

MINUTES
ORANGE COUNTY PLANNING BOARD
AUGUST 18, 2010
RESCHEDULED REGULAR MEETING

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MEMBERS PRESENT: Brian Crawford (Chair), At-Large, Eno Township; Judith Wegner (Vice-Chair), Bingham Township Representative; Larry Wright, At-Large, Cedar Grove Township; Tommy McNeill, Eno Township Representative; Peter Hallenbeck, At-Large, Cheeks Township; Earl McKee, Little River Township Representative; May Becker, At-Large Chapel Hill Township; Mark Marcoplos, At-Large, Bingham Township; Rachel Hawkins, Hillsborough Township Representative; Samantha Cabe, Chapel Hill Township

MEMBERS ABSENT: Jeffrey Schmitt, Cedar Grove Township Representative; Vacant-Cheeks Township Representative;

STAFF PRESENT: Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator; Michael Harvey, Current Planning Supervisor; Tina Love, Administrative Assistant II

OTHERS PRESENT: Allen Rosen, Craicie Sanders

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

AGENDA ITEM 2: INFORMATIONAL ITEMS

- a) Next Regular Planning Board meeting scheduled for Wednesday, September 1, 2010
- b) BOCC Work Session on the UDO replaces Quarterly Public Hearing on August 23, 2010
- c) Planning Calendar for August and September
- d) Planning Board representative on the OUTBoard-will be on September Agenda

AGENDA ITEM 3: APPROVAL OF MINUTES

Brian Crawford: We approved the June minutes by an email vote.

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

AGENDA ITEM 7: UNIFIED DEVELOPMENT ORDINANCE – FIRST DRAFT:
To review the first draft of the Unified Development Ordinance
Presenters: Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator

Craig Benedict: I would like to thank the planning staff also for all they have done over the past year. This will be an overview of the document not a line by line description. We used the strike and delete format. The project scope is combining County land use related ordinances into one document. We pulled all the definitions together. We updated some regulations and signage. We did not make any major changes in those sections. We have made some changes. There were suggestions from the Planning Board to be done. We have been researching a lot of areas and this is one we have to isolate our time and activity on. We will wait until the next phase to do more work in that area. We will probably spend 15 minutes on our new Conditional Use constructs and zoning districts. This will give us more latitude to see what plans look like and how we can set special conditions with those areas. We do have placeholders for some of the graphic and tables. I am sure some of the Boards and the Board of County Commissioners will ask about certain aspects, we will document the comments and they will be in an implementation bridge, what do we do next and we will keep track of anything to be the next phase of work, according to what this Board thinks and co-prioritized by the Board of County Commissioners to say what the focus should be. I think economic development will be a prominent topic. Discussed tasks completed this year. The final draft of the UDO will come out probably in late October for the final hearing in November. That will be a better document than you see today. *Discussed what the Phase does not do.*

Perdita Holtz: We did use the existing language and standards. We footnoted throughout the document where everything came from. If you look at your notes page I would like to talk to you about a couple of things. First, number 4, the Table of Permitted Uses. We have not had a chance to put that in the new format but hope to have that released by the end of this month. The uses are not changing, the table will be prettier and more understandable. Then number 7 about Storm Water Ordinance Provisions. Currently, this ordinance only applied to the Neuse River Basin but we know there are upcoming changes that the state is making to the Jordan Lake rules and those rules are going to be very similar, if not identical to the Neuse rules and so we are recommending that this ordinance provision apply countywide once the UDO is adopted and the language in the UDO reflects this. We have also produced a comparative table, which is attachment 4 of your agenda packet. It shows all the existing ordinances in section numbers and where to find them in the UDO. We inadvertently omitted some sections highlighted in yellow which will be put into the next draft in the indicated section. There is a PDF available on CD and online.

