

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
CHATHAM COUNTY PLANNING BOARD
JOINT MEETING
AUGUST 11, 2009

The Chatham County Board of Commissioners (“the Board”) of the County of Chatham, North Carolina and the Chatham County Planning Board met in the Central Carolina Community College, Multi-Purpose Room, located in Pittsboro, North Carolina, at 6:00 PM on August 11, 2009.

Present: Chairman George Lucier, Vice Chair Sally Kost, Commissioner Mike Cross, Commissioner Carl Thompson, and Commissioner Tom Vanderbeck

Planning Board Members: Chairman, Jim Hinkley; Vice Chair, Warren Glick; Planning Board Members, Karl Ernst; Judy Harrelson; Tim Keim; Susan Levy; Delcenia Turner; Barbara Ford, and Jim Elza

Staff Members Present: County Manager Charlie Horne; Assistant Planning Director, Jason Sullivan; Planner, Ben Howell; Angela Birchett, Land Use Administrator II; Clerk to the Board Sandra B. Sublett; and Deputy Clerk to the Board, Elizabeth Plata

Major Corridor Task Force Members: Chair, John Graybeal, Members: Dr. Tracey Hanner, Carolyn Siverson, and Randy Voller

Agenda

1. Call to Order by the Chair.
2. Welcome and background information by the Board of Commissioners Chair.
Discussion of the following items by both boards that are related to the major corridor overlay districts. (Note that these items will include discussions of both the Major Corridor Task Force and Planning Board recommended versions.)
3. Major corridor overlay text amendment to the Zoning Ordinance.
4. Proposed overlay zoning district map
 - a. Overall map of overlay districts.
 - b. Chatham/Orange county line – Cole Park node
 - c. Briar Chapel – Fearington node
 - d. Moncure-Pittsboro Road/US 1 node
 - e. US 64 – NC 751 node
5. Major corridor overlay district design and planting guidelines.
6. Land Conservation and Development Plan text amendments.
7. Land Conservation and Development Plan Map.
8. Land Use Plan amendment process.
9. Other recommendations provided by the Major Corridor Task Force.
10. Schedule a public hearing to amend the Zoning Ordinance and Zoning Map to include corridor overlay zoning districts, amend the Land Conservation and Development Plan, consider adoption of a Land Conservation and Development Plan Map, and consider adoption of a Land Conservation and Development Plan amendment process.

11. Discussion of the US 64 Phase 2A study response from NCDOT regarding comments provided by the Board of Commissioners.

