

**Town of Pittsboro
Planning Board
Rescheduled Meeting Minutes
July 19, 2010
7:00PM**

Members Present-Ken Hoyle, John Clifford, Jimmy Collins, Karl Shaffer, Freda Alston-Absent-Harold Howard

Call to Order-Chairman Hoyle called the meeting to order at 7:00p.m.

Approval of Minutes-June 7 meeting minutes-Shaffer made motion, Alston seconded; approved unanimously.

May 12 minutes- Alston made motion, Clifford seconded; approved with changes duly noted.

May 3 minutes-Alston made motion, Shaffer seconded; unanimously approved.

March minutes –Alston made motion, Shaffer seconded, approved with changes duly noted.

February minutes- Chairman Hoyle will offer assistance with information.

Old Business

1. Proposed Parking Requirements Change to Zoning Ordinance-

Interim planner, Roger Waldon began with a memo he produced for the Board regarding information about parking requirement revisions for multi family dwellings only, not single family dwellings. Waldon reminded the Board of their prior discussions during the Powell Springs site plan approval about requiring 2 spaces per unit for parking. Waldon explained how there is some sense of urgency with this issue because Powell Springs would be able to modify the parking if this were to be changed now as opposed to later as stipulated in the approval from the Board of Commissioners. Waldon stated that he thinks this is a good idea for less asphalt and impervious surfaces if applicant so chooses. Waldon went on to discuss that suggestions by Commissioner Fiocco to look into the idea of changing the parking requirements based on what is required from surrounding communities. Waldon stated that there is a range of parking requirements such as, 1 space for an efficiency to 2 ½ spaces required for a four bedroom with a gradation along the way. Waldon stated that he believes that this is

reasonable and feels that changing Pittsboro's ordinance to reflect these requirements would be a good thing. Waldon continued with two items that caught his attention which were: How is a duplex considered? Waldon feels that duplex should fall under single family requirements which would mean 2 spaces per unit. The second point Waldon clarified is that in item 4 of the parking requirements now he would suggested deleting the word elderly which is in there currently. Waldon stated that he is recommending that the Board recommend this change to the Board of Commissioners which would require the Town of Pittsboro to conduct a public hearing. Hoyle asked if they should take out detached or attached wording when referring to a duplex, Waldon suggested that keeping the word duplex in the narrative would be advisable. Hoyle asked if this is recommend before BOC and approved then the ninety-six parking spaces at Powell Spring would be reduced to? Bradshaw responded sixty-six. Shaffer asked about the recommendation of deleting the elderly clause? Waldon stated that yes and stated the sections that would be replaced in the ordinance. Hoyle asked why delete the word elderly? Waldon said that he feels it is an unnecessary lightning rod to cause controversy and angst. Hoyle how would this change in parking effect motels? Waldon stated that motels would not fall under this category. Shaffer stated that item 9 is for hotels, motels. **Shaffer made a motion to adopt staff recommendations to accept the edited version of memo page 2 with the duplex term remaining, Alston seconded. Vote was taken; passed unanimously.** Waldon thanked Commissioner Fiocco for his input and help on this issue.

2. Off Premise Signs-

Waldon started off by mentioning the two objectives that have been suggested and have been part of the community dialogue. One being a church the church that feels location is not evident and wants to have a directional sign the second issue is that businesses in town feel that directional signs would help them to establish identity and help establish them in the community. Waldon stated that he brought this memo before to the Board and wanted to have no action be taken and the BOC sent it back to the Planning Board for further review. Waldon stated that now he is reversing his decision and would like to have a discussion about the issue once again.

Waldon stated that the Board has before them a memo and illustration regarding approaches and that he continues to recommend no changes to the Ordinance, however he discussed two options that have been "bubbling" to the surface: One is for churches, institutions the non commercial establishments in Town and that some provision that allows those non commercial establishments some sort of off site directional signs. Waldon stated that there is some ordinance language put before them attachment 1 in the memo.

Waldon stated that he is leaning towards changing his recommendation as he has spent more time looking at other communities and he does not feel that it would be damaging to the character and visual appearance of Pittsboro and in turn is backing off on

recommendation to do nothing. Waldon gave the Board a handout containing identification sign examples. Waldon stated that the issue of Town maintained, Town managed signs keeps coming up and that these uniform directional signs would be for commercial

businesses that are off the beaten path. Waldon continued that the Town would have the option of limiting the number of signs to one per business and the business would have to have a business license with Town. Waldon also stated that the Town has the right to maintain these signs and that they should be financially self supporting and that could be accomplished with the fee that the Town could charge. Waldon explained that the handout showed what the signs could potentially look like.

Waldon said that he liked the idea and thinks that it could help businesses and could help define the character of downtown Pittsboro. Waldon also stated that Pittsboro has incredible future ahead of it and something like this could help. Waldon stated that he is finding himself more favorable to this option which would not require an ordinance change; this would be at the Town's discretion.

