

Chatham County/Cary Joint Issues Committee Meeting Minutes
May 08, 2012
9:00 AM
Chatham County Agricultural Building Auditorium
45 South Street
Pittsboro, NC

Present: Chatham County Committee Members: Brian Bock, Walter Petty, and Pam Stewart;
Cary Committee Members: Jennifer Robinson, Julie Robison, and Lori Bush

Various Chatham and Cary staff members attended.

Bock called the meeting to order at 9:04 AM.

ACTION: Robison moved to approve the agenda; Bush provided the second; Committee unanimously approved.

The approved agenda follows:

9:00 AM

- I. Call to Order***
- II. Approval of the Agenda***
- III. Approval of Minutes of April 12, 2012***

9:05 AM: Plan Discussion

- IV. Staff Presentation***
 - a. Changes to Plan Map based on April 12, 2012 Joint Issues Committee Meeting*
 - b. Changes to Plan Document based on April 12, 2012 Joint Issues Committee Meeting*

V. Committee Discussion

- a. Discussion and Endorsement of Plan Map*
- b. Discussion and Endorsement of Plan Document*

9:55 AM: Interlocal Agreement Discussion

VI. Staff Presentation of Draft Interlocal Agreement Framework

VII. Committee Discussion

10:45 AM: Other Items for Discussion

VIII. Steps for Final Adoption

IX. Future Meeting Schedule for Committee (if needed)

X. Adjournment

APPROVAL OF MINUTES:

ACTION: By unanimous consensus, the Committee delayed approval of the April 12, 2012 minutes until the next meeting.

Exhibit A: Staff's PowerPoint Presentation

PLAN DISCUSSION:

Ben Howell reviewed the changes to the Plan Map and Plan document based on the April 12, 2012 Joint Issues Committee meeting. (Exhibit A)

Bush asked about the wastewater treatment language and the VLDR category in the plan document. She asked how the Jordan Lake Rules will affect the provision of wastewater treatment in the plan area.

Tim Bailey, Director of Engineering for the Town of Cary, and Matt Flynn, Town of Cary Stormwater Staff, addressed the Committee's questions about the Jordan Lake Rules effect on wastewater treatment.

Horne added that changing or leaving the Land Use as is, reduces the density as proposed. The likelihood of runoff is less.

Ben Howell clarified the Chatham County Watershed Ordinance will still apply to any land developed under county regulations.

Robinson arrived at 9:20 AM.

Howell stated it would be very difficult to get one acre lots in this area because of soils.

Petty asked why we still have VLDR area west of the rural buffer boundary in the plan.

Howell explained that the plan is a living document and may be changed over time if it makes sense have it cover more area to better control the edge growth.

Discussion continued among the Committee members about the VLDR area west of the rural buffer boundary.

Scott Ramage stated by keeping the VLDR west of the rural buffer boundary, the Town and the County are making a policy statement that the area will remain rural.

Howell stated that the lake acts as a natural buffer and the area has been in the plan since its inception.

Bock stated that by keeping the area in the plan it gives the citizens and the county and the town more assurance as to how this area may develop in years to come.

Bush asked if the language proposed by staff still provides the assurance that the area will not develop into many one acre lot subdivisions.

Howell stated that based on state rules, the county cannot restrict certain types of septic systems that are permitted by the county or the state; however the language proposed may allow the county to restrict large package systems generally needed to serve larger subdivisions in this area through other land use ordinances.

Committee continued discussing the wastewater treatment options in the VLDR area west of the rural buffer boundary in the plan.

After further discussion, the Committee agreed to endorse the Plan Map and Plan Document as shown today.

ACTION: Robison moved to endorse the Plan Map and Plan Document as submitted; Petty provided the second; Committee unanimously approved.

INTERLOCAL AGREEMENT DISCUSSION:

Scott Ramage reviewed the framework for an Interlocal Agreement. (Exhibit A)

The Committee members discussed how the joint plan would be reflected in Cary's Comprehensive Land Use Plan maps.

Bush stated she would like to see the entire Joint Plan area reflected in the Cary Comprehensive Land Use Plan maps.

Ramage asked the Committee if the Rural Buffer Boundary should be renamed to Urban Services Boundary.

ACTION: By unanimous consensus, the Committee agreed to retain the term "Rural Buffer Boundary".

Ramage presented the proposed Plan Interpretation Guidelines.

Bock asked if there would be an appeals process in the ILA for the staff interpretations of the plan.

Ramage stated staff will consult with the attorneys and work on the language and the process.

Ramage presented the two types of plan amendments that would be allowed by the ILA, major and minor.

Bock asked if the 180 day deadline for major amendment action proposed by staff could be reduced to 120 days.

Robinson suggested that failure to vote on a major amendment within the 180 day deadline would constitute approval of the amendment instead of denial as staff proposed.

The Committee discussed various options and directed staff to reduce the 180 day deadline if possible and state that failure to vote within that time would be an approval and not a denial.

Ramage presented the three types of case conformance status for Rezoning and Subdivision cases in the plan area under the ILA. The three types of status are fully conforming, substantially conforming, and not conforming. Ramage explained that substantially conforming would be cases where the land use is not specifically recommended in the plan, the density or intensity exceeds the maximum recommended in the plan by less than 10%, and/or the boundaries of the proposed use deviate from the precise map boundaries by less than 100 feet. He asked if these criteria were acceptable to the Committee.

Petty asked what the plan would look like if every eligible property increased their density by 10%.

Ramage stated that this would be an exception rather than the rule and there would be a mechanism in place to amend the plan if increase in density is requested often.

Stewart left the meeting at 10:20 AM.

Ramage reviewed the rest of the ILA topics including annexations, Plan Implementation Tasks, Plan Update Cycle, and the Term and Renewal of the ILA. He then asked the Committee for feedback on the ILA topics.

The Committee discussed the thresholds for substantially conforming cases, and stated that they were fine with the thresholds as proposed by staff. The Committee asked staff to make it clear that those thresholds were maximums and that applicants are not guaranteed approval.

After further discussion, the Committee agreed that the staff proposed framework for the ILA is acceptable and directed staff to work with the managers and the attorneys on a complete Interlocal Agreement and forward to the Committee as soon as possible.

OTHER ITEMS FOR DISCUSSION:

Steps for Final Adoption
Future Meeting Schedule for Committee

The Committee scheduled a follow up meeting to review the complete ILA if needed for Wednesday, June 6, 2012, 9:00 AM in Cary.

ADJOURNMENT:

ACTION: Robison moved to adjourn the meeting; Robinson provided the second; Committee unanimously approved, and the meeting was adjourned at 10:50 AM.