

**ORANGE COUNTY PLANNING DEPARTMENT  
131 W. MARGARET LANE, SUITE 201  
HILLSBOROUGH, NORTH CAROLINA 27278**



**AGENDA  
ORANGE COUNTY PLANNING BOARD**

**ORANGE COUNTY WEST CAMPUS OFFICE BUILDING  
131 WEST MARGARET LANE – LOWER LEVEL CONFERENCE ROOM (ROOM #004)  
HILLSBOROUGH, NORTH CAROLINA 27278  
Wednesday, July 10, 2013  
Regular Meeting – 7:00 pm**

<b>No.</b>	<b>Page(s)</b>	<b>Agenda Item</b>
1.		<b>CALL TO ORDER</b>
2.		<b>INFORMATIONAL ITEMS</b>
	3-4	a. Planning Calendar for July and August
	5-16	b. BOCC-approved legal ad for September 9 quarterly public hearing
3.	17-20	<b>APPROVAL OF MINUTES</b> June 5, 2013 Regular Meeting
4.		<b>CONSIDERATION OF ADDITIONS TO AGENDA</b>
5.		<b>PUBLIC CHARGE</b> <b>Introduction to the Public Charge</b>
		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 residents 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.
		<b>Public Charge</b>
		The Planning Board pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time, should any member of the Board or any resident fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.
6.		<b>CHAIR COMMENTS</b>

No.	Page(s)	Agenda Item
7.	21-28	<p><b>ORANGE COUNTY DEVELOPMENT REVIEW PROCESSES</b> – To receive an educational presentation of the various types of development review processes used in the County’s Unified Development Ordinance.</p> <p><b>Presenter:</b> Michael Harvey, Current Planning Supervisor</p>
8.	29-46	<p><b>HOME OCCUPATIONS</b> – To receive a presentation on existing home occupation regulations, information on how some other local governments handle the topic, and discuss Planning Board member’s ideas on potential amendments. This topic is included in the UDO’s “Implementation Bridge” as a topic for further evaluation and is an Interest Area for some Planning Board members.</p> <p><b>Presenter:</b> Ashley Moncado, Special Projects Planner</p>
9.		<p><b>COMMITTEE/ADVISORY BOARD REPORTS</b></p> <ul style="list-style-type: none"> <li>a. Board of Adjustment</li> <li>b. Orange Unified Transportation</li> </ul>
10.		<p><b>ADJOURNMENT</b></p>

**IF AN EMERGENCY OCCURS, OR IF YOU ARE RUNNING LATE FOR THE MEETING, PLEASE LEAVE A VOICE MAIL FOR PERDITA HOLTZ (919-245-2578).**

# July 2013

July 2013

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August 2013

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31						

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Jun 30 - Jul 6					HOLIDAY		
	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
Jul 7 - 13		7:30pm Board of Adjustment (West Campus Office Bldg)		7:00pm *PLANNING BOARD MEETING (West Campus Office Bldg )			
	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
Jul 14 - 20							
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Jul 21 - 27							
	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Aug 1</b>	<b>2</b>	<b>3</b>
Jul 28 - Aug 3							

\* Requires Planning Board Member Attendance

# August 2013

August 2013

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September 2013

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22	23	24	25	26	27	28
29	30					

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	Jul 28	29	30	31	Aug 1	2	3
Jul 28 - Aug 3							
	4	5	6	7	8	9	10
Aug 4 - 10				7:00pm *PLANNING BOARD MEETING (West Campus Office Bldg )			
	11	12	13	14	15	16	17
Aug 11 - 17		7:30pm Board of Adjustment (West Campus Office Bldg)					
	18	19	20	21	22	23	24
Aug 18 - 24				7:00pm OUTBoard Meeting (West Campus Office Bldg)			
	25	26	27	28	29	30	31
Aug 25 - 31							

\*Required Planning Board Member Attendance

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** June 18, 2013

**Action Agenda  
Item No.** 5-i

**SUBJECT:** Legal Advertisement for Quarterly Public Hearing – September 9, 2013 and Notice of Possible Work Session at Conclusion of Hearing

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

- 1. Proposed Legal Advertisement
- 2. Location Maps

**INFORMATION CONTACT:**

Perdita Holtz, Planning Systems  
Coordinator, 919-245-2578  
Craig Benedict, Planning Director, 919-245-2592

**PURPOSE:** To consider the legal advertisement for items to be presented at the joint Board of County Commissioners/Planning Board Quarterly Public Hearing scheduled for September 9, 2013, and provide notification of a possible work session item at the conclusion of the hearing.

**BACKGROUND:** The Board of County Commissioners reviews proposals to be considered at public hearing for consistency with general County policy and presentation format. The following items are scheduled for the September 9, 2013 Quarterly Public Hearing (see maps in Attachment 2 for locations):

Applications:

- 1. Zoning Atlas Amendment (**rezoning**) request submitted by Ms. Maria Keizer and Mr. Ronald Keizer to rezone a 2.67 acre parcel of property located at **3604 Southern Drive** (PIN 9844-86-5155)  
From: Rural Residential (R-1) and Light Industrial (I-1)  
To: Light Industrial (I-1)
- 2. Zoning Atlas Amendment (**rezoning**) request submitted by Ms. Maria Keizer and Mr. Ronald Keizer to rezone two parcels of property totaling approximately 16 acres of land area (PINs 9844-86-7573 and 9844-87-7368). These undeveloped properties do not have assigned street addresses but are located **south and east of 3604 Southern Drive**. The proposed rezonings are:  
From: Rural Residential (R-1)  
To: Light Industrial (I-1)

### County Initiated:

3. Unified Development Ordinance (UDO) Text Amendment to require that the site plan review process for governmental uses **include a neighborhood information meeting**.
4. Eno Economic Development District (EDD) Access Management Plan: This is an implementation measure of the Eno EDD Area Small Area Plan (<http://orangecountync.gov/planning/documents/EnoEDDSAPadopted.pdf>) which recommended approval of an **access management program for US Highway 70 and Old Highway 10 (near Durham County)**. A draft access management plan will be completed over the summer and will be presented for formal public comment at the Quarterly Public Hearing. A public information meeting will be held prior to the Quarterly Public Hearing to provide interested persons with the opportunity to learn more about the proposal before the public hearing. The date and time of this meeting will be determined over the summer and included in the legal ad.
5. Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan: This public hearing is to receive public comment on **future land uses proposed for the areas of County jurisdiction located within the Town's Urban Service Boundary** (the blue and orange areas on the map in Attachment 2). This is the next step towards completion of a joint Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan. Consistent with the interlocal agreement, the Town of Hillsborough adopted a Future Land Use Plan in March 2013 for its planning jurisdiction and the areas of County jurisdiction located within the urban service boundary. A public information meeting will be held in August to provide interested persons with the opportunity to learn more about the proposal. The date and time of this meeting will be determined over the summer but will likely occur prior to publication of the legal ad, so information regarding the meeting is not included in the legal ad.

The legal advertisement in Attachment 1 provides additional information regarding these items. The BOCC approved the Amendment Outline Form for item 4 at its May 7, 2013 meeting, and is anticipated to approve the Amendment Outline Form for items 3 and 5 at this June 18, 2013 meeting.

### Possible Work Session

Planning staff anticipates adding a work session item at the end of the Quarterly Public Hearing meeting to continue discussion about Agricultural Support Enterprises (ASE). This topic was recently discussed at the May 14, 2013 BOCC work session. Although staffing changes may impact preparation efforts, staff anticipates completing additional work on ASE over the summer in order to have materials ready for further discussion/direction by the BOCC.

The addition of a work session item at the end of the public hearing agenda is not required to be included in the legal advertisement.

**FINANCIAL IMPACT:** Other than advertising costs, which are included in the FY 2013-14 Budget, there are no direct financial impacts associated with the approval of this item.