12. Adjourn the Board of Commissioners meeting.

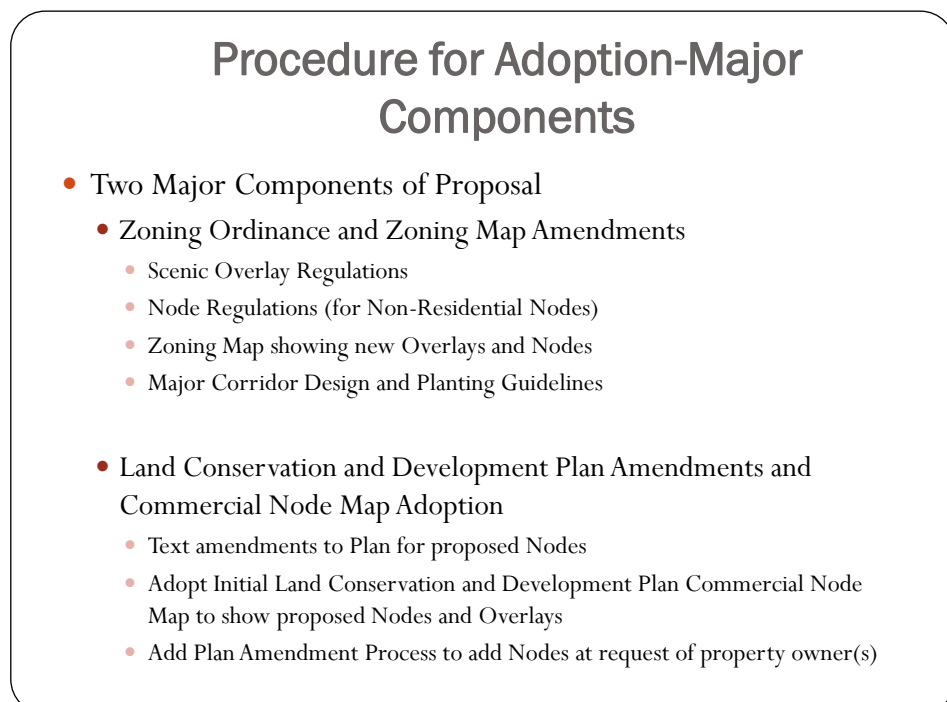
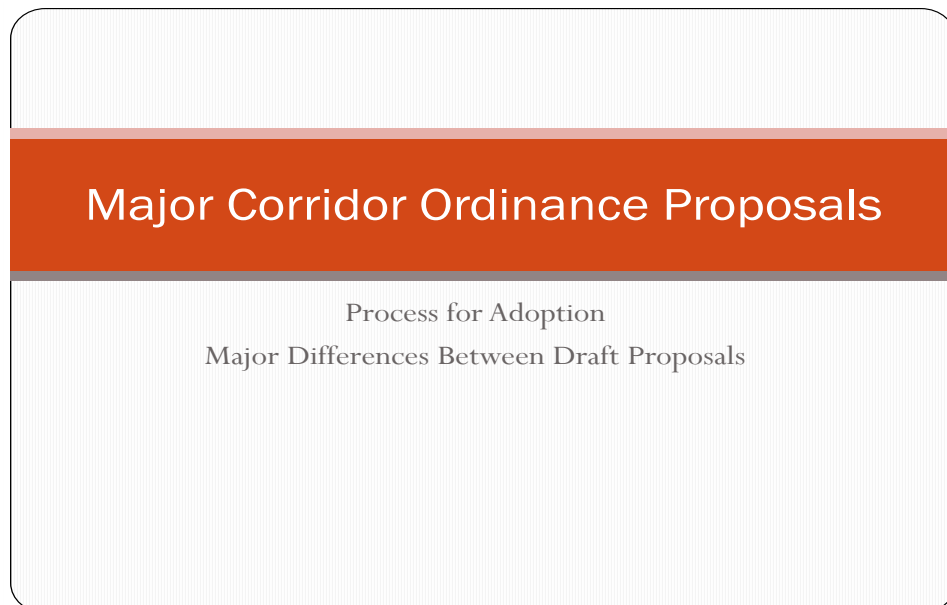
CALL TO ORDER

Chairman Lucier called the meeting to order and explained the specifics of the Major Corridor Ordinance process to date.

John Graybeal, Task Force Chairman, reviewed the work of the Major Corridor Task Force and the implementation of the Land Use Plan.

Jim Hinkley, Planning Board Chairman, emphasized the need to plan for the future and find ways of getting around and providing services, both commercial and employment, around the corridors. He stated that well thought out growth can give assurance that there will be an orderly future for beautiful Chatham County

Ben Howell, Planner provided a PowerPoint entitled, “Major Corridor Ordinance Proposals” to the Board and provided it in its entirety for the record as follows:



Process for Zoning Ordinance and Map Amendments

- Map and text amendments require Public Hearing (Generally Joint BOC and Planning Board)
- Map amendments require mailed notice to all affected property owners
- Map Amendments also require posting of affected properties
 - Approximately 4,000 property owners will be affected
- Text and map amendments require legal advertisements in newspaper
 - 2 Advertisements, first no less than 10 days before public hearing but no more than 25 days before public hearing
- After Public Hearing, proposed amendments go to Planning Board for Recommendation and Board of Commissioners for final decision

Process for Land Conservation and Development Plan Text and Map Amendments

- Generally, Plan Text and Map Amendments will follow Zoning Map and Text Amendment Process
- Can Advertise Concurrently and Hold Public Hearings on same night
- Can use same advertisement and one mailed notice to affected property owners for both Public Hearings
- After Public Hearing, Planning Board would make recommendation, and Board of Commissioners would make final decision.
- Complete process could take 3-6 months to complete
 - Over 4,000 mailed notices, posting of affected properties, legal advertisements and meetings.

