AGENDA

Meeting Type:	SPECIAL
Date:	06/17/1997
JOINT MEETING: CITY/COUNTY/SCHOOLS	

City of Charlotte, City Clerk's Office

CHARLOTTE.

Memorandum

TO: City Council
County Commission
Board of Education

FROM: Mayor Pat McCrory

SUBJECT: City-County-School Board Luncheon - June 17

The City is pleased to host our joint luncheon on Tuesday, June 17, 12 noon in Room 267 of the Government Center.

The following items are on our agenda for discussion:

- Planning Liaison Committee's Recommendations for Composition of the Planning Commission
- Status Report on Joint Planning by City, County and Schools

We look forward to seeing you on the 17th.

Attachment

c: N.C. Delegation
Pam Syfert
Jerry Fox
Eric Smith

Office of the Mayor 600 East Fourth Street Charlotte NC 28202 2839 704/336 2244

Proposed Framework for Coordinated School and Community Planning

Summary

A proposal to improve the focus and coordination of all existing planning efforts

Basic Proposal	Recommend a process to be used for ongoing school facility planning which is both strategic and long-range and is linked with other community planning functions *Note* This proposal is to determine *what process should be used* The school master plan itself would be developed some time after October 31
Expected Results	Enhanced school and community planning Coordination with other community planning for growth Community confidence
Time Frame	July 15 - October 31 1997 (Interim Report on October 1)
Primary Method	Citizens Committee of 21 appointed by the three elected bodies representing diverse demographic and geographic interests
Oversight	City and County Managers, School Superintendent -- reporting to the elected bodies
Monitoring	Planning Liaison Committee (existing committee of elected officials)
Facilitation	Planning Commission Staff will facilitate the process with consultant assistance
Coordination	Key technical staff (City/County/Schools) will serve on a Joint Planning Group" to help integrate school facility planning with other community planning functions
Cost	$50 000 in FY 98 and one staff position for Planning Commission

Draft -- June 10, 1997

Proposed Framework for Coordinated School and Community Planning

Objective. **Set a new direction for school planning that links it with comunity planning and secures the community's confidence in an ongoing, effective planning process for school facilities.**

Charlotte City Council | **Charlotte-Mecklenburg Board of Education** | **Mecklenburg Board of County Commissioners**

Leadership Group

Oversight by
- County Manager
- City Manager
- School Superintendent

Joint Planning Group

Key City and County Staff integrate other planning activities with Schools
- Parks CDOT Police, DSS, Neighborhood Development etc

Planning Commission Staff

Facilitate the process
Coordinate Joint Planning Group
Support Citizens Committee
Supervise consultant services (as needed)

Cost

$50,000 in FY 98 for consultant services
· Staff (1) Planner for Planning Commission

CITIZENS COMMITTEE OF 21

Composition

21 Citizens (7 appointed by each elected body) representing
- Civic organizations
- Business community
- Neighborhood groups
- Small towns
- Planning Commission
- Parks Commission

Appointees will reflect a demographic and geographic balance

Charge

(1) Recommend a process for developing a strategic 5-year plan and a long-range 10-year plan for school facilities

(2) Link this process to the 2015 Plan and ongoing community development initiatives

(3) Relate the school planning process to infrastructure and facility needs in the community as a whole (and the community's capacity and options to fund these needs) through the City-County Capital Planning process

Time Frame

Begins July 15
Interim Report October 1
Final Report October 31

Work Program and Results

see next page

Planning Liaison Committee

This existing committee of Elected Officials will monitor the Citizens Committee s work and report to the elected bodies

Status Report -- Sept 1
Interim Report - October 1
Final Report -- October 31

Comprehensive Capital Program Oversight Committee

A sub-committee of citizens will meet on an ongoing basis (after the full committee completes its work) to monitor the entire community capital program development and the implementation efforts of the County Schools and City

Construction Management/ Maintenance Services

Define program for managing construction and for maintaining (repairing and renovating) existing facilities Identify implementation options

Citizens Committee (continued)

Work Program

1 **Summarize key local trends and issues** bearing on education and school planning
Build on current work of Charlotte-Mecklenburg Schools and the Citizens Task Force on Future School Planning

2 **Review various planning models** now used elsewhere for educational facility planning

3 **Identify elements this community needs** for effective school facility planning

4 **Review current CMS planning** and propose changes in structure and practice that would meet our specific community objectives Spell out cost implications

5 **Outline linkages with overall community growth planning,** and especially with other capital planning for infrastructure and facilities

6 **Recommend a specific planning process and methodology** that
describes the general model and principles to be used
defines the scope and content of the plan itself
indicates linkages expected with other community planning and
spells out community input, public agency roles and elected body involvement

---

Note Consultant services will be used to perform various tasks in support of the Citizens Committee (for example, conducting a series of interviews with community representatives and compiling a report to be used in the summary of local trends and issues)

Results

By October 31

- **The Committee will recommend a planning process** that spells out a general model for school facility planning in Charlotte-Mecklenburg describes the specific product expected and outlines the roles of participants

Ongoing, After October 31

- **School planning will be done in a systematic and strategic way** to assure needs can be met in a timely and cost-effective way
- **A citizens' Capital Program Oversight Committee** will monitor the development and implementation of the schools bond program
- **A construction management program** will be defined and accountability assured
- **School planning will be part of a coordinated, focused, comprehensive process** for all this growing community's capital needs

School Superintendent Presents Master Plan
Board of Education Adopts Master Plan

Planning Liaison Committee's

Recommended Changes

Charlotte-Mecklenburg Planning Commission Interlocal Cooperative Agreement

Joint Luncheon
Tuesday, June 17, 1997

Table of Contents

Recommendations	1
Requested Action	2
Historical Information	3
Lynn Wheeler November 12, 1996 Memo	5
Gerald G. Fox December 19, 1996 Letter to Pam Syfert	6
Commissioner Bush's Draft Resolution	7
City Council's motion to support County's recommendation	9
Planning Liaison Committee's January 24, 1997 Minutes	10
Planning Liaison Committee's February 14, 1997 Minutes	15
Planning Liaison Committee's February 28, 1997 Minutes	20
Marvin A. Bethune and Dave Smith's March 11, 1997 Memo	28
Planning Liaison Committee's March 13, 1997 Minutes	30
Board of Education's March 25, 1997 Approval for Appointments	35
Planning Liaison Committee's May 2, 1997 Minutes	36
Blacklined Amended and Restated Interlocal Cooperative Agreement	
Urban Institute's Planning Training Session Proposal	

Planning Liaison Committee Review
Charlotte-Mecklenburg Planning Commission Composition
Interlocal Cooperative Agreement

In November, 1996 Lynn Wheeler, Chairman of the City Council's Economic Development/Planning Committee requested that a joint committee be set up to review the Charlotte- Mecklenburg Planning Commission's Interlocal Cooperative Agreement This request was discussed at the December 17, 1996 Joint Luncheon Subsequent to the Joint Luncheon, the Board of County Commissioners (December 17, 1996) and the Charlotte City Council (January 13, 1997) referred the Interlocal Cooperative Agreement review and the issue of the composition of the Planning Commission to the Planning Liaison Committee for discussion and recommendations.

On March 13, 1997, the Planning Liaison Committee made the following recommendations in response to the need for the Charlotte-Mecklenburg Schools to more fully participate in cooperative long-range strategic planning This cooperative participation by the Schools is needed in order for School bond requests to be better evaluated, future joint use of facilities to be coordinated with other agencies, and mandatory referrals to be reviewed and recommendations to be made in correlation with other City and County planning efforts The Planning Liaison Committee recommendations are made with the understanding that the Board of Education has a strong staff commitment to be involved in the planning process

Planning Liaison Committee Recommendations:

- **The Interlocal Agreement be amended so that it would include the Mecklenburg Board of Education as a signatory partner**
- **The Planning Commission still consist of fourteen (14) members**
- **The Mecklenburg Board of Education would have two appointments. The City and the County would each give one of their appointments to the School Board**
- **The City and the County would each have six appointments and the Board of Education would have two appointments**
- **The primary pool from which future appointments are made would be from a community planning educational process-details to be determined later (Note the Urban Institute's proposal in the attachments.)**
- **Appointees should come with at least an understanding of the issues, a sensitivity to the larger community's concerns and a commitment to the planning process**

Requested Action:

- To review for consideration the recommended changes to the Interlocal Cooperative Agreement in order to include appointments by the Board of Education

- Approve the concept of developing an educational process from which future appointees could be chosen

- Determine appropriate review and referral process for each governing body

  Note: On March 25, 1997 the Board of Education voted unanimously to indicate a willingness to enter into the planning process with the City and County for the selection of two appointments to the Planning Commission

Historical Information Attached:

- **November 12, 1996** Memo from Lynn Wheeler, Chairman, Council Economic Development/Planning Committee, to the Mayor, City Council and the Board of County Commissioners to set up a joint committee to review the Planning Commission's Interlocal Agreement Request for this issue to be on the December 17, 1996 Joint Luncheon agenda

- **December 17, 1996 Joint Luncheon** Discussion on reviewing the make-up of the Planning Commission

- **December 17, 1996** Board of County Commissioners adopted a motion directing the Planning Liaison Committee, upon the concurrence of the City Council, to review the make-up of the Planning Commission and report its recommendations on or before March 18, 1997

- **December 19, 1997** Letter from Gerald G Fox, County Manager to Pam Syfert, City Manager outlining the Board of County Commissioner's motion and requesting that City Council address the issue

- **January 13, 1997** City Council approved, unanimously, a motion to accept/support the County's recommendation

- **January 24, 1997, February 14, 1997, and February 28, 1997 Planning Liaison Committee Minutes** Planning Liaison Committee discussed the composition issue at these meetings During these meetings the Board of Education requested that they be able to appoint members to the Planning Commission.

- **March 11, 1997** Memo from Marvin A Bethune, County Attorney and Dave Smith, Senior Assistant City Attorney to Martin R Cramton, Jr , Planning Director, which advises that there is legal authority for the Board of Education to appoint members to a planning board

- **March 13, 1997 Planning Liaison Minutes:** The Planning Liaison Committee makes recommendation

- **March 25, 1997** Excerpt from the Board of Education minutes which were approved on May 13, 1997

- **April 9, 1997** Blacklined amended and restated Interlocal Cooperation Agreement as written and reviewed by Marvin A Bethune, County Attorney and Dave Smith, Senior Assistant City Attorney

- **May 2, 1997 Planning Liaison Minutes** The Blacklined amended and restated Interlocal Cooperative Agreement was accepted as information and the decision was made to have the composition issue on the June 17, 1997 Joint Luncheon agenda

- **May 9, 1997** Memo from Bill McCoy, Director, UNCCharlotte Urban Institute to Joyce Gillon, Principal Planner, Charlotte-Mecklenburg Planning Commission, Planning Orientation Training Sessions Proposal Approximate costs -$1,000 annually

CHARLOTTE.

CITY COUNCIL MEMORANDUM

DATE: November 12, 1996

TO: Mayor and City Council
Board of County Commissioners

FROM: Lynn Wheeler, Chairman
Council Economic Development/Planning Committee

SUBJECT: Review of Planning Commission Interlocal Agreement

It occurs to me that the first of the year would be an opportune time for both bodies to review the Interlocal Agreement between the City and County that set up the consolidated Planning Commission This Interlocal Agreement is almost twenty years old and specifically cites the *evaluation and accountability of the Planning* Director. In light of many concerns of late about the make-up of the appointed Planning Commissioners, this review could afford the opportunity to address the make up, number of members and appointment process of that body.

