



March 10, 2021

to: citizens and interested parties

from: Manager Scott Whitaker

re: **2017 "Save Our Summerfield Committee" request for Comp Plan amendment**

In March 2017, the Save Our Summerfield Committee, represented by Co-chairs Teresa Pegram and Dwayne Crawford, applied to amend the Summerfield Comp Plan *"to establish limits on maximum average residential housing unit density within any new subdivision to be no more than 1 unit per 60,000 square feet."* The committee submitted a \$1,500 check per a Planning Department fee schedule in place at the time.

Mr. Crawford maintains that the matter has not been addressed four years later and the town maintains its position that the item was processed as described in the 6/15/17 email to then-Mayor Mark Brown (*included herein*). The matter is sometimes revisited in public meetings during either Public Comments or other discussions. I forwarded the same 6/15/17 email to Council 10/15/20 to make sure current leadership understood the 2017 request, how the town worked through the dispute, and the status. Mr. Crawford raised the issue again 3/10/21 and Mayor Barnes requested documentation on the town's website, which is the purpose of this memo.

The town did not have a mechanism in place to amend the Comp Plan as requested in 2017, despite that a fee was listed for some time within the Planning Department's fee schedule (this was adjusted when the mistake was realized). The town returned the \$1,500 check as directed by Council in 2017 and Co-chairs Pegram and Crawford declined to accept it insisting that the committee's *"request stands"* and it was expected that it be processed *"through the full amendment process, up to and including public hearing before Summerfield Town Council."* The town's position is that the matter was closed and remains closed.

Respectfully,

K. Scott Whitaker
Town Manager

Relevant email:

From: "swhitaker@summerfieldgov.com"
Date: June 15, 2017 at 10:21:36 AM EDT
To: Mark Brown <edard48@bellsouth.net>

...As to Teresa and Dwayne's Comp Plan amendment request, I feel like we've dealt with it plainly and clearly already. At the 4/11/17 TC meeting, we added an agenda item and here's what the minutes said:



***Citizen group request to amend Comprehensive Plan:** The town had received a request to amend the Comp Plan and establish the maximum average residential housing density allowed within any new subdivision to be no more than one unit per 60,000 square feet. The request was accompanied by a \$1,500 fee as required by the fee schedule. Adams stated the Town should not charge fees to listen to the citizens and the funds should be returned. Spencer suggested that Council assure citizens that the density request will be considered after returning their fee and added that staff would work on a procedure for amending the Comp Plan. O'Day and Adams requested that the funds be returned to the citizen group and the request to consider density, as well as requests for amending the Comp Plan in general, be forwarded to the next Zoning Board meeting for advice. The check would be refunded with clarification from the citizen group Chairs. There was discussion about removing the fees for Comp Plan and Ordinance amendments from the fee schedule as part of the budget process.*

Then it went to the ZB and their minutes said:

COMPREHENSIVE PLAN AMENDMENT PROCESS (GENERAL DISCUSSION)

The town received a request to amend the Comprehensive Plan to set the density at 0.73 acres. There is no available process to amend the comprehensive plan. Spencer read from the Comp Plan that it should be primarily a static document. Spencer suggested the density issue be separated from the comprehensive amendment plan. The fee to amend the comprehensive plan was refunded as stated in prior meeting. Spencer suggested this is better served as an ordinance regulation and that the Town Attorney has agreed. There was an agreement that the comprehensive plan has aged and that it should be reviewed to see if it should be modified in part or in whole, or if no change at all is necessary.

A discussion of the validity of .73 units per acre ensued, and Spencer stated this was a topic that should be discussed as a fair debate and include all sides. Feulner and Davis concurred that the density debate should be reviewed separately from the Comp Plan. Feulner stated the most current version of the draft UDO should be made available to the public. Feulner concurred that a density limitation should be part of the ordinance and all Zoning Board members agreed.

Scott