Major Differences Between Planning Board Proposal and Task Force Proposal

- | Task Force Proposal | Planning Board Proposal |
|--|---|
| <ul style="list-style-type: none">• Includes Community Activity Centers (CACs)• Includes creating a Clearing Permit process for developments• Included 9 designated Nodes:<ul style="list-style-type: none">• Cole Park/Chatham Crossing, Chatham Downs, Briar Chapel/Farrington Place, NC87 North, Wakeline, Bear Creek, Goldston, Moncure, US1 Tech Corridor | <ul style="list-style-type: none">• Does not include CACs• Does not include Clearing Permit requirement• Exempts Farm and Industrial buildings from 65,000 sq. foot maximum in Scenic Overlay• Included 9 designated Nodes:<ul style="list-style-type: none">• Added a Neighborhood Node at the County Line on 15-501N• Deleted Regional Node at Bear Creek |

Major Corridor Design and Planting Guidelines

- Task Force Proposal included specific Building Design and Planting requirements for inclusion in Zoning Ordinance
 - Included regulations for irrigation, specific standards for type of landscaping to be planted, size of required trees and shrubs, and submittal of Landscape Plan.
- Planning Board proposal deletes some specific planting standards in Zoning Ordinance in favor of using adopted Chatham County Appearance Commission Design Guidelines with existing review process by Appearance Commission.
- Planning Board proposal also removes specific architectural requirements for buildings (i.e. Mass, Scale, Proportion requirements) from Zoning Ordinance and places in Guidelines.

Similarities with Both Proposals

- Both Proposals still include the following:
 - Limited Number of Non-Residential Nodes
 - Scenic Overlay with Specific Requirements for Non-Residential Uses and Subdivisions
 - Access Requirements
 - Buffering Requirements
 - Pedestrian Facility Requirements
 - Parking Lot Shading Requirements
- Both Proposals still have similar permitting requirements:
 - Most Development Projects will Require Conditional Use Permits
 - Require Plan Map Amendment for Non-Residential Nodes not Designated on Land Conservation and Development Plan Map

PURPOSE AND INTENT

The Board asked that #6, “Enhancing the business economy by promoting tourism, associated industry, and commerce”, be more explicit on economic development.

Commissioner Kost stated that one of the reasons for looking at a corridor plan is to ensure that traffic is free flowing and managed to ensure a safe highway. She stated that from the onset of the corridor work, that this was part of the purpose and the intent. She stated that the major corridor plan is not just about aesthetics; but it is also about protecting a public investment.

Chairman Lucier asked that staff draft a statement to capture this additional statement of purpose and intent.

By consensus, the Board of Commissioners and the Planning Board agreed.

Mayor Voller stated that Broadband should be considered on the corridors; that without planning on the major corridors it will be more difficult to get broadband into the rural areas.

APPLICABILITY

The Board discussed “Applicability” and asked that “with a permit” be removed from “valid home occupations with a permit”.

After considerable discussion, Chairman Lucier asked that the Planning Staff return with a specific proposal on the “expansion of non-conforming business uses (these still require a conditional use permit and should attempt to incorporate elements of their overlay where feasible” exemption).

PROCEDURE

A discussion ensued but no follow-up requests were made.

- (1.) The County Attorney is to review the possible removal of all permitted uses if the decision is to continue with the Conditional Use Permit (CUP) requirement
- (2.) Further discussion is needed for regarding if subdivisions along the corridor will be required to go through the conditional use permitting process.