My suggestion is that a joint committee comprised of three members from the Council's Economic Development/Planning Committee and three County Commissioners be formed to begin this study and make a recommendation for any changes to both bodies by April 1997 If there are no objections, I would like this item placed on the City/County/School Board luncheon *agenda scheduled for* Tuesday, December 17

Please call me with any suggestions or comments

ds

DEC 20 1996

MECKLENBURG COUNTY
Office of the County Manager

December 19, 1996

Ms Pam Syfert
City Manager
600 East Fourth St
Charlotte, NC 28202

Dear Pam

During the joint luncheon on December 17, 1996, the Board of County Commissioners and City Council discussed reviewing the make-up of the Planning Commission. That evening, the Board of County Commissioners adopted a motion directing the Planning Liaison Committee, upon the concurrence of City Council, to review the make-up of the Planning Commission and report its recommendations on or before March 18, 1997

The Board expressed that various options needed to be considered for restoring the public's perception of the objectivity of the Planning Commission. Additionally, the Board believed it would be more efficient for a committee of elected officials already in existence to discuss and make recommendations on this subject

Although the Board did not adopt Commissioner Bush's resolution, I have enclosed a copy for your information so you will be aware of the approach he initially advocated. Please advise as to when this issue will be addressed by City Council.

Sincerely,

Gerald G Fox
County Manager

GF ls

Enclosure

cc Julie Burch
Martin Cramton
Wanda Towler

PEOPLE • PRIDE • PROGRESS

600 East Fourth Street • P O Box 31787 • Charlotte, North Carolina 28231 • (704) 336-2472

RESOLUTION TO JOINTLY AMEND THE INTERLOCAL COOPERATION AGREEMENT ESTABLISHING THE PLANNING COMMISSION

WHEREAS, the Charlotte-Mecklenburg Planning Commission was created by the Mecklenburg County Board of Commissioners and the Charlotte City Council to provide a joint planning agency in order to assure interlocal cooperation in comprehensive land use planning and plan implementation, and

WHEREAS, the Planning Commission is composed of citizens of this community appointed by City Council, the Mayor of Charlotte and the Board of Commissioners, and its members are charged with, among other duties, developing and recommending adoption of a comprehensive land use plan to be applied as policy and guide for development in this community, and

WHEREAS, the current membership of the Planning Commission is heavily weighted in favor of the building and development industry, and it is the aim of the Board of Commissioners that the Planning Commission be more representative of the community at large so that the decisions and recommendations of this body can reflect the position of the entire community with respect to future planning for growth and development Now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners That it is the policy of the Board that the composition of the Planning Commission should be reflective of the interests of the community as a whole and that at least two members of the Planning Commission appointed by the Board of Commissioners have no business, personal or family financial ties to the building and development industry and do not hold official or unofficial leadership positions in neighborhood advocacy organizations And be it

RESOLVED That the Board requests that the Mayor and City Council, as the other appointing entities of the Planning Commission members, review their appointment policies and assure that the composition of the Planning Commission mirrors the interests of the entire community In addition, the Board requests that City Council consider jointly amending Section 3 32 of the "Interlocal Cooperation Agreement" to require that at least two members appointed by the City and at least two members appointed by the County have no business, personal, or family financial ties to the building and development industry and do not hold official or unofficial leadership positions in neighborhood advocacy organizations And be it

RESOLVED That the Mecklenburg County Board of Commissioners adopts the following amendment to the Interlocal Cooperation Agreement adopted December 19, 1988

Section I The Interlocal Cooperation Agreement is hereby amended by adding a new section numbered Section 3 32 3 to read as follows

> At least two members appointed by the City and at least two members appointed by the County (a) shall have no business personal, or

family financial ties to the building and development industry and (b) shall hold no official or unofficial leadership positions in neighborhood organizations

Section 2 This amendment to be effective December 17, 1996 and shall govern appointments made after that date And be it

RESOLVED That as part of this process, the Clerk to the Board of Commissioners shall provide a current Planning Commission roster (reflecting occupation and affiliation of each member) to each County Commissioner before nominations are made to fill vacancies on the Planning Commission

This the _____ day of _____, 1996

Approved as to form.

_____ _____

County Attorney Clerk to the Board

draft

11. Planning Commission Interlocal Agreement

Action: **Consider direction for the review of the Planning Commission Interlocal Agreement.**

Explanation of Request:

- Joint Luncheon Discussion
  At the December 17 joint luncheon, there was a discussion of two proposals for review of Planning Commission Appointments. Copies of Lynn Wheeler's memo and Tom Bush's resolution are attached. The discussion included comments:

  - that the School Board have an opportunity to participate in the review;
  - that the Planning Liaison Committee be used for the review; and
  - that all joint City/County Committee appointments be reviewed.

- County Commission Action
  The Commission adopted a motion directing the Planning Liaison Committee, with the concurrence of the City Council, to review the make-up of the Planning Commission and report its recommendations on or before March 18,1997.

- The members of the Planning Liaison Committee are:

  Mike Jackson, Don Reid, Sara Spencer, Darrell Williams, Arthur Griffin, Ike Heard, Jerry McMurray, Louise Woods, Sam Reid. The County has two appointments to make.

APPROVED BY CITY COUNCIL
JAN 13 1997 NG
Nancy S. Gilbert
Deputy City Clerk

MOTION to accept/support the County's recommendation - unanimous

Council Options
The Council is asked to consider

- concurrence with the County action or,
- determine an approach to address the review

Attachment 6
Lynn Wheeler's Memo
Jerry Fox's Letter Concerning Commission Action and

Planning Liaison Committee Meeting
Friday, January 24, 1997
7:45 A. M.

Committee Members Present: Chairman Ike Heard, Jr., Vice-Chairman Jerry McMurray, Sr., Becky Carney, Arthur Griffin, Parks Helms, Don Reid, Samuel Reid, Sara Spencer and Louise Woods. Also, Norman Mitchell from the County's Citizens' Capital Budget Advisory Committee and Susan Burgess, School Board Chair.
Absent: Mike Jackson and Darrel Williams

Staff Present: Martin Cramton, Jr., Planning Director; Walter Fields, Joyce Gillon, Dick Black, Keith Henrichs, Planning Staff; Wanda Towler, Assistant County Manager; Julie Burch, Assistant City Manager; Dr. Eric Smith, School Superintendent; and Hilton La'Orange and Jonathan Wells, School Staff.

Chairman Heard called the meeting to order at 7:50 A. M.

Charlotte-Mecklenburg Schools Long Range Schools Facilities Master Plan

Arthur Griffin presented the plan for the School Board
Major Points:

- Two drivers of the Plan· 1. Growth 2 Aging Facilities
- Plan is organized into four sections 1.Responses to Growth· A Coummunity-wide Issue, 2. Aging and Inadequate Facilities, 3 Educational Program Specifications, and 4. Financial Summuary.
- Can we expand existing facilities, can we reopen some closed facilities
- Series of 6 community meetings or "listening posts" has been held
- 62% of facilities are more than 30 years or more old
  30% of facilities are more than 40 years old
  50% of mobile units are more than 25 years old
- 1997 Bond request is for $487 million dollars
- School Planning Areas are the Charlotte-Mecklenburg Planning Commission's Planning Districts
- Recommended New Schools-Long Range Schools Facilities Master Plan 1997-98 to 2006-07

Planning Liaison Discussion Points:

- Concern as to the location of the new proposed schools
- Can the School system tell us where the money will be spent?
- Location of schools is a driving force for the bonds Where the schools will be located and populated needs to be known before the bonds
- How has the School's plan merged with the 2015 Plan? Wouldn't that be helpful in

looking at the location of schools?

- Concern that the current plan for the Technical School is not the best way to proceed for that type of high school.
- Reality that some of the aging schools do not have the technical capabilities because of outdated electrical equipment If older schools are used, there has to be updating so that they can compete with the newer facilities.
- Dr. Eric Smith stated that one variable that was a given was that more kids are coming How can we get every child to a seat is the major question
- Division of resources from bonds Ms Burgess stated that historically it had been divided 50% for new schools, 25% for expansion of existing schools, and 25% for upgrading of older schools. This seems to be the ratio that will enable the bonds to pass
- Ms. Woods stated that in some of the integrated neighborhoods the schools, such as Shamrock Elementary, are not the state of the art like the suburban schools

Mr. Don Reid ask the Planning Director for some direction on what the school system should be doing in the way of planning and what details needed to be added.

Director Cramton responded that the plan was good for a 3-5 capital facilities discussion, but the plan was not long-range and was not a strategic plan Mobility is the issue, not growth There is and is going to be a tremendous demand for capital investment The political reality is that we will not be able to finance all the needs We are going to have to prioritize. There needs to be several educational scenarios There needs to be capital planning with high, medium and low capital costs.

He also stated that the CMS projected enrollment through 2006-07 should be distributed geographically

- Mr Don Reid questioned whether there would be additional bond monies needed in addition to the 487 million before the year 2007? The answer was that the 487 million was for needs until 2001
- MR. Helms voiced concerns on what will happen to the inner city schools after the outer belt is built and the population moves further out How can we keep from losing vitality in the inner city?

Action Step:

School Staff and the Planning Commission staff will work together to develop the geographical distribution profile of student population and look at what that might mean to the revitalization of the inner city neighborhoods They will also determine what the School System needs to do to coordinate with the 2015 Plan This information will be presented at the February 28 meeting

Composition of the Planning Commission

During the Joint Luncheon on December 17, 1996, the Board of County Commissioners and the City Council discussed reviewing the make-up of the Planning Commission. That evening, the Board of County Commissioners adopted a resolution directing the Planning Liaison Committee, upon the concurrence of the City Council, to review the make-up of the Planning Commission and report its recommendations on or before March 18, 1997. On January 13, 1997 the City Council voted unanimously to support the County's resolution.

Planning Commissioner David Anderson, in response to concerns in the community that the commission is overly balanced with development interest, provide the following information

An Outline On The Voting Patterns of the Planning Commission's Zoning Committee (January, 1996-January, 1997) Prepared January 23, 1997.

Major Assumptions:

- All cases reviewed were forwarded to the Zoning Committee during 1996 and the governing body disposed of the cases between its January, 1996 and January, 1997 sessions
- There was not time to determine why one body's vote was at variance with that of another body
- Some differences between Staff and Zoning Committee could be explained by the addition of conditions of approval by the Zoning Committee.
- Text Amendments, deferrals and withdrawals were excluded
- This work was done in haste Proofing might, at the margin, have proven useful.
- References to "Zoning" means the Zoning Committee of the Planning Commission "City" means the Charlotte City Council "County" means the Mecklenburg County Commission "Staff" means the staff of the Planning Commission

City Petitions

Petitions where Staff, Zoning and City voted to approve	55		
Petitions where Staff, Zoning and City voted to disapprove	2	58	(75%)
Petitions where Council and Zoning vote varied from Staff	13		
Petitions where Zoning vote varied from Council & Staff	1		
Petitions where Zoning and Staff vote varied from Council	5	19	(25%)
Total City Petitions Reviewed		77	(100%)

County Petitions

Petitions where Staff, Zoning and County voted to approve	31

Petitions where Staff, Zoning and County voted to disapprove	0	31	(86%)
Petitions where Zoning and County vote varied from Staff		3	(8%)
Petitions where Zoning vote varied from Staff and County		0	
Petitions where Zoning and Staff vote varied from County		2	(5%)
Total County Petitions Reviewed		36	(100%)

County Board Chairman Helms said that this information was very instructive.

Commission Anderson stated that it was relative small number of cases where there was disagreement with what the elected officials voted and they are suppose to represent the community at large.

Chairman Heard said that these statistics might indicate that there is not as much of a problem with the Commission's make up as originally perceived. He stated that there were

Three Basic Issues: 1. Who chooses the appointees, 2. Where the appointees live and 3. The interest of the appointees.

He also stated that the School Board had indicated an interest in being a part of the appointment process although they are indirectly represented through the County Commission

Vice-Chairman McMurray pointed out the time constraints of people being able to serve on the Commission if they have a 9-5 job. He also felt that there should be a more formal oath of office ceremony with particular verbiage for the Planning Commission.

