

MEETING MINUTES
ORANGE COUNTY PLANNING BOARD
JANUARY 6, 2021
REGULAR MEETING

(Due to current public health concerns, this meeting was held virtually.
Members of the Planning Board, staff and public participated remotely)

MEMBERS PRESENT: David Blankfard (Chair), Hillsborough Township Representative; Adam Beeman (Vice-Chair), Cedar Grove Township Representative; Kim Piracci, Eno Township Representative; Susan Hunter, Chapel Hill Township Representative; Patricia Roberts, Cheeks Township Representative; Randy Marshall, At-Large Representative; Alexandra Allman, At-Large Representative; Melissa Poole, Little River Township Representative; Carrie Fletcher, Bingham Township Representative; Gio Mollinedo, At-Large Representative (arrived at ~7:35);

MEMBERS ABSENT: Vacant - At-Large Representatives (2)

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

OTHERS PRESENT: Darrell Chandler, Chad Abbott

Perdita reviewed the technical processes and rules for the virtual meeting

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

Chair David Blankfard called the meeting to order.

AGENDA ITEM 2: ELECTION OF CHAIR AND VICE-CHAIR FOR 2021.

a. Term Expiration Dates and Reappointment Eligibility by Member

MOTION by Melissa Poole to reappoint David Blankfard as Chair for 2021. Seconded by Patricia Roberts.

ROLLCALL VOTE:

- Randy Marshall: Yes
- Alexandra Allman: Yes
- Kim Piracci: Yes
- Susan Hunter: Yes
- Adam Beeman: Yes
- Patricia Roberts: Yes
- Carrie Fletcher: Yes
- Melissa Poole: Yes
- David Blankfard: Yes

MOTION PASSED UNANIMOUSLY

Adam Beeman: I'll put myself out there for Vice-Chair again.

MOTION by Patricia Roberts to reappoint Adam Beeman as Vice-Chair for 2021. Seconded by Carrie Fletcher

ROLLCALL VOTE:

- Randy Marshall: Yes
- Alexandra Allman: Yes
- Kim Piracci: Yes
- Susan Hunter: Yes
- Adam Beeman: Yes

- 57 Patricia Roberts: Yes
- 58 Carrie Fletcher: Yes
- 59 Melissa Poole: Yes
- 60 David Blankfard: Yes

61 **MOTION PASSED UNANIMOUSLY**

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64 **AGENDA ITEM 3: INFORMATION ITEMS**

- 65 b. Planning Calendar for January and February
- 66 c. Buckhorn Small Area Plan Study – At the February 3, 2021 Planning Board Meeting, the
- 67 Planning Board is expected to receive an overview of the Plan, update on Mebane’s planning
- 68 process, and provide input to the Orange County BOCC for its consideration on any
- 69 subsequent County implementation actions.

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72 **AGENDA ITEM 4: APPROVAL OF MINUTES**

73 November 4, 2020 Regular Meeting Minutes

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75 **MOTION** by Randy Marshall to approved the November 4, 2020 Regular Meeting Minute. Seconded by Susan Hunter.

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77 **ROLLCALL VOTE:**

- 78 Randy Marshall: Yes
- 79 Alexandra Allman: Yes
- 80 Kim Piracci: Yes
- 81 Susan Hunter: Yes
- 82 Adam Beeman: Yes
- 83 Patricia Roberts: Yes
- 84 Carrie Fletcher: Yes
- 85 Melissa Poole: Yes
- 86 David Blankfard: Yes

87 **MOTION PASSED UNANIMOUSLY**

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90 **AGENDA ITEM 5: CONSIDERATION OF ADDITIONS TO AGENDA.**

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93 **AGENDA ITEM 6: PUBLIC CHARGE**

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95 **INTRODUCTION TO THE PUBLIC CHARGE**

96 The Board of County Commissioners, under the authority of North Carolina General Statute, appoints
97 the Orange County Planning Board (OCPB) to uphold the written land development law of the County.
98 The general purpose of OCPB is to guide and accomplish coordinated and harmonious development.
99 OCPB shall do so in a manner, which considers the present and future needs of its citizens and
100 businesses through efficient and responsive process that contributes to and promotes the health, safety,
101 and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive
102 governance and quality public services during our deliberations, decisions, and recommendations.