A discussion ensued about the need for a guide to help those using the ordinance to understand the requirements. Planning Board member Jim Elza suggested that a matrix be developed that would help those developing under the ordinance to understand the requirements and the relationship to other ordinances that are applicable.

VIOLATIONS

A discussion ensued but no follow-up requests were made.

TYPES OF NODES

A discussion ensued but no follow-up requests were made.

10.9. (E) *Crossroads Activity Centers*

The Major Corridor Task Force included crossroads activity centers in their recommendations, but the Planning Board removed this type node. This type node is for small businesses, such as a convenience store/gas station, that would be situated on two acres or less. Further discussion is needed.

10.9. (E). 1 *Neighborhood Node*

(1) The recommendations from both the Planning Board and the Task Force include a neighborhood node on NC Highway 87, although no exact location is recommended. No decision was made whether to pin down this location or to allow the node to “float”. Further discussion is needed.

10.9.1. (E). 2 *Community Node*

(1) The Task Force recommendation included a Regional Node north of Goldston. The Planning Board recommended that this node be removed, and instead, have the Town of Goldston serve as the regional node. The question is whether there should be an additional node at US 421 & NC 902 and if so, should there also be a regional node (other than Goldston) on US 421. Or should the node at the intersection of US 421 and NC 902 be a neighborhood node?

*The County Attorney recommends that if a node is at this location, that the public hearing be based on the larger node (community node) because it can always be decreased in size without the need for an additional public hearing.

Preliminary informal discussions with the mayor indicate that the Town of Goldston would agree that the town should serve as the regional node.

- The Planning Board added a node at the county line. Additionally, the community nodes on Highway #15/501N will be at the maximum square footage allowed under the community node ceiling with the previously approved commercial development along this route. The question is how will we handle expansions to existing businesses?

The Board asked staff to provide a summary of how the corridor rezoning that were just completed impact the square footage ceiling for the various nodes.

The map shows a node in Bennett, which is not part of the study area. Both boards agreed that this node should be removed.

10.9. (E). 5 *Scenic Overlay*

- Land on north side of US#1 near river is not be suitable for development because it is part of the river corridor
- Node needs to be determined at or near noted area near existing business/industry
- The update to the Land Conservation and Development plan will need to revisit areas appropriate and desirable for commercial development.
- * Is a floating node applicable to NC 87 South? The current recommendation does not include a node south of Pittsboro to the Lee County Line. Would a neighborhood node be appropriate in this location?
- * There are no nodes proposed on US Highway 64 between Siler City and Pittsboro the reason being that both municipalities have a large planning jurisdiction which reaches out well beyond their municipal boundaries. Commercial development should be guided to the municipalities.

The Economic Development Strategic Plan calls for benefitting from recreational activities on Jordan Lake. The question is whether there should be an additional node type, such as a “recreational node” which would be located somewhere along US Highway 64.

Further discussion is needed.

NEXT MEETING

The Board set September 2, 2009 for the next joint meeting of the Board of Commissioners and Planning Board. The location is to be determined.

PUBLIC INPUT SESSION

Jim Vanderbeck, Old Graham Road, Pittsboro, NC, stated that he had come before the Board of Commissioners in December, 2007 and was told that his area was not part of the major corridor. He stated that since that time, he has received contrary information; that last month, he checked with the Planning Board and was told that it was a part of the proposed major corridor. He asked for clarification of this matter.

Chairman Lucier explained that the area between Old Graham Road and Route #87 was zoned, but it is not part of the major corridor planning area. He stated that these were two separate actions; that the area from Old Graham Road to 1,500 feet west of Route #87 was zoned at the same time, but that the major corridor planning area includes Highway 87 North and 1500 feet on each side of the highway.

Barbara McCoy, Pea Ridge Road, Apex, NC, expressed appreciation for the hard work on the Major Corridors Plan. She stated that there is going to be such a drastic change with a plan of this magnitude, that it should go before the County residents for a vote so as not to put the responsibility of the task on the County Commissioners.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Vanderbeck, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 8:40 PM.

George Lucier, Chairman

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners