

## TOWN OF CARRBORO

NORTH CAROLINA

### TRANSMITTAL

### PLANNING DEPARTMENT

**DELIVERED VIA:** ☒ *HAND* ☐ *MAIL* ☒ *FAX* ☐ *EMAIL*

**To:** David Andrews, Town Manager  
Mayor and Board of Aldermen

**From:** Tina Moon, Planning Administrator

**Date:** June 9, 2017

**Subject:** Rezoning Proposal - approximately 2.9 acres along NC Hwy 54 West

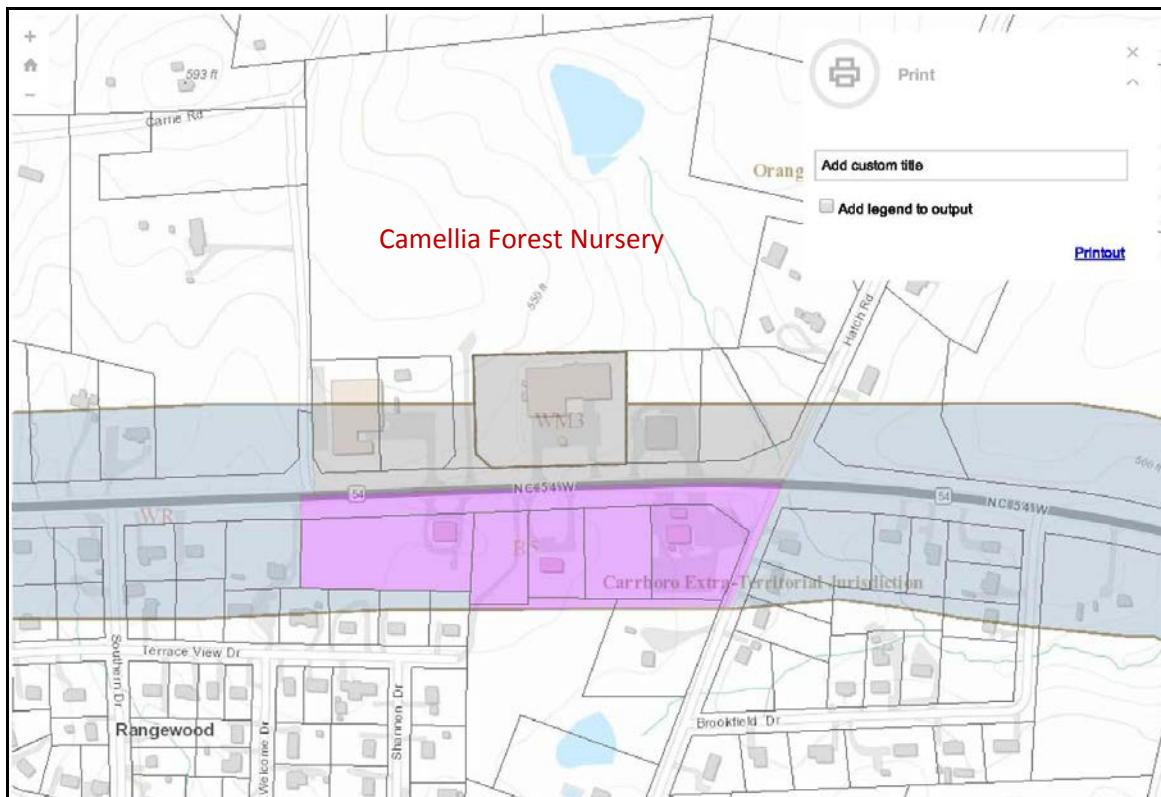
### **BACKGROUND**

On March 28, 2017, the Board of Aldermen, recognizing the development challenges associated with the split jurisdiction and split zoning of five parcels of land located along the north side of NC Highway 54 West, known as 600, 610, 626 and 630 NC 54 West and 1306 Hatch Road, decided to submit a request to Orange County to extend the Town's extraterritorial jurisdiction boundary (ETJ) slightly further north to include the entirety of all five parcels. The Board of County Commissioners is scheduled to consider the matter on June 20<sup>th</sup>. Information relating to the request for ETJ expansion may be found in the Board of Aldermen's agenda materials from May 9<sup>th</sup> (<https://carrboro.legistar.com/MeetingDetail.aspx?ID=532851&GUID=2576DED7-6A55-4E8A-8C6F-219ACDBC6003&Options=&Search=>).