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104 **PUBLIC CHARGE**

105 The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to
106 conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At
107 any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will
108 ask the offending member to leave the meeting until that individual regains personal control. Should
109 decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment
110 to this public charge is observed.

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AGENDA ITEM 7: CHAIR COMMENTS

AGENDA ITEM 8: ZONING ATLAS AMENDMENT (REDA – CZ-1) – ROUGEMONT SELF STORAGE – To review and make a recommendation to the BOCC on an applicant initiated zoning atlas amendment to expand an existing conditional zoning district called REDA-CZ-1 (NC Highway 57 Speedway Area Rural Economic Development Area Conditional Zoning). The proposed expansion is located at 8927 Mile Branch Road in Little River Township on a 21.54 acre parcel of land. The parcel is currently zoned REDA-CZ- 1 and Agricultural Residential. The applicant is seeking to rezone the Agricultural Residential acreage so that the entire parcel is in the REDA-CZ-1 district allowing for an expansion of the existing self-storage operation. This item is scheduled for BOCC public hearing on February 2, 2021.
Presenter: Michael Harvey, Current Planning Supervisor

Michael Harvey Presented a PowerPoint Presentation to the Planning Board.

Chad Abbott: Good evening everyone, I'm Chad Abbott of C3 Design and Engineering and I represent Mr. Chandler, the applicant, on this project. I also worked on the previous project. I feel like what you have before you is a pretty straightforward project. It is an expansion of an existing use so the typical questions that come up about allowing a use in a certain area have already been decided upon in the past and have had no negative impacts on the surrounding properties and no negative input from any surrounding property owners either first-hand or at the Neighborhood Information Meeting (NIM). We have adhered to all the previous conditions imposed on the original development and will continue to adhere to those same conditions upon development on this property as proposed. We respectfully request your recommendation for approval and I'd be happy to answer any questions you may have.

David Blankfard: Did anyone show up from the neighborhood at the NIM?

Chad Abbott: No Sir.

Melissa Poole: If I may, this is in my district and I'm very familiar with this area and I am familiar with the storage facility there. There are not a lot of homes that are sitting directly adjacent to this project. I am good with moving forward.

Kim Piracci: I have a question, it looks like there is a pond across the street, what is that.

Chad Abbott: It is a farm pond, it's across the road. It's agriculturally zoned land, I don't know what they use it for.

Michael Harvey pulled up the GIS system to view the area/pond in question and clarified it is believed to be an amenity or recreation pond as available data does not indicate there is a stream or other water feature connecting the pond to the Chandler property east of NC Highway 57.

Kim Piracci: That's not going to be affected by the septic system?

Michael Harvey: No, it shouldn't. As indicated on the map, there does not appear to be a water feature identified in County GIS connecting the pond to Mr. Chandler's property east of NC Highway 57. The Environmental Assessment work also did not indicate any water connectivity between the property and the aforementioned pond. We have some of the existing stormwater control measures that were required for the first phase of the project when we began working with Mr. Chandler, he has determined it would be in his best interest and would help with his stormwater as well as shielding his property, to preserve this area of existing foliage. *Pointed out other features, septic fields, residents, rock quarry.*

Michael Harvey concluded his PowerPoint Presentation

MOTION by Randy Marshall to approve the Statement of Consistency indicating that the Zoning Atlas Amendments are reasonable and in the public interest as contained in Attachment 7 and recommend approval that the ordinance amending the Zoning Atlas as well as the imposing development conditions for the identified parcel as contained in Attachment 8. Seconded by Melissa Poole.

- 169 Randy Marshall: Yes
- 170 Kim Piracci: Yes
- 171 Patricia Roberts: Yes
- 172 Carrie Fletcher: Yes
- 173 Adam Beeman: Yes
- 174 Melissa Poole: Yes
- 175 Susan Hunter: Yes
- 176 Alexandra Allman: Yes
- 177 David Blankfard: Yes

178 **MOTION PASSED UNANIMOUSLY**

179
180 David Blankfard: Craig when do you think we will get the vacant positons filled?
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182 Craig Benedict: The BOCC is having a Work Session in February and will be discussing all of the Advisory Boards. I
183 would say probably either late February or March we could get something on an agenda in front of them. One of the topics
184 of discussion is should the BOCC round out the various boards to have multiple interests so that boards do not get overly
185 weighed, to try to keep it diverse whether it's the Economic Development Advisory Board or Commission for the
186 Environment or Planning Board to try to round out the applicants. It will be a general discussion at that Work Session.
187

188 Alexandra Allman: How does that work? Do they go to you and then you give them to us and we choose or does the
189 BOCC choose them, how does it work?
190

191 Craig Benedict: They have never come to Planning Staff or the Planning Board. They have always been advertised by
192 the County Clerk's office and then decided by the BOCC. The Planning Board can, off line, take a look at the applications
193 that are always available through the Clerk's office and speak with one of your Commissioners if you think it viable. We
194 may formalize that. Some boards actually do review applications and make recommendations.
195

196 *Gio Mollinedo Arrived*
197
198

199 **AGENDA ITEM 9: PLANNING BOARD ANNUAL REPORT AND WORK PLAN:** To discuss annual input form which informs the
200 BOCC of the past year's activities of advisory boards/commissions and assists in overall County work
201 planning.
202

202 **PRESENTER:** Craig Benedict, Planning Director
203

204 *Craig Benedict presented a PowerPoint presentation to the Planning Board members*
205

206 Kim Piracci: I'd like to go back to something you said. I don't see it written down but I think you said something about the
207 Board would have to agree on suggestions before we submit them to a developer? Can you tell me what that is and what
208 that means?
209

210 Craig Benedict: We have used this process already with the Planning Board, so when we review conditions that have been
211 suggested to be imposed on a conditional zoning proposal, if one of those modification or conditions is to be amended, we
212 look for the Board to deliberate amongst themselves on what the amendment may be and vote internally on it. We don't
213 want to go to the developer and ask for conditions until we know that the Board wants to collectively say they want that
214 condition. This is a process we have used to try to get some sort of concensus from the Board and then ask either at that
215 meeting or at the next meeting if that is a condition that is agreeable by the applicant.
216

217 Kim Piracci: Would that exclude one of us from making a suggestion on the spot?
218

219 Craig Benedict: No, if for example you said Buc-ee's should have 50 EV electric charging stations instead of 50 gas
220 pumps, we would want to see if the rest of the Board thought that was a viable condition / amendment before we ask the
221 applicant if they would agree to something like that. It's up to you to present your rationale for your amended condition or
222 new condition and then if there is consensus amongst the Board that it can be one of your recommendations.
223

