

**PUBLIC HEARING MINUTES
MONDAY, JANUARY 27, 2020, 6:00 P.M.
TOWN COUNCIL CHAMBERS**

COUNCIL MEMBERS: Rennie Brantz-Mayor, Loretta Clawson-Mayor Pro-Tem, Sam Furgiuele, Connie Ulmer, Dustin Hicks, and Nancy LaPlaca

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chairperson, Eric Plaag-Vice Chairman, Frank Venio, Chris Behrend, John Tippet, and James Hedrick

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Marty Little-Senior Planner, and Brenda Henson-Board Secretary

OTHERS PRESENT: John Ward-Town Manager and Allison Meade-Town Attorney

CALL TO ORDER

Mayor Brantz called the Town Council to order at 6:03 p.m.

Vice Chairman Plaag called the Planning Commission to order at 6:03 p.m.

Approval of Meeting Minutes

Council Member Furgiuele suggested changes to typographical errors in the November 25, 2019 Public Hearing minutes.

Vice Chairman Plaag suggested a change in the 5th paragraph on page 11 to state that in addition to the three-page excerpt from The Appalachian he also handed out a screen shot of a page from the Walker WORKspace website. He also suggested a change in the 6th paragraph on page 11 to state that he used the way back machine at archive.org.

Chairperson Shay suggested a change in the approval of meeting minutes on page 1 to show that she abstained from voting on the September 23, 2019 meeting minutes.

Ms. Meade explained that it was acceptable for a board member to vote on minutes even if they were not present at the meeting for which the minutes were being considered.

Council Member Furgiuele made a motion to approve the November 25, 2019 Public Hearing minutes with the suggested amendments. The motion was seconded by Mayor Pro Tem Clawson.

Vote: Aye – All
Nay – None

The motion passed.

Vice Chairman Plaag made a motion to approve the November 25, 2019 Public Hearing minutes with the suggested amendments. The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

CASE PL03452-123119 & PL03453-123119 Christopher Taylor – General Use Zoning Map Amendment

The Town of Boone has initiated a General Use Zoning Map Amendment for property owned by Christopher and Kimberly Taylor (Watauga County PINs: 2920-31-8460-000 and 2920-31-8255-000) to R1 Single-family Residential with WS-IV Watershed Areas Protected Area (WS-IV-PA). Zoning is to coincide with the property owner's voluntary annexation of the properties. The properties are located along Paul Critcher Road.

Mr. Little presented the request as it was outlined in the meeting packet noting that Mr. Taylor presented a hardship and was allowed to connect to Town water. He stated that Mr. Taylor had also proved his properties were annexable so this request was to zone the properties.

Vice Chairman Plaag asked if the properties would be served with both water and sewer. Mr. Little replied that the properties would be receiving water only. Vice Chairman Plaag asked for the nature of the hardship. Ms. Meade explained that the Public Works Department dealt with hardship requests and may not be something that Planning & Inspections would know. Mr. Little stated he thought the hardship might be due to a well failure.

Mr. Little stated the recommendation was to zone the properties R1 Single-Family Residential with a Watershed protection overlay. Ms. Meade asked if Staff recommended the Watershed designation. Mr. Little replied that the properties were already located within a State designated watershed.

Council Member Furguele asked if the reason for the annexation was due to the hardship policy why both parcels would be considered when one of the lots was vacant. He asked if the Town would be providing water to the vacant lot as well as the one that has a structure on it. Mr. Little stated that water would be supplied to the lot containing the structure. Council Member Furguele asked if the vacant lot could be developed with a single-family home. Mr. Little replied that it could. Council Member Furguele asked if the properties were located in a Rural Growth Area. Mr. Little stated that they were. Council Member Furguele stated it looked like the area to the east was pretty populated. Mr. Little replied that was correct and noted the properties were on the edge of the Secondary Growth Area. Council Member Furguele noted that the area to the west that was located in the Secondary Growth Area was much less populated. Mr. Little noted that the map on packet page 28 showed where the former ETJ line extended and stated that a large section of Paul Critcher Road, the subject properties, and the area to the east of the subject properties had never been located inside the ETJ. Council Member Furguele asked how they were guided, if at all, by the designation of the growth areas. He also asked what it meant to be annexed and provide utility services to the rural growth area and asked if that was in conflict with what the designation of the rural growth area was. Mr. Little replied that it would seem that it was but noted that water was already at this site allowing the property owner to hook on without any extension of lines. Council Member Furguele felt the Town's growth maps were a bit out of date. Mr. Ward explained that the maps did not always equate to where the utilities had been run.