Contingent upon Orange County's approval, the Town could initiate its zoning authority to zone the approximately 2.9 acres of land (currently in Orange County) to Watershed Manufacturing (WM-3) such that the entirety of each of the five lots, along with a short section of land used as the driveway for Camellia Forest Nursery, the 22.83-acre parcel located at 620 NC Hwy West, would be classified WM-3. WM-3 is the existing zoning classification for the Carrboro portion of the properties in question.

The language in Section 15-137(2)(b) of the Land Use Ordinance that describes the WM-3 District appears to limit any expansion of the zone, preventing new lots from being zoned to WM-3 and any existing WM-3 lots from being rezoned to include a larger amount of land area. After researching historical files on the establishment of the district, it seems likely that the

original intent of the rezoning that assigned parcels to the WM-3 zoning category was to include the parcels in their entirety and that over time, as mapping technology changed from hand colored zoning maps to GIS generated maps, the northern boundary line was inadvertently shifted. With that in mind, a draft text amendment to the LUO has been prepared to reflect the intent of the original 1983 rezoning to WM-3, and would need to be adopted before the rezoning, to allow for the expansion of the district. Public hearings for the text and map amendments have been scheduled for June 13<sup>th</sup>.



**Figure 1**

## **OVERVIEW**

Section 15-320 of the Land Use Ordinance (LUO) separates zoning map amendments into two categories--major and minor on basis of the number of lots involved and the amount of acreage. A major map amendment, described in subsection (b) involves a change in the zoning district classification of five or more tracts of land in separate ownership or any parcel of land (regardless of the number of lots or owners) in excess of fifty acres. As such, this particular request is classified as a “major map amendment.”

The proposed amendment would change the current zoning district status of portions of six parcels encompassing approximately 2.9 acres from Orange County RB (Rural Buffer) to WM-3 (Watershed Manufacturing), so that the entirety of five parcels, 600, 610, 626 and 630 NC 54 West and 1306 Hatch Road would be zoned WM-3. Only a handful of land uses are allowed in the WM-

3 district and, with the exception of police and fire stations (Use Classifications 13.100 and 13.200 respectively), all require conditional use permits. Residential uses are not permitted.

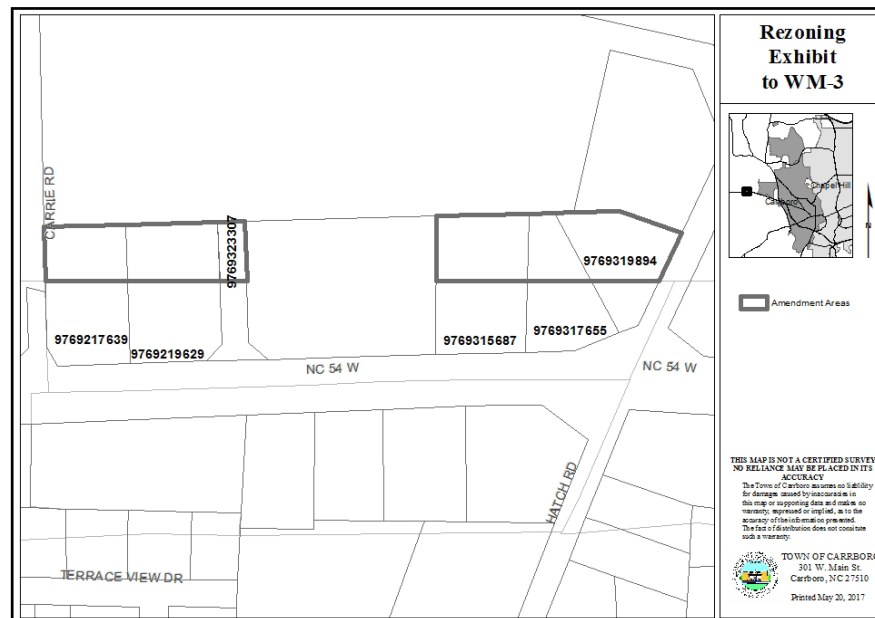
### **PETITIONERS/OWNERS**

According to the property owner records maintained by Orange County, five landowners would be effected by the rezoning. Owners are listed by the address of their properties in the table below.

