

Minutes

ORANGE COUNTY PLANNING BOARD
JUNE 5, 2013
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; 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

The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time, should any member of the Board or any citizen 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.

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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

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.

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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.

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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.

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124 **VOTE: UNANIMOUS**

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127 **Agenda Item 9: 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

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131 Michael Harvey: Reviewed abstract.

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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.

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

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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.

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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.

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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.

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

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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.

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

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

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

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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.

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

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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?

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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.

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

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

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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.

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182 **AGENDA ITEM 10: COMMITTEE/ADVISORY BOARD REPORTS**

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184 a) Board of Adjustment
185 b) Orange Unified Transportation

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188 **AGENDA ITEM 11: ADJOURNMENT**

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

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Pete Hallenbeck, Chair