Vice Chairman Plaag stated he was puzzled by the fact that there were already Town water lines extended to an area located outside of the ETJ. Vice Chairman Plaag asked if there had been other annexation requests for properties that were outside of the old ETJ boundaries that already had access to Town water. Ms. Shook replied that the Town's policies changed regarding the requirement of annexation, noting that previously not all of the properties that hooked onto Town water were required to annex. She stated this particular property owner fell under newer policies. Mr. Ward added that the policy requiring annexation started almost immediately after the ETJ was removed. Vice Chairman Plaag asked if there had been any annexations since the policy change where the property was located outside of the old ETJ boundaries and already had access to Town water. Ms. Shook replied that she could not answer that question without some research. Mr. Ward stated he did not remember any. Vice Chairman Plaag asked, if this property owner had access to Town water that preceded not only this request but also the conflict over the ETJ, why he was not eligible to connect to Town water. Mr. Ward replied that the lines being in place and being granted access were two different things and had always been treated that way. Ms. Meade asked if Staff knew why the lines were already there. Ms. Shook replied that she did not know for sure but thought it might be because there had been previous well failures in the area. Ms. Meade asked if it was correct that there were properties in this area that were already fed by Town water. Mr. Ward replied that was correct. Ms. Meade noted that if the prior policy of the Town was to require annexation to hook onto Town water then there would likely be a small cluster of properties in the Town limits. Vice Chairman

Plaag stated, from his perspective, if there were neighbors who were currently connected to Town water then this particular property owner would be an island unto himself and be penalized for a political fight that did not involve him. Council Member Furguele stated this did not have anything to do with the ETJ. Vice Chairman Plaag stated the change in policy was in response to the removal of the ETJ. Council Member Furguele stated the policy had always been that the Town did not have any obligation to provide water outside the Town limits and there could always be conditions imposed. He stated that annexation was always mentioned as a condition in the Water & Sewer Code that could be imposed but Council did not always impose that condition. Council Member Furguele stated that the Council looked at water requests on a case by case basis, weighing the benefits of the use inside the Town versus the collection of double water & sewer rates. Vice Chairman Plaag stated the subject properties lay outside the former ETJ and what he supposed would be an area of annexation and he was puzzled by taking action that entrapped you to a policy rather than taking action that would be to the benefit of both the Town and the property owner from a sensible standpoint. He felt that charging double rates would be a more sensible solution to this specific property owner's need than to create this weird island of annexation that was so far from the current Town limits of Boone. Council Member Furguele asked how far the properties were from the Town limits.

Council Member Furguele stated he supported the policy to annex in order to get Town water so that water was not being provided to unregulated areas. He felt the only way to protect the existing development there was to zone it something that was compatible with what already existed in the area and with how the property owner was already using his property. Council Member Furguele stated he supported the annexation as well as the zoning of the properties.

Ms. Meade stated, to the extent this applicant ended up being treated differently than neighbors who are also on Town water, it raised a different way of looking at the same question of consistency. She stated at some point the Town might want to consider requiring annexation from the properties who were already out there that were staying connected, noting that right now State law suggested the Town could do that.

In response to Council Member Furguele's question, Mr. Little noted that, according to a survey done for the annexation, the subject properties were located approximately .7 miles from the primary corporate limits.

Ms. Meade noted that the Ordinance had consistently required annexation for the past two years and stated there were other areas of satellite annexations. She stated that there was no flexibility for this requirement without changing the Code. Vice Chairman Plaag expressed concern that at some point in the future the applicant would have difficulty with his neighbors being angry with him for causing them to have to be annexed. Ms. Meade replied that the suggestion to annex properties currently receiving Town services would affect all properties in this situation, not just the area discussed at this hearing. Vice Chairman Plaag stated he hoped the spirit of his concern was taken and felt this was an odd way to address this problem given the likelihood that Mr. Taylor's neighbors were currently enjoying Town water while living in the County. Ms. Meade explained that the reason Council adopted this strong policy of only getting water and sewer if you annex was because after the ETJ was taken away the Town no longer had any power to control the growth of its boundaries. She stated that annexation was the sole way and felt it had been successful over the past two years and offered regulation and protection to neighbors.

