

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ZONING, PLANNING AND APPEALS**

CASE NUMBER: 18-ZPA-07-003

HEARING DATE: August 23, 2018

PETITIONER: Village of Cary

REQUEST: 1. Temporary 180-day moratorium on the issuance of any conditional use permits or other authorizations for freestanding telecommunication or microwave relay towers.

MEMBERS PRESENT: O’Laughlin, Khoury, Kretschmer, Graziano

MEMBERS ABSENT: Jasper, Pippen, Williams

STAFF MEMBERS PRESENT: Brian Simmons
Director of Community Development

Chairman Khoury called the meeting to order at 7:30 PM. After approving the minutes of one previous case, and hearing one additional case, Chairman Khoury called Village Case No. 18-ZPA-07-003.

Director Simmons stated the Petitioner, the Village of Cary is proposing to instill a temporary 180-day moratorium on the issuance of any conditional use permits or other authorizations related to any applications for zoning or rezoning approval of freestanding telecommunication or microwave relay towers under the Zoning Code of the Village of Cary. The moratorium is proposed to remain in place while the Village of Cary considers possible changes to the zoning map and zoning regulations of the Village to consider appropriate standards for the proper location, collocation, size, design and related issues for above ground telecommunications facilities, antennae and towers. The ZPA hearing was properly noticed to the public.

Director Simmons stated that from time to time the Village of Cary performs an analysis of its existing zoning rules and regulations. The Village currently is in the process of performing a comprehensive update to its regulations through the drafting of a Unified Development Ordinance (UDO). With recent zoning petitions, the Village Board recommended a temporary moratorium be issued to provide ample time for the Village to draft specific regulations for telecommunications facilities, antennae and towers separate from the UDO process. The proposed moratorium will temporarily restrict the issuance of any future permits for these devices until adequate regulations can be drafted and adopted.

Chairman Khoury opened the floor to Public Comment. With no comment from those present, Chairman Khoury closed the Public Comment portion of the meeting.

Discussion

Member O’Laughlin asked if the moratorium applied to cell tower regulations that are already in place or for establishing new regulations. Director Simmons stated it would apply to all existing regulations.

Member Graziano asked why a text amendment was needed for a temporary moratorium. Director Simmons stated that the discussion and decision tonight was not a formal text amendment.

Chairman Khoury entertained a motion.

Member O'Laughlin moved, seconded by Member Kretschmer, to recommend to the Village Board of Trustees, approval of a temporary 180-day moratorium on the issuance of any conditional use permits or other authorizations related to any applications for zoning or rezoning approval of freestanding telecommunication or microwave relay towers under the zoning code of the Village of Cary.

Aye: Graziano, O'Laughlin, Kretschmer, Khoury

Nay: None

Abstain: None

Absent: Jasper, Phippen, Williams

Motion Passed: 4-0

Chairman Khoury entertained a motion to adjourn at 7:52 pm. Member O'Laughlin moved, seconded by Member Graziano to adjourn at 7:52 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk