

**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, August 3, 2022

**Training Session: 6:00 – 6:30 pm
Ordinance Review Committee: 6:30 – 7:00 pm**

Note: The training session and Ordinance Review Committee (ORC) meeting are for Planning Board members who would like to attend. Attendance is not mandatory and a quorum is not necessary for the training session or ORC meeting.

<u>No.</u>	<u>Page(s)</u>	<u>Agenda Item</u>
1.		CALL TO ORDER
2.	No materials	PLANNING BOARD TRAINING SESSION – Staff will lead training designed for recently appointed Planning Board members on basic aspects of land use regulation in Orange County. Presenter: Perdita Holtz, Special Projects & GIS Supervisor
3.	3 – 8	ORDINANCE REVIEW COMMITTEE: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS - NEIGHBORHOOD INFORMATION MEETINGS - To review proposed amendments to the UDO pertaining to neighborhood information meetings. Presenter: Tyler Sliger, Planner II
4.		ADJOURNMENT

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**ORANGE COUNTY
PLANNING BOARD ORDINANCE REVIEW COMMITTEE
ACTION AGENDA ITEM ABSTRACT**

Meeting Date: August 3, 2022

**Action Agenda
Item No. 3**

SUBJECT: Unified Development Ordinance Text Amendment - Neighborhood Information Meetings

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Proposed UDO Text Amendment

INFORMATION CONTACT:

Tyler Sliger, Planner II (919) 245-2586

PURPOSE: To review and comment on County-initiated amendments to the Unified Development Ordinance (UDO) to require the applicant hold a Neighborhood Information Meeting instead of the current practice of Planning staff coordinating the meeting.

BACKGROUND: Neighborhood Information Meetings (NIMs) are a required step in the review procedures for several types of Planning applications. Specifically, NIMs are required for the following applications:

- Special Use Permits (UDO Section 2.7.5),
- Conditional Districts (Section 2.9.1),
- Minor and Major Subdivisions (Section 2.14.4 and 2.15.2), and
- Governmental Uses (2.24).

The purpose of a Neighborhood Information Meeting is to educate the attendees on the proposed project. Since it's currently a requirement for staff to schedule, host, and go over the project with the public, this puts the burden on staff and can give off the impression that staff has a bias on the project. To eliminate this confusion staff is recommending the proposed changes to put the responsibility on the applicant instead of staff.

FINANCIAL IMPACT: There are no costs associated with this project other than the use of staff time and the required legal advertisement. County staff has and will continue to accomplish the necessary tasks associated with amending the UDO and the legal advertisement will be paid from budgeted funds for this purpose.

RECOMMENDATION(S): The Planning Director recommends the ORC review the proposed amendment and provide any feedback to staff.

Attachment 1

SECTION 2.7: SPECIAL USE PERMITS**2.7.5 Neighborhood Information Meeting**

- (A) Before an Evidentiary Hearing may be held for a Special Use the applicant is required to schedule a minimum of one ~~neighborhood information meeting~~ Neighborhood Information Meeting. The purpose of the meeting is to obtain surrounding property owner input and comments on the proposed development project and allow staff an opportunity to explain the review process associated with the request.
- (B) The applicant shall ~~obtain property owner mailing address information from the Orange County Planning Department, which shall utilize Orange County Land Records data, and shall mail notices of the meeting date and time~~ send notice of the meeting via first class mail to each property owner within one thousand feet of the property for which a Special Use has been requested. The applicant shall use Orange County Land Records data to determine which parcels are within the one thousand foot notification boundary and the mailing address of the property owners.
- (C) The applicant shall mail notice of the Neighborhood Information Meeting a minimum of 14 days prior to the date of the meeting.
- (D) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of ~~10-14~~ days prior to the date of the meeting.
- ~~(E)~~ The meeting shall be held a minimum of 45 days prior to the date of the Evidentiary Hearing.
- ~~(F)~~ The applicant shall submit a written report of the Neighborhood Information Meeting to the Planning Department before an Evidentiary Hearing can be scheduled.
- ~~(1)~~ The written report of the meeting shall include a list of those persons and organizations contacted about the meeting and the manner and date of contact; the time, date, and location of the meeting; a roster of the persons in attendance at the meeting; a summary of issues discussed at the meeting; and a description of any changes to the application made by the applicant as a result of the meeting.
- ~~(E)(G)~~ Neighborhood information meetings-Neighborhood Information Meetings for telecommunication facilities shall be held in accordance with the provisions of Section 5.10.8 (B) (2).

SECTION 2.9: CONDITIONAL DISTRICTS

2.9.1 Conditional Districts

(D) Neighborhood Information Meeting

- (1) Before a Public Hearing may be held on an accepted application for a Conditional District, the applicant is required to schedule, ~~with the assistance of the Planning Department,~~ a minimum of one ~~neighborhood information meeting~~ Neighborhood Information Meeting (NIM). The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.
- (2) ~~The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail notices of the meeting date and time via first class mail to each property owner within one thousand feet of the property for which a Conditional District has been requested. The applicant shall send notice of the meeting via first class mail to each property owner within one thousand feet of the property for which a Conditional District has been requested. The applicant shall use Orange County Land Records data to determine which parcels are within the one thousand foot notification boundary and the mailing address of the property owners.~~
- (3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.
- (4) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of ~~40~~ 14 days prior to the date of the meeting.
- ~~(5)~~ (5) ~~The applicant shall submit a written report of the Neighborhood Information Meeting to the Planning Department before a Public Hearing can be scheduled.~~
 - ~~(a)~~ (a) ~~The written report of the meeting shall include a list of those persons and organizations contacted about the meeting and the manner and date of contact; a roster of the persons in attendance at the meeting; a summary of issues discussed at the meeting; and a description of any changes to the application made by the applicant as a result of the meeting.~~
- ~~(5)~~ (6) The meeting shall be held a minimum of 14 days prior to the date of the Planning Board meeting where the application is scheduled for review.

SECTION 2.14: MINOR SUBDIVISIONS

2.14.4 Concept Plan

(B) Neighborhood Information Meeting for Minor Subdivisions utilizing the Flexible Development Option

- (1) A minor subdivision application using the Flexible Development Option shall require a Neighborhood Information Meeting (NIM) if it proposes more than five lots, excluding open space.
- (2) ~~Upon acceptance~~As a component of a Concept Plan application, the ~~Planning Director~~ applicant shall schedule a Neighborhood Information Meeting (NIM) and shall obtain property owner mailing address information from Orange County Land Records data and mail notices of the meeting to each owner of property within one thousand feet of the property proposed to be subdivided.
- (3) Notices of the NIM shall be mailed by first class mail at least ~~ten~~ 14 days prior to the date of the meeting.
- (4) The ~~Planning Director~~ applicant shall place a sign on the affected property indicating the total number of lots proposed, the date, time, and location of the NIM; and the Planning Department telephone number. The sign shall be posted on the affected property at least ~~seven~~ 14 days prior to the NIM. The NIM shall be held a prior to Final Plat Application submittal.
- (5) ~~The purpose of the~~At the NIM is for the, ~~the~~ applicant to present the proposed Concept Plan to persons in attendance, shall be available to answer questions about the proposed subdivision, and to receive comments from neighboring property owners for the purpose of improving the proposed subdivision design.
- (6) ~~The Planning Director shall explain the subdivision approval process and neighboring property owners may speak with regard to specific concerns and/or issues.~~The applicant shall submit a written report of the Neighborhood Information Meeting to the Planning Department before submitting a Final Plat application for the subdivision.
 - (a) The written report of the meeting shall include a list of those persons and organizations contacted about the meeting and the manner and date of contact; the time, date, and location of the meeting; a roster of the persons in attendance at the meeting; a summary of issues discussed at the meeting; and a description of any changes to the application made by the applicant as a result of the meeting.

