.
VOTE: UNANIMOUS

AGENDA ITEM 4: CONSIDERATION OF ADDITIONS TO AGENDA

AGENDA ITEM 5: PUBLIC CHARGE
Introduction to the Public Charge
The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its citizens and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

55 AGENDA ITEM 6: CHAIR COMMENTS

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58 AGENDA ITEM 7: MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION: To review and make a recommendation
59 to the BOCC on a major subdivision preliminary plat application (Triple Crown Farms), located
60 off of Dairyland Road.

61 Presenter: Michael Harvey, Current Planning Supervisor

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Michael Harvey: *Reviewed abstract.*

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Michael Neal: *Presented a PowerPoint presentation.*

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Tony Blake: I have two questions, one is, is there a fire pond or some sort of water access? The second is, I've
68 been reading the NC Legislature's agenda and they have a proposal to push road maintenance and roads from DOT
69 to the counties. I don't know if it will pass or not but has DOT proposed a turn lane or anything like that on Dairyland.

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Michael Neal: No, and NCDOT has reviewed the plans. Going to the first question, the fire marshal's comment is
72 that currently there is a fire pond right here (*pointed out on map*) and there's also Buck Fork Creek and the fire
73 marshal in his letter suggested Buck Fork may provide the flow that he is requesting. That is something that we will
74 have to do, either identify this pond or somehow amend Buck Fork Creek and allow a fire point there.

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Tony Blake: Ok, that's all I had.

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Buddy Hartley: Lots three, four and five, is it possible to have an option for them to go to either school district?

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Michael Harvey: The developer can petition, but it has never been my experience that it has been approved (by
81 Chapel Hill/Carrboro). It is our opinion that those lots will be going to Orange County Schools.

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Lisa Stuckey: When I was on the Chapel Hill Board, we never approved accepting additional. It's so overcrowded
84 they are not expanding the boundary.

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MOTION by Lisa Stuckey to recommend approval of the Triple Crown Subdivision preliminary plat application to the
87 BOCC. Seconded by Tony Blake.

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VOTE: UNANIMOUS

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AGENDA ITEM 8: JOINT PLANNING LAND USE AND AGREEMENT AMENDMENT: To make a recommendation to the
92 BOCC on County-initiated amendments to the text of the Joint Planning Land Use Plan and
93 Agreement in regards to the density in the Rural Buffer land use classification and
94 clarifications on other topics. This item was heard at the March 27, 2014 Joint Planning Public
95 Hearing and was previewed at the April 2, 2014 Planning Board meeting.

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Presenter: Michael Harvey, Current Planning Supervisor

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Michael Harvey: *Reviewed abstract.*

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Pete Hallenbeck: Does anyone have any questions?

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MOTION by Tony Blake to recommend approval to the BOCC. Seconded by Buddy Hartley.

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VOTE: UNANIMOUS

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AGENDA ITEM 9: JOINT PLANNING LAND USE AND AGREEMENT AMENDMENT: To make a recommendation to the
BOCC on County-initiated amendments to the text of the Joint Planning Land Use Plan and
Agreement in regards to allowing appropriate agricultural support enterprises in the Rural

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109 Buffer land use classification. This item was heard at the March 27, 2014 Joint Planning
110 Public Hearing and was previewed at the April 2, 2014 Planning Board meeting.
111 **Presenter: Perdita Holtz, Special Projects Coordinator**

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113 *Perdita Holtz: Reviewed Abstract*

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115 Pete Hallenbeck: Does anyone have any questions?

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117 **MOTION** by Herman Staats to recommend approval to the BOCC. Seconded by Tony Blake.

118 **VOTE: UNANIMOUS**

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121 **AGENDA ITEM 10: 2030 COMPREHENSIVE PLAN AND UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT**
122 **AMENDMENTS:** To make a recommendation to the BOCC on government-initiated
123 amendments to the text of the UDO to establish a zoning program commonly referred to
124 Agricultural Support Enterprises (ASE) within the Rural Buffer land use classification. This
125 item was heard at the February 24, 2014 quarterly public hearing and was previewed at the
126 April 2, 2014 Planning Board meeting. The text amendments can be adopted by the BOCC
127 only if the Joint Planning Land Use Plan and Agreement (item #9 above) is adopted by all
128 three local governments (Orange County, Chapel Hill, and Carrboro).
129 **Presenter: Perdita Holtz, Special Projects Coordinator**

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131 *Perdita Holtz: Reviewed Abstract*

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133 Tony Blake: I have one question, under exclusions, these apply to the rural area and the Rural Buffer or just to the
134 Rural Buffer?

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136 Perdita Holtz: All of these apply to the outside of the Rural Buffer but it will also apply within the Rural Buffer if this
137 amendment is adopted. No changes were necessary to that red text in order to make it apply to the Rural Buffer.

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139 Lisa Stuckey: There was a lot here about water usage which seemed very forward thinking to me but on page 222,
140 the 'greenhouse with on premise sales', there was nothing in that section having to do with water.

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142 Perdita Holtz: The reason it is not in there is that is an existing use that is allowed everywhere and it doesn't
143 currently have that ground water use standard. We are looking at it as 'do we want to make is more restrictive than it
144 is already' for a use that is already covered in the UDO.

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146 Herman Staats: Didn't you also say that bona fide farming operations is not regulated by this.

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148 Perdita Holtz: Correct, and any water usage done by the bona fide farm is not regulated. It is just the additional
149 water that would be necessary to run the regulated use.

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151 Pete Hallenbeck: I think, also last month we commented, you have to be pretty crazy to start up some sort of
152 business for ag use and depend solely on well water.

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154 Pete Hallenbeck: Does anyone have any questions?

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156 **MOTION** by Lisa Stuckey to recommend approval to the BOCC. Seconded by Tony Blake.

157 **VOTE: UNANIMOUS**

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160 **AGENDA ITEM 11: COMMITTEE/ADVISORY BOARD REPORTS:**
161 a. Board of Adjustment