The UDO consists of ten articles. I would like to delve into Conditional Districts. There is Conditional Use and Conditional Zoning. Conditional Use, we are replacing the existing Planned Development Process. In Conditional Use, you have to rezone a piece of property to a corresponding existing, general purpose district. There are standards that still have to be met. With Conditional Use, you don't automatically get all those uses in the permitted use table. You are essentially going to rezone to the new district for a specific use and development on that parcel of property you are applying for. In order to approve a specific use, it will require a site specific development plan and a Class A Special Use Permit. Conditional Zoning is actually specific zones in your zoning ordinance so you are rezoning to a specific district for a specific use listed on the permitted uses table. Conditional Zoning will require the rezoning process along with a site specific development plan or master plan.

Samantha Cabe: Is there any way we could get a copy of this flyer?

Perdita Holtz: Sure.

Craig Benedict: The handout is somewhat of a comparison from our existing uses permitted by right to General Use rezoning. I think there will be comments on how this compares to the old ones.

Perdita Holtz: A Conditional Use is just your corresponding general zoning district which can kind of go anywhere. Conditional Zoning is its own zoning classification. *Discussed Conditional Uses.*

Pete Hallenbeck: So if you are changing something but you also want some other change made, then you have to go to the Board of County Commissioners.

Samantha Cabe: How is that different than the way it is now.

Perdita Holtz: It is really not but being called Conditional Use now rather than Planned Development.

119 Rachel Phelps Hawkins: Will it always be Conditional Use?
120
121 Perdita Holtz: It should be from now on because the whole conditional structure is something that state legislature started to
122 allow in 2005. It is fairly new for jurisdictions to be able to do this.
123
124 Samantha Cabe: Is that different from the way it is now?
125
126 Michael Harvey: Yes because the nature of the legislation gives us the authority to go through this process.
127
128 Samantha Cabe: How is it different from what it is now?
129
130 Michael Harvey: The Planned Development process currently requires that all conditions be mutually agreed to and while this is
131 going to have a similar component, they are generally limited to site specific elements whereas the Conditional Use process you
132 can negotiate the conditions that might require some offsite work.
133
134 Perdita Holtz: So it is slightly different but the conditions can go a bit further than they can now.
135
136 Samantha Cabe: When you say the conditions can go a bit further.....
137
138 Perdita Holtz: Any conditions when the Board of County Commissioners approves something, there is also a Resolution of
139 Approval that lists conditions that the applicant has to meet in this type of construct.
140
141 Samantha Cabe: This would enable them to impose more conditions on the applicant?
142
143 Perdita Holtz: Potentially, but it allows them to address concerns not just site specific concerns such as setbacks.
144
145 Brian Crawford: It allows the applicant to address them.
146
147 Perdita Holtz: The applicant has to agree to all conditions or it is not valid.
148
149 Craig Benedict: That is an important factor. Staff can come up with a list of ten conditions that will be discussed with the
150 applicant before it goes to a public hearing. The Board of County Commissioners will also see those conditions; if they wanted to
151 impose something beyond that which had not been agreed to by the applicant, then there needs to be a negotiation process.
152 Then there has to be a document where the applicant has just about signed off. The intent is to have a list of reasonable
153 conditions that looks like could be agreed to by both parties.
154
155 Pete Hallenbeck: There is something you said earlier, I would like tie back now with an example. You are getting a Conditional
156 Use permit changing to general commercial and that process goes forward. Is part of that process saying what you are doing
157 business wise? Is this Conditional Use constrained to that business? Someone came along to change the nature of the
158 business; it would have to go through another Conditional Use permit process?
159
160 Perdita Holtz: Yes. The use is spelled out in the approval.
161
162 Pete Hallenbeck: From a lay person's point of view, it is not once that building is occupied, you can do anything you want as
163 commercial, the zoning changes which allows specific business activity and a change of activity requires rezoning?
164
165 Perdita Holtz: Correct.
166
167 Samantha Cabe: Don't you think that would discourage the flow of commerce as far as people selling their business, or growing
168 their business, have you guys thought about impact?
169
170 Perdita Holtz: It potentially does. If a business goes out of business and you have a vacant building but on the other hand it
171 gives adjoining property owners and the community at large some sense certainty about what will happen there.
172
173 Earl McKee: I just came from a meeting in Chapel Hill on the redevelopment of University Square and in that case, there will be
174 multiple businesses in that redevelopment. They are having a community meeting today. I think that is a good idea. My
175 concern with this is if what you are saying, the Conditional Use would have to be reapplied for on any change in business, how
176 does that affect a multiple use property?
177