**RECOMMENDATION(S):** The Manager recommends the Board approve the proposed September 9, 2013 Quarterly Public Hearing legal advertisement.

**NOTICE OF JOINT PUBLIC HEARING  
ORANGE COUNTY BOARD OF COMMISSIONERS  
ORANGE COUNTY PLANNING BOARD**

A joint public hearing will be held at the Department of Social Services, Hillsborough Commons, 113 Mayo St., Hillsborough, North Carolina, on Monday, September 9, 2013 at 7:00 PM for the purpose of giving all interested citizens an opportunity to speak for or against the following items:

- 1. **Zoning Atlas Amendment:** In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance (UDO), Ms. Maria Keizer and Mr. Ronald Keizer have submitted a request to rezone a 2.67 acre parcel of property located at 3604 Southern Drive (PIN 9844-86-5155)

**FROM:** Rural Residential (R-1) and Light Industrial (I-1)  
**TO:** Light Industrial (I-1)

The parcel is currently utilized to support USA Dutch Incorporated, a sheet metal fabrication operation that has operated since 1987. Ms. Keizer owns the property and her son, Ronald Keizer, operates the existing commercial operation.

According to the application, the applicants are interested in extending the existing industrial zoning over the entire property in order to ensure parking, storage spaces, access roads, land use buffers, and septic systems are properly zoned in support of the existing industrial operation.

The property subject to this petition is located within the Commercial Industrial Transition Activity Node as denoted on the Future Land Use Map of the Comprehensive Plan and the Urban Designated Area as denoted on the Growth Management System Map.

Purpose: To review the item and receive public comment on the proposed amendment.

- 2. **Zoning Atlas Amendment:** In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance (UDO), Ms. Maria Keizer and Mr. Ronald Keizer have submitted a request to rezone 2 parcels of property, totaling approximately 16 acres in land area:

**FROM:** Rural Residential (R-1)  
**TO:** Light Industrial (I-1)

The parcels, further identified utilizing Orange County Parcel Identification Numbers (PIN) 9844-86-7573 and 9844-87-7368, are undeveloped and without

an assigned street address. These parcels are east and south, respectively, of the USA Dutch property located at 3604 Southern Drive.

According to the application, USA Dutch has an offer to purchase both properties for the purpose of expanding their existing sheet metal fabrication operation. As a result, they would like to extend the I-1 zoning designation in support of the proposed expansion.

The properties subject to this petition are located within the Commercial Industrial Transition Activity Node as denoted on the Future Land Use Map of the Comprehensive Plan and the Urban Designated Area as denoted on the Growth Management System Map.

Purpose: To review the item and receive public comment on the proposed amendment.

3. **Unified Development Ordinance (UDO) Text Amendment:** In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance, the Planning Director has initiated an amendment to the text of the Unified Development Ordinance (UDO).

Text amendments are proposed to add a new Section 2.24 *Governmental Uses* and renumber existing Section 2.24 and subsequent sections. References to subsequent sections occur throughout the UDO and will be updated as well. *[Note to be removed prior to publication: staff is currently working on this amendment package and it is possible other sections of the UDO may also need to be amended. Therefore, the published legal ad may be slightly different from this language but the purpose of the amendment is as stated directly below.]*

The purpose of the amendments is to change the application review process to require a neighborhood information meeting as part of the site plan review process for governmental uses. Examples of governmental uses include rescue squads, fire stations, solid waste convenience centers, governmental office buildings, and military installations.

Purpose: To review the item and receive public comment on the proposed amendment.

4. **Eno Economic Development District Access Management Plan:** As an implementation measure of the Eno Economic Development District (EDD) Area Small Area Plan, an access management plan has been developed for the Eno EDD. An access management plan is intended to provide better transportation systems and capacities as development proceeds in an area. Formally adopted transportation access plans are necessary to procure federal and state funding for projects and to require developer action and contribution in providing transportation infrastructure consistent with a master plan.

The proposed access management plan involves approximately 550 acres of land in the vicinity of US Highway 70 and Old Highway 10 (near Durham County).

The draft Access Management Plan is available on the Orange County Planning Department website at: *website link to be inserted prior to legal ad publication*

Purpose: To review the item and receive public comment on the Draft Economic Development District Access Management Plan.

### **PUBLIC INFORMATION MEETING for this proposal**

In an effort to better inform interested persons in an informal setting, a Public Information Meeting will be held on *{date, time, and place to be determined over the summer and inserted here before legal ad publication – date will likely be September 3, 4, or 5}*

5. **Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan:** Consistent with the Hillsborough-Orange Interlocal Land Management Agreement (December 2009), the Town of Hillsborough adopted a Future Land Use Plan in March 2013 for its planning jurisdiction and some additional areas of County jurisdiction. These additional areas of County jurisdiction are located within the Town's Urban Service Boundary for its public water and/or sewer services and are generally located around the Town's fringe. Orange County staff, Board of County Commissioners, and the public provided input throughout the Town's planning process.

This public hearing is being held by Orange County on future land uses proposed for the areas of County jurisdiction located within the Town's Urban Service Boundary. This is the next step towards completion of a joint Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan.

The draft Land Use Plan is available on the Orange County Planning Department website at *website link to be inserted prior to legal ad publication*.

Purpose: To receive public comment and receive direction from the Board of Commissioners as to subsequent steps towards a joint Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan.

Substantial changes in items presented at the public hearing may be made following the receipt of comments made at the public hearing. Accommodations for individuals with physical disabilities can be provided if the request is made to the Planning Director at least 48 hours prior to the Public Hearing by calling the one of the phone numbers below. The full text of the public hearing items may be obtained no later than August 30, 2013 at the County website [www.co.orange.nc.us](http://www.co.orange.nc.us) at the [Meeting Agendas](#) link.