Address	Property Owner
600 NC 54 West	Anthony J. Hennessey
610 NC 54 West	William Kelly Blackwood
626 & 630 NC 54 West	Milton and Jean Saffelle
1206 Hatch Road	Atwater Farms, Inc.
620 NC 54 West (driveway)	Tea Flower Research

### **DESCRIPTION OF THE AREA**

The subject properties are shown in two images below: the black and white rezoning exhibit (Figure 2) includes the intersection of NC Hwy 54 West and Hatch Road with the area subject to the rezoning outlined in dark grey. The aerial map shows the same intersection but extends a little further to the west, and provides a better sense of the character of the area (Figure 3). Surrounding properties include low-density residential, predominately single family, and a handful of commercial and light manufacturing uses with frontage along the north and south side of NC 54.



**Figure 2**



Figure 3

## **COMPARISON OF ZONES**

Article IX, of the Land Use Ordinance provides a short description of the different zoning districts in the Town's jurisdiction. The WM-3, district is described as follows:

**WM-3 Watershed Manufacturing.** The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection; this area shall not be expanded and no new WM-3 areas shall be designated.

Three other zoning districts are in the vicinity. In Carrboro's jurisdiction, to the south of NC 54 West, commercial parcels are zoned B-5 (Watershed Commercial) and residential parcels are zoned WR (watershed residential), as can be seen in Figure 1 (above). B-5 lots are shown in purple and WR in blue. The description of the B-5 and WR districts are provided below:

**WR Watershed Residential.** All land within this district is located within the University Lake Watershed, and while this district is designed to achieve the objectives identified in subsection (a) (to secure for the person who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts), it is also intended to protect the community water supply by allowing residential development of the land within the University Lake Watershed only at reduced density levels

**B-5 Watershed Commercial.** This district is designed to accommodate commercial uses within the University Lake Watershed area without adversely affecting the community water supply.

Residential parcels to the north and south of NC 54 West are located in Orange County's jurisdiction and are zoned RB (rural buffer). As described in Orange County's Unified Development Ordinance, the purpose of the Rural Buffer (RB) District is to provide locations for rural residential developments and agricultural, silvicultural or horticultural uses which serve to buffer or separate more intensively planned and/or developed portion of Orange County. Development within the Rural Buffer (RB) District is at very low densities (the minimum lot size per dwelling unit is two acres) and relies on individual wells and ground absorption systems for domestic water supply and sewage disposal respectively.

### **IMPACT OF REZONING**

Viewed together, the three images (Figures 1, 2, and 3) provide helpful context to understand the impact of the proposed rezoning. The colors in Figure 1 show the extent of Carrboro's jurisdiction: the area of existing WM-3 (Watershed Manufacturing), the B-5 parcels (Watershed Commercial), and the WR parcels (Watershed Residential). The majority of the lots just north or south of NC 54 West, and shown without color are in Orange County. These parcels are mainly low-density residential, and many retain an agricultural or horticultural use.

The primary purpose for the proposed rezoning is to provide uniform zoning to the five parcels currently positioned in Carrboro and Orange County such that approximately two-thirds of each lot is in a light manufacturing district in Carrboro and the remaining third is in a low-density residential district in Orange County. The challenges associated with developing these lots--locating all building components, including well and septic within a single jurisdiction have proven difficult to overcome and as a result certain parcels have remained undeveloped. The differences in the intended character of the districts, moreover, limit the opportunity to allow a use that may be appropriate in one district to extend into the other. While there are other properties with split jurisdiction that are not included as part of the purposed rezoning, the impact of the split is somewhat different in that both portions of the lot are low density residential districts, where the purpose and intended character of the district are similar in nature.

### **CONSIDERATIONS**

#### **Consistency with Adopted Policies**

Section 15-322 of the LUO outlines the role of advisory boards to comment on proposed zoning map amendments, and directs the boards to provide written recommendations to the Board of Aldermen that addresses plan consistency and other matters deemed appropriate. The Planning Board reviewed the rezoning proposal at its June 1<sup>st</sup> meeting and found the amendment to be consistent with the Town's 1982 Carrboro Water Quality Task Force Report and Recommendations, which formulated the basis for the WM-3 District, and Carrboro Vision2020 provisions relating to balanced and controlled growth in the watershed and peripheral areas. The Planning Board also found that the rezoning would be in the public interest because it would allow for the reasonable development of property in accordance with the Town's zoning requirements. The full text of the referenced policies is included in the Planning Board's recommendations (*Attachment F*).