178 Perdita Holtz: In that case, the use would be a retail shopping center.
179
180 Earl McKee: Each individual storefront would not have to be re-approved?
181
182 Perdita Holtz: Correct.
183
184 Pete Hallenbeck: It would be a bad idea if you were applying for a Conditional Use to say that you were going to have a
185 business that sells hardware and it would be a good idea to generalize it to a commercial retail establishment.
186
187 Perdita Holtz: Part of the negotiation is that someone might come with a range of uses. If one is not something that people want
188 to see, you may need to knock that off your application.
189
190 Craig Benedict: An example in our existing permitted use is that we have retail in three different categories depending on how
191 much traffic they generate offsite so they may have to say the use would generate x amount of traffic and anything under that is
192 okay. Then an industrial that says all the impacts are handled on site versus on site in the building and then another category in
193 the building and on site and the third category, there is noise that goes beyond the lot. A Conditional Use would pick one of
194 those categories.
195
196 Samantha Cabe: Do we know how long we anticipate this process taking?
197
198 Perdita Holtz: It would be your typical rezoning process and it varies.
199
200 Samantha Cabe: Could you give me a ballpark?
201
202 Perdita Holtz: There are only Quarterly Public Hearings so assuming you meet the deadline, I would say six months minimum.
203
204 Samantha Cabe: This sort of thinking, Craig's comments about the manufacturing, which I know we don't have a lot of that in
205 this County but we could at some point and working at a firm that does a lot of Chapter 11 large business bankruptcies, things
206 can change and it is important to keep a business going at the speed at which things change hands. If we were in a position with
207 a manufacturer that were in trouble and there was the opportunity to put something else in that building or be stuck with a vacant
208 building for potentially a number of years because those types of businesses don't come along very often. I see that as a
209 potential problem.
210
211 Perdita Holtz: That may be something we look at in a future stage but now we are building off the existing Planned Development
212 regulations.
213
214 Samantha Cabe: You don't think this will add any time to what currently is required?
215
216 Perdita Holtz: No. And nobody is forcing anybody to undertake a Conditional Use process.
217
218 Craig Benedict: Last night during the BOCC meeting, we approves the Davis Rezoning, we flipped it quickly and had it on last
219 night's agenda and Michael got the rezoning approved and we did bring to the attention of the Board of County Commissioners
220 that at the May Quarterly Public Hearing, someone said why can't we vote on it tonight and turn it around with the Board of
221 County Commissioners so this rezoning doesn't take six months.
222
223 Samantha Cabe: Currently, is rezoning required?
224
225 Perdita Holtz: Yes in the Planned Development process.
226
227 Rachel Hawkins Phelps: Will this do away with Conditional Use?
228
229 Perdita Holtz: No. You may recall the Conditional Use process requires the rezoning and Class A Special Use Permit together.
230
231 Mark Marcoplos: Regarding Samantha's point about the possible burden on a business that needs to move quickly to protect its
232 assets and may change the usage of the property, I think it is important to remember it is probably more important that the
233 community understand what is going on in their community and they have an opportunity to express themselves and understand
234 what is going on. If we start to give them special exemptions from this process then we're doing that to the detriment of the
235 community and going outside the democratic process. So I think it is very tricky to say once you have got it, it could certainly be
236 exploited.