Mr Helms said that he liked the idea of the oath being more formal He also stated that we need to be sure that as the Zoning Committee makes recommendations that there is some assurance that no member of that committee has any personal or financial interest in that transaction He at first thought that maybe there needed to be an affidavit signed at each meeting that the commissioners had no interest in the petitions, but that is probably beyond what is needed He did state that he did feel that if the oath was specific to the Planning Commission it would go a long way to reassure anyone who has any doubts about the decisions

Ms Carney stated that she felt that the current process was a very public process She also said that the County had made some recent nominations to the Planning Commission for a vacant position and that all of those nominated had some tie to the building industry The process for nominations is that a stack of applications is given to the County Commissioners and they are suppose to look over those for their nominees or people that have called them direct She said that she wasn't sure if this issue of the composition was being driven by the media or if indeed there does need to be some change in structure We are also dealing with that word out there "perception" There is the perception out in the community that we are not doing what is best for

planning. Hopefully if the commissioners take the oath they are under a commitment to the community

Action Step

The composition issue will be on the February 14 agenda. At that time, the Liaison Committee should look at: 1 Who chooses the commissioners, 2. Where they live and 3. What are their interests.

Minutes of the November 23, 1996 and January 10, 1997

Mr. Helms made a motion, seconded by Mr Don Reid to accept the minutes as written The motion carried unanimously.

The meeting was adjourned at 9:30 A.M.

Planning Liaison Committee Meeting
Friday, February 14, 1997
7:45 A. M.

Committee Members Present: Chairman Ike Heard, Don Reid, Mike Jackson, Sara Spencer, Louise Woods, Arthur Griffin, and Parks Helms Absent: Vice-Chairman Jerry McMurray, Darrel Williams, Samuel Reid, and Becky Carney

Staff Present: Martin Cramton, Planning Director and Walter Fields, Debra Campbell, Garet Walsh and Joyce Gillon, Planning Staff; Julie Burch, Assistant City Manager, Wanda Towler, Assistant County Manager, Jonathan Wells, School Staff, and Marilyn Williams, Police Department.

A change in the agenda to start with the 2015 Review was made because there were no representatives from the County to discuss the Planning Commission composition

2015 Plan Review

Transportation

Garet Walsh stated that she had made a presentation to the Board of County Commissioners since the last Planning Liaison Committee meeting and the County's comments had been included in the agenda packet

Bill Finger, CDOT, presented information on current and future transportation corridors, transportation as related to the community's development pattern, increase of travel miles in percentage to the increase of population and size of households, map of the remaining road system to be developed and concern that there should be incentives for pedestrian friendly environments along major corridors, not just standards, but incentives

Comments:

- Spencer Have we looked at the coordination of public transit and schools bus system? Mr Finger commented that the school's morning peak time was the same as the peak commute time so that the same number of buses would be needed He also addressed the issue of school safety in that public transit does not have the same lighting and two way stopping of the school buses

- Jackson Travel miles-not additional at peak time, but over all travel is the issue Making the average trip distance smaller is the key We need to reduce trip length Mr Finger responded that the biggest challenge is the suburb to suburb congestion and the only response, not answer, so far, is car pooling

- Reid. Questioned what the impact would be if all the R-3 zoning was changed to R-4 and also why is transit to the airport always high on the list He also wanted to know what the downside to doing a blanket change fro R-3 to R-4 would be Mr Finger said that airport transit was always high on citizen's list maybe because the only place that they have used pubic transit in other cities is to or from the airport. Director Cramton stated that there is no downside to R-4 zoning and that the change could be made with a simple text amendment. Also, it is his belief that if the change is not made so that potentially the cost of housing could be stablized or come down, that this development will go to the surrounding counties

At this point, it was the consensus to discuss the composition of the Planning Commission as County Board Chairman Helms joined the meeting

Planning Commission Composition

Chairman Heard stated that the issues seem to be 1 Who chooses the commissioners, 2 Where they live, and 3 What are their skills

Discussion Points

- Jackson· This issue came out of the conflict of interest issue that there is a bias on the Commission toward the development industry. In his opinion, it is the reverse If you look historically, the planning decisions overall have been pro neighborhood

  He felt the composition should stay as it is However, he did suggest that there be an on going countywide diverse group made up of 30- 100 people who spend two years getting input on planning so that they come to the table with some knowledge and experience on the larger community vision. This group would serve as the pool of potential planning commission appointees

- Spencer Concern that the Planning Commission appointees would all be heavyweights

- Parks It is more than geography, it is the philosophical view that is his concern He wants people that will follow the adopted master plan for the community

- Woods Likes the idea of geographic representation

- Reid Qualifications should be the determining factor, not race, gender, geography

- Griffin Oath should address the planning process and there should be a more involved orientation process He liked the geographic representation idea He also likes the idea of the School Board having the opportunity to appoint someone to the Planning

Commission

- Landon Wyatt-County City's Advisory Committee- Liked the idea of a certain skill set required, but the idea of geographic representation was a little frightening as it could narrow the focus of the commissioners He also stated that you would have to define skill set.

- Jackson- Questioned whether the School Board would support the City/County adopted plan and would their plan for the schools be in accordance with the plan

- Griffin- Responded that the Schools had not been a player in planning for Charlotte-Mecklenburg The Schools have not been a part of the planning process, but he would like for them to be a part of the ongoing process.

- Jackson- Raised the issue that land for school sites have been donated thru the rezoning process and the School system has been nonreceptive at the cost of millions of dollars to the tax payers.

- Griffin-In response, stated that as a School Board member he had taken the issue of affordable housing to the Mayor and that the Mayor had signed a letter which stated that he supported the concept of affordable housing and then the Mayor got tied up in the political process and who was going to vote for him and then decided that it was a rotten idea If there was some ongoing membership that would look at what the respective values are of the elected bodies then there could be a win/win situation. But, the Schools are not at the table He has to look from a policy perspective as to what, in the long term, is best for the school system, the community and the kids He assured the Committee that if the Schools were an active member that the Committee would see a lot more decisions made by the School System that would be in the best interest of the entire community

- Helms- 1 Does not object and indeed it makes sense for the School Board to be on the Planning Commission

  2 Not sure whether the Interlocal Agreement addresses qualifications, but he thinks that an appointee should demonstrate some understanding of the Master Plan, area plans, etc, and that there should be some required qualifications. He made note that he had previously suggested that at the end of each Zoning Committee meeting that each Planning Commissioner certify on a signed statement that they had no conflict with any of the petitions on which they had made recommendations

  3 There should be some commitment to the making certain that the plans as adopted are implemented based upon what the City Council, the County Commission and the School Board have done in respect to the policy

issues.

- o Cramton- - Excellent idea to have citizens engaged in planning dialogue. This could be a group or an open invitation to formal orientation sessions
  - School system needs to have a senior level planning staff member who would be his counterpart. Also, they need to make a commitment to have an internal planning capacity within the school system that is not just for data analysis. This senior staff member would have the knowledge, methodology and understanding of the community planning process so that they could start to bring connectivity to school planning with transportation, park planning , land use, etc.

  He also addressed the issue of continuous orientation of community planning initiatives. He stated that he is frequently before the City Council and Board of County Commissioners giving them status reports He stated that he felt that the School Board should afford Planning the same opportunity He made note that when the previous Master Plan was written that he and Stanley Watkins couldn't get on the School Board agenda. Finally, they were given only fifteen minutes to discuss the plan

- o Reid· Agreed that the School Board should be represented on the Planning Commission To have the Schools on board would be tremendous as in the past they have had little regard for the planning by the City Council and Board of County Commission

  Summary· 1 Need to get the City Council, Board of County Commissioners and the School Board to agree on community plan 2 Participation-Same conflict of interest rules that City Council/Board of County Commissioners should apply. 3 Should be able to develop a system to qualify people or a list of qualifications that need to met before they are appointed to a planning commission role

- o Woods Qualifications- Need to weigh very carefully how much people who are committed need to go through an orientation They may be already knowledgeable We do not want to limit Planning Commission appointments to "experts" Also, she said that she had concerns about the City and County making planning decisions without regard to the School's situations

- o Griffin- He will take the concerns of the other elected officials to the School Board and he hoped that the School Board becoming a part of the Planning Commission would become a reality

- o Helms-The focus of the School Board has been in teachers, students and operations That is where they spend their money However, the Board of County Commissioners has to make financial decisions that are not in teachers, students and operations and they need to

have a better relationship as they deal with them. One thing that the School Board needs recognize is that what the school system does and where they site schools can be an effective growth management tool if we all learn to work together.

- Jackson Don't think that we can have a test for qualifications because they couldn't be conclusive enough but, he did think that we could set up, and this could be by districts, a committee where by if people served for one year they would be qualified. Also, these people might be required to attend 100% or 75% of the Zoning Committee or some time of exposure to the work of the Planning Commission

Chairman Heard listed major ideas from the meeting:

- Interest in educational process for appointees, not only criteria but it would be useful and may weigh heavily in choices for appointees.

- School Board participation in some fashion in the appointment process. But, any participation has to coupled with a strong staff commitment to be involved in the planning process He stated that he would talk with School Superintendent Dr Eric Smith about this issue

Chairman Heard questioned whether these two main points could bring to conclusion the Planning Liaison's responsibility in looking at the composition of the Planning Commission

Mr. Jackson and Mr Helms stated that they thought that the Planning Liaison should work out more of the details

Action Step· Note was made that the report has to be back to the elected officials by March 18 Therefore at the February 28 meeting, the Planning Liaison Committee should work out more details before the report is submitted

The minutes of the January 24, 1997 meeting were accepted by consensus, as written

Meeting adjourned at 9 20 a m.

Planning Liaison Committee
Friday, February 28, 1997
7:45 A. M.

Committee Members Present: Chairman Heard, Vice-Chairman McMurray, and Don Reid, Mike Jackson, Louise Woods, Arthur Griffin, Parks Helms and Becky Carney Absent. Darrel Williams, Sara Spencer and Samuel Reid

Staff Present: Martin Cramton, Debra Campbell, Joyce Gillon, Dick Black, and Garet Walsh, Planning Staff, Wanda Towler, Assistant County Manager; Julie Burch, Assistant City Manager, and Dr. Eric Smith, Hilton La' Orange and Jonathan Wells, School Staff.

Also Present: Susan Burgess, School Board Chair

Chairman Heard called the meeting to order at 8:05 A. M

Planning Commission Composition

Chairman Heard reported that the original issues coming from the February 14, 1997 meeting were. 1. Who chooses the commissioners, 2. Where they live, and 3 What are their skills. Additional Issues Qualifications and Should the School Board appoint members to the Planning Commission

Discussion

Helms. How would the School Board like to participate?

Griffin Has not discussed on a School Board agenda, however, would like to appoint a citizen, not a School Board member to the Planning Commission

Burgess Appointees should be well-versed in education issues Appointee would be the School Board's liaison

Jackson· The City and County do not ask their appointees to respond back to them They have to have a wider vision Has the School Board every lobbied for a certain appointee from the County?

Helms Not to his knowledge

Woods The appointee would not just represent the School Board's view, but would advise the Commission on the impacts that their decisions would make on the school

Heard Stated that he had asked to speak before the School Board and couldn't get on the

agenda.

Griffin: Stated that what they were talking about was ownership of the process The Schools should be a part of the discussions and should be able to sit at the table

Jackson: The point is not whether the School Board should appoint one member, but the fact that schools are not a part of the planning process. Martin Cramton has begged to talk with the School Board. The point is whether the Schools are committed to planning. Unless there is a different commitment from the School Board to plan then there will be no difference.

Griffin: This is a different School Board, doesn't know if previous boards shunned Martin, but the current Superintendent and School Board are talking with Martin. The majority of the current Board members do not have a problem being partners with planning.

McMurray: Mr. Griffin has good point, School appointee might add a third dimension to that of neighborhoods and development on the Commission

D Reid· Maybe School Board should have appointment with advise and consent of the Board of County Commissioners

Griffin: Responded that the School Board in the sense of being a partner would like their own person at the table

Reid: Pointed out that the County funds the School System.

