

**SUMMARY NOTES
ORANGE COUNTY PLANNING BOARD
NOVEMBER 6, 2013
ORDINANCE REVIEW COMMITTEE**

NOTE: A quorum is not required for Ordinance Review Committee meetings.

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Lisa Stuckey, Chapel Hill Township Representative; James Lea, Cedar Grove Township Representative; Paul Guthrie, At-Large, Chapel Hill Township; Tony Blake, Bingham Township Representative;

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

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

AGENDA ITEM 2: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS – HOME OCCUPATION
To continue review and comment upon proposed revisions to the UDO regarding Home Occupation standards.
Presenter: Ashley Moncado, Special Projects Planner

Ashley Moncado: Reviewed abstract.

Paul Guthrie: The word “using”, does that mean the small business or anybody delivering too?

Ashley Moncado: A regular delivery truck.

Paul Guthrie: You can't control the size of a truck.

Pete Hallenbeck: The biggest truck the homeowner can use for the small business.

Ashley Moncado: Continued presentation. This is scheduled to be reviewed at the Quarterly Public Hearing on November 25, 2013.

Paul Guthrie: I think these are very good changes. Is there any way to judge what the workload issue will be for implementing this process?

Craig Benedict: We will do outreach meetings to explain these rules.

Lisa Stuckey: On page 18 it states that activities prohibited are “and building, electrical, plumbing, etc. I don't understand why they are being excluded.

Ashley Moncado: That is existing language currently in the UDO because of the nature of the business.

Pete Hallenbeck: There is a difference between the plumber who drives his truck home and has storage somewhere else.

Lisa Stuckey: What is wrong with plumbers?

Michael Harvey: The problem with trade contractors is they turn their houses into a storage area. We don't allow trade contractors to build storage areas.

Tony Blake: What differentiates the person at the end of my road who has 40 acres and a grading contracting business, not residential from the guy up the street who is a plumber with 30 acres and a separate barn that he stores supplies in?

Michael Harvey: I would make the argument that the way the regulations are currently written that you don't want people going back and forth getting tools and supplies.

Lisa Stuckey: It doesn't make sense. I struggle with this 3,000 square feet size accessory building and use.

Pete Hallenbeck: Currently this ordinance is saying we don't want construction things getting out of hand but we are going to allow artists, lawyers and engineers. Those are what we want to have for home occupations.

Paul Guthrie: Isn't it true that anybody existing will be grandfathered in under the law?

Michael Harvey: If you are doing it now, it is illegal.

Paul Guthrie: This is an anti-small business regulation.

Michael Harvey: I think that is a very gross misrepresentation of this regulation.

Craig Benedict: We are trying to balance what people expect in a neighborhood.

Pete Hallenbeck: It sounds like there are many people here who are saying these changes are good you are questioning this broad restriction of construction practices. If anyone wants to write that up for the BOCC, we can include that in the package to them.

Perdita Holtz: There are other options; people can apply for a zoning change for a conditional use district.

Pete Hallenbeck: Let us leave that to the hearing, to present that and other options.

AGENDA ITEM 3: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS – AGRICULTURAL SUPPORT ENTERPRISES
To continue review and comment upon proposed revisions to the UDO implement a program commonly referred to "Agricultural Support Enterprises". This topic was presented/discussed at the October ORC meeting and Planning Board members felt further discussion would be helpful.
Presenter: Perdita Holtz, Planning Systems Coordinator

Perdita Holtz: Reviewed presentation and distributed materials related to the Rural Buffer.

Tony Blake: What kind of use would Maple View Farms be under this?

Perdita Holtz: They may be considered a bona fide farm use but they also sell products from other farms so they may be also considered a cooperative farm stand or community farmer's market.

Pete Hallenbeck: You are looking for feedback on whether the red text, more intensive, should be removed from the rural buffer and generally are the uses reasonable?

Perdita Holtz: Yes, but these pages only have to do with the rural buffer.

Pete Hallenbeck: So we can comment on the rural buffer and in general. The Ag Board thought the red items should not be allowed in the rural buffer. I agree that removing the red items would be good.

Tony Blake: when you say regional meat processing you mean something like Siler City as opposed to your seasonal deer hunter.

Perdita Holtz: Correct. On page 100 of your full ORC packet there is a definition.

Tony Blake: Would a seasonal restaurant farm fall under the farm as long as it is a bona fide farm?

Perdita Holtz: If you are located on the farm and serving products from the farm it probably is.

Pete Hallenbeck: One of the comments from Howard McAdams was that part of this is to take the seasonal nature of farm income and level it out throughout the year.

Tony Blake: I was asking because of this idea of the county fair. The county fairs that I am used to include farmers bringing in their fares and trades and you don't want to discourage too much of that. You want people to be able to bring things to the county fair.

Perdita Holtz: This is the ORC's opportunity to shape the amendments going to the public hearing in February.

Paul Guthrie: Someone has a bona fide farm with 50 acres of timber and he wants to start a saw mill rather than haul it off to someone else. He wants to use half of that money to build a building for that.

Perdita Holtz: Yes, as long as you are harvesting and milling the timber on your property.

Paul Guthrie: Don't you get into foggy ground when you talk about a commercial stable and an equestrian center is along the lines of hosting show events whereas a stable is boarding horses.

Perdita Holtz: An equestrian center is for larger scale events that could happen regularly whereas a commercial stable is for boarding and lessons and may have an occasional smaller-scale horse show.

Perdita Holtz: Does everyone kind of agree with Pete and what the APB was saying about allowing ASE-CZ to be applied to the rural buffer but to take out those intensive uses for consideration in the rural buffer and in the ASE-CZ that outside those more intensive uses should stay as intensive uses.

Pete Hallenbeck: It sets the ground work for when it goes to the BOCC. When they break the ground as to whether this can be allowed in the rural buffer and set the stage for what can be and slicing the rural buffer out as having it own allowable activity in compared to the rest of the county.

AGENDA ITEM 4: ADJOURNMENT

Meeting was adjourned