

Guilford County Planning Board MAY 14, 2014

The Guilford County Planning Board met on Wednesday, May 14, 2014 at 6:30 p.m., Old Guilford County Courthouse, County Commissioner's Meeting Room, Second Floor, Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Ms. Bailey, Chair; Mr. Apple; Mr. Collins; Ms. Gibson; Mr. Westcott; Mr. Leonard; and Mr. Derrickson.

Also Present: J. Leslie Bell, Guilford County Planning Director and Les Eger, Planning Staff.

APPROVAL OF MINUTES:

Mr. Eger noted that the minutes were not included in the packet distributed to members. The April, 2014 minutes will be presented for approval at the next meeting.

TEXT AMENDMENT CASE #14-04-GCPL-01994:

A proposed text amendment to section 9-2.2 (Planning Board Membership) of the Guilford County Development Ordinance increasing the number of members from seven (7) to nine (9) and eliminating reference to alternate members appointed by the Governing Body.

Mr. Eger stated that if this amendment is approved there will no longer be alternate members. There would be nine (9) seated members, which would be the entire Planning Board. This amendment came about as a change that was adopted by the Guilford County Commissioners in their April 2014 meeting requesting that membership be changed to have nine (9) full time voting members and elimination of any alternate members. The change was authorized by resolution of the Guilford County Commission on April 17, 2014. Staff is requesting that the Planning Board approve the amendment.

Mr. Derrickson asked how the change would affect the vote if all members are not present. Mr. Eger indicated that a packet of information has been prepared for Board members to explain the change. Five (5) members would now represent a quorum and five-sevenths (5/7) vote is still required for a motion to pass.

Chair Bailey asked if anything in particular prompted the change. Mr. Eger said that it was felt there was a need for better representation from each Commissioner's district.

Mr. Leonard moved approval of the text amendment, seconded by Chair Bailey. The Board voted unanimously 7-0 in favor of the motion. (Ayes: Bailey, Apple, Collins, Gibson, Westcott, Leonard, Derrickson. Nays: None.)

STAFF REPORT:

(1) Draft Rules of Procedure Revisions

Mr. Bell stated that there have been a couple of changes to the draft version of the Rules of Procedure as presented previously due to the Board of Commissioners' change of the Planning Board composition as follows:

(a) On page 4, under Members, the reference to seven (7) members and alternates has been eliminated and changed to nine (9) members [no alternates].

(b) On page 5, under Quorum, the quorum has been changed from four (4) to five (5) and a sentence has been added to read, "When there is a vacancy, unless a special provision is applicable, a quorum will consist of the majority of members remaining qualified."

Mr. Bell referred members to a Table located on the last page under Rules of Procedure. He explained that there is one (1) vacancy on the Board and there are currently eight (8) members. When a full Board is sitting, there are nine (9) members. The vacant position is not considered when determining a quorum. Therefore, whether there are eight (8) or nine (9) members, five (5) is the required number for a quorum to conduct a meeting. Meeting minutes can be adopted and text amendments can be approved with five (5) members present. For rezonings for a favorable vote of approval for final action so that it is not automatically appealed to the Commissioners, a majority vote of seven (7) members is required by percentage when nine (9) members are present. When eight (8) members are present a majority of six (6) votes is required. For Special Exceptions, five (5) members are required due to the recent change in the General Assembly that the Legislature made last year that it doesn't need a super-majority.

Mr. Derrickson asked when these new rules take effect. Mr. Bell indicated that the change will take effect upon adoption of the Board. The Rules of Procedure require that the rules be read and can then be adopted at the next meeting. As the proposed Rules of Procedure were presented at the Board's last meeting held, the Planning Board can adopt them at this meeting.

Mr. Derrickson moved to adopt the Rules of Procedure revisions, seconded by Mr. Westcott. The Board voted unanimously 7-0 in favor of the motion. (Ayes: Bailey, Apple, Collins, Gibson, Westcott, Leonard, Derrickson. Nays: None.)