Helms· Stated that he did not object to giving the School Board an appointment If they had appointment then maybe that, as a matter of course, would improve communications If nothing else, the School Board might be more sensitive to planning issues

Jackson Should keep Planning Commission at fourteen members. After appointment what is expected from them? Based on letter to Martin Cramton, the Schools do not have resources to benefit from the appointment The Schools need dedicated resources and dollars in order to get meaningful results

Heard: Commitment and mindset of the School Board is key to what the planning process means

Burgess; The School Board should have two appointments, one for each committee

Heard Conclusion School Board should make an appointment or at least appointment with the advice and consent of the Board of County Commissioners

Helms Two appointments-Planning Commission to sixteen members

Jackson· There is no free ride. The Schools will have to help pay for it (the Commission)

Helms: Don't know that this change would require any financial commitment from the Schools

Jackson: As part of the budget process the City and County pay half the Planning Commission's budget. The School Board should pick up their share.

Woods: The School Board would simply get better representation on Planning Commission not advocate

D Reid. If Schools have a vote, they should pay their share.

Jackson· Feels strongly that Schools should pay their share, the City should not pay for their appointees

Griffin: They want an equal role at the table, but not sure that they could afford to pay their share of planning budget. They would have to discuss with the School Board

McMurray· Elected bodies should determine how to handle the budget question

D. Reid. Either the Schools are a part or not It is approximately $165,000 per appointment Pay or not have appointments.

Carney· Stated that she had talked with Darryl Williams prior to the meeting and that she thought that people in the community were talking about School planning merging with the City and County Planning Department. She said that maybe there needed to be talks about how to do this merge She said that she didn't know why we would charge someone to sit at the table when we want them there

Cramton· He stated that he had no interest in merging the planning staffs It is not an appropriate thing to do He stated that the Schools have a great Capital Needs plan, but they do not have a long-range plan/vision This is a long range plan issue This raises a fundamental policy issue How to develop the education plan The Schools need to figure this out before they hit the crisis mode

Smith· There is need for better communication with City and County planners Pupil assignment has been the School's primary focus It has been the focus out of necessity due to limited staff resources The limited resources and better communications need to be addressed rather than looking at merging The School System does not want to purchase services from the Planning Commission as does the City and County, they only want to sit at the table

Cramton Need to create the institutional capability within the CMS to have a long range element so that when we communicate, we are communicating long range planning to long range

planning not long range planning to pupil assignment They just don't come together. Suggested that if CMS wanted to have the communication by adding members to the Planning Commission, that they link to that an agreement that they will devise what they think their appropriate long rang planning piece would costs and bring those dollars to the table. They need to commit those dollars within their organization so that they can communicate and connect with other long range planning.

Heard: There needs to be a policy commitment to long range planning from CMS. Communication can be done with their representatives on the Planning Commission or thru staff coordination or both

Cramton: Stated that he and Jonathan Wells had exchanged letters which crystallized and clarify the differences of opinion. He said that he was not challenging CMS's current planning capacity, it is fine, its great, its professional. But, it is current planning capacity and they also need a long range capaacity.

Jackson· Referred to Mr Wells' letter of February 14, 1997 to Mr. Cramton and stated that there were numerous requests for information. However, that there was not an item mentioned that the City hadn't beat to death 10,000 times Mr Cramton's letter stated that through the 2002 Master Plan we have incredible resources that have been delivered to the table and given to the School Board at no cost and that either the resources have been ignored or not used The information is there for their use today.

Burgess: That is what we want, we want the information

Jackson: The information has been available for five years

Cramton· Through the 2002 Master Plan, the Planning Department delivered to CMS staff and the School Board a computer model broken down by little, tiny geographies with coefficients related to population, student yields, and racial balance and that computer system does a population forecast He noted that Mr. Griffin likes to state that the forecast missed three years later, but that wasn't the point You had a system that can annually be updated and any time you are doing planning you don't do a plan and then say well we are never going to look at it again because we know that its going to accurate for 5, 10, 15 years out. We've gone thru all this data crunching and the point that he wanted to make was that it's not the data part that concerns him but, what does the data mean in the terms of policy implication

Wells Two Points 1 The letter to Martin predates a lot of things subsequent to the letter Martin has shared some thoughts to crystallize a lot of the issues Some of the data requirements have been made available to CMS 2 A slightly different issue, he said that he sort of took exception with the model that was developed a number of years ago It has since has proven to be inaccurate The model told us that we ought to put a school at the end of a runway

Cramton: The model simply showed a mid-point location in a geographic area

Griffin: The professional guys will be able to work together on the number crunching stuff. The present CMS is willing, ready and able to make sure that we communicate as ethically as we can our position.

Smith: CMS is committed to long range planning and is moving in that direction very aggressively. County will benefit from a common vision.

Action Step

Chairman Heard stated that Mr. Cramton, Dr Smith, Chairman Burgess and himself would sit down and flesh out an approach for doing the long range planning. This would not be the next meeting, but one shortly thereafter

Helms: Suggested that group should come back to the Planning Liaison Committee with a proposal that would empower the Board of Education to make two appointments to the Planning Commission and that the respective staffs should develop a mechanism for communicating on equal terms with respect to their planning priorities. They should develop a system that will then merge the planning done by the Planning Staff and the School staff The group will make recommendations as to how this can be accomplished

Jackson: Substitute suggestion-instead of "communicate"to say "to coordinate" so that we can move toward a commonly adopted future.

This suggestion was acceptable to Mr Helms.

Helms· One thing that the group had not talked about but needed to, is that policy decisions related to zoning and land use are made by the Council and the County Commission, not the School Board But, it is absolutely imperative that as the decisions are made, that they are sensitive to the School Board and their pupil assignment At some point, he sees these decisions as a mechanism to manage growth

2015 Plan Review

Garet Walsh presented **2015 Planning For Education.**

Goals:

- Make public learning institutions integral participants in planning for our community's future
- Develop a comprehensive public school facilities plan for provision, use and distribution of educational facilities and other capital resources

- Develop a curriculum plan which determines what services will be provided and how they will be delivered.
- Ensure that education, training and retraining opportunities are provided which will prepare citizens to compete in the global marketplace.

The 2015 Plan sets the framework for the action steps to be developed.

Cramton. The key action piece is the Facilities Master Plan- the long range planning document. The current CMS Facilities Plan is not that plan that we are talking about in the 2015 The CMS Facilities Plan is a capital needs plan, period

D. Reid: The School Master Plan comes up every time we meet. Can you do it? Is it possible? If impossible just say that Can you do it, will you do it and when will you do it?

Griffin We can. He noted that everything in the 2015 goals was capital needs. 1 Bricks and mortar, 2. Delivery of service to students Need to set some schedule for staffs to get together.

Smith· To say that Plan is not a plan is just talk, not constructive dialogue Need to state what is needed. This is a plan It might not be adequate to meet the needs of the 2015.

Burgess: What is not in the Plan is equity What is missing is equity between the inner city schools and the suburban schools

Cramton· No, that is not what is missing That's the whole issue of what the plan is all about. It addresses that kind of issue. You just made my whole point As a planner, he operates under the assumption that because of limited funding we need to plan in the framework where needs are prioritized. What is really important? If you have to start down the list to determine what is the most important things to spend the dollars on, then you start with issues like equity

We are going through a growth cycle that is driven by two things The two population segments that are growing the largest number of children are 1 The minority population and 2 The suburban white population We are growing an inordinately large population that has a high student population This growth trend is not going to last for ever The suburb of the decade after this decade is outside of Mecklenburg County As we build 20-30 million dollar schools that will last 50 years we need to be sure that we are locating them in an appropriate, best location

When I talk about a facilities plan, I am talking about a plan that goes 10-15 years out and talks about those policy implications

Burgess Is your assumption on growth that it will be paid for out of general obligation bonds? Would it be part of your comprehensive plan to look at scenarios for alternative sources of funding

Cramton: Absolutely.

Burgess: Would it be part of your scenarios to slow the rate of growth so that we don't have extraordinary up front costs?

Jackson: We have not considered stopping growth.

Reid: We haven't ever consider on our Council the possibility that we want to slow down growth

Cramton: The public policy has been direction and redirection We have been very successful at it

Helms: Our only choice is to manage growth

Helms: Imperative that a process be developed where these goals are reached in tandem It is clear that if it isn't done that we may go so far down the road that the damage is irreparable

Next Meeting

Friday, March 14 at 7:45 A. M. . This meeting date is scheduled so that recommendations can be completed on the composition issue and sent to the Board of County Commissioners in time for their March 18 meeting.

Schools Facilities Master Plan Review

Jonathan Wells made the presentation for the Schools.

Highlights

- o Reviewed areas where there is a projected need for additional schools
- o Highlighted Planning Area Number 7 -Northern Part of the County
  - Capital Needs Assessment Growth Scenarios
  - Drop Out Rate: Different Scenarios
  - Alternate Use of Facilities
  - Alternate Service Delivery

Mr La'Orange voiced concerns over the need for an additional school in the northern part of the county and stated that Jetton Park might be a good location

Mr Jackson questioned whether the schools would except free land for schools from developers

Mr La'Orange stated that he would, but often you could not build right a way because the free

locations did not have water, sewer or proper road system This was true of the Highland Creek site.

Mr. Cramton stated that if the schools had a long range plan like the transportation plan, then when rezonings occur, Planning staff and th Planning Commission would be aware of the School's needs and this could be factored into the rezoning process There might be dedication or reservation of sites
We know that these areas will be developed, but currently we are waiting until two years before the schools or needed to purchase the property

Adjourned at 9:45 A M

MEMORANDUM

TO: Martin R. Cramton, Jr., Planning Director

FROM: Marvin A. Bethune, County Attorney MAB
Dave Smith, Senior Assistant City Attorney

DATE: March 11, 1997

RE: Proposed Charlotte-Mecklenburg Board of Education Appointments to Charlotte-Mecklenburg Planning Commission

---

ISSUE

Is there legal authority for the Board of Education to appoint members to a planning board?

OPINION

Yes, City and County statutes allow a joint planning board to be created by two or more units of local governments Since the Board of Education is a unit of local government under the relevant statute, the City, the County, and the School Board could enter into an interlocal cooperation agreement to create an expanded Planning Commission, with seven members appointed by the City, seven members appointed by the County, and two members appointed by the Board of Education

DISCUSSION

Cities and counties are both given the authority to create planning agencies to perform certain duties North Carolina General Statute 153A-321 indicates that one of the options available is "[a] joint planning board created by two or more local governments according to the procedures and provisions of Chapter 160A, Article 20, Part 1 " The City statute on planning agencies, G S 160A-361, contains substantially the same language

G.S 160A-460(2), which is a portion of Article 20, Chapter 160A, indicates that a unit of local government includes, in addition to a city and a county, a local board of education

Therefore, since there is statutory authority for two or more units of local government, which includes cities, counties, and boards of education, to enter into an interlocal cooperation agreement to create a joint planning board, the City and the County could invite the Board of Education to join with them in a new interlocal cooperation agreement to create an expanded Charlotte-Mecklenburg Planning Commission.

We would suggest that within the context of this possible agreement, there would be two appropriate roles for the Board of Education. (1) joining in the agreement for the purpose of creating the expanded Planning Commission; and (2) having the power to make two appointments to the expanded Planning Commission.

MAB:cs

cc: Ms. Wanda Towler
Assistant County Manager

RBCWB 47646_1/3-12-97

Planning Liaison Committee
Thursday, March 13, 1997
7:45 A. M.

Members Present: Chairman Ike Heard, Vice-chairman McMurray, Darrel Williams, Mike Jackson, Sara Spencer, Samuel Reid, Louise Woods, Parks Helms, and Becky Carney Absent Don Reid and Arthur Griffin.

Also in attendance Susan Burgess, School Board Chair

Staff Present: Martin Cramton, Walter Fields, Debra Campbell, Garet Walsh, and Joyce Gillon, Planning Staff, Wanda Towler, Assistant County Manager, Vi Liles, Assistant City Manager, and Hilton La'Orange, and Jonathan Wells,_School Staff.

Chairman Heard called the meeting to order and noted that the Committee would need some extra meetings in order to complete the 2015 Plan so that they would be able to make recommendations to their appropriate bodies.