237
238 Samantha Cabe: I was not familiar with the current process and wanted to make sure we weren't proposing another layer in this
239 particular process. I am not saying anyone should be exempted from it just that we are not adding another layer which you said
240 we are not.
241
242 Brian Crawford: The existing review process, so these will stay as is?
243
244 Perdita Holtz: Yes. The Planned Development is going away and becoming Conditional Use.
245
246 Brian Crawford: Hypothetically, we did the Cabe Ford review and the developer came in and filed the permitted uses for that
247 Planned Development, the citizens in the area were unhappy with some of the configurations and we said to them, well although
248 we agree with some of your discussion, the Planned Development as is fits within our development regulations so there is not
249 much we can do. It sounds like with the Conditional Use district now that when that developer comes in and has one that fits the
250 cluster development plan and the citizens are not happy, there now seems to be a negotiation process that the developer may
251 have to go through with the citizens in order to move his project forward?
252
253 Perdita Holtz: Only if there is a rezoning involved.
254
255 Samantha Cabe: The only time a property owner would if they sold a business or wanted to change their business, the only time
256 they would need to reapply is if they were no longer in that Conditional Use permit.
257
258 Craig Benedict: I agree.
259
260 Samantha Cabe: So change in ownership in and of itself....
261
262 Perdita Holtz: The zoning permit runs with the land.
263
264 Samantha Cabe: There could be a condition that was imposed.
265
266 Perdita Holtz: Theoretically.
267
268 Pete Hallenbeck: I am now curious about the nature of those conditions. Examples about a type of business could the
269 conditions also be something if someone had a concern about runoff, noise, fences, etc.
270
271 Perdita Holtz: Yes.
272
273 Pete Hallenbeck: If a citizen were concerned about a specific item, there is a means to actually require that didn't exist before.
274
275 Perdita Holtz: It goes through the Planned Development process.
276
277 Larry Wright: Then, as we saw at Buckhorn Village, when it comes to the Board of County Commissioners and it goes to the
278 Planning Board and they make recommendations, then the Board of County Commissioners can change it.
279
280 Perdita Holtz: The Board of County Commissioners is the final decision maker.
281
282 Larry Wright: The Board of County Commissioners have final say no matter the recommendation of the Planning Board. They
283 (BOCC) are giving it to the developer 'this way'.
284
285 Perdita Holtz: We elect them to represent us.
286
287 Earl McKee: Are there any differences we should be aware of in those two plans?
288
289 Perdita Holtz: Yes. There are details in Section 6.7 of everything it needs to entail. It is slightly looser on how succinctly you
290 have to locate, like your building on your site; you can have something like a pod concept.
291
292 Craig Benedict: *Drew details on board.*
293
294 Rachel Hawkins Phelps: This is not currently being done now?
295