224 Kim Piracci: Is that the sort of thing that happens before we meet with the developers or during?

225
226 Craig Benedict: That can be during an open meeting in one of our virtual meetings. You can take a look at the conditions
227 that have been proposed in the application and proposed by staff and seek to make amendments if you think that it is
228 viable to you to think that would address the impacts of the project.
229
230 Kim Piracci: I'm not comfortable with that. That is a change in what we've been doing. Right?
231
232 Craig Benedict: No, this was what we used at both the RTLP meeting and at the Efland Station meeting. For example
233 during the RTLP meeting, a Board member made a suggestion and that suggestion was agreed to by the Board
234 collectively and was included in the conditions voted on by the Planning Board. It is not new and it is a process that the
235 Commissioners will probably use so that new suggestions will at least have some context that the whole Board is
236 collectively interested in pursuing.
237
238 Kim Piracci: I actually don't like this at all. What if everyone on this Board had a one-sided opinion? If the Board has to
239 agree on conditions before we ask the developers to do something then it might never happen.
240
241 Craig Benedict: All we are saying is that the member would propose to the Board a condition and the Board would then
242 decide if there was a consensus to move forward. It doesn't restrict suggestions. It just asks the Board to have consensus
243 and that goes into a request to the developer.
244
245 Kim Piracci: I still am not comfortable with that. To have to come to consensus as a Board. To have to get the whole
246 Board to agree before a suggestion can be made....
247
248 Melissa Poole: When we put conditions on a project, we still have to vote on it in the overall package, so whether we
249 come to consensus prior to asking or you come to a consensus with the vote, the outcome is not going to change.
250
251 Kim Piracci: It's very different. It's really different.
252
253 David Blankfard: Ok, moving on.
254
255 Craig Benedict: What we are proposing in 2021, is something we had done in previous years in the development of our
256 Comprehensive Plan, we had some joint meetings with other advisory boards. In preparation for an update using our 2020
257 Census data, we are going to suggest that we use that process again. That will be one of the suggestions we will bring up
258 to the Commissioners and since the other advisory board chairs will be at this virtual meeting, there may be time to
259 discuss how that interaction will happen as we move forward.
260
261 *Craig Benedict continued presentation of annual work plan/goals for 2021*
262
263 Craig Benedict: We can either amend some things to the annual report or add to the plan to submit to the Clerk's Office.
264
265 David Blankfard: We probably need to circle back on how we deal with conditions, there's a lot of debate about that.
266
267 Craig Benedict: We'll add that to the work plan. The UDO does not state how that happens but the Board can have it's
268 own rules on how that is done so we'll add that the Board will be deliberating on a process or not a process.
269
270 Kim Piracci: I would like to add something to the actions/considerations for 2021. Just as there needs to be long-term
271 planning for potable water, I think that this spring there was some concern with COVID there about transportation, there
272 was only 2 – 3 days' worth of food in grocery stores. I think it would be worthwhile for Orange County to consider if there
273 was a breakdown in transportation, how would the County feed itself. Number 9 for me would be long-term planning for
274 feeding the County, for food and food distribution.
275
276 David Blankfard: Anyone want to second that? *(no response)* Sorry Kim.
277
278 Adam Beeman: What is number 7?
279

280 Craig Benedict: We have noticed that cities have the ability to ask to clean up areas that become eyesores. Counties do
281 not have that ability. We're going to take a look at 160D which takes Counties and Cities makes them more similar. This
282 something that Michael Harvey and I will take a look at and it would be implemented, if possible, in areas that are intended
283 to have urban or city-like activities.

284
285 Carrie Fletcher: I live out in the country and you talk about a nuisance ordinance, trailer parks and old cars and letting
286 properties fall apart is always an issue. I'm not against farmers not being able to keep up with property but still there are a
287 lot of people that don't want to have the neighbor that has 20 or 30 cars. Are you saying this won't come out to rural
288 Orange County?

289
290 Craig Benedict: We do have certain ordinances about cars, junk cars. There is an ordinance about that. This is more like
291 if the grass is too long or the storage of material becomes what is known as an eyesore. There could be some standards
292 that go to the rural areas but we have to be cautious with that for enforcement reasons.

293
294 Perdita Holtz: Just to be clear that 160D has to do with zoning, it does not have anything to do with the nuisance
295 ordinances. Nuisance ordinances are not going to be something that a county can necessarily do outright under 160D.
296 On the last two pages of the agenda materials, there are detailed explanations on these emerging issues and also the
297 work plan. This is just a list on the PowerPoint, the more detailed list is in the packet.

298
299 Carrie Fletcher: On the climate change issue, the collaboration between the Commission for the Environment (CFE) and
300 our Planning Board; I would love to see furtherance of those two agencies getting together. I think it could be a lot less
301 disagreement because there are a lot of people on CFE that would like a lot of things furthered in Orange County but I also
302 understand the roles of the commission and of the Planning Board. The Planning Board has a very specific role and I
303 understand the distinction between the two. Maybe if there were more understanding and cohesion between the two it
304 would be something to entertain going forward.

305
306 Craig Benedict: We'll make note of that.

307
308 Kim Piracci: I would like to speak out in favor of the nuisance ordinance even though I have eight plus acres out here in
309 the county and I don't really want people telling me what I can do with it. However, there is a house down the road that
310 basically, uses their yard as a dump and it looks like a dump and it smells like a dump and there is not really anything that
311 can be done about it. While they have the freedom to use their place as a dump, it is affecting my property value.

312
313 Craig Benedict: It's an energized topic, it's a tricky issue especially for counties that have such a wide range of activities.
314 We'll keep it on the list.

315
316 Perdita Holtz: David, you mentioned something about post-COVID, it sounded like it was something about evaluating
317 changes that emerge post-COVID and respond appropriately.