(2) Performance Measures – Mid-Year and Anticipated

Mr. Eger reviewed information on key performance measures, as distributed to members, relative to the Board of Adjustment, Farming, and the Planning Board. Referring to the chart,

he pointed out that towns have more cases heard by Boards of Adjustment than the County. He felt the rationale behind that fact is that towns are still growing. He expected that the number of cases heard by the Guilford County Board of Adjustment will stay the same or remain low. If the Ordinance is changed over time, there may be an increase in cases. He noted that zoning cases in towns and the County are lower, probably due to the economy. He projected that the number of cases will increase although there may be a drop in the number of zonings other than RS-40. This is because statues change with the extension of water and sewer out into the County. With annexation law and associated impacts, he did not see as many cases going to RS-12 or RM-15. He expects to see an increase in PDR and PDM zoning requests because the likelihood of getting 100 lots on 100 acres is insured. In addition, he felt that subdivision cases might start to increase in some of the areas already zoned RS-40 because surplus is going to decline and there will be a need for more lots.

Mr. Eger said that he did not think the numbers for farms would continue to increase and may actually decline. He indicated that the County Planning is starting to closely monitor the County HOME program to address the housing issues across the County.

Mr. Bell stated that staff did track the number of zoning cases for Agriculture to another district to provide a snapshot of what is happening to Agriculture zoning. Mr. Eger felt that Agriculture rezoning numbers would continue to grow.

(3) Planning and Development Department Status

Mr. Bell invited members to bring any issues or concerns regarding matters such as development patterns or any Ordinance issues/concerns to staff between now and July 1, 2014 so it can be incorporated as part of the Fiscal Year 2014 initiatives.

Mr. Bell provided an overview of the status of the Department along with some initiatives. The Planning and Development Department includes five (5) divisions. The budget that has been proposed next year is approximately \$4.2 million and about 18 percent of that amount is actually for the Planning and Zoning unit. The remainder is spread out across Soil and Water Conservation, Inspections, and Recycling.

Referring to a projection in a recent forecast (sponsored by TREBIC), Mr. Bell indicated that a dip in the economy is projected around 2019 to 2020 and the housing market would feel that dip. The supply of lots is expected to be in short supply of demand and consequently, the price of lots may increase. Right now, the County is working off existing inventory.

Several years ago, the Greensboro City Council terminated the water and sewer agreement with Guilford County. As a result, the Department would like to revisit the area plans to map the changes that have occurred since adoption/updating, and do updates in the communities, as needed with their involvement.

For several years, the County has provided planning services for five (5) municipalities in the County based on contracts that date back to 1999. During the next fiscal year, the Department

plans to review those contracts to make sure that the services provided are in alignment with the needs of the towns, cost and contract provisions.

Mr. Bell informed members that a draft Minimum Housing Code will be presented to the Commissioners for a Public Hearing in June 2014 (workshop presentation conducted in November 2013). The document will address residential and non-residential structures.

Mr. Bell requested that Board members give any input on the General Development Ordinance. Moving forward he asked them to respond within the next month with their thoughts on questions that include the following: (1) Should the Ordinance be more user-friendly, (2) Is it user-friendly enough, (3) Does it need more illustrations to [that represent] concepts, and (4) Does it need flowcharts that symbolize processes? Upon receiving any additional input, staff will determine if an entire re-write of the Ordinance is needed or if certain areas in certain sections can be addressed.

Mr. Bell recently met with the Open Space Committee. The Committee is working to determine if the properties purchased with bond money should remain dormant or be used for passive recreational use.

Responding to questions, Mr. Bell stated that the bulk of the 18 percent of the budget allotted to overall Planning and Development Department is for Inspections. There are 37 staff members in the entire Department with eight (8) staff members (including him) in the Planning section which also includes the consolidation of the Community Services personnel. The Department is transitioning to a new permitting program system and depending on any process changes, there may be a future need for additional staff.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 6:53 p.m.

Respectfully submitted,

Donna Bailey, Chairwoman

Les Eger, Secretary to the Board

LE/sm:jd