

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
JUNE 7, 2004, 6:00PM
SPECIAL MEETING: JOINT MEETING WITH THE
CUMBERLAND COUNTY JOINT PLANNING BOARD

MEMBERS

PRESENT: Jeannette Council, Chair, Board of Commissioners
John T. Henley, V. Chair, Board of Commissioners
Commissioner Talmage Baggett
Commissioner J. Breeden Blackwell
Commissioner Kenneth S. Edge
Commissioner Billy R. King
Commissioner Edward G. Melvin
Charles Morris, V. Chair, Planning Board
David Averette, Planning Board
John Gillis, Planning Board
Marion Gillis-Olion, Planning Board
Donovan McLaurin, Planning Board
Joe Mullinax, Planning Board

Staff: James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Asst. County Manager
Cliff Spiller, Asst. County Manager
Nancy Roy, Director, Planning/Inspections
Tom Lloyd, Deputy Director, Planning/Inspections
Will Denning, Planner
Matt Rooney, Planner
Dana Stoogenke, Planner
Barbara Swilley, Clerk to the Planning Board
Grainger Barrett, County Attorney

INVOCATION: John Gillis
PLEDGE

The two Boards called the meeting to order.

The purpose of this Special Meeting is to discuss planning issues.

Nancy Roy, Director, Planning/Inspections Department, asked the Board of Commissioners for feedback regarding Municipal Influence Areas (MIAs). She said that the MIAs were created in the 2010 Land Use Plan to allow municipalities some authority over the type of services required in areas considered for future annexations. She noted that MIAs for Hope Mills and Fayetteville were eliminated shortly after they withdrew from the Joint Planning Board. The City of Fayetteville is still very interested in the MIA because it asserts it would not have to retrofit annexed areas to its standards if the standards were in place prior to annexation.

Commissioner Baggett noted that the Urban Services Area is still in place. He said that the City has created a Municipal Study Area. He expressed concern about the City's requirement for curb and gutter because it would increase the cost of development, which is then passed on to the buyer. He noted that many developers have gone to surrounding counties as a result of the requirement for curb and gutter. Commissioner Baggett inquired if the Planning Board wanted the old standards back. Ms. Roy said they did not, but representatives from the City still are inquiring about it.

Charles Morris, Vice Chair of the Planning Board, noted that it is the Commissioners who grant the MIA privilege. He said if the Commissioners want to allow the privilege, then the municipalities should apply for the status in designated areas that are to be annexed within a short period of time.

Commissioner Baggett noted that the City Manager is asking PWC require annexation of areas outside the City Limits as a condition of providing water and sewer, but now is also asking PWC to require that city development standards be met. Charles Morris pointed out that the City has required this of commercial properties for years. Commissioner Baggett noted that the attempt to impose the City's development standards is new.

Commissioner Henley said that in 2001 Hope Mills and the City of Fayetteville said that the Urban Services Area would be sufficient.

Grainger Barrett, County Attorney, stated that the North Fayetteville Study area recommended a MIA in the study area. The Commissioners raised some concern and returned the MIA issue to the Planning Board.

Commissioner Henley noted that joint planning and water and sewer services are important issues. He inquired if the County has the authority to enforce the municipalities' standards. The County Attorney said it could through the use of an interlocal agreement.

John Gillis, Planning Board, said the City and County have moved closer for some standards, however, the City is now escalating its standards. He said the issue is whether the County wants to be in the position of enforcing city standards beyond the City Limits, if it doesn't benefit the citizenry.

Mr. Gillis noted that an agreement was reached in the 70's between the City and County that PWC would provide services to the entire County. He said until both bodies look at water/sewer services as a benefit for everyone and not just leverage, progress can not be made.

Mr. Gillis noted the importance of working together on the 2030 Plan in order not to leave holes in the area covered in the Plan.

Commissioner Blackwell noted the importance of communication on these issues. He said the Commissioners rely on the recommendations of the Planning Board on these matters. He noted that it is useless to talk about the 2030 Land Use Plan if the MIA's and utility issues cannot be resolved.

Jeannette Council, Chair, Board of Commissioners, inquired if this issue will be discussed at the City-County Liaison meeting. Commissioner Baggett noted the issue will be discussed at the June 21st Commissioners' meeting. Grainger Barrett, County Attorney, said that at the last City-County Liaison meeting there was a report on co-location. A report on joint planning will be given at the next City-County Liaison meeting. Ms. Roy noted that joint planning has also been a topic of discussion at the City-County Liaison meeting and a time line had been created, but no endorsement has been received. The County Manager noted there are two issues – formulation of a joint board necessitating an organization change and joint planning on studies.

Commissioner Edge noted that most people are interested in water and sewer needs. He said that the Commissioners have done a great deal in establishing options, i.e., NORCRESS, Linden, Kelly Hills, and Eastover District. He said he was troubled by the differences in drainage, open space, sidewalks, etc. standards between the City and County. He said there should be one set of standards that everyone can agree to. He noted the need for a Joint Planning Board.

Commissioner Henley said that co-location makes no sense without joint planning. He said planning and zoning can be separate, but planning should be a joint effort.

Charles Morris, Planning Board, inquired if the Commissioners want the municipalities that are on the Joint Planning Board to have the privilege of applying for MIAs. Commissioner Blackwell noted that the City-County Liaison meeting did not discuss this at the last meeting, as the person who requested it be on the agenda was not present.

Commissioner Henley said if the municipalities are not willing to participate in the joint planning process with the County, he is not willing to consider MIAs. Commissioner King agreed.

Charles Morris told the Commissioners the Planning Board needs directions on how to proceed with the 2030 Plan. He inquired if the Planning Board should ask all the municipalities to work together to look at one comprehensive plan.

Commissioner Blackwell said he did not want to assign a task without asking the municipalities. He said that perhaps the Commissioners could initiate the invitation. He inquired about the different ways to perform joint planning. Nancy Roy indicated she has studied the issue and has several options.

Commissioner Henley said the Planning Board needs to separate zoning and planning issues. John Gillis said there are several issues involved: (1) If zoning is split, how do the small municipalities handle zoning – with individual boards, or continue to

have it done by the County; (2) Philosophically, separating zoning and planning makes it difficult to keep responsibility and authority together.

Commissioner Henley disagreed with Mr. Gillis on this issue. He said that with the separate functions, each issue would get more attention.

Jeannette Council asked if the 2030 Plan could go forward. Nancy Roy said that it may be time for Planning Staff to contact the municipalities to see if they are willing to be a part of the joint planning effort. She noted that small area studies that will be part of the Plan are continuing to be conducted by Planning Staff.

MOTION: Commissioner Blackwell moved to endorse contacting the municipalities and invite them to participate in a discussion about how best to move forward with a 2030 Land Use Plan.

SECOND: Commissioner King

DISCUSSION: Charles Morris inquired if the County wants the MIA. The consensus of the Board of Commissioners was they do not want to consider reinstating the MIAs. Commissioner Henley noted it will be discussed at the next City-County Liaison meeting.

VOTE: UNANIMOUS

MEETING ADJOURNED: 7:00pm