Planning Commission Composition

Director Cramton distributed copies of a March 11, 1997 memo from Marvin Bethune, County Attorney and Dave Smith, Senior Assistant City Attorney inwhich they answered the question as to whether the Board of Education can legally appoint members to a planning board? In their opinion, the answer is yes based on that City and County statues allow a joint planning board to be created by two or more units of local government. Since the Board of Education is a unit of local government under the relevant statute, the City, the County, and the School Board could enter into an interlocal cooperative agreement to create an expanded Planning Commission, with seven members appointed by the City, seven members appointed by the County, and two members appointed by the Board of Education.

Director Cramton stated that he wanted to make two observations 1. Need to consider the logistical impacts of expanding the Commission from 14 to 16 members and the ability for all the members to participate at meetings For that reason, he would prefer that the membership stay at 14. 2. The legal implications- according to the March 11 memo the School Board would have to become a part of the Interlocal Agreement He stated that he hoped that the Committee would expect the School Board to bring to the table, as part of the annual work program that Planning has to prepare each year, a commitment of what their long range plans were for that year He does not expect them to bring money or staff to the table, but to create within their own staff a long range planning capability so that he has someone to communicate with

Chairman Heard made note of a meeting between Director Cramton, Dr, Eric Smith, Susan Burgess and Ike Heard Ms Burgess stated that the School's planners were very component and accurate in projecting how many students will show up next year, however, they need to do a

better job of integrating the schools into the whole planning picture for Mecklenburg County.

Director Cramton noted that Dr. Smith had indicated that he is 1. About to hire a senior level planning person who will assume the oversight responsibility for long-range planning, 2. Looking at how to institutionalize this fast-track long range planning

Mr. Cramton has suggested that a consultant be hired to help with the first long-range planning efforts. He also made note that the School Board and the County Commissioners were meeting on Friday, March 14 and that he had been invited to address this issue

Chairman Heard suggested that if the School Board does get to make two appointments to the Planning Commission that number stay at fourteen and that the City and County each give the School Board one of their appointments The School Board would also be involved in the long range planning process

Ms. Spencer raised the question of the background of appointees as to interest groups

Ms. Woods stated that she thought that some attention should be given to appointee's background as well as to their geography

Director Cramton stated that a map could be part of the nominating package for the elected bodies that would show where the current planning commission members reside

Mr. Jackson again raised the issue that all the elected bodies which make appointments should pay part of the budget for the Commission

Ms Carney pointed out that the County funds the Schools and the County is putting half of the money on the table

Director Cramton suggested that when the Schools submit their long-range planning work program that we will be able to put a dollar amount on their efforts

Mr Jackson stated that he would like to see records of how the planning staff is interacting with the School staff and how resources, time and energy are spent with them

Director Cramton stated that the Planning Department's billable hours will capture the time and money spent with the School Master Plan

Ms Spencer pointed out that it has taken ten years to get the Schools to participate with the Planning Commission, but running concurrently with that issue is the issue of balance on the Commission between the development community and the neighborhood interest She stated that she didn't want the second issue to get lost in the discussion

Ms. Burgess, School Chair stated that the Schools would be increasing their planning staff resources significantly and she did not want the others to think that the Schools were not carrying their weight, because she believed that they were.

Mr. Jackson stated that the School's commitment must be institutionalized so that no matter who is on the School Board that the Schools are a permanent part of the long-range planning process.

Mr. Helms reiterated that the 2015 Plan and the School Master Plan need to be merged so that there is a better match between the two plans

Director Cramton stated that provided that Dr Smith institutes a long range planning capacity and the Schools appoint two knowledgeable people to the Commission then there is every reason to believe that you would get a higher level of dialogue on School issues as related to planning.

Mr Helms said that the siting of schools should be used as a growth management tool

Chairman Heard stated that since having served on the Planning Commission for five years that he has observed that the quality of the Commissioners is not so much what they do or their geography but, how much information they are prepared to learn, absorb and become conversant with and their view of the larger community.

Mr. Helms stated that it would seem that the point of adding the two school board appointees would be to create some relationship between the City, the County and the Schools that they do not now have Therefore it would be reasonable to think that those two appointees would have to come with an agenda, with the perspective of schools

Vice-chairman McMurray said that all the Planning Commissioners are pro schools If the appointees are set up developers, neighborhood representatives and school representatives then you are going to be setting distinct camps and make them more adversarial than complimentary

Mr Helms said that if two are appointed from School Board that it seems that they would have an obligation to collaborate, report back to and keep the schools' planning department informed so that something comes out of this

Mr Williams said that he didn't know how they could come up with a process to institutionalize interest seats on the Commission Even the School Board's appointees should have the broader community vision, not just the school's interest

Mr Jackson said that what he would really like to have is 1 the School's committed to planning and what they will have is a Planning Commission that is responsive to them, not just two members and 2 Need to get people of integrity and commitment and that is all that matters They will do the right thing

Ms. Woods said that the two school representatives should be involved with the schools and their interest. She also recommended that no more that one-half of the Commission should have connections to the development interest and that there should be some geography consideration.

Ms. Burgess said that there should be commitment and integrity, but the people should also feel like they are representing the whole county.

Ms. Spencer stated that 1. The City only looks a committee's make-up when there is a problem and then it how did this happen, 2. The door has been open for 10 years for the School's to participate in planning and she questioned how the School's commitment to planning will be measured? Does that mean that the School System comes to Martin prior to appointing two people and says this is our one year plan and he checks off on it and says that it is sufficient for them to have something to work, then at the end of the year the School's don't come back with another plan, do we take the two people off?

Director Cramton said that he was optimistic that things will work out The key is bringing the annual work program forward that is reviewed by the City Council and the Board of County Commissioners. He said that he was not looking at this from a policing point of view

Discussion on the amendment to the Interlocal Agreement:

Heard. There will have to be an amendment to the Interlocal Agreement with all three bodies approving. The number of members should stay at 14 One appointment should come from the City and one from the County

Jackson Stated that he wasn't very happy with that The reality of the planning process is that the City is responsible for 80-90% of the rezoning cases, roads, and all the infrastructure. He felt that both of the appointments should come from the County

Mr Helms stated that this should not matter and that he agreed with Mr Jackson that it is the piece inside of the outerbelt that is more at risk, within the City limits This should be where the schools can help with managing growth

Ms. Carney said that there should be a commitment of all three bodies that they will come to the table and work together

Vice-chairman McMurray pointed out that the County appointee is just as likely to live within the City limits

Ms Spencer made a motion, seconded by Ms Woods, that the Interlocal Agreement be amended where it would include the School Board as a signatory partner That the Commission it would still consist of 14 members The School Board should have two appointments, one each from the City and one from the County There will be six each for the City and County and two for the

School Board The primary pool from which future appointments are made would be from a community planning educational process-details to be determined later Appointees should come with at least an understanding of the issues, a sensitivity to the larger community's concerns and a commitment to the planning process

There is no language about the make-up of the Commission

Vote: Yeas: Heard, McMurray, Spencer, Woods, Samuel Reid, Helms, Williams, and Carney
Also, School Board Chair, Burgess
Nays. Jackson
The motion carried.

Ms. Spencer again questioned what the committee would do about the development/neighborhood issue The Chairman stated that it would be hard to institutionalize.

Mr. Williams questioned how you would determine interest?

Action Step·

Chairman Heard; Marvin Bethune, County Attorney; Dave Smith, Senior City Assistant Attorney and Joyce Gillon, Planning Staff will meet to draft the amendment to the Interlocal Agreement

Ms. Towler will pull the composition issue from the County's March 18 agenda to give time for the drafting of the amendment.

2015 Plan Review

The Committee voted for the Committee to meet on Friday, April 11 at 7.45 A M to continue their review of the *2015 Plan.*

The meeting adjourned at 9 15 A M

APPROVAL OF TWO BOARD APPOINTMENTS TO THE PLANNING COMMISSION

Ms. Burgess reported that the Planning Liaison Committee voted to include two representatives from the Board of Education on the Planning Commission. Although individuals have not been selected, she said that a vote would indicate a willingness by the Board of Education to enter into the planning process with the City and County. Ms. Burgess commented that the Planning Liaison Committee voted unanimously to include members representing the Board of Education, and the decision comes with the endorsement of Martin Crampton, Director of Planning. To become effective, the City Council and the County Commission would both need to approve the decision, and the Board of Education would make appointments

Mr. Lassiter said that the Board of Education was requesting the City and County to amend the inter-local agreement to allow the Board of Education to name two individuals to the Planning Commission. He questioned if there would be changes in the relationship for the CMS planning staff. Ms. Burgess commented that each entity would maintain a separate planning staff, but each would be working more closely with one another. Dr. Smith stated that he had met with Martin Crampton to arrange the planning function, and stated that both agreed that there would be a closer working relationship relative to future growth. He said there would be no financial obligation for staff expense for the Board of Education.

Ms. Woods commented that the Planning Commission would expect a higher level of involvement by CMS staff and that might require more staff time. Dr. Smith said there may be an outside audit to evaluate operations to determine how the bodies could better coordinate. Ms. Woods said the Planning Liaison Committee had reviewed the issue of who would serve on the Planning Commission and the Committee wanted to ensure that issues related to schools would be brought to the table to determine the impact on the Charlotte-Mecklenburg Schools.

Because the Board of Education had an interest in both zoning and planning areas, Mr Lassiter asked if thought had been given to the reporting relationship. He wanted to ensure that Board members would be able to share ideas with appointees who could translate the Board of Education's perspective. Mr. Griffin explained that the appointments would allow strategic alignment so that staff would be more involved with the process He said the process would be "raised to a higher level" to allow the Board of Education to be informed of zoning and land use issues related to schools on a more timely basis.

Ms. Burgess said that one of the County Commissioners suggested appointing former members of the Board of Education who were knowledgeable of school issues.

On motion by Ms. Woods, seconded by Mr. Griffin, the Board voted unanimously to indicate a willingness by the Board of Education to enter into the planning process with the City and County for the selection of two appointments to the Planning Commission.

Planning Liaison Committee
Friday, May 2, 1997
7:45 A. M.

Committee Members Present: Chairman Ike Heard, Vice-chairman Jerry McMurray and Don Reid, Darrel Williams, Sara Spencer, and Parks Helms
Also Present: Jim Cogdell, Chair of Citizens' Capital Budget Advisory Committee, Susan Burgess, School Board Chair, and Dr Eric Smith, School Superintendent

Staff Present: Director Martin Cramton, Debra Campbell, Walter Fields, Garet Walsh, Dick Black and Joyce Gillon, Planning Staff, Julie Burch, Assistant City Manager, Wanda Towler, Assistant County Manager; Jonathan Wells and Greg Clemmer, School Staff, and Major Stewart, Police Department.

2015 Plan Review

Regionalism

Garet Walsh provided the introduction

Goal *Build regional and local concurrence to coordinate land use, transportation, utility and environmental planning and public service delivery in the Charlotte- metropolitan region.*

She introduced Dick Black who works in regional planning for some of the specifics.

- Community Planning Forums These are quarterly meetings of the planning board chairs and key planning staff of the six Mecklenburg towns and the Charlotte Mecklenburg Planning Commission The forums are sponsored by the Charlotte-Mecklenburg Planning Commission and are an opportunity for discussions on topics of mutual planning interest In February, the forum discussed the *2015 Plan.* Future topics will include a discussion on the I-485 interchanges

- Carolinas Urban Coalition The coalition consists of members from the 20-mile ring cities· Concord/Kannapolis, Monroe, Rock Hill, Gastonia, and Mooresville and Charlotte. The first year this group is working toward A Regional Strategic Plan Assessment and is developing a regional composite land use map, the second year they will develop action plans

Points of Committee's Discussion

Cogdell Stressed the need for dollar commitments from the region for infrastructure, that Charlotte-Mecklenburg does not have enough for the inner city needs There will have to be shared revenues There must be a focus on capital and finance

Helms: Mentioned the need for regional transportation authority and consequences of the outerbelt and its interchanges

Burgess: School System needs to be aware of the location outerbelt interchanges and their impacts.

Spencer: Note made of Cabarrus County's problems with the costs of growth and their possible moratorium on growth Could this not move some of the start-up home growth back into Mecklenburg County?

Fields. Answered that, based on subdivision activity, there was still a lot of housing growth in Mecklenburg County.

McMurray: CMUD has already made several utility agreements with Cabarrus and Union Counties.

Reid· Questioned whether there is such a thing as too much growth He didn't know what that amount was, but he felt that Charlotte-Mecklenburg was close Can we afford any more growth? How much can we afford?

Cogdell: We need to take care of what we have

Helms: We can't stop the growth. The question is how can we manage the growth?

Burgess: What is the best way to manage the growth? We should not penalize children because of the growth.

Williams: Three alternatives: 1 Status quo, 2 Stop growth, 3 Manage or redirect growth We need to redirect the growth back in to the center city

Spencer: There are prime locations for schools within the center city A school can help to stabilize a neighborhood.

Cogdell. The *2015 Plan* should include a business/financial plan What will plan implementation costs?

Heard The *2015 Plan* is a policy document

Parks The Plan needs to address the fiscal ramifications with estimates of implementation

Williams Need to encourage development where infrastructure is already in place Concern over abandon property in the inner city when new construction takes place in the suburbs There needs to be some difference in the tax rate or the new construction should pay for the costs of

Reid: Studies have shown that the three great propellents for economic development are 1 Good education 2 Low taxes and 3. Low crime We need to focus on number 3 in Mecklenburg County. We have crime in the county The school's have some good people working for them, but we have a long way to go We need to give some attention to business retention He stated that he had suggested to the mayor, but thought that it could be a countywide program, that a group of people need to look at business in this city and all the rules and regulations affecting businesses and to see what we can do to eliminate unnecessary rules and regulations We already have businesses moving out.

Cogdell: Agreed that we needed to address business retention and he also stated that we need a school plan, so that they are not always into crisis management of seat assignments

Helms· The City Council is having to deal with some zoning issues that he thinks are very critical, the County is getting fewer and fewer of those, and most of the County's are slam dunks The biggest problem that we have is the R-3/R-4 issue.

Burgess Charlotte is recognized nationally as having a lot of older buildings One political problem is that the long-term tax payers who have invested here are not going to raise their taxes to build new schools for new people. We have to do something with the inner city schools

Cogdell. We may look at raising some of the 45 year old

Mr. Helms made a motion, seconded by Vice-Chair McMurray, to present the proposed 2015 Plan to the City Council and the Board of County Commissioners and that there be some consideration to adding an addendum or a inner city schools and building new schools instead of using all the dollars needed for renovation Then, you have the problem of what do you do with the seats while this is happening. dditional information that gives an estimate of the fiscal implications of the plan The motion carried unanimously

Chairman Heard stated that the Planning Commission and staff would address in their presentation of the *2015 Plan* to the elected officials the issues and concerns raised by the Planning Liaison

Planning Commission Composition

Chairman Heard referred the Committee to the April 9, 1997 black-lined version of the Interlocal Agreement and ask if there was any other discussion on this issue

Action Step

The Planning Commission composition recommendation and the black-lined Interlocal Agreement will be presented at the June 17, 1997 Joint Luncheon so that the three respective

elected bodies will receive the information at the same time for discussion

April 11, 1997 Minutes

The April 11, 1997 minutes were accepted by consensus as written

Next meeting is Friday, May 23, 1997

The meeting was adjourned at 9 20 a.m

BLACKLINED
04/09/97

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

AMENDED AND RESTATED
INTERLOCAL COOPERATION AGREEMENT

This Agreement made and entered into ~~this the 19th day of December, 1988, by and between~~ effective the _____ day of _____, 1997, among the **CITY OF CHARLOTTE**, a municipal corporation organized under the laws of the State of North Carolina, ~~and~~ the **COUNTY OF MECKLENBURG**, a political subdivision of the State of North Carolina, and the **CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**, a North Carolina city-county school administrative unit.

WITNESSETH

SECTION I. POLICY

1.10

The ~~Governing Bodies~~ Signatory Units, as parties to this Agreement, hereby find and declare that interlocal cooperation for comprehensive planning and plan implementation is a necessity: a) for orderly and coordinated growth and development; and b) to establish a land planning process and policy framework as a basis for decisions and actions related to assure a factual base for such decisions and actions.

The ~~Governing Bodies~~ Signatory Units recognize land planning and its implementation are vital to the public interest. therefore, without limiting the generality of the foregoing, it is found that planning investigations and surveys, formulation of development goals and objectives, preparation of plans to implement goals and objectives, and development of means to carry out plans in a cooperative, coordinated and efficient manner are necessary in order that the officers, agents, employees, and ~~governing bodies~~ the Signatory Units may competently perform their duties; and, in order that the voters ~~of the respective jurisdictions~~, when called on to exercise their franchise in elections relating to their affairs may do so with an intelligent understanding of the questions presented for their decisions.

1.20

The purpose of this Interlocal Cooperation Agreement is to establish a joint planning agency and provide for its organization, administration and general term of agreement

1.30

This Agreement is entered into pursuant to the terms and conditions of G.S. Chapter 160A, Article 20, Interlocal Cooperation; and further, the terms and conditions of the Agreement confer such power, duties, rights and functions needed for the execution of the undertaking.

SECTION II. DEFINITIONS

The words defined in this section shall have the meanings indicated when used in this Interlocal Cooperation Agreement:

2.10

"City" means the City of Charlotte and "Council" shall mean the Charlotte City Council.

2.20

"County" means Mecklenburg County and "Board" shall mean the Board of County Commissioners of Mecklenburg County.

2.30

"Planning Commission" means the Charlotte-Mecklenburg Planning Commission as herein established under the terms of this Agreement.

2.40

"Governing Bodies" means the Council and the Board as the elected legislative bodies of the City and the County, each one of which is a "Governing Body".~~.~~

~~2.50~~ 2.50

~~"Unit or Units of Local Government" means a county, city, consolidated city-county, sanitary district, or other local political subdivision, or agency of local government.~~"Signatory Units" means collectively (i) the City or the Council as appropriate; (ii) the County or the Board as appropriate; and (iii) the School Board, any one of which is a "Signatory Unit"

2.60

"Comprehensive Plan" means a general and long range "Plan(s)" for guiding physical development - considering the social, cultural, economic and environmental implications of changes, through provisions for goals, objectives, policies, strategies and standards as well as localized short- and long-range plans or programs, all of which are based upon necessary inventories, analysis and synthesis of research conclusions. "Planning" shall mean the

process and procedures necessary to prepare and maintain a Comprehensive Plan as well as carry out the functions and duties herein established under the terms of this Agreement.

2.70

"Plan Implementation" means those measures used to carry out land use plans or land use programs through such implementation measures as ordinances, regulations or project plans as established to carry out the functions and duties under the terms of this Agreement.

2.80

"School Board" means the Charlotte-Mecklenburg Board of Education.

SECTION III. PLANNING COMMISSION ORGANIZED

3.10

There is hereby established a joint agency to be known as the Charlotte-Mecklenburg Planning Commission. The Planning Commission is designated as the planning advisory body to the ~~City and the County~~ Signatory Units, and shall have the powers and duties described in this Agreement subject to such other powers and duties being similar with the established authority under this Agreement, and further not inconsistent with this provision of this Agreement

3.20

The Planning Commission shall consist of fourteen (14) voting members. ~~Five (5)~~ Four (4) members of the Planning Commission shall be appointed by the Council, two (2) members shall be appointed by the Mayor, ~~and the other seven (7)~~ six (6) members shall be appointed by the Board, and two (2) members shall be appointed by the School Board.

3.30

Membership of the Planning Commission shall be established under the following conditions:

3.31 Terms of Office of Planning Commissioners shall be three (3) years, but any term shall continue until a successor is appointed.

3.31.1 The terms of the Planning Commission members shall expire on June 30 and follow a staggered system of expiration:

Position/Jurisdiction		Expiration
1	County	1999
2	County	1999
3	City	1999

4	City	1999
5	County	1997
6	County	1997
7	City	1997
8	City	1997
9	~~County~~SchoolBoard	1997
10	~~City~~School Board	1998
11	County	1998
12	City	1998
13	County	1998
14	City	1998

3.31.2 ~~The Governing Bodies~~The Signatory Units may make individual provisions for consecutive terms permitted for their respective appointive positions.

3.32 Members of the Planning Commission shall be residents of the County and will be subject to the following conditions:

3.32.1 A member who ceases to be a resident of the County shall cease to be a member of the Planning Commission.

3.32.2 Members shall serve with compensation as determined by the Governing Bodies.

3.33 Filling Vacancies and Removal of members on the Planning Commission shall be carried out as follows:

3.33.1 Upon resignation, permanent disqualification or removal of any member of the Planning Commission, the appointing authority, pursuant to this agreement will appoint a successor to fill the remaining term.

~~3.33.2 Members have an obligation to attend at least seventy-five (75) percent of the total number of regular meetings of the Planning Commission and of the Planning Committee and/or Zoning Committee to which the member is from time to time assigned during any calendar year with no excused absences. Members must be present for at least fifty (50) percent of the meeting time in order to be counted present.~~

3 33.2 Each Signatory Unit may make individual provisions for requiring that its appointees meet any attendance policies adopted by the Signatory Unit.

The Planning Commission Chairperson shall immediately report to the appropriate ~~Governing Body~~ Signatory Unit the failure of any member appointed by said ~~Governing Body to meet said attendance standard, the receipt of which report shall automatically remove said member from~~ Signatory Unit to meet the attendance policy of the Signatory Unit ~~for its~~ appointees to the Planning Commission.

3.33.3 Any appointed member of the Planning Commission may be removed at any time with cause by the ~~Governing Body~~ appropriate Signatory Unit according to their policy of removal of appointed members.

3.40

Ex-Officio member(s) of the Planning Commission may be appointed by the Governing Bodies upon recommendation of positions by the Planning Commission and approval by the ~~parties to this Agreement~~ Governing Bodies, and further subject to the following:

3.41 Ex-Officio members shall be non-voting members.

3.42 Ex-Officio members shall serve under the same terms and conditions for voting members and their term expiration shall initially be established as a condition of appointment.

3.50

The Planning Commission shall elect its own officers at or within thirty (30) days of its regular meeting in July of each year. Further the Planning Commission shall comply with the following:

3.51 The officers of the Planning Commission shall be the Chairperson and Vice Chairperson.

3.52 The Chairperson of the Planning Commission shall appoint advisory committees and sub-committees of the Planning Commission as deemed appropriate.

3.53 The Planning Commission shall adopt such rules of procedure as it shall see fit for the transaction of its business A copy of such rules shall be filed with the City Clerk ~~and the County Clerk~~, the Clerk to the Board, and the School Board Secretary

3.54 The Planning Commission, the Planning Committee, and the Zoning Committee shall hold regular meetings, and may hold special meetings and the same shall be open to the public but shall not prevent the Board from holding appropriate executive sessions.

3.54.1 The Planning Commission may invite and receive suggestions from the public concerning any and all matters within the scope of its duties.

3.54.2 The Planning Commission, the Planning Committee and the Zoning Committee shall keep minutes - to be action minutes if desired - in which shall be recorded all actions taken by it on all matters that it considers. Such minutes shall be public records.

3.54.3 Planning Commission meetings and special meetings are subject to the open meetings law of North Carolina.

3.60 Planning Commission with Planning Committee and Zoning Committee and Voting

3.61 Planning Commission: The Planning Commission, consisting of fourteen (14) members, shall be chaired by an elected Chairperson. The Planning Commission shall be designated as a Planning agency pursuant to G.S. 153A-321 and G.S. 160A-361 for carrying out the duties specified herein for the Planning Commission. A quorum for the Planning Commission shall consist of at least eight (8) members present.

3.62 Planning Commission Executive Committee: There shall be a Planning Commission Executive Committee consisting of the Chairperson of the Planning Commission, the Vice-Chairperson of the Planning Commission, and the Vice-Chairpersons of the Planning Committee and of the Zoning Committee. The Planning Commission Executive Committee shall coordinate the work activities and the carrying out of the duties of the Planning Committee and Zoning Committee and shall have such other duties as established by the Planning Commission's rules of procedure referred to in Section 3.53.