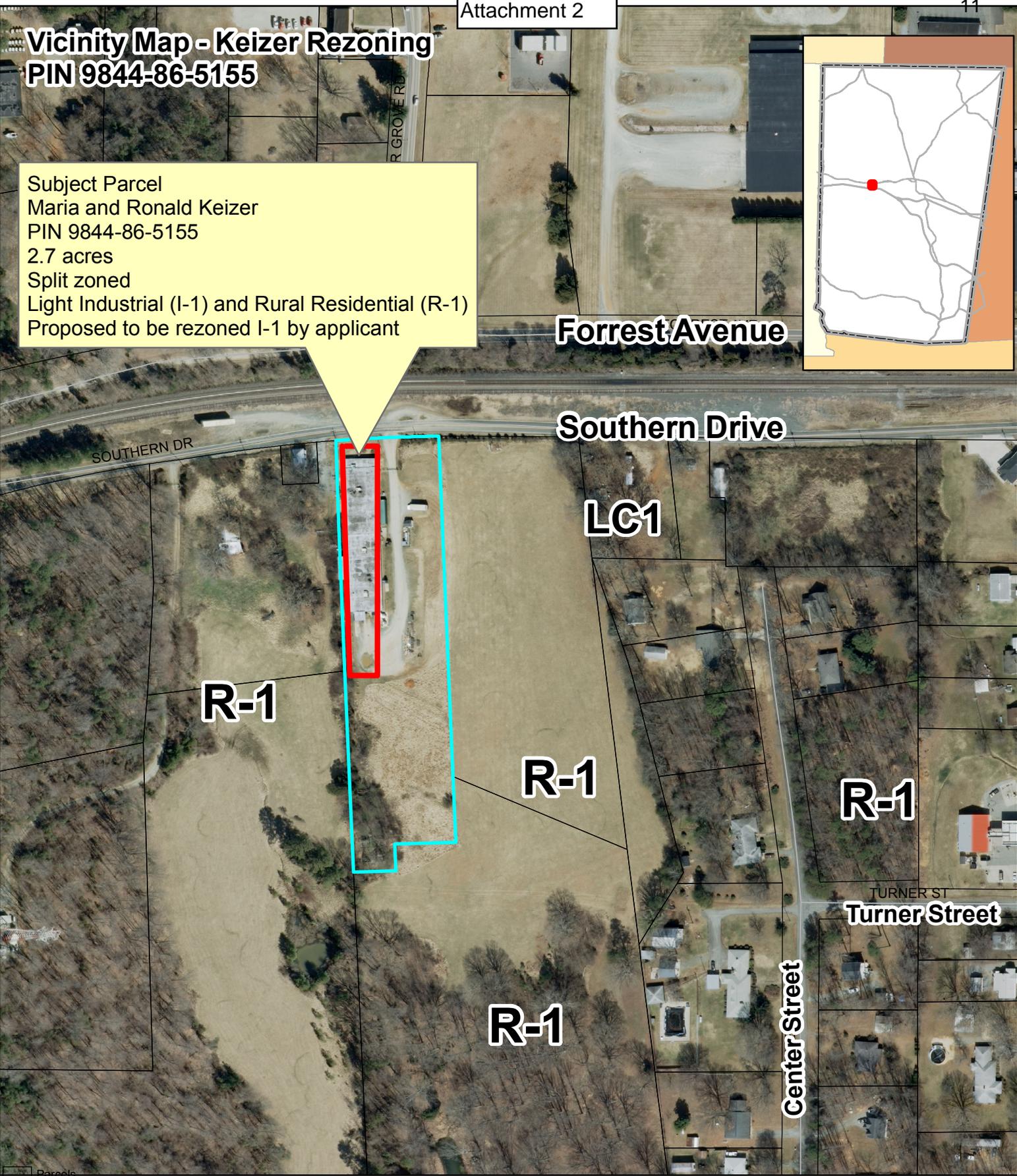
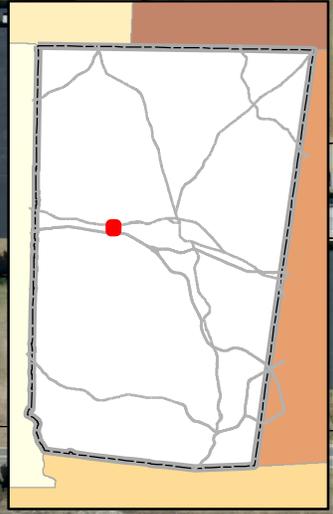
Questions regarding the proposals may be directed to the Orange County Planning Department located on the second floor of the County Office Building at 131 West Margaret Lane, Suite 201, Hillsborough, North Carolina. Office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. You may also call (919) 245-2575 or 245-2585 and you will be directed to a staff member who will answer your questions.

PUBLISH: The Herald Sun  
August 28, 2013  
September 4, 2013

News of Orange  
August 28, 2013  
September 4, 2013

# Vicinity Map - Keizer Rezoning PIN 9844-86-5155

Subject Parcel  
 Maria and Ronald Keizer  
 PIN 9844-86-5155  
 2.7 acres  
 Split zoned  
 Light Industrial (I-1) and Rural Residential (R-1)  
 Proposed to be rezoned I-1 by applicant



- Parcels
- Township Boundary
- City Limits
- ETJ
- 2010 Images**
- RGB**
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



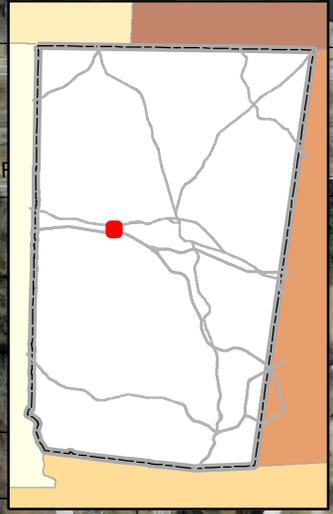

1 inch = 208 feet

Orange County Planning and Inspections Department  
5/30/2013

# Vicinity Map - Keizer Rezoning PIN 9844-87-7368 and 9844-86-7573

## Forrest Avenue

## Southern Drive



I-1 Zoning

LC1

R-1

R-1

R-1

R-1

R-1

Center Street

Turner Street

Mt. Willing Road

Subject Parcel  
PIN 9844-87-7368  
3.6 acres  
Zoned Rural Residential (R-1)  
Proposed to be recombined with  
adjacent Keizer property and  
rezoned I-1 Light Industrial

Subject Parcel  
PIN 9844-86-7573  
12.5 acres  
Zoned Rural Residential (R-1)  
Proposed to be recombined with  
adjacent Keizer property and  
rezoned I-1 Light Industrial

## Interstate Highway 85/40

- Parcels
- Township Boundary
- City Limits
- ETJ

2010 Images  
RGB

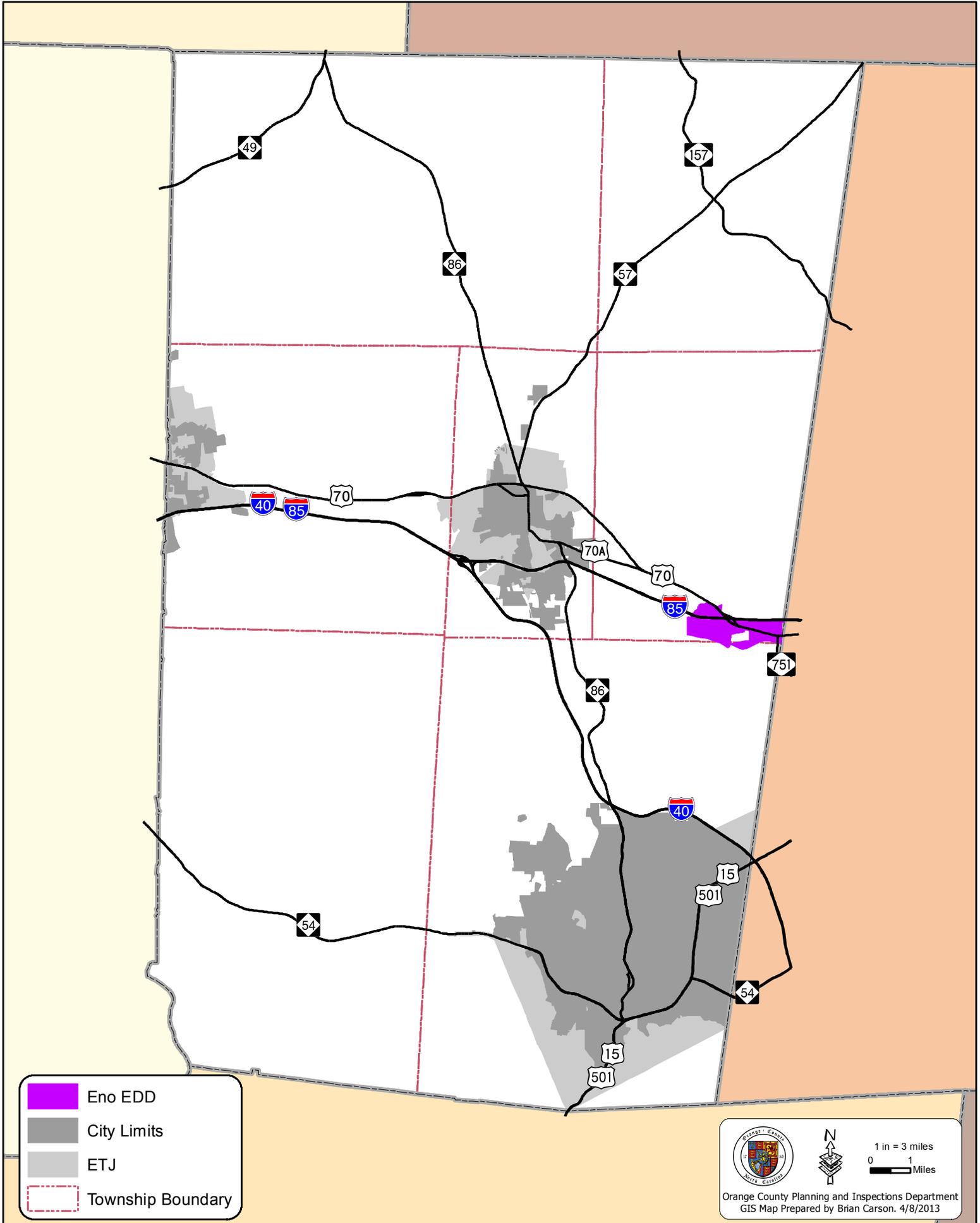
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