When considering a map amendment, the principal question before the Town is whether the rezoning advances the public health, safety, or welfare (Section 15-325). The proposed amendment is for a general rezoning; the Board shall consider if the entire range of permitted uses allowed in the new zoning classification is more appropriate than the range of uses in the existing classification. Section 15-324 of the LUO requires that the Board adopt a statement describing the consistency of the amendment with an officially adopted plan and explaining why the action is reasonable and in the public interest. To assist with the Board's deliberations, the following LUO excerpts are attached below: sections from Article IX, Zoning Districts and Zoning Map, which define the existing and proposed zoning classifications and sections from Article XX, Amendments, which describe the amendment process in more detail.

### **Action Options**

The public hearings for the text and map amendments on June 13<sup>th</sup> provide an opportunity for the Board of Aldermen to receive public comment as required by Section 15-323 of the LUO. Resolutions were provided for the Board to continue the public hearing until June 27<sup>th</sup>, subsequent to the Board of County Commissioners consideration of the ETJ expansion scheduled for June 20<sup>th</sup>.

For the continuation of the public hearings on June 27<sup>th</sup>, resolutions for consistency and draft ordinances for both the text amendment (Attachment A-1, A-2 and Attachment B) and the map amendment (Attachment C-1, C-2 and Attachment D) have been provided for the Board's consideration.

## ARTICLE IX

### ZONING DISTRICTS AND ZONING MAP

#### PART I. ZONING DISTRICTS

##### **Section 15-135 Residential Districts Established.**

(a) The following basic residential districts are hereby established: R-20, R-15, R-10, R-7.5, R-3, R-2, R-R, R-S.I.R., and R-S.I.R.-2. The purpose of each of the foregoing residential districts is to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts. **(AMENDED 5/12/81; 12/7/83; 2/4/86)**

(b) The WR (watershed residential) district is also established. All land within this district is located within the University Lake Watershed, and while this district is designed to achieve the objectives identified in subsection (a), it is also intended to protect the community water supply by allowing residential development of the land within the University Lake Watershed only at reduced density levels. **(AMENDED 12/7/83; 05/15/90)**

##### **Section 15-137 Manufacturing Districts Established (AMENDED 6/22/82; 2/4/86).**

(a) The M-1 and M-2 districts are hereby created to accomplish the purposes and serve the objectives set forth in this subsection. Part of Article XI contains performance standards that place limitations on the characteristics of uses located in the districts created by this section.

- (1) **M-1 LIGHT MANUFACTURING.** This zone is designed to accommodate a limited range of industrial activities and a wide range of commercial uses including wholesaling, storage, mail-order, auto related, and office and retail in conjunction with industrial or wholesaling uses. Permitted industrial uses include enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembly where all operations are contained inside a fully enclosed building. The performance standards for the M-1 zone located in Part I of Article XI are more restrictive than those in the M-2 district.
- (2) **M-2 GENERAL MANUFACTURING.** This district is designed to accommodate the widest range of industrial uses. Business operations may be conducted within and outside a fully enclosed building. The performance standards for this zone are less restrictive than those in the M-1 district.

(b) There is also established a watershed light industrial (WM-3) zoning district. The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection; this area shall not be expanded and no new WM-3 areas shall be designated. **(AMENDED 12/7/83)**

(c) There is also established a Planned Industrial Development (PID) zoning district. The purpose of this district is to provide for the possibility of well planned and tightly controlled industrial development in areas that are suitable for such development but that are not deemed appropriate for M-1 or M-2 zoning because of the less restricted types of development that may occur in such zones. **(AMENDED 6/22/82; 12/7/83)**

- (1) No area less than twenty contiguous acres may be zoned as a Planned Industrial Development district, and then only upon a request submitted by or on behalf of the owner or owners of all the property intended to be covered by such zone.
- (2) As indicated in the Table of Permissible Uses (Section 15-146) a planned industrial development (use classification 30.000) is the only permissible use in a PID zone.
- (3) Subject to subdivision (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development [see Subdivision 15-15(60)], land within a PID zone may be used in a manner that would be permissible if the land were zoned M-1, except that (i) the only permissible uses are those described in the 2.130 and 4.100 classifications and (ii) the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development.



## **ARTICLE XX**

### **AMENDMENTS**

#### **Section 15-320 Amendments in General**

(a) Amendments to the text of this chapter or to the zoning map may be made in accordance with the provisions of this article, or in the case of nonsubstantive editorial changes, may be made administratively by the planning director, as described in Section 15-38 of this ordinance. **(AMENDED 09/01/87)**

(b) The term “major map amendment” shall refer to an amendment that addresses the zoning district classification of five or more tracts of land in separate ownership or any parcel of land (regardless of the number of lots or owners) in excess of fifty acres. All other amendments to the zoning district map shall be referred to as “minor map amendments.”