3.63 Planning Committee: The Planning Committee, consisting of seven (7) members, shall be chaired by the Planning Commission Chairperson or Planning Commission Vice-Chairperson. The Planning Committee shall be designated as a planning agency pursuant to G.S. 153A-321 and G.S. 160A-361 for the carrying out of duties specified herein for the Planning Committee. A quorum for the Planning Committee shall consist of at least five (5) members present

3 64 Zoning Committee: The Zoning Committee, consisting of seven (7) members, shall be chaired by the Planning Commission Chairperson or Planning Commission Vice-Chairperson The Zoning Committee shall be designated as a planning agency pursuant to G.S. 153A-321 and G.S. 160A-361 for the carrying out of the duties specified herein for the Zoning Committee. A quorum for the Zoning Committee shall consist of at least five (5) members present

3.65 Duty to Vote: A member of the Planning Commission, Planning Committee or Zoning Committee must vote unless excused from voting for cause. An individual who wishes to be excused from voting shall so inform the Chairperson, who shall take a vote of the remaining members. If an individual has failed to vote and has not been excused by a majority vote of the remaining members, then that shall be recorded as an affirmative vote.

3.66 Four Affirmative Vote Requirement: The approval of a recommendation from the Planning Committee or Zoning Committee shall require four (4) affirmative votes from the seven-member committee.

3.70 Appointments to Planning Committee and Zoning Committee

3.71 Planning Commission members shall be appointed to the Planning Committee and to the Zoning Committee by the Planning Commission Chairperson in consultation with the Vice-Chairperson. The Chairperson of the Planning Commission shall take into consideration the following criteria in appointing members to the Planning Committee and to the Zoning Committee:

3.71.1 During each Planning Commission member's three-year term, each Planning Commission member should serve eighteen months on the Planning Committee and eighteen months on the Zoning Committee, with consecutive months of service on each committee being desirable.

3.71.2 All new appointees should serve at least 6 months on the Planning Committee before serving on the Zoning Committee.

3.71.3 At rotation, at least three members should remain on the same committee.

3.72 The following matrix is for purposes of illustration only and serves the function of assisting the Chairperson in implementing the criteria stated above:

Present - Delete

Position:	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Term:	87	87	87	87	88	88	88	88	88	89	89	89	89	89
Date														
7/86	P	P	Z	Z	Z	Z	Z	P	P	P	P	P	Z	Z
1/87	P	P	P	P	Z	Z	Z	Z	Z	Z	Z	P	P	P
1/88	Z	Z	P	P	P	P	P	P	P	P	Z	Z	Z	Z
1/89 through 6/89	Z	Z	Z	Z	Z	Z	P	Z	Z	P	P	P	P	P
	M	M	C	C	M	M	C	C	M	C	M	C	M	C

Legend: C = City Appointee; M = County Appointee; Z = Zoning Committee Term; P = Planning Committee Term

Proposed

Position	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Term	99	99	99	99	97	97	97	97	~~97~~	98	98	98	98	98
Dates														
7/97	Z	Z	P	Z	P	P	P	Z	P*	P	Z	Z	Z	P
1/98	Z	Z	P	Z	P	P	P	Z	P	P	Z	Z	Z	P
7/98	Z	Z	Z	Z	P	Z	P	Z	Z	P*	P	P	P	P
1/99	P	P	Z	P	Z	Z	Z	P	Z	P	P	P	Z	Z
7/99	P	P	P	P	Z	Z	Z	Z	Z	P	P	P	Z	Z
Appointed By	Y	Y	C	M	Y	Y	M	C	B	C/B*	Y	C	Y	C

Legend·
C = City Appointee
M = Mayoral Appointee
Y = County Appointee
B = School Board Appointee
P = Planning Committee Term
Z = Zoning Committee Term
*Point at which position becomes School Board Appointee

3.73 Neither the City nor the County shall have more than four (4) members on the Planning Committee or the Zoning Committee

3.74 The Chairperson retains the authority to make such appointments and assignments as will be necessary to carry out the responsibilities of the Planning Commission, including the making of temporary assignments.

3.80 Functions of Planning Commission

3 81 Planning Commission Pursuant to the authority and provisions of· a) G S Chapter 160A Cities and Towns, Article 19, Part 1; and b) G S. Chapter 153A Counties, Article 18, Part 1, the Planning Commission shall have the power to perform the following duties

3.81.1 Recommend an annual work program. The Planning Commission shall report to the ~~Governing Bodies~~ Signatory Units on an annual basis giving information regarding the conditions of the planning and zoning jurisdiction and the status of planning and zoning activities.

3.81.2 Recommend the annual budget.

3.81.3 Review Committee reports.

3.81.4 Review and comment, at a regular agenda meeting item, on planning policy and implementation actions. Such comment and review shall be transmitted to the appropriate Planning or Zoning Committee for consideration during their deliberation and such comments shall be recorded in any recommendations transmitted to the ~~Governing Bodies~~ Signatory Units.

3.81.5 The Planning Commission - with the concurrence of the appropriately affected ~~Governing Body to this Agreement~~ Signatory Unit - may accept, receive and disburse in the furtherance of its functions any funds, grants and services made available by the federal government and its agencies, the State government and its agencies, any local government and its agencies and any private and civic sources.

3.81.6 The Planning Commission with the concurrence of the appropriately affected ~~Governing Body to this Agreement~~ Signatory Unit may enter into and carry out contracts with the State and federal governments or any agencies thereof under which financial or other planning assistance is made available to the ~~Governing Body~~ Signatory Unit and may agree to and comply with any reasonable conditions that are imposed upon such assistance.

3.81.7 The Planning Commission with the concurrence of the appropriately affected ~~Governing Body to this Agreement~~ Signatory Unit may enter into and carry out contracts with any other city, county, or regional council or planning agency under which it agrees to furnish technical planning assistance to the other local government or planning agency. Any city, or its designated planning agency with the concurrence of its council, may enter into and carry out contracts with any other city, county, or regional council or planning agency under which it agrees to pay the other local government or planning agency for technical planning assistance.

3.81.8 Advise and cooperate with units of local government upon request or on its own initiative on any matter within the Planning Commission's powers and duties.

3.82.9 Make available advice or reports to the State and federal government or regional body on any matter within the Planning Commission's powers and duties.

3.82.10 Make provisions for members of the Planning Commission to serve on other appointive boards or commissions as ex officio members as follows:

(A) Historic District Commission
(B) Charlotte/Mecklenburg Metropolitan Planning Organization
(C) Others as may be authorized by the Governing Bodies.

3.82.11 The Planning Commission shall execute such administrative duties as prescribed hereinafter by SECTION IV, ADMINISTRATION. Exercise functions in the administration and enforcement of various means for carrying out plans that the Governing Bodies ~~to this Agreement~~ may direct.

3.82.12 The Planning Commission shall carry out such powers and duties as may from time to time be given or directed by the Governing Bodies.

3.90 Functions of the Planning Committee

3.90.1 Make studies of the area within its jurisdiction and surrounding area.

3.90.2 Define and recommend adoption of the goals and objectives to be sought in the development of the study area.

3.90.3 Prepare and recommend adoption of a comprehensive land use plan and plans for achieving these goals and objectives, including the interrelationship and integration of all transportation and utility plans

3.90 4 Develop and recommend policies and strategies as well as plan implementation including administrative procedures and other means for carrying out plans in a coordinated and efficient manner

3.90.5 Report and recommend to the Governing Bodies the adoption and revision of comprehensive text zoning ordinances and regulations.

3.90.6 Report and recommend to the Governing Bodies the adoption and revision of comprehensive subdivision regulations.

3.90.7 Advise the ~~Governing Bodies to this Agreement~~ Signatory Units concerning the use and amendment of means for carrying out plans.

3.90.8 Recommend area plans to the Governing Bodies.

3.90.9 Continue to update the Generalized Land Plan 2005 and recommend appropriate amendments thereto, and recommend adoption of any subsequent Comprehensive Plan as referred to in G.S. 153A-341 and G.S. 160A-383.

3.90.10 Develop and recommend appropriate transportation policies or other such relevant policies to the planning process.

3.90.11 Review and recommend actions on capital projects, on the acquisition or sale of real property to units of local government including independent boards, agencies, commissions, authorities, special districts and local public institutions subject to the following provisions. The Planning Committee shall have thirty (30) days from the date of submission to review the project or action. A longer period of review may be granted by the instrumentality making submission. The Planning Committee may make whatever response it deems appropriate, if any, to submitted projects or action

3.90.12 Take action as stated herein and make recommendations directly to the ~~Governing Bodies~~ Signatory Units.

3.95 Functions of the Zoning Committee

3.95 1 Provide recommendations to the Governing Bodies on rezoning petitions Before a Governing Body may take action on a rezoning petition, the rezoning petition, after the public hearing, must be referred to the Zoning Committee for the Zoning Committee's recommendation The Zoning Committee shall be given at least 30 days in which to make a recommendation The Governing Body is not bound by the recommendations, if any, of the Zoning Committee.

3.95.2 Provide final approval for each individual subdivision plat as the designated Planning Agency through the authority of G.S. 160A-373 and G.S. 153A-332.

3.95.3 Provide site review of any site plans submitted pursuant to the authority in the General Statutes of North Carolina or pursuant to any local act adopted by the Governing Body.

3.95.4 Provide members for the Special Use Permit Board as authorized by Chapter 488, 1983 Session Laws of the State of North Carolina.

3.95.5 Make rezoning petition recommendations directly to the Governing Bodies.

3.95.6 Report and recommend to the Governing Bodies the amendment or repeal of specific text zoning ordinances and regulations intended to carry out adopted plans and planning purposes which are prescribed by the provisions of Chapter 160A, Cities and Towns, Article 19, Part 3, Zoning and Chapter 153A, Counties, Article 18, Part 3, Zoning.

Before a Governing Body may take action on a text zoning ordinance and regulation, it must be referred, after the public hearing, to the Zoning Committee for the Zoning Committee's recommendation. The Zoning Committee shall be given at least 30 days in which to make a recommendation. The Governing Body is not bound by the recommendations, if any, of the Zoning Committee.

3.95.7 Report and recommend to the Governing Bodies the amendment or repeal of specific subdivision regulations intended to carry out adopted plans and planning purposes as well as subdivision regulation purposes which are prescribed by the provisions of the General Statutes of North Carolina as found in Chapter 160A, Cities and Towns, Article 19, Part 2, Subdivision regulations. Chapter 153A, Counties, Article 18, Part 2, Subdivision regulations

SECTION IV. ADMINISTRATION

4.10

There is hereby established the Metropolitan Planning Agency: The Agency shall consist of the Director and subordinate employees The Metropolitan Planning Agency is designated as

the administrative body for carrying out the actions required to comply with the powers and duties of the Planning Commission and such other actions as may herein, or from time to time, be imposed on it by the Governing Bodies.

4.20

The Metropolitan Planning Agency will provide such management, planning, regulatory administration and support services as required and provided for under its annual, approved program and budget.

4.21 The Administrative Head of the Metropolitan Planning Agency shall be the Planning Director. The process for the appointment, evaluation and termination of the Planning Director is as follows:

4.21.1 Appointment of Director. The Chairman of the Board of County Commissioners pursuant to a vote of the ~~Commission~~ Board; the Mayor and the City of Charlotte, pursuant to a vote of the Mayor and Council; and the Chairman of the Charlotte-Mecklenburg Planning Commission pursuant to a vote of the Commission: shall each select one member of a three member selection committee to be known as Planning Director Recruitment Committee (PDRC). The City Manager and the County Manager shall act as ex-officio members of the PDRC to offer professional resources and advise in the process of selecting a new Planning Director.

PDRC shall, upon its unanimous vote, have the responsibility and the full authority to recommend a new director for the Charlotte-Mecklenburg Planning Commission.

The PDRC may employ professional advice in actively recruiting the Planning Director and may, upon the advice of the City Manager and County Manager, employ ~~as~~ an executive search firm and may negotiate and sign an appropriate contact with such firm.

