

County Commissioner Meeting January 2004, Citizen "Chatham for Sale" Protest Rally Against Closed Door Changes to Compact Community Ordinance

Presenter: Jeffrey Starkweather, citizen and local attorney

Chairman Emerson and fellow county commissioners:

My name is Jeffrey Starkweather. I am speaking as a 32 year resident of Pittsboro and Chatham who is alarmed by the accelerating pace of large-scale development in the northern and eastern part of our county and its strong potential for destroying the rural character of our county by encouraging unwanted "sprawl." I am equally concerned about property taxes, the quality of our schools, economic development, more specifically job creation, recreation and cultural activities. The pace and quality of residential development will have a profound impact on these issues.

I am concerned that Chatham County has not developed or implemented the tools (i.e. map for Land Conservation and Development Plan, Lighting Ordinance, Solid Waste Control Plan, Economic Development Plan, among others), nor has it employed sufficient professional planning staff, required to ensure that this flood of development is "balanced" - defined by our approved Land Development plan as "guided to suitable locations and designed appropriately."

I am concerned that the county commissioners as a body is so caught up in encouraging residential development, that it is not providing the leadership we need in developing the tools to direct and control such growth. I strongly agree with the many citizen groups represented here tonight that the commissioners have failed to follow their own agreed upon approach - that is "open, pro-active and cooperative."

I am concerned that many residents have lost trust in the county commissioners as a body that represents their interests and feel that outside developers and other outside interests are heard and followed more than the citizens affected by their decisions.

I am also concerned that there appears to be a harmful and mistaken attitude on the part of some of the commissioners that the county is divided into two sections, east and west, that the interests of these two sections are in conflict, particularly when it comes to residential development, and that they can ignore the concerns and voices of citizens who do not reside in their election district.

Finally, I am deeply concerned that the majority of the commissioners appear to have bought into what most economists and land use experts consider a factual false notion - that is that residential development will lower or keep down property taxes. Those experts have come to the opposite conclusion, that even developments containing higher cost housing cost more in services and infrastructure than the county gets back in taxes, due the cumulative negative tax impacts that a number of such developments have in

creating sprawl through geographic dispersal. But regardless of your position on this issue, there is no question that implementing tough and effective planning tools to control residential growth, as part of what has been termed a "smart growth" strategy, will help significantly reduce the increases in county services and infrastructure caused by such residential development. Likewise, such a strategy will result in substantial lower local taxes than if such growth is not effectively directed and controlled.

Encouraging residential growth is not a form of economic development. If the commissioners want to encourage growth that will result a larger tax base, they should be concentrating on a plan to promote small business development, including requiring these large scale developments to set aside space for their location.

As many of you are probably aware, I ran a county newspaper for eleven years (1973-84), followed by six years service on the planning board (1986-92). Back when I first started covering county government as a newspaper editor, each county commissioner was elected by only the citizens of a separate geographic election district. The county planning board had five members, including a chairman who owned and was selling the land for the planned Farrington Development that he and his fellow board members unanimously recommended approval. We had one county planner.

30 years later as I stand before you, we still have only one professional planner. Most everything else has radically changed. Beyond establishing a planning board ethics policy, the commissioners around that time made one critical and dramatic improvement in local democracy. They made the conscious decision that, although commissioners would still have to reside in a geographic district, they would be elected countywide. Responding to citizen pressure, those commissioners provided the leadership necessary to implement a unifying vision of local democracy whereby each commissioner would be accountable to all the citizens of the county. It was their view that this would encourage the commissioners, as a body, to approach each issue from the standpoint of what was in the best interests of all the citizens, not just what an individual commissioner believed was in the interests of only the residents of his or her electoral district.

I fear that this vision has been forgotten or consciously discarded.

Moreover, Democracy means a lot more than voting every two years. Citizen participation as members of the planning board and other advisory boards, at public meetings, and through direct and open lobbying are the true essence of effective local democracy. If citizens are not heard, or come to believe that they are not heard, the democratic process fails. To make the democratic process work and retain citizen trust and support, you, our elected representative, have an obligation to see that county government is operated in an open and transparent manner.

Your obligation to assure open government appears to have broken down here, where citizens have worked long and diligently, in a cooperative and collaborative manner, with county officials for 18 months to develop a tough and effective Compact Communities Ordinance only to have the county attorney, apparently without an official request, go

behind closed doors, make significant substantive changes which appear to gut key enforcement and financial guarantee provisions, and then not even have the consideration to provide a written legal justification for his specific proposed changes. While citizens planned to express at the upcoming public hearing the need for a few changes to improve the document, such as lowering the maximum number of units allowed, they strongly supported Draft A as the basic document to be submitted to the public. In order to make sure county government and the planning process remains open and transparent, we are making a public records' request regarding the actions that led the Draft B. More importantly, we are asking you that, at a minimum, obtain a written public explanation from the county attorney detailing the specific legal basis for his proposed Draft B changes to the Compact Community Ordinance.

You have also been given a letter outlining a number of other smart growth/open government related requests from these citizens. While I support all those requests, I am urging that you demonstrate that you are listening and willing to respond to these citizens by voicing your support now for two requests that need immediate attention and action given the upcoming budget deliberations: additional professional planning staff and a full-time county attorney with expertise in land use law who will be directly answerable to you and the citizens of the county.

We citizens do not necessarily expect that all of you will agree with us on these issues, but you do owe the citizens of these affected communities, as well as all the citizens, to listen and respond to them with an open mind and to assume the leadership this county desperately needs to control this threatening residential sprawl by implementing smart growth policies that will promote balanced, environmentally and citizen conscious development and to encourage job growth with a dynamic small business economic development plan."