Waldon did state that allowing churches to place a sign on someone's private property would require an ordinance change. Hoyle asked Waldon would an ordinance change be required for businesses. Waldon responded that if the Town maintained and unless it was not in the public right of way then no. Shaffer questioned that if the Board made it through, there could be as many as four, five, and six

directional signs from any location, Waldon responded that the criteria would have to be established that idea would be that the off

premise sign would have to be located at the intersection of the next busiest road closest to the business. Waldon reiterated that only one intersection per business and only businesses that don't have visibility from main road. Shaffer said that this would add a lot of clutter in town, especially at traffic circle. Hoyle commented that he is floored by the change in direction from Waldon. Hoyle agrees but believes that they are making it too complex to make it become realistic. Hoyle stated that Monroe's memo before mentioned the simple signs in Farrington which were compact and this definitely needs to be worked out. Shaffer reiterated with Hoyle as to who would take care of these signs. Clifford stated that more info on a topic is always good and that he liked the concept of this off premise sign and that his thinking is that this is within a two block radius, as far as covering the circle if east west. Clifford had a concern with

signs that stated mileage and the dangerous aspect of it. Waldon is suggesting if business is on main road there would be no sign just identification sign only stating name. Clifford wants to keep businesses in business not like Cary where he previously lived. Shaffer asked how many businesses are not on the main drag and he can't think of many, Hoyle concurred. Waldon stated that his

recommendation is moving since memo because he has heard more conversations, emails, etc. and more communities are allowing these sorts of things. Waldon thought that this might be that this topic needs more discussion and more digging into the practicality of it. Hoyle thinks that is correct looking at the practicality of it all.

Hoyle asked for recommendations from the Board and stated that he would be more comfortable if they take a further look at it. **Alston**

made a motion to table it till next meeting to further research topic, Collins seconded. Hoyle requested that Waldon looked into how Hilton Head deals with this issue. Horne asked if the downtown could have a district to where they could restrict signage. Waldon agreed with there being places where signs could not be. Shaffer questioned if the Town adopts this since it would not require

an ordinance change since the Town would be managing a program and the Town restricted it to businesses at least 100 feet off of the main thoroughfare, is there any way that a business can come back against the Town for excluding them, Waldon suggested the

attorney answer that. Vote was taken; unanimously approved.

New Business

1. Jordan Lake Rules-

Waldon introduced colleague to come up to discuss, Allison Weakly. Ms. Weakly began her discussion by explaining the new laws and regulations which required Pittsboro to do certain things. She explained that in her work as a Biologist she was very familiar with the Jordan lake nutrient strategy that passed by the State legislature in August of 2009. Weakly also explained that all neighboring communities have to comply with these new rules. Ms. Weakly stated that there are three key rules that the Town of Pittsboro has to deal with and those are: stormwater for existing development, stormwater for new development and repairing buffer rules. Weakly also stated that the Town of Pittsboro has partnered with Chatham County to submit a Stage 1 Adaptive Management Program. Chatham County has taken the lead and developed the program because of staff experience, etc. and submitted the program to the Division of Water Quality (DWQ) in December of 2009. She also mentioned that this program is on the Chatham County website for review. Ms. Weakly stated that the language the County and Town have proposed is before DWQ for comments which then get kicked back to local governments to adopt. Ms. Weakly thought that it was a good thing that the Town and County have partnered together and that it was a positive thing.

Weakly mentioned that she did not know if the Town was going to partner with the County for stormwater for new development this is due to have rules in place by September 2011.

Weakly stated that a model stormwater ordinance will be developed by DWQ so local governments have the opportunity to adopt or change she believes that it will be available by February 2011.

Weakly continued with the repairing buffer rules which deadline was May 2010, Chatham County submitted their suggested ordinance and has received comments from DWQ and is awaiting more guidance for adopting the rules. Ms. Weakly reiterated that the Town should have submitted in May and the proposal deadline is in November and wondered if the Town has a DWQ contact and that time is of the essence. Shaffer wanted some clarification on dates wondered if there is a grace period for submittal, Waldon stated that there are three things that are required of Pittsboro at this point number one we can check off the list, two do not have to worry about right now and three we have to do right now because we are behind. Waldon explained that repairing buffers is establishing an ordinance that establishes widths of buffers around streams and then talks about how to use those buffers, what can and can't happen within buffers and also how to classify streams.

Waldon continued deadline fell thorough cracks with the transitioning of the Planning Department and time is of the essence now. Chatham County has done a very laborious process of explaining what the rules should be etc. The State has put out model ordinance with minimums that have to be met. Waldon explained that Chatham County has done an excellent job in identifying streams as perennial or intermittent. Waldon suggested to the Board that the Town adopt the States' minimum model ordinance and recommend to the BOC for approval. Waldon feels that the DWQ will move rather quickly to approve and the Town can get this to a public hearing in a timely manner to meet the deadline. Hoyle asked if it could be revisited at a later date, Waldon responded yes.