296 Perdita Holtz: No.
297
298 Larry Wright: We will have these slides?
299
300 Perdita Holtz: I can email you the presentation. *Continued the presentation with MPD-CZ.*
301
302 Larry Wright: This master plan we have an image of here could be a 40 unit single family development? Or it could be a
303 shopping center?
304
305 Perdita Holtz: I am not quite sure if residential is going to be a permitted use but there will be a range of uses that will be
306 permitted as part of the MPD.
307
308 Larry Wright: Having reviewed in the past both, in the Planning Board, I recall some questions that Judith asked and there were
309 some concerns about the amount of traffic, how would you know how many trips per day were coming out? Judith had very
310 viable concerns about that. You have pods, you don't know.
311
312 Perdita Holtz: You will have square footages and associated uses too.
313
314 Larry Wright: That doesn't mean anything to me.
315
316 Perdita Holtz: The way you calculate trips per day generated is dependent on the use and the size of use.
317
318 Larry Wright: If you go to the transportation website, they count 16 trips per day per house. If you are counting 16 trips per day,
319 in and out, how would you do this using these pods? I am talking about the Planning Board.
320
321 Perdita Holtz: Staff will have a staff report that estimates the number of trips per day
322
323 Larry Wright: I like to question staff.
324
325 Perdita Holtz: We use the Institute of Transportation Engineers figures which are used nationwide, their trip generation rates.
326
327 Larry Wright: How do you know what is there when it is just a general pod? That is what I am really asking.
328
329 Perdita Holtz: There will be square footage involved and the use will be named and so once you have the use and the square
330 footage, you can look on the ITE charts and it will tell you how many trips per day to expect per 1,000 square feet.
331
332 Samantha Cabe: At Section 6.7 under Proposed Uses, the master plan will have to list all the proposed uses in the development
333 and if it is proposing more than one development lot or five each, the proposed uses will be listed for each lot or pod and if more
334 than one use may be approved for each lot or pod however, the master plan shall include a compatibility matrix to limit conflicts
335 between uses. To me, that says someone has to list specifically, under each pod what uses will be there. They just don't have
336 to design the building yet.
337
338 Michael Harvey: The only comment I will make to what Ms. Holtz said that as rezoning they were required to submit a traffic
339 impact study and they have to estimate the square footages as indicated. That data will be provided in the application.
340
341 Larry Wright: On some plans we worked on, I saw they were constructing over stream buffers.
342
343 Perdita Holtz: You are talking about Buckhorn Village?
344
345 Larry Wright: Yes. And then we dealt with another one with a cemetery. I am very uncomfortable with this. Having had some of
346 this come before me, I am uncomfortable because I do question staff especially after Buckhorn Village.
347
348 Perdita Holtz: That can be a comment that you submit - that you are uncomfortable with the MPD-CZ Zoning construct.
349
350 Earl McKee: Larry, is your discomfort coming from your feeling that the developer may change from use A to another use?
351
352 Larry Wright: My basic concern is that it's not granular enough for what I remember on my tour here as a Planning Board
353 member, of concerns that each of my colleagues has addressed is they have looked applications that have come before the
354 Board. When you have this it seems like a lot of the concerns that others have had ...

355
356 Earl McKee: That they just won't get addressed. Not having the experience on the Board and having sat through a couple of
357 approvals on projects, I don't have the experience or the background to relate exactly what you are saying.
358
359 Larry Wright: My chief concern is that it is not granular enough to what various people, not me, the wealth of people that I have
360 served with and the questions they have asked.
361
362 Samantha Cabe: Is this the main...will there never be in the whole process, a more detailed plan submitted?
363
364 Perdita Holtz: Yes. It is a site specific development plan that will be approved by staff that needs to conform to the major things
365 in the Master Plan Development. There are very specific adjustments that could potentially approved by staff. Look on page 6-
366 54 and 6-55.
367
368 Samantha Cabe: My benefit was for Larry, this is just an additional plan that is required upon the rezoning permit and then after
369 it is zoned, they still have to get this site specific plan so this is only attached to the zoning application?
370
371 Perdita Holtz: Correct. The site specific development does not get approved by the Board of County Commissioners; only the
372 master plan.
373
374 Samantha Cabe: Before they can get the permits from the planning department, the planning department has to sign off on the
375 site specific plan so the details will have to go through the planning department.
376
377 Larry Wright: That is my concern because with Buckhorn, they were having major roads going right into stream buffers and this
378 was something that had gone through staff. There were a number of things we were catching that did not conform to zoning
379 because it was quasi judicial and we voted against and we did not agree with staff and so when something that granular is not
380 given to us and it is quasi judicial, what are we going to do?
381
382 Judith Wegner: We shouldn't drive our whole set of perspectives based on a peculiar set of circumstance for Buckhorn. Frankly,
383 the whole way the EDD manual fit into that I found to be confusing and it was an old document that had been developed long
384 ago and it had its own peculiarities and I think it is beneficial to have this uniform document to try and get that to be clearer. The
385 other example is, crossing University Lake and the long connector road, in a way we didn't have much leverage to try to address
386 that but I think at the end of the day, the Board of County Commissioners put on a condition that stated they would be careful
387 about that so in some way the nature of the conditions to have the authority to put up conditions is an important benefit of
388 Conditional Districts, Conditional Use Districts, etc. Another point is that I think it is better to have this type of integration of a
389 variety of standards comparing these different documents. I found the EDD manual to be incredibly confusing and out of sync
390 with how we felt about the comp plan and other aspects of that. I think it is really good to bring these pieces together in some
391 kind of way.
392
393 Larry Wright: I remember Jay Bryan saying this Board is not a rubber stamp board, I think this moves into the direction of it
394 being that.
395
396 Judith Wegner: Why do you say that?
397
398 Larry Wright: It is not granular enough to give the Board members enough sufficient view of what is going on to discuss in detail.
399
400 Judith Wegner: Let's maybe frame that and hand it back to Perdita in terms of, I don't which of the elements we are on, but we
401 can still recommend conditions and we are not any more limited on the conditions we can recommend now than before and we
402 have a newly adopted comp plan that gives us the framework against which to benchmark conditions so in a sense I think part of
403 the dilemma with Buckhorn was we were doing the comp plan and Buckhorn at the same time and I hope with this we will be in a
404 better position.
405
406 Larry Wright: I am also thinking of other developments that we were looking at before Buckhorn and I remember looking at the
407 stream buffers and having viable questions.
408
409 Judith Wegner: Are there provisions in the UDO that address issues with stream buffers and water qualities because I always
410 think of that because of the time I was on the Carrboro Board, the fundamental set of questions for permits are, what are the
411 facts and how does that square with what are in the requirements. We need to ask staff to put on the next generation issues,
412 additional review about what the water qualities are, what the traffic requirements are so that gives us a chance to back to some
413 of these things.

414
415 Brian Crawford: I sat though that process also and looking at the list for what the master plan entails and what information they
416 have to bring to use through the master plan process, our review, despite that map, if I look at that list I think we get to some of
417 the issues that concerned you during the Buckhorn process and I think there will be plenty of opportunities to ask some of the
418 detailed questions because they have to show some of the things like stream buffers.
419
420 Samantha Cabe: I looked through everything that is required, my point was that when you look through here, all the interior
421 roadways access points, utilities, setbacks, buffers and signs are all going to be required on the master plan. It sounds like the
422 point of this is someone doesn't have to redo their site specific plan if they decide to put town homes instead of condos or if the
423 decide on three larger building instead of four smaller buildings.
424
425 Perdita Holtz: The town home versus condo is a little bit different but as long as they still meet the same square footage, they
426 could potentially do two instead of three buildings.
427
428 Brian Crawford: In your example, there is a pod that says 10,000 square feet divided into four and decide to divide it into six, that
429 shouldn't be a problem.
430
431 Samantha Cabe: They would still be bound by the same plans with the exception of very specific and limited adjustments that
432 can be made.
433
434 Perdita Holtz: Let's move on the Section 6.12, Signage. *Signage discussed.*
435
436 Judith Wegner: When this is over, is the EDD manual gone?
437
438 Perdita Holtz: Yes. Unless you want to look at it as a historical document.
439
440 Perdita Holtz: Parking, Loading and Site Access, Section 6.9. *Parking, Loading and Site Access discussed.*
441
442 Brian Crawford: When you said there are some measures in there that will preserve the planting over a long period of time, what
443 are those?
444
445 Perdita Holtz: On page 6-66, the section on maintenance spells out what must be done. Moving on to Stream Buffers (Section
446 6.13). *Discussed Uses Proposed to be added.*
447
448 Judith Wegner: The issues of driveways for single families, Samantha I know at one point you had a client that had to raise the
449 level.
450
451 Samantha Cabe: I don't think this particular section deals with that.
452
453 Michael Harvey: The concern was compliant with flood damage prevention.
454
455 Judith Wegner: We are still compliant with state floodplain requirements.
456
457 Perdita Holtz: Yes. On to Submitting Comments.
458
459 Brian Crawford: Comments open to the whole document?
460
461 Perdita Holtz: Yes. Next Steps.
462
463 Brian Crawford: I will not be at the work session, will you be there Judith?
464
465 Judith Wegner: Yes.
466
467 Perdita Holtz: We encourage Planning Board to go to the Board of County Commissioners work session so that you can hear
468 the discussion.
469
470 Judith Wegner: If you were to guess, what are the three top hot spots?
471