318
319 David Blankfard: Right, based on changing how offices work, how people gather.

320
321 Randy Marshall: I'll second that.

322
323 Perdita Holtz: We probably need to get buy-in from the Planning Board on that and on Carrie's request to work jointly with
324 the CFE on climate change issues.

325
326 Carrie Fletcher: To clarify, it wouldn't be just for climate change issues it would be for collaborative issues regarding any
327 kind of expansion within the County itself. Maybe some kind of collaborative interaction that we could have that would find
328 out about watershed issues that maybe someone more educated in that matter would be good to know prior to voting on
329 things like this. That's where I was headed with it.

330
331 Craig Benedict: We could add it to the list. To talk about collaborative relationships with particular boards. We think there
332 is a need for that. We will move this topic about collaboration with other advisory boards as one of our applied topics.

333
334 David Blankfard: Can you put down, for example, the board that Carrie is referring, Commission for the Environment.

335

336 Carrie Fletcher: I think we have different roles so therefore our role here on the Planning Board is totally different than my
337 role on Commission for the Environment so even though they are intertwined, they are a different direction.

338
339 Craig Benedict: With the amendments suggested tonight, do you want to make a collective vote on the Board Plan as
340 amended?

341
342 Randy Marshal: I had one other thought; I am continually surprised by the number of people who live in economic
343 development areas that are surprised when any development projects occur. Can we reach out to neighborhood groups to
344 educate them on what is allowable within these economic development districts and talk about having a conversation
345 before something comes in so we can be more proactive. Is there a process that would allow us to invite neighborhood
346 groups adjacent to some of these economic development areas to have a conversation or forum?

347
348 Craig Benedict: I would say yes, I would agree to that. We could add that to the work plan if the Board wants. Call it
349 Planning 101 Outreach.

350
351 Alexandra Allman: You could solidify that with using Facebook to put all that information so anytime anyone is interested
352 they can go to Orange County Planning Department or Planning Board page and all that information is there so they know
353 what is going on up to date on each project. It demystifies what is going on.

354
355 Perdita Holtz: If I could address the Facebook issue, from a planning perspective, one of the reasons the Planning
356 Department has not embraced Facebook is because there are rules about what government needs to retain, record
357 retention. It has been some government's experience that when you start talking about development projects it devolves
358 very quickly. It becomes a question of what, if any posts, you can delete and retaining all the posts that were put there.
359 What happens when someone deletes their own posts? It sounds very simple to do a Facebook page but it isn't as simple
360 for a government agency that is involved in controversial things. We might be able to put something on our website that
361 people wouldn't be able to directly comment on but we have talked about Facebook in the past and there are some fairly
362 significant issues with the Planning Department having a Facebook account.

363
364 Craig Benedict: It could be that if we do a presentation about Planning 101 in the County, we could YouTube it and have it
365 available online. Let me work on a PowerPoint and bring it to this Board and then how to get that out to the general public.

366
367 Randy Marshall: I have one more, there was a lot of discussion about Mobile Home Parks being disrupted for
368 development which would displace large tracts of affordable housing and uproot communities in order to create areas for
369 development. Is that something that we want to look at in terms of affordable housing and affordable housing
370 communities?

371
372 Craig Benedict: That can be covered under working with the housing department – affordable and senior housing
373 including co-housing – we could add that under number 9. One of Perdita's staff has been working with the Housing
374 Department about possible amendments to some of the codes, including mobile homes that could promote their long-term
375 viability.

376
377 **MOTION** by Randy Marshall to approve the Planning Board Annual Report and Work Plan as amended. Seconded by
378 Melissa Poole.

379
380 Randy Marshall: Yes
381 Alexandra Allman: Yes
382 Kim Piracci: Yes
383 Patricia Roberts: Yes
384 Carrie Fletcher: Yes
385 Gio Mollinedo: Yes
386 Adam Beeman: Yes
387 Susan Hunter: Yes
388 Melissa Poole: Yes
389 David Blankfard: Yes

390 **MOTION PASSED UNANIMOUSLY**
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392 **AGENDA ITEM 10: ADJOURNMENT**
393 Meeting was adjourned by consensus at 8:49 p.m.
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David Blankfard, Chair