SECTION 2.15: MAJOR SUBDIVISIONS

2.15.2 Concept Plan

(D) Neighborhood Information Meeting

- (1) ~~Upon acceptance~~As a component of a Concept Plan application, the ~~Planning Director~~ applicant shall schedule a Neighborhood Information Meeting (NIM) and ~~shall obtain property owner mailing address information from Orange County Land Records data and~~ mail notices of the meeting to each owner of property within one thousand feet of the property proposed to be subdivided.
- (2) Notices of the NIM shall be mailed by first class mail at least ~~14~~ten days prior to the date of the meeting.
- (3) The ~~applicant~~Planning Director shall place a sign on the affected property indicating the total number of lots proposed, the date, time, and location of the NIM; and the Planning Department telephone number. The sign shall be posted on the affected property at least ~~14~~seven days prior to the NIM. The NIM shall be held a minimum of 14 days prior to the Planning Board meeting at which the concept plan is scheduled to be reviewed.
- (4) ~~At the~~The purpose of the NIM, ~~is for,~~ the applicant to present the Concept Plan to persons in attendance, shall be available to answer questions about the proposed subdivision, and to receive comments from neighboring property owners for the purpose of improving the proposed subdivision design.
- (5) ~~The Planning Director shall explain the subdivision approval process and shall identify meeting dates of the Planning Board and Board of Commissioners at which neighboring property owners may speak with regard to specific concerns and/or issues. The applicant shall submit a written report of the Neighborhood Information Meeting to the Planning Department before submitting the Preliminary Plat.~~
 - (a) The written report of the meeting shall include a list of those persons and organizations contacted about the meeting and the manner and date of contact; the time, date, and location of the meeting; a roster of the persons in attendance at the meeting; a summary of issues discussed at the meeting; and a description of any changes to the application made by the applicant as a result of the meeting.

SECTION 2.24: GOVERNMENTAL USES

2.24.1 Applicability

The following applies to those land uses permitted within the Governmental Uses land use category as detailed within Section 5.2.

2.24.2 Neighborhood Information Meeting

- (A) If a proposed project has not been a part of a previous planning effort that included the opportunity for public comment and input, a ~~neighborhood information meeting~~ Neighborhood Information Meeting (NIM) shall be held prior to the submittal of a site plan application. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development.
- (1) Examples of planning efforts that generally include the opportunity for public input are: park master plans, small area plans, solid waste management master plans, library master plans, etc.
- ~~(B) The Planning Department shall assist the applicant with the scheduling of the neighborhood information meeting.~~
- ~~(C)~~(B) The applicant shall obtain property owner mailing address information from ~~the Planning Department, who shall utilize~~ Orange County Land Records data, and shall mail notices of the meeting date, place, and time via first class mail to each property owner within one thousand feet of the subject property.
- ~~(D)~~(C) The notices shall be mailed a minimum of 14 days prior to the date of the meeting.
- ~~(E)~~(D) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of ~~140~~ days prior to the date of the meeting.
- ~~(F)~~(E) The applicant shall submit written certification that the notices were mailed in compliance with the requirements of this subsection. The written certification shall denote the date of the mailing as well as a synopsis of comments from the meeting as part of the site plan application. The applicant shall also provide a written response on what steps, if any, were taken to address said comments.
- ~~(F) The applicant shall submit a written report of the Neighborhood Information Meeting to the Planning Department.~~
- ~~(1) The written report of the meeting shall include a list of those persons and organizations contacted about the meeting and the manner and date of contact; the time, date, and location of the meeting; a roster of the persons in attendance at the meeting; a summary of issues discussed at the meeting; and a description of any changes to the application made by the applicant as a result of the meeting.~~
- (G) A ~~neighborhood information meeting~~-Neighborhood Information Meeting shall not be required in cases where an applicant is proposing to expand facilities less than 50% of existing floor area.