472 Perdita Holtz: Probably the Conditional Use stuff because it is new and the new regulations, everything existing is just
473 reformatting.
474

475 Judith Wegner: People don't necessarily have a handle on what things are currently. My suggestion is to have a FAQs list that
476 would be what has changed compared to the old stuff. That would be helpful to the public. I would think about the fundamental
477 users and think of the top three questions that they may have.
478

479 Brian Crawford: It would be helpful to me because I have been talking to this Board and I know there are people with varying
480 levels of development experience and history. It is interesting to me to see how user friendly this is. Come back with your
481 comments.
482

483 Judith Wegner: Has the consultant done any good for you and what are they going to do for you next.
484

485 Perdita Holtz: They gave us the template to put the document into this format and that has been helpful and I have learned so
486 much about Word. They are going to provide the graphics, the table formatting in October for the draft released November 8.
487

488 Judith Wegner: There is a way to portray frequently asked questions and what gets added the next stage?
489

490 Perdita Holtz: The frequently asked questions could go on the website long before the Public Hearing draft.
491

492 Judith Wegner: If you do that, which will help people. We are semi-experts and we try to flag things that have changed.
493

494 Samantha Cabe: My global request would be for the staff to point out where there are additional steps of regulation. Sometimes
495 I may come across as being critical of adding additional layers of regulation. It is important that we be upfront about that. A lot of
496 people in the County may think that is a good thing and others who don't. Be upfront about the pros and cons as well. The only
497 concern I have is that while this is predominately a reworking of an existing document, we need to be transparent about any
498 additional requirements we are adding. I do think you are adding some things.
499

500 Perdita Holtz: Not so much we are adding regulations as we are adding additional constructs that can be used if they choose but
501 the existing regulations are still intact.
502

503 Earl McKee: Your landscaping is a rewrite.
504

505 Perdita Holtz: It is but the intent is still all there. We are not requiring people to plant more trees or have wider buffers.
506

507 Samantha Cabe: You are making more limitations on what they can plant and more stipulations. I think you need to be upfront.
508

509 Perdita Holtz: It almost sounds like you want to have a compare and contrast document of existing landscape requirements to
510 the new ones.
511

512 Samantha Cabe: The current process is hard enough before adding steps or things they have to comply with. I am not saying it
513 is good or bad but we need to be upfront because this was intended to be reorganization and not adding subsequent things. If
514 we are adding additional steps, we need to highlight that.
515

516 Perdita Holtz: Once you have a chance to look at it more thoroughly, I would like to know if you think there more steps added.
517

518 Samantha Cabe: The Master Plan is an additional step.
519

520 Perdita Holtz: It is a new construct that people can choose to do not an additional step.
521

522 Craig Benedict: We can highlight the changes that occurred in the different sections and added flexibility.
523

524 Rachel Hawkins Phelps: If I wanted to build a development is this going to be on the website so they can read this before they
525 get here?
526

527 Perdita Holtz: Yes. It is on the website. The adopted document, assuming it is adopted, will be on the website.
528

529 Mark Marcoplos: Samantha's issue may be best addressed in the FAQs. There are things that may make it easier in some
530 cases and may be a judgment call. The other thing is the general public will want examples and scenarios.