Philip Culpepper reminded the Board that there was a committee that was developed regarding these new Jordan Lake rules back in January. Waldon stated this committee's work was exceptional and it should be viewed as the basis for going beyond the States minimum ordinance later down the road. Hoyle stated that he is fine with this as long as it is able to be revisited. **Shaffer made a motion, Alston seconded, Shaffer asked Ms. Weakly for clarification for maps and also when does ordinance become effective, Weakly responded that the ordinance would be approved sometime next year by the State and that GIS maps could be used or the soil survey that was published by the County in 2005. Ms. Weakly stated that is why she believes field identification is so important in identifying perennial or intermittent streams then there is less confusion. Vote was taken; passed unanimously.**

2. Draft Land Use Plan-

Culpepper started by stating that he went back to his oldest memo dated Feb 6, 2007 when they began to talk about meeting on Land Use Plan. Culpepper continued that DOT is interested in a new transportation element for the Town and in order to get a transportation plan approved you have to have a current Land Use Plan in place. Culpepper stated that he has worked on this from the beginning with Monroe and has at least 3 years of working on getting this in place. David was doing the physical revisions while he was doing the word processing end of things. Culpepper continued that he had helped clean up the document that was produced for the Board but only by

way of word processing there were no comments from him and that there were only comments from the Planning Board and Monroe, not his. Culpepper said that now the Town is kind of in a predicament that we are pushed for time to get the Land Use Plan completed. Culpepper further continued explaining that he and Hoyle had discussed the burden of the document given to board which is one hundred thirty-seven pages. He knows that the Board has tried to read it and that he himself has read it no less than five times.

Culpepper stated that he has been asked by his employer, Mr. Smith, to get the Town over this hurdle and attempt to help anyway can. Culpepper stated that he is going to try to give the Town a document they can work with and if the Town decides not to use anything given it can go in trashcan and no hard feelings. Culpepper reiterated to the Board that that is what he tried to convey in his memo he sent which is what was gleaned down from one hundred thirty-seven pages with lots of text wrapped around it to fifteen pages of good points that come out of the draft Land Use Plan. He also mentioned that if were to take document 1 and look at 5, 1 it still matches 5.1 just a paired down version.

Culpepper wanted to clarify that he had just a few comments which were presented in italics and the draft document is the Town's. There are 3 key points that he feels are problems with the Land Use Plan, those are as follows:

1. Attempting to be so comprehensive that it misses the point of being just a Land Use Plan. Comprehensive plan is different and this document is too broad.
2. Form Based Zoning-Land Use Plan doesn't use transects now, Zoning Ordinance doesn't use transects. The only one who uses transect would be the new Land Use Plan and would have to interpret these maps. Form based zoning is very labor intensive, sophisticated type of zoning.
3. Draft Land Use Plan does not pay enough attention to identifying existing neighborhoods and developments.

Culpepper states that he has showed what the current Land Use Plan has to offer now he is going to talk about what he proposes.

First comprehensive wise it is important to have a condensed version that lay people can understand, but that it reference the main document. Also stick with a traditional methodology of zoning rather than Form Based zoning suggested. Shaffer asked if Culpepper was speaking of identifying neighborhoods and developments that are here now or will be in the future, Culpepper stated that he is currently going into field and likes to put his "boots to the ground". Culpepper stated that he is moving forward with this offering the Board the opportunity to offer comments to him starting with the fifteen pages offered to the Board. Culpepper concluded that moving ahead would like to work with Board to develop a good quality Land Use Plan and will only include things he can defend.

Hoyle thanked Culpepper asked if he can be put on the agenda each meeting so the Board can review a piece each session and give feedback. Hoyle by bringing to each session we can reflect on what is done that would be great and reiterated that the Town does not need big thick document only needs good policy statement for Town. Hoyle asked that the Board members give email addresses and send comments to Culpepper. Clifford asked 2 questions, "What is timeframe with DOT?" Culpepper, DOT wants adopted plan by February need adopted backing up from there, couple months after Board, and then off to BOC for approval. Clifford's second question was how does the Town get by who your employer is? Culpepper is not here to push or strong arm and he does in fact work for person who owns 6000 or more acres because the current plan does not hurt us. His offer is to do whatever it takes, not to influence. Culpepper has years of experience doing it. Hoyle stated that all Culpepper is doing is the dirty work that the Town already paid \$45,000 for the document working with now and can cut him off at any time. Culpepper assured the Board that everything would be as public as possible. Shaffer asked if there would need to be a public hearing, Culpepper answered yes. Shaffer asked if we have zoning districts now or do they grow, Culpepper stated that Land Use is not zoning. Shaffer asked what towns use form based zoning, Culpepper responded that Davidson, North Carolina and bigger cities such as Chicago. Hoyle asked that Culpepper have something in writing to Paul by the 28th.

Board Member Concerns- September meeting date changed to Wednesday, September 15th.

Motion to Adjourn-Alston made motion, Shaffer seconded; meeting adjourned at 8:46pm.