1 inch = 250 feet

Orange County Planning and Inspections Department  
5/31/2013

# Eno EDD Vicinity Map



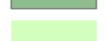
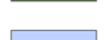
- Eno EDD
- City Limits
- ETJ
- Township Boundary

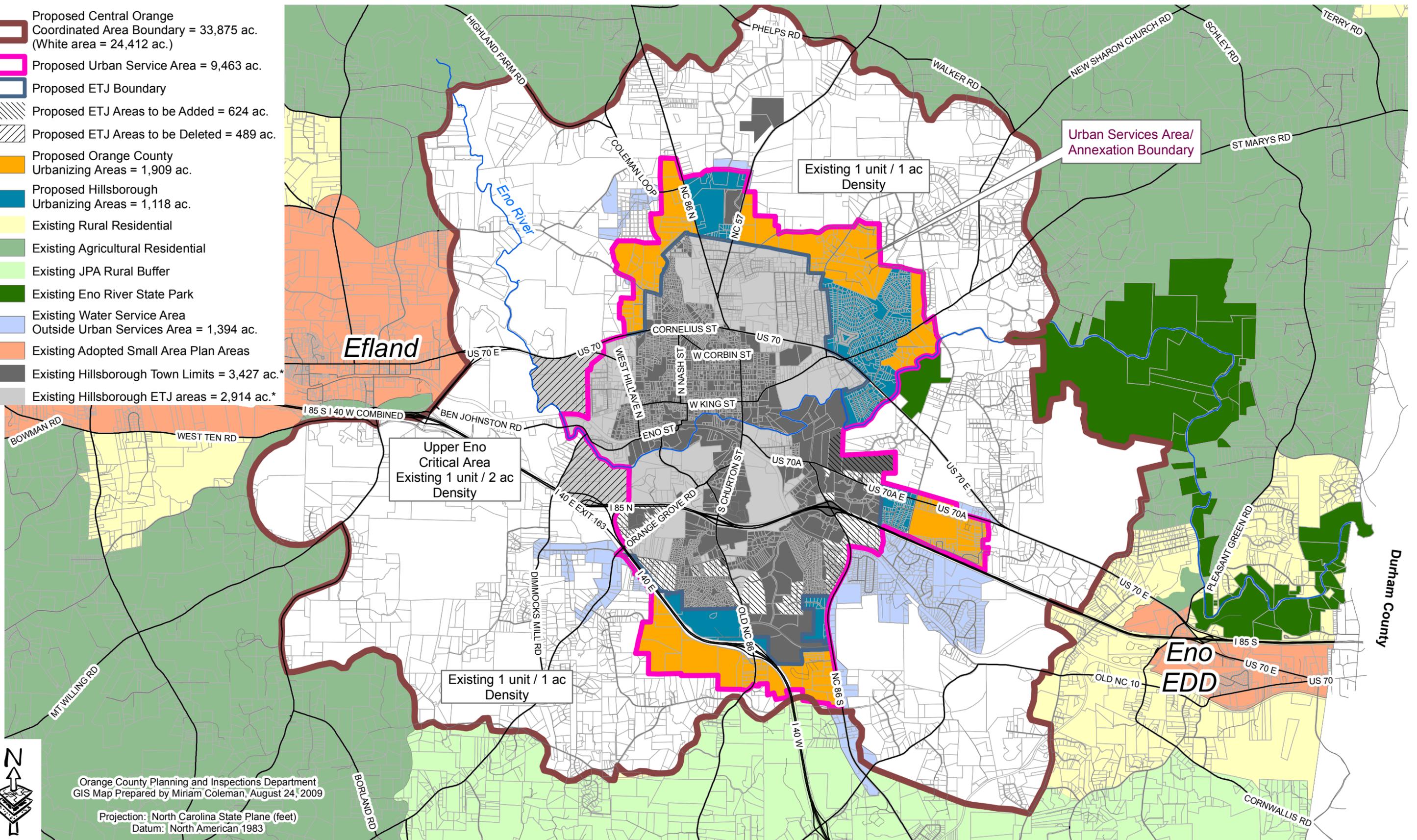
1 in = 3 miles  
0 1 Miles  
Orange County Planning and Inspections Department  
GIS Map Prepared by Brian Carson. 4/8/2013

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# Town of Hillsborough/Orange County Strategic Growth Plan Phase II Central Orange Coordinated Area

## Legend

-  Proposed Central Orange Coordinated Area Boundary = 33,875 ac. (White area = 24,412 ac.)
-  Proposed Urban Service Area = 9,463 ac.
-  Proposed ETJ Boundary
-  Proposed ETJ Areas to be Added = 624 ac.
-  Proposed ETJ Areas to be Deleted = 489 ac.
-  Proposed Orange County Urbanizing Areas = 1,909 ac.
-  Proposed Hillsborough Urbanizing Areas = 1,118 ac.
-  Existing Rural Residential
-  Existing Agricultural Residential
-  Existing JPA Rural Buffer
-  Existing Eno River State Park
-  Existing Water Service Area Outside Urban Services Area = 1,394 ac.
-  Existing Adopted Small Area Plan Areas
-  Existing Hillsborough Town Limits = 3,427 ac.\*
-  Existing Hillsborough ETJ areas = 2,914 ac.\*



Orange County Planning and Inspections Department  
GIS Map Prepared by Miriam Coleman, August 24, 2009

Projection: North Carolina State Plane (feet)  
Datum: North American 1983

\* Town of Hillsborough has annexed since the 2009 adoption of this map. The new town limits are shown on this map.

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**DRAFT****Minutes****ORANGE COUNTY PLANNING BOARD****JUNE 5, 2013****REGULAR MEETING**

**MEMBERS PRESENT:** Peter Hallenbeck (Chair), Cheeks Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Buddy Hartley, Little River Township Representative; Tony Blake, Bingham Township Representative; Herman Staats, At-Large, Cedar Grove Township; Johnny Randall, At-Large Chapel Hill Township; Alan Campbell, Cedar Grove Township Representative

**MEMBERS ABSENT:** Andrea Rohrbacher, At-Large Chapel Hill Township; Dawn Brezina, Eno Township Representative; Maxecine Mitchell, At-Large Bingham Township; Rachel Hawkins, Hillsborough Township Representative;

**STAFF PRESENT:** Michael Harvey, Current Planning Supervisor; Tina Love, Administrative Assistant II

**AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

**AGENDA ITEM 2: INFORMATIONAL ITEMS**

- a) Planning Calendar for June and July
- b) Interest Areas Raised by Planning Board Members at January 9, 2013 Meeting

**AGENDA ITEM 3: APPROVAL OF MINUTES**

**APRIL 3, 2013**

**MOTION** by Johnny Randall to approve the April 3, 2013 Planning Board minutes. Seconded by Tony Blake.

**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.

**PUBLIC CHARGE**

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**AGENDA ITEM 6: CHAIR COMMENTS**

Pete Hallenbeck: You have the list of Areas of Interest and things to make emergency services better and comments on home occupation. I have those in there so you can see the level of detail. You can look at the UDO and see how the ordinances are written. On July 10, we will have a brief presentation on home businesses. By August we should be at a position to discuss home occupation.

Lisa Stuckey: I was on the Chapel Hill Home occupation committee years ago and it is a pretty good one. Can we include that in the packet?

Tina Love: I can include that in the packet.

Pete Hallenbeck: At the Quarterly Public Hearing there was talk about a way to speed up this process. Perhaps we can ask Michael to come in at 6:30 to go over this whole process for planning board and permitting and UDO changes so we will know what that process is.

**Agenda Item 7: ZONING ATLAS AMENDMENT** – To make a recommendation to the BOCC on a property owner-initiated amendment to the Zoning Atlas to rezone a 3.36 acre parcel of property along US Highway 70 (PIN 9803-81-7503) from EDE-1 (Economic Development Eno Lower Intensity) to EDE-2 (Economic Development Eno Higher Intensity). This item was heard at the May 28, 2013 quarterly public hearing.

**Presenter:** Michael Harvey, Current Planning Supervisor

Michael Harvey: Reviewed abstract.

Pete Hallenbeck: The EDE-1 to the south of that property, the expectation is it would stay EDE-1.

Michael Harvey: Action on this item will not have any impact on the zoning of the southern property. Even if the zoning of the Baldwin property is changed to EDE-2, the Orange County Unified Development Ordinance requires a 100 foot perimeter buffer for all EDD zoned properties. Regardless of the zoning of the Baldwin property the 100 foot buffer will still apply.

Pete Hallenbeck: The 100 foot buffer is only in the transition from EDD to something else, it is not EDE adjacent to each other?

Michael Harvey: I am referring to the 100 foot perimeter buffer that has to surround the EDD zoned areas of the County. The rezoning of this property will not impact or reduce this perimeter buffer requirement in any way. Let's assume this parcel to the south of the Baldwin property were rezoned to Rural Residential. This would mean the perimeter buffer would be imposed on the properties to the north. The rezoning of the Baldwin property from EDE-1 to EDE-2 however will not impact this requirement. Also bear in mind there are different land use buffers required for different land uses. EDD properties adjacent to one another have to have some form of land use buffer based on what is proposed to be developed.

**MOTION** made by Lisa Stuckey to accept staff's recommendation and recommend approval to the Board of County Commissioners.

**VOTE: UNANIMOUS**

**Agenda Item 8: COMPREHENSIVE PLAN FUTURE LAND USE MAP AND ZONING ATLAS AMENDMENTS** – To make a recommendation to the BOCC on government-initiated amendments to the Comprehensive Plan Future Land Use Map and Zoning Atlas to assign land use category classifications and to

**DRAFT**

109 establish zoning of properties that will now be within Orange County's planning jurisdiction as  
110 the result of the re-alignment of the Orange/Alamance County Line. This item was heard at the  
111 May 28, 2013 quarterly public hearing.

112 **Presenter:** Michael Harvey, Current Planning Supervisor

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114 Michael Harvey: Reviewed abstract on page 19.

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116 **MOTION** made by Tony Blake to accept the recommendations of staff on the zoning atlas amendment.

117  
118 Michael Harvey: May I offer an amendment; we need the motion to say recommend approval of attachments three and  
119 four containing two separate resolutions; one amending the future Land Use Map and the Orange County Zoning Atlas.

120  
121 **MOTION** made by Tony Blake to accept Amendments three and four as recommended by staff to the zoning atlas  
122 amendment. Lisa Stuckey seconded.

123  
124 **VOTE: UNANIMOUS**

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126  
127 **Agenda Item 8: PLANNING BOARD REPRESENTATIVE ON BOARD OF ADJUSTMENT – To nominate a Planning Board**  
128 **member to fill the position on the Board of Adjustment designated for a Planning Board Member**  
129 **Presenter:** Michael Harvey, Current Planning Supervisor

130  
131 Michael Harvey: Reviewed abstract.

132  
133 Alan Campbell: I wanted to summarize what you are saying which is there is not really an advocacy role for the  
134 Planning Board on the Board of Adjustment.

135  
136 Lisa Stuckey: You have been around longer than me but I don't remember Larry reporting a lot.

137  
138 Pete Hallenbeck: There was not much to report. I don't see the need to press hard for someone to volunteer and if the  
139 BOCC has a different feeling, they can get back to us.

140  
141 Michael Harvey: Since you don't have a full complement tonight, you may want to table the item unless there is  
142 someone here who would like to volunteer.

143  
144 Buddy Hartley: I like the idea that if there is something we need to know that there is someone from the board or staff  
145 gives it to us.

146  
147 Alan Campbell: Was the reason behind it was that most of the things the BOA considers are planning items?

148  
149 Michael Harvey: I haven't found any rationale yet but that makes perfect sense to me. There have been concerns over  
150 commitments of board members which have gone on for several years.

151  
152 Alan Campbell: I can understand you would want someone with the expertise.

153  
154 Michael Harvey: I would like to think staff has become a little more detail oriented.

155  
156 Johnny Randall: Has there been a situation where a planning board member made significant contributions that would  
157 have been made otherwise.

158  
159 Michael Harvey: I think all the members made significant contributions and so do you all. Having a presence there is  
160 nice but there is no interest there is no need to hold a seat open.

161  
162 Lisa Stuckey: Does the Board of Adjustment have an opinion?

**DRAFT**

163  
164 Michael Harvey: I previously stated, I don't want to see a seat unfilled when there could be someone in the county to  
165 fill it.

166  
167 Pete Hallenbeck: Is there anyone here who would like to be on the Board of Adjustment? All the changes regarding  
168 the Environmental Protection Law, etc., do you have a feel for the timeline?

169  
170 Michael Harvey: There are several bills that are languishing in limbo in committee. We will have to do serious  
171 modifications to our regulations specifically stream buffers, watershed overlay districts, etc. I think if these bills pass it  
172 would be November or February. There are potential opportunities to maintain the regulations in Orange County.

173  
174 Pete Hallenbeck: This is something as simple as taking a UDO and tack on a state standard.

175  
176 Michael Harvey: You are looking at some massive text amendments.

177  
178 Pete Hallenbeck: We have to wait and see what happens and when it passes there will be a lot of people coming up  
179 with clever ideas to see what was missed.

180  
181  
182 **AGENDA ITEM 8: COMMITTEE/ADVISORY BOARD REPORTS**

- 183  
184 a) Board of Adjustment  
185 b) Orange Unified Transportation  
186

187  
188 **AGENDA ITEM 9: ADJOURNMENT**

189  
190 **MOTION:** made by Tony Blake to adjourn. Seconded by Buddy Hartley.  
191 **VOTE: UNANIMOUS**

192

**ORANGE COUNTY  
PLANNING BOARD  
ACTION AGENDA ITEM ABSTRACT**  
Meeting Date: July 10, 2013

**Action Agenda  
Item No. 7**

**SUBJECT:** Presentation and Discussion of Existing Development Review Processes.

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

1. Orange County Development Review Processes
2. Comparative Table Outlining Review Processes/Timelines in Adjacent Jurisdictions

**INFORMATION CONTACT:**

Michael D. Harvey, Planner III (919) 245-2597  
Craig Benedict, Director (919) 245-2585

**PURPOSE:** To receive an educational presentation on the various development review processes contained within the Unified Development Ordinance (UDO).

**BACKGROUND:** There are 4 review processes employed by the County, namely:

1. Permitted Use: A use of property reviewed/acted upon by staff with no public hearing/notification required. Permitted uses can vary, based on the general use zoning designation of the property, throughout the County and include residential and non-residential land uses.
2. Special Use Permit (SUP): A use of property reviewed/acted upon by either the BOCC (Class A) or the Board of Adjustment (Class B) during a previously advertised public hearing where the applicant has the burden of proving, through sworn testimony and the submission of '*competent material and substantial evidence*', the use complies with the provisions of the UDO and the Comprehensive Plan.
3. Conditional Use Permit (CU): A specific land use, not permitted under the existing general use zoning designation for the subject property, reviewed/acted upon by the BOCC during a previously advertised public hearing where the applicant requests a rezoning of the property and the issuance of a SUP allowing for the development.
4. Conditional Zoning (CZ): A use of property, permitted within a previously established Conditional Zoning District, reviewed/acted upon by the BOCC during a previously advertised public hearing where the applicant requests a rezoning of the property, and the approval of a site plan, allowing for development.