(c) All properties within the University Lake Watershed are zoned WR, B-5, WM-3 or C. As provided in Subsection 15-137(b), no additional areas may be rezoned WM-3 or B-5, and no areas within the University Lake Watershed may be rezoned to any classification other than WR, or C. **(AMENDED 10/15/96)**

(d) The regulations applicable to the watershed districts do, and all amendments to these regulations shall, comply with the water supply watershed protection rules promulgated by the State pursuant to G.S. 143-214.5. Copies of all amendments to Sections 15-265 or 15-266 shall be sent to the Division of Community Assistance, Division of Environmental Health, and Division of Water Quality. **(AMENDED 10/15/96)**

#### **Section 15-321 Initiation of Amendments**

(a) Whenever a request to amend this chapter is initiated by the Board of Aldermen, the planning board, the board of adjustment, the appearance commission, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Board of Aldermen so that a date for a public hearing may be set.

(b) Any other person may also petition the Board to amend this chapter. The petition shall be filed with the planning department and shall include, among the information deemed relevant by the planning department:

- (1) The name, address, and phone number of the applicant.

- (2) A description of the land affected by the amendment if a change in zoning district classification is proposed.
  - (3) Stamped envelopes containing the names and addresses of all those to whom notice of the public hearing must be sent as provided in Section 15-323.
  - (4) A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.
  - (5) A concise statement of the reasons why the petitioner believes the proposed amendment would be in the public interest.
- (c) Upon receipt of a petition as provided in (b), the planning staff shall either:
- (1) Treat the proposed amendment as one initiated by the town administration and proceed in accordance with subsection (a) if it believes that the proposed amendment has significant merit and would benefit the general public interest; or
  - (2) Forward the petition to the Board with or without written comment for a determination of whether an ordinance should be drafted and a public hearing set in accordance with subsection (d).
- (d) Upon receipt of a proposed ordinance as provided in subsection (a), the Board may establish a date for a public hearing on it. Upon receipt of a petition for an ordinance amendment as provided in subsection (b), the Board may summarily deny the petition or set a date for a public hearing on the requested amendment and order the attorney, in consultation with the planning staff, to draft an appropriate ordinance.

### **Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments**

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues and may refer the amendment to the environmental advisory board if the amendment involves community environment issues. **(AMENDED 09/19/95, REWRITTEN 02/25/14)**

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plans officially adopted by the Board of Aldermen. The planning board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters as

deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Board of Aldermen may proceed in its consideration of the amendment without the planning board report. **(AMENDED 10/24/06)**

(c) A comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan, Thoroughfare Plan or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen, and the Board of Aldermen is not bound by the recommendations of the planning board. **(AMENDED 10/24/06)**

(d) A member of the planning board and any other advisory committee that provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board) shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. **(AMENDED 10/24/06)**

### **Section 15-323 Hearing Required: Notice**

(a) No ordinance that amends any of the provisions of this chapter may be adopted until a public hearing has been held on such ordinance.

(b) The planning staff shall publish a notice of the public hearing on any ordinance that amends the provisions of this chapter once a week for two successive weeks in a newspaper having general circulation in the Carrboro area. The notice shall be published for the first time not less than ten days nor more than twenty-five days before the date fixed for the hearing. This period is to be computed in accordance with G.S. 160A-364, which provides that the date of publication is not counted but the date of the hearing is.

(c) With respect to all map amendments, the planning staff shall mail, by first class mail, written notice of the public hearing to the record owners of all properties whose zoning classification is changed by the proposed amendment as well as the owners of all properties any portion of which is within 1000 feet of the property rezoned by the amendment. For purposes of this section the term “owners” shall mean the persons shown as owners on Orange County’s computerized land records system. The planning staff shall also make reasonable efforts to mail a similar written notice to the non-owner occupants of residential rental property located within 1,000 feet of the lot that is the subject of the rezoning. The notices required by this subsection shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. The staff member mailing such notices shall certify to the board that the notices have been mailed, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 10/12/82; 1/22/85; 10/1/85; 04/15/97; 3/26/02)**

