



Legislation Text

File #: 14-0285, Version: 1

**TITLE:**

Continuation of Discussion on Joint Planning Public Hearing Item - Amendments to Allow for the Possibility of Locating Agricultural Support Enterprises in the Rural Buffer

**PURPOSE:** The purpose of this item is to continue the discussion and consider taking action related to proposed amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement which will make agricultural support enterprises allowable within the Rural Buffer portion of the Joint Planning Area. These changes are necessary in order for Orange County to approve proposed text amendments to its Unified Development Ordinance that will allow the new uses to occur within the Rural Buffer.

**DEPARTMENT:** Planning

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**INFORMATION:** At the September 9, 2014 meeting, the Board of Aldermen continued its review of a proposal from Orange County to adopt text amendments to the Joint Planning Area Land Use Plan and Joint Planning Agreement, and subsequently to the County’s Unified Development Ordinance (UDO), to allow agricultural support enterprises in the Rural Buffer. County staff presented the amendments to all three parties of the joint planning agreement-Orange County, Chapel Hill and Carrboro--at a joint public hearing on March 27, 2014. Previous Board of Aldermen and advisory board recommendations and comments, considered at meetings on June 3<sup>rd</sup> and September 9<sup>th</sup> are available for review at <<https://carrboro.legistar.com/Calendar.aspx>>

Board Comment	Response
1. Add “low-intensity” before “agricultural support” in the JPA and JPA Land Use Plan amendments	Included in the amendment language attached to resolution (Attachment A).
2. Feed mills and agricultural services should be added to list of possible uses	Uses continued to be included in the County’s UDO amendments.
3. Recommend all uses except numbers 1, 19, 24, and 30	This recommendation has been included in the draft resolution (Attachment A).
4. Look into the sunset provision as discussed in the staff memo	Town Attorney Mike Brough has evaluated and is consulting with Orange County Attorney John Roberts.

5. Find out if measurement of 100ft is enough space	A 100-foot property line setback is included as a minimum. Some flexibility in administration and evaluation of project- and site-specific circumstances can be expected as part of the conditional zoning process for uses in the Rural Buffer.
6. Agricultural Preservation Board should be involved in review of all permits	This recommendation has been included in the draft resolution (Attachment A).
7. Older exempt farm buildings could/should be exempt from setback requirements	This recommendation has been included in the draft resolution (Attachment A).
8. Adoption of the JPA changes should be tied to the current version of the UDO	Included in an additional amendment to Section 2.6 of the Joint Planning Agreement attached to resolution (Attachment A).
9. Look into annual review/update at the joint public meetings	This recommendation has been included in the draft resolution (Attachment A).
10. Revise the language in the JPA to extend the review period from 30 to 45 days	Carrboro staff will work with other Joint Planning staff to schedule this for a Joint Public hearing, likely in the spring of 2015.
11. Bring back to the Board at the October 7th meeting.	Scheduled as requested.

The draft resolution which includes proposed amendments to the Joint Planning Land Use Plan and Joint Planning Agreement, and other comments, is included as Attachment A.

The Board of County Commissioners has continued its consideration of the UDO text amendments to November. The Chapel Hill Town Council is scheduled to continue consideration of the JPA amendments on October 15<sup>th</sup>.

**FISCAL & STAFF IMPACT:** None identified in association with approval of the changes to the Plan and Agreement. Staff and attorney time will be required for future amendment to change JPA review time frame. .

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the adoption of the resolution that approves amendments to the Joint Planning documents and recommends other action related to the establishment of agricultural support enterprises in the Rural Buffer.