Please refer to Attachment 1 for additional detail on each process, what is involved, and timelines for completion. Attachment 2 provides a synopsis of the development review processes utilized by adjoining jurisdictions for comparison purposes.

There has been heightened interest in reviewing existing processes to identify opportunities for streamlining the review of development projects. This is a previously identified area of interest for the Planning Board and is included in the 'Implementation Bridge' that was written when the UDO was adopted..

Staff hopes to familiarize the Board with the various existing processes in an effort to facilitate discussion of possible streamlining opportunities at future meetings.

Please bear in mind that any proposal(s) modifying these aforementioned processes will require authorization by the BOCC via an Amendment Form approved at a regular BOCC meeting.

**RECOMMENDATION(S):** The Planning Staff recommends the Planning Board receive the information and ask questions as appropriate.

Attachment 1 – Development Review Process Chart

	<b>PERMITTED USE</b>	<b>SPECIAL USE (CLASS A AND B SUP)</b>	<b>CONDITIONAL USE (CU)</b>	<b>CONDITIONAL ZONING (CZ)</b>
<b>DESIGNATION OF USE REQUIRED</b>	Yes	Yes	Yes	Yes
<b>SITE SPECIFIC DEVELOPMENT PLAN REQUIRED</b>	Yes. Residential projects can submit plot plans (i.e. scaled drawings). Professional drawings required based on proposed land disturbance.  All non-residential projects have to submit professionally prepared site plans.	Yes, professionally prepared site plans.	Yes, professionally prepared site plans.	Yes, professionally prepared site plans.
<b>PUBLIC COMMENT REQUIRED:</b>	No. Permitted uses are considered to be ‘permitted by right’ meaning the County has previously deemed them acceptable subject to the applicant demonstrating compliance with the provisions of the UDO.	Yes. A public hearing is held where local residents are notified of the hearing and are invited to attend to offer comment.	Yes. A public hearing is held where local residents are notified of the hearing and are invited to attend to offer comment.	Yes. A public hearing is held where local residents are notified of the hearing and are invited to attend to offer comment.
<b>ADVISORY BOARD REVIEW/APPROVAL</b>	No. Administratively reviewed and approved by staff.	Class A SUP – Planning Board (recommendation).  Class B SUP – Board of Adjustment (decision).	Planning Board – recommendation.	Planning Board – recommendation.
<b>BOCC REVIEW/APPROVAL</b>	No.	Class A SUP – Yes.  Class B – No.	Yes.	Yes.
<b>IMPOSITION OF CONDITIONS</b>	Yes under certain circumstances and limited to ensuring compliance with existing land use regulations.	Yes under certain circumstances.	Yes if conditions are mutually agreed to by applicant and BOCC.	Yes if conditions are mutually agreed to by applicant and BOCC.
<b>TYPICAL LENGTH OF REVIEW</b>	Residential – 5 to 7 days.  Non-residential – 30 to 45 days.	Class A SUP – 4 to 6 months from submittal.  Class B SUP – 2 to 4 months from submittal.	4 to 6 months from submittal.	4 to 6 months from submittal.

**NOTE:** Class A SUP, CU, and CZ applications are currently reviewed during a joint quarterly public hearing held by the BOCC and Planning Board in February, May, August and November. A quorum of both BOCC and Planning Board is required to hear the item(s). A Class B SUP is reviewed by the Board of Adjustment during a public hearing scheduled during their regular monthly meeting.

Existing chart from Section 2.1 of UDO outlining review and decision making authority for various processes.

## ARTICLE 2: PROCEDURES

### SECTION 2.1: REVIEW AND DECISION MAKING AUTHORITY – SUMMARY TABLE

The following table provides a brief synopsis of the review and decision-making processes for development applications.

TABLE 2.1: REVIEW AND DECISION MAKING AUTHORITIES						
R=REVIEW DM=DECISION MAKER PH=PUBLIC HEARING						
ZONING/DEVELOPMENT REVIEW RELATED PROCEDURES	PLANNING DIRECTOR	EROSION CONTROL OFFICER	DEVELOPMENT ADVISORY COMMITTEE (DAC)	BOARD OF ADJUSTMENT	PLANNING BOARD	BOCC
Zoning Compliance Permits	R and DM	R	R			
Soil Erosion and Sedimentation Control Permits		R and DM				
Stormwater Management Plans		R and DM				
UDO Text Amendments	R		R		R [1]	DM and PH
Zoning Atlas Amendments	R		R		R [1]	DM and PH
Special Use Permits	R	R	R	DM and PH Class B	R [1] Class A	DM and PH Class A
Zoning Variances	R		R	DM and PH		
Conditional Use	R	R	R		R [1]	DM and PH
Appeals/Interpretations	R		R	DM and PH		
Comprehensive Plan Amendments	R				R [1]	DM and PH
Subdivision Related Procedures						
Exempt	R and DM					
Minor	R and DM	R	R			
Major	R	R	R		R and DM [2]	R and DM
Conditional Use	R	R	R		R [1]	R, DM, and PH
Appeal						
NOTES						
[1]	The Planning Board attends a Joint Public Hearing with the BOCC to review all zoning related items requiring a public hearing. The Planning Board will have the item referred to it and shall have up to 90 days to comment on the application.					
[2]	The Planning Board approves the Concept Plan for a Major Subdivision and then makes a recommendation on the Preliminary Plat to the BOCC.					

### SECTION 2.2: APPLICATIONS

#### 2.2.1 Authority to File Applications

- (A) Applications submitted under this Ordinance shall be submitted by the landowner, as identified by the records of the Orange County Tax Office, or their authorized agent.

Attachment 2 – Comparative Process Chart

	<b>Durham County</b>	<b>Wake County</b>	<b>Chatham County</b>
Review Process			
1. Permitted Use	Yes. 3 categories of permitted use site plan review:  Simplified (i.e. residential), Minor, and Major (i.e. anything approved through a SUP or Conditional Use process).	Yes. 2 categories: General Use and Planned Compliance permits  (NOTE - Planned compliance permits are required for uses proposed in Planned Development projects previously approved by Wake County BOCC).	Yes
Review completed by	Simple – Staff  Minor – Staff with ‘other’ departmental review (i.e. engineering, transportation, etc.)  Major – Durham County BOCC	Staff reviews General Use permit requests  Planning Board reviews Planned Compliance permit requests (staff makes recommendation)	Staff
Public notice	Simple/Minor – none  Major – Durham BOCC holds a public hearing advertised consistent with NC General Statute requirements.	General Use Permits – none  Planned Compliance Permits – Public hearing held to review application by Planning Board.  Advertising consistent with NC General Statute requirements.	None
Timeline for review	Simple – 5 to 14 days  Minor – 30 to 60 days depending on proposal  Major – 3 to 6 months depending on proposal and date of submittal.	General Use – 30 to 60 days depending on proposed use.  Planned Compliance Permits – 3 to 6 months depending on public hearing date/Planning Board review of item.	Depending on proposal – 5 to 14 days.

