



Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
John M. Gillis, Jr.,
Dr. Marion Gillis-Olion
Cumberland County

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Frankie Underwood,
Town of Stedman

COUNTY of CUMBERLAND

Cumberland County Joint Planning Board

MINUTES

June 29, 2004

Members Present

Mr. Clifton McNeill, Chair
Mr. Charles Morris, Vice-Chair
Mr. David Averette
Mr. John Gillis
Mr. Donovan McLaurin
Mr. Joe W. Mullinax

Members Absent

Dr. Marion Gillis-Olion

Others Present

Ms. Nancy Roy, Director
Mr. Tom Lloyd
Ms. Patti Speicher
Ms. Barbara Swilley
Mr. Grainger Barrett,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was delivered by Mr. Gillis, and Chair McNeill led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

Chair McNeill asked that Mr. Gillis' farewell be moved to the beginning of the Agenda. A motion was made by Mr Averette and seconded by Vice-Chair Morris to approve the Agenda with the change. The motion passed unanimously.

III. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF JUNE 15, 2004

A motion was made by Mr. Gillis and seconded by Mr. McLaurin to approve the Minutes of June 15, 2004 as written. The motion passed unanimously.

IV. DISCUSSION

A. FAREWELL TO JOHN GILLIS

Chair McNeill presented Mr. Gillis with two plaques—one in appreciation for his dedicated service to the residents of Cumberland County and one with a picture of the Board members and personal note from each.

Each of the members, staff and Mr. Barrett expressed their appreciation to Mr. Gillis for his insight and helpfulness to the Board. Mr. Gillis then thanked everyone and said he would continue to remain involved in the activities of the County.

B. UPDATE FROM LAND USE CODES COMMITTEE REGARDING ZONING ORDINANCE
REWRITE—JOHN GILLIS

Moderator Gillis thanked the staff for all the time in preparing drafts of the Ordinance and hard work put into the proposals presented.

Mr. Lloyd began with the changes that have been made to the Zoning Ordinance. He said that the Table of Contents is now much more helpful, the definitions are much more extensive, and the meat of the Ordinance is the districts—some eliminated and new ones created.

Mr. Lloyd said that the most significant change was the creation of a Performance Development Conditional Use District—a mixed-use district that replaces the Planned Neighborhood District.

Mr. Lloyd continued that the section regarding sexually oriented businesses is a bit more restrictive, and a big change was made to the home occupation section.

Vice-Chair Morris asked if the deleted districts will be deleted or made dormant. He said a section may have to be added regarding how dormant districts will be treated.

Mr. Gillis said he agreed with the new Density Development and Performance Development Conditional Use District proposals. He added that it will be a good idea to monitor the Ordinance and reevaluate after two years and adjust if necessary. Vice-Chair Morris said that a review in one year with a final in two years is what he proposed. Mr. Gillis agreed.

Mr. Lloyd explained the Density Development and PDCUD to Mr. Mullinax, who is not on the Land Use Codes Committee.

Mr. McLaurin asked where the R40 tracts would come from in the Density Development proposal. Ms. Roy said that the A1 District would be the main district affected. Mr. McLaurin suggested allowing 1.5 units per acre if it will mainly affect the A1.

There was discussion on whether the Density Development is a feasible proposal. Mr. Gillis said that it is because public water will be brought into many rural areas, but for the time being, it accomplishes more dense development on less land.

Mr. Gillis said it is very important that the public be properly informed of all of the changes. He said that the newspaper should print the reasons behind the concepts prior to the public hearing.

Vice-Chair Morris said that the Board needs to look at whether mobile homes will be allowed in the Density Development proposal. Mr. Averette said that it becomes an issue when 40 percent of the acreage is taken out. He said it might be wiser just to double the allowed density in the A1 District. Mr. Gillis said that would not help in trying to promote open space in the rural areas. Mr. Averette asked who would take care of the 40 percent of undeveloped land. Ms. Roy said that there could be several clusters of residences on the land and the undeveloped land spread throughout the clusters. Mr. Gillis said that the proposal hasn't been thought out thoroughly. He said

if the 40 percent must remain open space and cannot be subdivided, it could be zoned CD. He said that it could be owned by a nature conservancy or individual(s) or maintained by a homeowners' association, etc. He said that possibly a clause should be added to the proposal that allows the Planning Board the option of rezoning in the future if changes are made in the area or utilities are brought to the site. Chair McNeill said that a strong homeowners' association would be needed to accomplish the intent of the proposal. He said that an incentive could be offered that it could be rezoned in 20 years if utilities are brought in, then the land would more likely be better taken care of.

Ms. Roy said that the staff was challenged to come up with new concepts, and they did. She said that the developers were very receptive to the new proposals. Mr. Gillis said that the Committee still has some work to do.

Ms. Roy said that an informational meeting has been scheduled for September 20 with the County Commissioners. She said that two months should be enough time to get the changes made and schedule a public hearing for the Planning Board at about the same time.

Chair McNeill said that a public hearing could be scheduled after September 20. Mr. Lloyd said that staff had a deadline, and now some tweaking is needed. He said that staff would have the Ordinance ready by September 20.

Vice-Chair Morris suggested that a deadline be placed on when the Planning Board would be finished also. Chair McNeill reminded him that the Ordinance is still in Committee. Mr. Lloyd asked if it could be sent out of Committee to the full Board, and he was told that there was too much work to do on it to release it from Committee.

Mr. Gillis said that the Land Use Codes Committee discussion brought out a couple of changes that are needed, and more came out at the actual Planning Board meeting. He said that the rewrite could probably be ready for vote at the next Land Use Codes Committee meeting. He said it was important to hear Mr. Averette's proposal for the districts.

Chair McNeill commended the staff on their hard work and added that a couple of big changes are still needed.

Mr. Averette said that the Committee needs to discuss and agree upon the items and then make recommendations to the full Board. Mr. Mullinax added that the rewrite should be close to finalization prior to going before the Planning Board.

Chair McNeill appointed Mr. Averette as moderator of the Land Use Codes Committee to take Mr. Gillis' place. He also assigned Mr. Mullinax to serve on the Committee to fill the vacancy created by Mr. Gillis' leaving.

Mr. Lloyd asked that the district issue be voted on at the next meeting. Mr. Gillis said if the members wanted to meet following the Planning Board meeting, it could possibly be resolved at that time. Mr. Mullinax asked if the Committee adjourned or recessed, and Mr. Gillis said that it recessed until the call of the Moderator. Vice-Chair Morris

said that it would be better to wait to schedule a meeting so that in the transition, Mr. Averette could moderate the meeting.

Mr. Averette said that he wanted an opportunity to state his concerns and give the Committee members a chance to understand the districts the way that he does. He said if they still want the proposed districts, he'll agree.

Mr. Mullinax asked Mr. Lloyd why he was in such a rush. Mr. Lloyd said that he wasn't in a rush, but the issues have been discussed, and there is no new information from staff. He said that there is a philosophical difference between wanting fewer or more districts. Vice-Chair Morris asked Mr. Lloyd if based on his prior experiences with the Board, he thought that the Board would get mired down on the issues. Vice-Chair Morris said that he didn't think that they would. Mr. Lloyd said that they had been mired down for a while. Mr. Gillis said that the Committee wasn't mired down, but moved on to other issues. Mr. Lloyd said he'd just like to have a meeting and make a decision.

Ms. Roy said she was told that the process could not be accomplished within one year, and there has been a lot accomplished in only six months. She said that she didn't want the process to end with anyone thinking that the staff tried to push something through. She said that staff has given the Board their best proposals, and it is now time for the Board to take the time that they need. She said it would be discouraging to staff if it took more than a couple of meetings to finalize the proposal. Vice-Chair Morris said that the discussions that the Committee has had have contributed to developing a better Board. He said that the staff has completed 95 percent of the work, and the need for debate is not a reflection on the staff's work, but is needed.

Mr. Averette scheduled a Land Use Codes Committee meeting for 5:00 p.m. on July 20, 2004.

V. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

Ms. Roy said that the Planning and Inspections Department has taken in the County's GIS Section, which means that two more employees will be added, and Mr. Rooney will supervise the section with Mr. Osbourn working with GIS on a part-time basis. She said that their goal is to get a website up reflecting all land use and Oasis information.

VI. ADJOURNMENT

There being no further business, at 8:45 p.m., Mr. Gillis made a motion to adjourn. The motion passed unanimously.