531
532 May Becker: In response to these ideas, it would be helpful to describe where you making it more restrictive but also where you
533 are weakening it without making it a value judgment. You could have those three main big picture questions answered, that
534 would be helpful.
535

536 Pete Hallenbeck: The concept of figuring out if it is user friendly also needs to figure the scope or what the user is doing. If you
537 are doing a great big development, this is already user friendly. Someone is trying to decide what I can build on my lot; it is a
538 whole different level of usage. We have already talked about FAQ sections and an example section; we did make a decision for
539 the document to have ancillary support documents to help people understand this.
540

541 Earl McKee: I will echo the sentiment of this being user friendly. I brought concerns in prior meetings about someone who is
542 building their first and last house or people who want to cut off a tract for their child. In that case, this is not and never will be a
543 user friendly document. Are we still looking at, once this is finished, trying to develop a couple of pages for tracking?
544

545 Craig Benedict: Yes. We have some tri-fold brochures. When they come in the door and identify what they want to do and if it
546 is a simple thing, we can tell them this is what they have to deal with.
547

548 Earl McKee: I just think there has to be a brochure or page with instructions for the approval process. There could be different
549 guides for different process, i.e. minor subdivision, cut something off for your children, etc.
550

551 Larry Wright: I am sure staff deals with people who can barely read and you guide them through the process.
552

553 Earl McKee: I would like to see something for someone who is getting ready to build a house that simply outlines the steps you
554 need to take, the order and the approximate timeframe.
555

556 Brian Crawford: This is what I heard for between now and the next meeting in two weeks. Frequently asked questions
557 generated from the Board by the next meeting.
558

559 Perdita Holtz: You will submit the questions, not that we will have all the answers ready in two weeks.
560

561 Brian Crawford: The additional steps or regulations. Some think it might be burdensome.
562

563 Samantha Cabe: I wasn't asking for a specific document, just a global request to make it clear.
564

565 Brian Crawford: Not by the next meeting, just in general?
566

567 Samantha Cabe: Yes.
568

569 Brian Crawford: Samples and scenarios, supporting documents and user friendly which is another issue on the same topic.
570 Between now and the next question, it sounds like FAQs.
571

572 Mark Marcoplos: I would say by the time we the public hearing, if there is a way to come up with two or three examples of the
573 development processes that reveal how the system works, that would be a great educational tool.
574

575 Craig Benedict: Where we had three or four, now we have six, they might want to use the fifth or sixth. I will have staff work on
576 that.
577

578 Samantha Cabe: In that scenario, state how their property is currently zoned.
579

580 Brian Crawford: We will meet September 1, 2010. There is one more agenda item which is the OUTBoard.
581

582 Perdita Holtz: The next item on the agenda was for any committee or advisory boards.
583
584

585 **AGENDA ITEM 8: COMMITTEE/ADVISORY BOARD REPORTS**
586

587 a) Board of Adjustment

588 Larry Wright: We did meet and there was an application for a variance regarding storm water, infiltration and detention with
589 respect to impervious surfaces. They wanted to build a garage and extend a driveway. The other was a Class B Special Use

590 permit a dog training and show facility up against the Hillsborough EDD zone. When we get into the next phase of the UDO, all
591 those ordinances should be reviewed because they are out of date.

592
593 Judith Wegner: You have got micro situation and you lump all riding kennels and everything into another category which seems
594 to put too much into a clump.

595
596 Larry Wright: This is called a kennel permit and everyone thought applicants would be washing cages and boarding dogs
597 overnight. There was a lot of hysteria built on total misconceptions because it is a Class II Kennel Permit.

598
599 b) Orange Unified Transportation

600 No report

601 c) Efland-Mebane Small Area Plan Implementation Focus Group

602
603 Pete Hallenbeck reported that the group had not met recently.

604
605
606 **AGENDA ITEM 9: ADJOURNMENT**

607
608 **MOTION:** Larry Wright made a motion to adjourn. Seconded by Earl McKee:

609 **VOTE:** Unanimous

610
611

Brian Crawford, Chair