

Pender County Planning and Community Development

Planning Division

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MINUTES

**Pender County Planning Board Meeting
August 6, 2013 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Call to Order: Chairman Boney called the meeting to order at 7:06 pm.

Roll Call: Chairman Boney

Pender County Planning Board Members:

Boney: Marshburn: Baker: Edens: McClammy: Nalee: Williams:

- 1. Adoption of the Agenda:** Board member Williams made the motion to adopt the agenda; seconded by Board member Marshburn. The vote was unanimous.
- 2. Adoption of the Minutes: (June 4, 2013)** Board member McClammy made the motion to adopt the minutes; seconded by Board member Edens. The vote was unanimous.
- 3. Public Comment:** Chairman Boney opened the floor to public comment; Natiera Lofton, Chairperson of the Maple Hill Small Area Plan Steering Committee, stated to the Board that she would like to take just a few minutes of the Board's time to express the committee's need for more input from the Planning Board delegates. Ms. Lofton continued by stating that the Committee had reached out to the Board members that were appointed to the Committee and had not received any responses from them. Ms. Lofton asked if the Maple Hill Small Area Plan was important to Pender County, or is it just a "Dummy" plan to gather information and use for other areas of Pender County. Chairman Boney responded that he believed he could answer the questions but, would first like to make sure he was clear on what the questions/concerns were, it was his understanding that there was a concern among the Committee that Board member Marshburn and himself, which were the Planning Board delegates, had not attended some committee meetings and that the Committee questioned the importance of the Maple Hill Small Area Plan, was that correct; Ms. Lofton answered yes. Ms. Lofton stated that the Committee never expected everyone to be able to meet face to face at all times that is why they tried reaching out through telephone calls and emails. Chairman Boney said that he would answer the questions plain and clear, that there were two initial meetings that were made known and Board member Marshburn and himself were present at those meetings and that from that point he had not received any telephone calls or emails, he stated that at a later date he was out of town and received information that the Steering Committee had a meeting, but he had no prior knowledge of that meeting, Chairman Boney also stated that he called Board member Marshburn to ask if he knew that there had been a meeting and that Mr. Marshburn replied that he didn't know about a meeting. Chairman Boney stated that he could not attend meetings that he is not aware of, that being a member of the community makes this project very important to him, and that it was the responsibility of Ms. Lofton as the committee's chairperson to make sure that committee members are aware of meeting dates and times. Chairman Boney stated that he was in attendance at the last meeting which he was aware of and that he believed it was a great meeting

and that they made great grounds. Chairman Boney stated that to answer the second question, it was very important to the community and a very important role for Ms. Lofton as the chairperson of the committee, and that the Steering Committee was only what she made of it has the leader. Chairman Boney stated that he hoped he had answered her questions. Ms. Lofton stated that she and the committee members felt that the Planning Board delegates had not given any input and did not understand why they signed up to be a part of the committee if they did not intend on giving input. Chairman Boney and Ms. Lofton continued to debate back and forth regarding the responsibilities of the committee members. Chairman Boney stated that he found the conversation ridiculous because it was his understanding that everything Ms. Lofton was stating was discussed and put to rest at the last meeting; Ms. Lofton responded that it was not resolved from the Committee's point of view. Chairman Boney stated that there was no need for any further discussion; Ms. Lofton responded that the discussion was a waste of her time. Board member Williams asked to speak on the matter, Board member Williams stated that he served on the Currie Small Area Plan committee and that quite honestly staff knows what they are doing, and that the instrument that will result from the project will be established by staff. Board member McClammy stated that he would like to refer to the policy set in place regarding the time limit on comments; Chairman Boney agreed to end this section of the public comment due to the length of time spent on the conversation. Chairman Boney asked if there were any more signups for public comment; due to no other signups, Chairman Boney closed the floor to public comments and opened the floor for the public hearings.

(Public Hearings Opened)

4. Zoning Text Amendment:

Pender County, applicant, requested an amendment to the Pender County Unified Development Ordinance. The proposal consisted of amending Section 5.3.3. Table of Permitted Uses by adding and modifying NAICS uses 221320 and 713940 within the RM, Residential Mixed, PD, Planned Development, and RA, Rural Agricultural zoning districts; the amendment will also modify Section 7.10, Off-Street Parking and Loading/Parking Requirements by adding a Parking Study option; the amendment will modify Section 5.3.6, adding use standards to Sewer Treatment Facilities to be located within the RM and PD zoning districts. Director Breuer presented and gave background information on the amendment for Section 5.3.3 of the requested amendment for agenda item 4. Board members held a brief discussion with Director Breuer for the purpose of clarity regarding the proposed text amendments. Board member Baker asked if the County had any additional requirements for the Sewer Treatment Facilities beyond the states requirements, Director Breuer answered no and gave Board member Baker a brief overview of the permitting process. Director Breuer presented and gave background information on the amendment for Section 7.10 of the requested amendment for agenda item 4. Board member Williams asked what would happen to the unused land, could a percentage of the land be reserved for open space, Director Breuer answered yes and that staff could add it to the amendment if that was the direction of the Board. Board member Baker suggested that staff reorganize Section 3 Survey Site(s) Parking Survey, and move item number 7 up to number 2. The Board suggested that staff revise the amendment for Section 7.10 based on the Boards recommendations and re-present the Text Amendment at the next meeting.

Board member McClammy made a motion to approve the presented Zoning Text Amendment excluding Section 7.10; seconded by Board member Williams. The vote was amendment was 5 to 1 in favor of approval.

(Public Hearings Closed)

5. Discussion Items:

a. Planning Staff:

- i. HB 276, AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS OF ADJUSTMENT

The North Carolina General Assembly recently adopted statutes which change certain aspects of the Board of Adjustment. Staff has prepared a preliminary report of the changes and will present them to the Board as information. The Bill comes in to effect October 1, 2013. Director Breuer stated that staff would present a text change to the UDO in September to reflect the legislative changes. Attorney Thurman gave a brief overview of the Statutes.

b. Planning Board Members:

- i. Board member Edens stated that she would be out of town on the date of the next work session and meeting.

6. Next Meeting: Work Session and Regular Meeting, September 10, 2013

7. Adjournment: Meeting adjourned at 9:00 pm.