	<b>Durham County</b>	<b>Wake County</b>	<b>Chatham County</b>
2. Special Use Permit (SUP)	Yes. 2 categories of SUP, Minor and Major.  Land uses within the Table of Permitted Uses of the Durham UDO have specific language designating them as ‘Minor’ or ‘Major’ SUP.	Yes. There is a single ‘SUP’ category	No SUP permitting process
Review completed by	Minor – Board of Adjustment Major – Durham BOCC  Staff makes recommendation on both types of applications.  (NOTE – The Durham County Planning Board does not make a recommendation to the elected officials on ‘Major’ SUP applications).	Board of Adjustment, staff makes recommendation.	N/A
Public notice	Yes for both categories.  Consistent with NC General Statute requirements	Yes. Consistent with NC General Statute requirements.	N/A
Timeline for review	Minor – 2 to 3 months from submittal  Major – 3 to 4 months from submittal	3 to 6 months from submittal depending on scheduling of hearing.	N/A

	<b>Durham County</b>	<b>Wake County</b>	<b>Chatham County</b>
3. Conditional Use (CU)	No	No	Yes listed as a Conditional Use Permit. There are some uses listed in the Chatham UDO designated as 'Conditional Uses'.
Review completed by	N/A	N/A	Chatham BOCC with staff and Planning Board making a recommendation.  Request is reviewed/acted upon by the BOCC in a quasi-judicial setting where applicant has burden of proving compliance with established standards.  BOCC/Planning Board review during a joint public hearing held during the last monthly meeting of the BOCC.  No special/quarterly public hearing is required.
Public notice	N/A	N/A	Yes. Consistent with NC General Statute requirements.
Timeline for review	N/A	N/A	4 to 6 months.

	<b>Durham County</b>	<b>Wake County</b>	<b>Chatham County</b>
4. Conditional Zoning (CZ)	Yes. It is called Planned Development in the Durham UDO.	Yes. It is called Planned Development in the Wake UDO.	Yes.
Review completed by	<p>Elected officials are the ultimate decision maker.</p> <p>Staff and Planning Board make a recommendation.</p> <p>Item reviewed first by staff, then Planning Board, with recommendations being forwarded to the elected officials who review item at a public hearing.</p> <p>Hearing is scheduled for a regular meeting. There is no quarterly public hearing process in Durham.</p>	<p>Elected officials are the ultimate decision maker.</p> <p>Staff and Planning Board make a recommendation.</p> <p>Item reviewed first by staff, then Planning Board, with recommendations being forwarded to the elected officials who review item at a public hearing held during a regularly scheduled meeting. There is no quarterly public hearing process in Wake County.</p>	<p>Elected officials are the ultimate decision maker.</p> <p>Staff and Planning Board make a recommendation.</p> <p>Item reviewed first by staff. BOCC and Planning Board receive application in a joint public hearing held during the last monthly meeting of the BOCC.</p> <p>Planning Board then reviews and makes recommendation to BOCC.</p>
Public notice	<p>Yes. A public hearing is held by the elected officials on the item.</p> <p>Advertising of hearing consistent with NC General Statute requirements.</p>	<p>Yes. A public hearing is held by the elected officials on the item.</p> <p>Advertising of hearing consistent with NC General Statute requirements.</p>	<p>Yes. A public hearing is held by the elected officials on the item.</p> <p>Advertising of hearing consistent with NC General Statute requirements.</p>
Timeline for review	4 to 8 months	4 to 8 months	4 to 6 months

**ORANGE COUNTY  
PLANNING BOARD  
ACTION AGENDA ITEM ABSTRACT**  
Meeting Date: July 10, 2013

**Action Agenda  
Item No. 8**

**SUBJECT:** Presentation and Discussion of Existing Home Occupation Standards.

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

- 1. PowerPoint Presentation
- 2. Comparison Summary Spreadsheet

**INFORMATION CONTACT:**

Ashley Moncado, Planner II (919) 245-2589  
 Craig Benedict, Director (919) 245-2575

**PURPOSE:** To receive a staff presentation on existing home occupation standards outlined in Section 5.5.3, Home Occupations, of the Orange County Unified Development Ordinance (UDO) and information on how the topic is addressed in other jurisdictions.

**BACKGROUND:**

At the January 9, 2013 Planning Board meeting, Board members discussed areas of interest to be worked on in the coming year. Many of these items were elements highlighted in the UDO Implementation Bridge report prepared when the UDO was adopted in 2011. One item presented by the Board and referenced in the Implementation Bridge was the need to review home occupation requirements to determine if there is a need to revise existing standards. As a result, staff has completed preliminary research to present to the Board to review existing standards contained in the Unified Development Ordinance.

The draft powerpoint presentation is included in Attachment 1 and Attachment 2 contains a spreadsheet summarizing Orange County’s home occupation standards and those of six other local jurisdictions.

**RECOMMENDATION(S):** The Planning Staff recommends the Planning Board:

- 1. Receive the presentation by staff.
- 2. Discuss the topic and provide direction to staff whether changes should be made to the existing standards.
  - If the Planning Board recommends changes, staff will prepare a UDO Amendment Form for BOCC consideration and approval in September.

# HOME OCCUPATIONS

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Planning Board  
July 10, 2013

# Purpose

- Address Existing Home Occupation Concerns
  - Implementation Bridge “Bucket List”
  - Planning Board area of interest
- Review Existing Standards
  - Orange County UDO
  - Comparison with other local community standards
- Items of Consideration

# Home Occupations

- Orange County Unified Development Ordinance
  - Definition
    - An accessory business use, which is owned or operated by the resident of residentially zoned property, which is clearly incidental and subordinate to the principal residential use of the property
  - Submittal Requirements
    - Application, plot plan, and floor plan
  - Standards of Evaluation
    - No home occupation may be operated in a residence except as permitted under Section 2.21 and Section 5.5.3
    - Specific uses are not permitted as a home occupation such as automotive repair or detailing, building, electrical, plumbing, mechanical, grading or other construction contracting.

# Current Standards

- Orange County Unified Development Ordinance
  - General Operations
    - Equipment and processes cannot create any noise, vibration, glare, odor, or electrical interference
    - Cannot sell goods that are not produced on the premise
    - The owner or operator must live in a residence located on the same zoning lot
    - No more than two individuals not living in the residence may work in the home occupation
    - In all residential districts except RB, AR and R-1, no more than 35% of the floor area of the dwelling unit or 500 square feet, whichever is less, may be used for the home occupation

# Current Standards

- Limitation on Traffic Generation
  - Traffic
    - Traffic generated shall not exceed more than two business trips per hour, more than eight trips per day, or more than two deliveries of products per week
  - Parking
    - Parking related to the home occupation must be off-street and cannot be within a required yard area
  - Load Capacity Restrictions
    - Vehicles used by the home occupation cannot exceed the weight maximum of one ton, including vehicles used for delivery or pick-up

# Current Standards

- Use of Accessory Structures
  - Accessory structures up to 1,000 square feet are allowed in the in the RB, AR, and R-1 zoning districts
  - Must be screened from view of the road and adjacent property
- Use of Outdoor Storage
  - Up to 500 square feet of outdoor storage area may be used in the RB, AR, and R-1 zoning districts provided that it:
    - Is clearly defined on the site plan and on the ground
    - Is located at least 40 feet from any lot line or road right-of-way
    - Is screened from view of the road and adjacent property

# Other Community Standards

## Standards

- Square feet
- Number of employees
- Accessory structures
- Outdoor storage use
- Parking and Traffic
- Miscellaneous
  - Signage
  - Landscaping

## Communities

- Hillsborough
- Carrboro
- Chapel Hill
- Chatham County
- Durham City-County
- Wake County

# Community Examples

Square Feet		Planning Board Comments
Orange County	Not more than 35% of the floor area or maximum of 500 square feet	
Hillsborough	Not more than 20% of the floor area or maximum of 600 square feet	
Carrboro	Not more than 25% of the floor area or maximum of 500 square feet	
Chapel Hill	Not more than 35% of the floor area or maximum of 750 square feet	
Chatham County	Use shall not occupy more than 25% of the heated floor area. Basements and detached garages may also be used for home occupations in addition to the 25%.	
Durham City-County	Use shall not occupy more than 30% of the dwelling or any accessory structure.	
Wake County	Not more than 50% of the floor area or maximum of 750 square feet	

# Community Examples

Number of Employees		Planning Board Comments
<b>Orange County</b>	<b>Two nonresidents may be employed in connection with the home occupation.</b>	
Hillsborough	One nonresident may be employed in connection with the home occupation.	
Carrboro		
Chapel Hill		
Wake County		
Chatham County	Three nonresidents may be employed in connection with the home occupation.	
Durham City-County	One nonresident may be employed in connection with the home occupation in non-rural districts. Three nonresidents to be employed in connection with the home occupation in rural districts.	