(A) The PDRC shall:

(1) Make available to the executive search firm all applications on file

(2) Request additional application by personal contact or advertising for a period of six weeks from the date of authorization

(3) Seek comments from members of ~~City~~ Council and the Board ~~of County Commissioners~~ to guide deliberations during the recruitment period and, as appropriate, solicit comments from private sector representatives, members of the School Board ~~of Education~~ and members of the governing authorities of the six Mecklenburg County small municipalities.

(4) The search firm should be guided by the qualifications for a Planning Director provided by the Planning Commission.

(B) PDRC shall identify three (3) to ~~give~~ five (5) of the most qualified candidates and have candidates available for interview by any member of the Planning Commission, ~~City~~ Council and ~~County Commission~~ Board.

(C) PDRC shall promptly, after considering the qualifications of the candidates and input from the above sources, make a final hiring recommendation, including a recommended salary based on parameters established by the ~~City~~ Council and the Board ~~of County Commissioners~~.

4.21.3 Evaluation and Supervision of Director

(A) The Planning Commission shall develop an evaluation process of the Director, which shall include at least an annual review.

(B) The evaluation prepared by the Planning Commission shall be forwarded to the two Managers for their review and response.

(C) The City and County Managers shall develop an evaluation process of the Director, which shall include at least an annual review.

(D) The Planning Commission Chairperson shall meet at least annually with the two Managers to review the Planning Commission's evaluation of the Director and the Managers' evaluation of the Director

(E) The Planning Commission Chairperson and the two Managers shall meet at least annually with the Director to review their evaluation of the Director.

4.21.4 Termination of Director

The Planning Director may be terminated only upon: (a) the unanimous vote of the City Manager, County Manager and Chairman of the Planning Commission (unless the City ~~Council, County Commission~~, Board or Planning Commission shall designate some other person to serve on that committee in its behalf); or (b) a majority vote of the City Manager, County Manager and Chairman of the Planning Commission (unless the ~~City~~ Council, ~~County Commission~~ Board or Planning Commission shall designate some other person to serve on that committee in its behalf) supported by a majority vote of the ~~City~~ Council, the Mayor and ~~County Commission~~ Board (a total of ~~17~~ 21 members at the present) sitting in joint executive session.

4.22 Pursuant to and consistent with the provision of the approved annual work program and budget, the Planning Director shall perform the following duties:

4.22.1 Appoint, reappoint, assign and reassign all subordinate employees of the Agency and prescribe their duties subject to the personnel procedures and provisions of this Agreement.

4.22.2 Coordinate the activities of the Agency in its functions with other local, State and federal agencies.

4.22.3 Represent the Planning Commission or Governing Bodies before any agency of a unit of local government, the State, any other State or the United States with respect to:

(A) Functions of the Agency

(B) Adopted policies of the Planning Commission or Governing Bodies ~~a party to this Agreement~~

(C) Other matters as may be directed from time to time by the Planning Commission ~~of~~ or the Governing Bodies

4 22.4 Prepare and submit to the Planning Commission the Agency's annual work program and budget for its approval and subsequent submission to the City, with an information copy to be sent to the County Further, the Planning Director will prepare revisions to the work program or budget for subsequent action by the Planning Commission and the ~~City~~ Council and Board ~~of County Commissioners~~ as may be required

4.22.5 Perform professional planning duties - as administrative head of the Metropolitan Planning Agency, including but not limited to the following:

(A) Meets and discuss with City ~~and~~, County, and School Board elected officials planning issues and development of policy options in response to those issues;

(B) Meets and discuss with City ~~and~~, County, and School Board departments and other public agencies or private groups on a wide range of planning programs in process, under consideration, or established as community objectives;

(C) Meets and consults with interested individuals and groups about planning issues, programs and activities of the Planning Commission;

(D) Provides management and leadership in the development, coordination and director for physical plans, programs and projects related to growth, land use development and redevelopment, all of which consider the social, cultural, economic and environmental effects of change.

(E) Facilitate the efforts~~,~~ and focus the talents of Planning Commission and staff toward understanding planning issues and processes;

(F) Provide supervision for coordination of services to the transportation planning process - as provided in the Memorandum of Understanding for the ~~Charlotte-~~ Mecklenburg-Union Metropolitan Planning Organization (~~CMMPO~~ MUMPO) including:
-Arranging meetings and agendas;
-Maintaining minutes and records of meetings;
-Preparing a Prospectus and Unified Planning Work Program (UPWP) in cooperation with other local and State participants;
-Providing assistance to ~~CMMPO~~ MUMPO in preparing the Transportation Plan (TP) and in packaging the Transportation Improvement Plan (TIP) with input from other participating groups and for transmitting the TIP to State and federal agencies;
-Monitoring the transportation planning process to ensure its execution in accordance with ~~CMMPO~~ MUMPO direction;

-Preparing an annual report to the public on the transportation planning process; and
-Carrying out and coordinating duties necessary for the ~~CMMPO~~ MUMPO to complete its responsibilities.

4.22.6 Perform all other duties as may be prescribed by the Planning Commission or required to carry out the terms of this Agreement including but not limited to the following:

(A) Prepare an annual evaluation of areas meeting the statutory criteria for annexation of lands to the City and present such report to the Council and Planning Commission meeting jointly.

(B) Prepare an annual report on the condition of Charlotte-Mecklenburg and the status of planning activities for consideration by the Planning Commission.

4.22.7 Keep the Planning Commission regularly advised about the activities and program progress of the Metropolitan Planning Agency.

4.30

Personnel procedures of the City shall be followed by the Metropolitan Planning Agency regarding the following:

4.31 Selection, advancement and dismissal of employees.

4.32 Compensation and expenses.

4.40

Finance procedures of the City shall be followed by the Metropolitan Planning Agency regarding the following:

4.41 Annual Budget, revisions or changes.

4 42 Expenditures and revenues

4 43 Joint funding of the annually approved budget·

4 43 1 The City and County shall each pay one-half (1/2) of the annual budget approved by the City and County

4.43.2 Either the City or the County may fund services over and above those approved in the annually approved budget.

4.43.3 Participation of other units of local government may be funded by additions to the annual budget beyond that to be computed for City/County funding.

4.50

In carrying out its administrative requirements, the Planning Commission shall allow for the diverse planning needs of the ~~units of local government~~ Signatory Units. The Planning Commission shall perform the following administrative duties:

4.51 Approval of the annual work program submitted by the Planning Director together with any additions, deletions or changes it deems appropriate.

4.52 Approval of the annual budget submitted by the Planning Director together with any additions, deletions or changes it deems appropriate.

4.53 Direct the performance of the Planning Director according to all the terms, conditions and limitations of this Agreement.

4.54 Adopt rules of procedure for the conduct of its business in accordance with the powers and duties of this Agreement.

4.55 Adopt such policies with the advice of the Planning Director and as may be necessary to monitor, or give direction for the carrying out of the approved work program or annual budget.

4.60

The City shall own, and make provision for the disposition, if any, of all real and personal property required by the Planning Commission and the Metropolitan Planning Agency.

4.70

The annual work program process shall be as follows:

(A) The annual work program shall be prepared by the Planning Commission and the Director

(B) Upon approval by the Planning Commission, the Planning Commission Chairperson, and the Director, shall present the work program to the City and County Managers

(C) The Managers shall submit the proposed work program and their input to the Governing Bodies for their final approval and funding. The timing of such submission is to coincide with the budget process of the City and County.

SECTION V. GENERAL TERMS OF AGREEMENT

5.10

Reserved.

5.20

This Agreement may be amended from time to time upon mutual consent of the ~~Governing Bodies~~ Signatory Units.

5.30

A ~~party to this Agreement~~ Signatory Unit may terminate its participation in the terms and conditions of this Agreement under the following procedure:

5.31 Termination. This Agreement can only be terminated as of the beginning of a fiscal year.

5.32 Notice. Notice to terminate must be given in writing on or before April 30 immediately prior to the proposed July 1 termination to the other Signatory Units.

SECTION VI. PARTIES TO AGREEMENT

6.10

The parties to this Agreement have been authorized by appropriate and proper resolutions to sign the same.

6.11 City of Charlotte - The Mayor and City Clerk.

6.12 Mecklenburg County - The Chairman of the Board and ~~County Clerk.~~ Clerk to the Board

6.13 Charlotte-Mecklenburg Board of Education - The Chairperson of the School Board and the Secretary

6.20

Nothing herein before set forth shall be construed to prohibit the inclusion of any municipality of Mecklenburg County from participating in the Charlotte-Mecklenburg Planning Commission and receiving the services of it - or its administrative agent -under such terms and regulations as may be provided by the Governing Bodies

6.30

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first above written.

CITY OF CHARLOTTE

Mayor

ATTEST:

City Clerk

~~Approved as to form:~~

~~City Attorney~~

CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

Chairperson

ATTEST

Secretary

Approved as to Form

Board Attorney

MECKLENBURG COUNTY

Chairman of the Board of Commissioners

ATTEST:

~~County~~ Clerk to the Board

Approved as to form:

County Attorney

UNC CHARLOTTE
The University of North Carolina at Charlotte
9201 University City Boulevard
Charlotte, N C 28223-0001

Urban Institute
704/547-2307
Fax 704/547-3178

MEMORANDUM

DATE: May 9, 1997

TO: Joyce Gillon, Charlotte-Mecklenburg Planning Commission

FROM: Bill McCoy, Urban Institute Bill

RE: Training Sessions Proposal

PROPOSAL

1 Work Program: The Urban Institute will facilitate training sessions for people who might be interested in applying for the Planning Commission and, in general, people interested in planning. This work will be done for the Charlotte-Mecklenburg Planning Commission.

The general outline of the training sessions is

- General orientation on planning in Mecklenburg County
- Planning Commission structure
- The organization of the Planning Department
- Different types of planning
- Issue overview

After initial experiences with the format and evaluations of the programs, we would need to assess the format

2 Frequency Two times a year (although this could be increased to respond to demand, if needed

3 Place Since much of the information will be provided by CMPC staff persons, the best place may be in the government building

4 Length One-half day (3 to 4 hours)

5 Fee: CMPC staff will determine the fee, if one is charged I suggest a nominal fee of ten to fifteen dollars

6. Cost $500 per session, for service to include

- Two hours of planning for each session
- Four hours facilitation of session
- Travel to and from sessions
- Debrief with staff after session
- Assistance to staff in selection of speakers if speaker panels are used

7. Contract: We can use a letter of agreement as the contract with an invoice for payment after each session. If the CMPC agrees to the elements within this letter, such a letter of agreement will be drawn up.

UNC CHARLOTTE
The University of North Carolina at Charlotte
9201 University City Boulevard
Charlotte, N C 28223-0001

Urban Institute
704/547-2307
Fax 704/547-3178

MEMORANDUM

DATE: May 9, 1997

TO: Joyce Gillon, Charlotte-Mecklenburg Planning Commission

FROM: Bill McCoy, Urban Institute Bill

RE: Training Sessions Proposal

PROPOSAL

1 Work Program: The Urban Institute will facilitate training sessions for people who might be interested in applying for the Planning Commission and, in general, people interested in planning. This work will be done for the Charlotte-Mecklenburg Planning Commission.

The general outline of the training sessions is

- General orientation on planning in Mecklenburg County
- Planning Commission structure
- The organization of the Planning Department
- Different types of planning
- Issue overview

After initial experiences with the format and evaluations of the programs, we would need to assess the format.

2 Frequency: Two times a year (although this could be increased to respond to demand, if needed

3 Place: Since much of the information will be provided by CMPC staff persons, the best place may be in the government building

4 Length: One-half day (3 to 4 hours)

5 Fee· CMPC staff will determine the fee, if one is charged I suggest a nominal fee of ten to fifteen dollars

6. Cost: $500 per session, for service to include

- Two hours of planning for each session
- Four hours facilitation of session
- Travel to and from sessions
- Debrief with staff after session
- Assistance to staff in selection of speakers if speaker panels are used

7. Contract: We can use a letter of agreement as the contract with an invoice for payment after each session. If the CMPC agrees to the elements within this letter, such a letter of agreement will be drawn up.