(d) The first class mail notice required under subsection (c) of this section shall not be required if the zoning map amendment directly affects more than 50 properties, owned by a total

of at least 50 different property owners, and the Town elects to use the expanded published notice provided for in this subsection. In this instance, the Town may elect to either make the mailed notice provided for in subsection (c) of this section or may, as an alternative, elect to publish notice of the hearing as required by G.S. 160A-364, but provided that each advertisement shall not be less than one-half (1/2) of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent Orange County property tax listing for the affected property, shall be notified according to the provisions of subsection (c) of this section. **(AMENDED 10/24/06)**

(e) For proposed zoning map amendments, the planning staff shall prominently post a notice of the public hearing on the site proposed for a rezoning or an adjacent public street or highway right-of-way. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the planning staff shall post sufficient notices to provide reasonable notice to interested persons.

(f) The planning staff shall take any other action deemed by the Planning Department to be useful or appropriate to give notice of the public hearing on any proposed amendment.

(g) The notice required or authorized by this section (other than the posted notice required by subsection (e)) shall: **(AMENDED 11/24/09)**

- (1) State the date, time, and place of the public hearing.
- (2) Summarize the nature and character of the proposed change.
- (3) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment.
- (4) State that the full text of the amendment can be obtained from the town clerk.
- (5) State that substantial changes in the proposed amendment may be made following the public hearing.

(h) The planning staff shall make every reasonable effort to comply with the notice provisions set forth in this section. However, it is the Board's intention that the notice requirements set forth in this section that are not required by state law shall not be regarded as mandatory, and therefore a failure to comply with such requirements shall not render any amendment invalid. **(AMENDED 11/24/09)**

(i) Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of

land to which the amendment would apply (regardless of how the staff treats the proposed amendment under subsection 15-321(c)), the applicant shall certify to the Board of Aldermen that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Board of Aldermen that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 11/24/09)**

(j) Actual notice of the proposed amendment and a copy of the notice of public hearing required under subsection 15-323(i) of this section shall be by any manner permitted under G.S. 1A-1, Rule 4(j). If notice cannot with due diligence be achieved by personal delivery, registered or certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2), notice may be given by publication consistent with G.S. 1A-1, Rule 4(j1). This subsection applies only to an application to request a zoning map amendment where the application is not made by the owner of the parcel of land to which the amendment would apply. This subsection does not apply to a city-initiated zoning map amendment. **(AMENDED 11/24/09)**

#### **Section 15-324 Board Action on Amendments (AMENDED 10/24/06)**

(a) At the conclusion of the public hearing on a proposed amendment, the Board may proceed to vote on the proposed ordinance, refer it to a committee for further study, or take any other action consistent with its usual rules of procedure.

(b) The Board is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.

(c) Voting on amendments to this chapter shall proceed in the same manner as on other ordinances, subject to Section 15-326 of the Land Use Ordinance and Section 2-15 of the Town Code.

(d) Prior to adopting or rejecting any zoning amendment, the Board shall adopt a statement describing whether its action is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plan officially adopted by the Board and explaining why the Board considers the action taken to be reasonable and in the public interest. This statement is not subject to judicial review.

(e) A Board member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. (See also Carrboro Town Code Section 2-35).

**Section 15-325 Ultimate Issue Before Board on Amendments**

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Board is whether the proposed amendment advances the public health, safety or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the mayor and excluded. In particular, when considering proposed minor map amendments:

- (1) Except when the request is to rezone property to a conditional use district or conditional zoning district, the Board shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification. **(AMENDED 05/25/99; 05/27/08)**
- (2) The Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.

**Section 15-326 Citizen Comments on Zoning Map and Text Amendments (AMENDED 10/24/06, REWRITTEN 12/6/16).**

The Town of Carrboro Land Use Ordinance may from time to time be amended, supplemented, changed, modified or repealed. If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification or repeal to this Ordinance to the Clerk of the Board of Aldermen at least two (2) business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Board. If the proposed change is the subject of a quasi-judicial proceeding under North Carolina General Statutes Section 160A-388 (such as conditional use rezoning in which the legislative rezoning is accompanied by or followed by a quasi-judicial conditional use permit process), the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting. Written statements submitted in connection with a quasi-judicial proceeding may be admitted into evidence at such a proceeding if the Board determines that such statements are admissible in the proceeding. (Amended 12-6-16 ; and enacted pursuant to a Resolution in Opposition to the General Assembly's Repeal of Statutory Authority for Qualified Protest Petitions to Trigger a Super Majority Vote for Certain Zoning Map Amendments, dated 12-6-16).