# Community Examples

Accessory Structure and Outdoor Storage Use		Planning Board Comments
Orange County	Accessory structures up to 1,000 square feet and outdoor storage up to 500 square feet are permitted in the RB, AR and R-1 zoning districts.	
Hillsborough	No outdoor display of goods, materials, or equipment are permitted.	
Chapel Hill	Accessory structures must be subordinate to the use of the property for residential purposes.	
Chatham County	Accessory buildings up to 1,000 square feet or 2,500 square feet in rural districts are allowed. No outdoor display of goods, materials, or equipment are permitted.	
Durham City-County	Use of accessory structures and outdoor storage space are only permitted for rural home occupations.	
Wake County	Accessory structures and outdoor use are not permitted.	

# Community Examples

Parking and Traffic Standards		Planning Board Comments
<b>Orange County</b>	<b>Parking must be met off the street and other than in a required yard area.</b>	
Hillsborough	No more than two business-related vehicles may be parked on site.	
Carrboro	One parking space is required.	
Chapel Hill	No more than three business-related vehicles may be parked on site.	
Chatham County	Parking must be met off street and other than in the required front yard.	
Durham City-County	No more than one business-related vehicle may be parked on site within non rural districts and no more than two business-related vehicles may be parked on site within rural districts.	
Wake County	Vehicles used in conjunction with a home occupation may be no larger than a standard pick-up truck or sports utility vehicle. No more than two such vehicles may be parked on site.	

# Community Examples

Miscellaneous Standards		Planning Board Comments
Orange County	<b>Only one sign not exceeding eight square feet in area shall be allowed. Accessory structures must be screened from view.</b>	
Hillsborough	Signage is not permitted.	
Chapel Hill		
Chatham County	Only one sign not exceeding four square feet in area shall be allowed. Commercial driveway permits and visual screening may be required for rural home occupations.	
Durham City-County	Only one wall sign not exceeding three square feet in area shall be allowed. All heavy equipment vehicles associated with a home occupation permit shall be screened from view.	
Wake County	Only one wall sign not exceeding four square feet in area shall be allowed.	

# Items for Consideration

	Planning Board Comments
<ul style="list-style-type: none"> <li>• Existing Standards               <ul style="list-style-type: none"> <li>• Keep existing standards or revise standards to include new home occupation classifications dependent on proposed use, zoning district, or scale                   <ul style="list-style-type: none"> <li>• Minor                       <ul style="list-style-type: none"> <li>• Utilize existing standards</li> </ul> </li> <li>• Major                       <ul style="list-style-type: none"> <li>• Development of new standards for larger scale home occupations in the RB, AR, and R-1 districts</li> </ul> </li> </ul> </li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Square Footage               <ul style="list-style-type: none"> <li>• Change the dwelling unit threshold or square footage cap</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Employees               <ul style="list-style-type: none"> <li>• Change the number of employees based on:                   <ul style="list-style-type: none"> <li>• Major or minor home occupation classification</li> <li>• Proposed use</li> <li>• Proposed scale of use</li> </ul> </li> </ul> </li> </ul>	

# Items for Consideration

	Planning Board Comments
<ul style="list-style-type: none"> <li>• Traffic               <ul style="list-style-type: none"> <li>• Change number of daily and weekly trips</li> <li>• Require road maintenance agreements for private roads</li> <li>• Require driveway permits for public roads</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Use of Outdoor Storage Space and Accessory Structures               <ul style="list-style-type: none"> <li>• Change the accessory structure and outdoor storage use threshold in the RB, AR, and R-1 districts</li> <li>• Allow the use of accessory structures and outdoor storage space in all residential districts</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Hours of Operation               <ul style="list-style-type: none"> <li>• Create standards for hours of operation for visitors or customers</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Additional Standards               <ul style="list-style-type: none"> <li>• Change setback and landscape standards for accessory uses, outdoor activities, or parking areas for larger scale or more intensive home occupations</li> </ul> </li> </ul>	

# COMMENTS & DISCUSSION

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## Home Occupation Comparison Summary

Planning Board – July 10, 2013

	<b>Orange County</b>	<b>Hillsborough</b>	<b>Carrboro</b>	<b>Chapel Hill</b>
<b>Square feet</b>	Use shall not occupy more than 35 percent of the floor area of the dwelling unit or 500 square feet, whichever is less.	Use shall not occupy more than 20 percent of the heated floor area of the dwelling unit or 600 square feet, whichever is less	Use shall not occupy more than 25 percent of the floor area of the dwelling unit or 500 square feet, whichever is less.	Use shall not occupy more than 35 percent of the floor area of the dwelling unit or 750 square feet, whichever is less.
<b>Employees</b>	No more than two nonresidents may be employed in connection with the home occupation.	No more than one nonresident may be employed in connection with the home occupation.	No more than one nonresident may be employed in connection with the home occupation.	No more than one nonresident may be employed in connection with the home occupation.
<b>Parking</b>	Parking generated by the home occupation shall be met off the street and other than in a required yard area.	No more than two business-related vehicles may be parked at the site of the home occupation. Parking must be met off street.	One parking space is required in addition to the number required for the existing residence.	No more than three business-related vehicles may be parked at the site of the home occupation.
<b>Accessory structures and Outdoor Storage Use</b>	An accessory building containing up to 1,000 square feet may be utilized in the RB, AR, and R-1 zoning districts. Up to 500 square feet of outdoor storage area may be used in the RB, AR and R-1 zoning districts.	No outdoor display of goods, materials, or equipment shall be allowed on the property.		Accessory structures utilized for home occupations must be subordinate to the use of the property for residential purposes.
<b>Misc.</b>	Only one sign not exceeding eight square feet in area shall be allowed. Accessory structures must be screened from view of the road and adjacent property.	Signage is not permitted.		Signage is not permitted.

	<b>Chatham County</b>	<b>Durham City-County</b>	<b>Wake County</b>
<b>Square feet</b>	Use shall not occupy more than 25 percent of the heated floor area. Basements and detached garages may also be used for home occupations in addition to the 25 percent.	Use shall not occupy more than 30 percent of the livable portion of the dwelling or accessory structure.	Use shall not occupy more than 50 percent of the floor area of the dwelling unit or 750 square feet, whichever is less.
<b>Employees</b>	No more than three nonresidents may be employed in connection with the home occupation.	No more than one nonresident may be employed in connection with the home occupation in non-rural districts. Rural districts may allow up to three nonresidents to be employed in connection with the home occupation	No more than one nonresident may be employed in connection with the home occupation.
<b>Parking</b>	Parking must be provided off street in an area other than in the required front yard.	No more than one business-related vehicle may be parked at the site of the home occupation within non rural districts. No more than two business-related vehicles may be parked at the site of the home occupation within rural districts.	Vehicles used in conjunction with a home occupation may be no larger than a standard pick-up truck or sports utility vehicle. No more than two such vehicles may be parked at the site of a home occupation
<b>Accessory structures and Outdoor Storage Use</b>	Accessory buildings may be used for home occupations provided the building area is not larger than 1,000 square feet or 2,500 square feet in rural districts. No outdoor display of goods, materials, or equipment shall be allowed on the property.	Use of accessory structures and outdoor storage space are only permitted for rural home occupations.	Accessory structures and outdoor use are not permitted for home occupations
<b>Misc.</b>	Only one sign not exceeding four square feet in area shall be allowed. Commercial driveway permits and visual screening may be required for rural home occupations.	Only one wall sign not exceeding three square feet in area shall be allowed. All heavy equipment vehicles associated with a home occupation permit shall be screened from view from adjoining properties and the public right of way.	Only one wall sign not exceeding four square feet in area shall be allowed.