The applicant, Christopher Taylor, came to the podium. Council Member Furguele asked Mr. Taylor if it was correct that his well was contaminated. Mr. Taylor replied that the well was not contaminated but was drying up. He stated that others used to be connected to the well but were now serviced by Town water. Mr. Taylor explained that when the well started to dry up he had a plumber who lived in the neighborhood come to look at it and provide his professional opinion. Council Member Furguele asked

if there were other properties close to Mr. Taylor that were not on Town water that were facing the same problem. Mr. Taylor replied that he was not sure.

Mr. Ward asked if this was a community well. Mr. Taylor stated that it was and noted that the vacant property was deemed as the well property for the community.

Ms. Meade asked Mr. Taylor if there were neighbors still drawing from the well. Mr. Taylor replied there were no others serviced by the well at this time that he was aware of. He stated that when they purchased the house in 2014 they talked with all of the neighbors who were connected to the well and they all indicated they had made the conversion to Town water so he was the only property still serviced by the well. Ms. Meade asked if any of Mr. Taylor's neighbors who were receiving Town water were annexed. Mr. Taylor stated that none of them were annexed to his knowledge. Ms. Meade asked Ms. Shook if that was correct. Ms. Shook replied that the Town had no data showing other properties in that neighborhood being annexed.

Council Member LaPlaca asked Mr. Taylor what he was doing for water right now. Mr. Taylor stated he was now connected to the Town's water system. Mr. Ward added that the Taylor's were given authorization, based on their hardship case, to make the water tap to be connected with the expectation that they would follow up with an annexation petition.

Vice Chairman Plaag asked if the homes along Paul Critcher Drive were new or older homes. Mr. Taylor felt they were probably a decade or more old but he was not sure.

Commission Member Veno asked Mr. Taylor if he was given an explanation as to why the well dried up. Mr. Taylor replied that his plumber's assumption was as houses were added to the well it depleted the supply.

Council Member Hicks asked Mr. Taylor how he felt about the annexation. Mr. Taylor stated he was willing to do whatever he needed to do to ensure that his family had water.

Council Member Hicks asked if the Town wanted to expand its territory and asked if that had been planned out. He asked if the Town wanted to annex the former ETJ area or go beyond that. Ms. Meade explained that there was no longer power under State law for annexation that was not voluntary so towns could not annex property against the will of the property owner. She stated that voluntary annexation was the only way for the Town to grow. Vice Chairman Plaag asked if that was with the caveat that properties outside a town's limits that were receiving town services could withdraw services unless the properties voluntarily annex. Ms. Meade replied that was correct but felt there may be some legal controversy.

Mr. Ward asked Ms. Meade if she felt the Town would have more control over the water with the property being annexed. Ms. Meade stated if a property had Town water outside of Town limits it could develop zoning free.

Council Member Furguele stated Vice Chairman Plaag had valid points but noted this property was adjacent to what was the ETJ and was considered a natural growth area of the Town. He felt that other properties in the area may want to annex and this property could become contiguous. Council Member Furguele felt it was still prudent to have the property annexed.

Vice Chairman Plaag asked if there was a limitation on how much annexation the Town can do. Ms. Shook replied it was 10% of the Town's primary corporate limits. She stated that some satellite annexations have been brought into the corporate limits so the Town was currently at approximately 2%. Ms. Shook noted there was language in the Statutes that would allow for forced annexations but the criteria was so hard to meet that she was not aware of any communities that have moved forward with any forced annexations.

Council Member Furguele stated you had to start somewhere. He noted the Town now had a huge water supply with the new intake and noted he did not want to fuel unregulated development.

Vice Chairman Plaag referred to the well lot, noting that both parcels were to be annexed and both would have the ability to connect to water. He asked Council Member Furguele if he was concerned about the possibility of the well parcel being developed. Council Member Furguele replied that he was not concerned with the property being developed if it was zoned.

Ms. Meade asked if the vacant parcel met the requirements for a conforming R1 parcel. Mr. Little stated that it did.

Mr. Ward stated he thought the Growth Maps were developed in 2006 and had likely changed a great deal.

With no further questions or comments, Mayor Brantz closed the public hearing for this case at 6:56 p.m.

Case PL03449-123119 Non-substantive Errors – UDO Text Amendment

The Town of Boone has initiated a UDO Text Amendment to allow typographical errors, spelling errors, numerical reference errors, errors in section or page numbering or other purely non-substantive editorial changes to be corrected by the Planning Director without formal adoption by the Town Council provided that such corrections do not change the meaning of the Ordinance.

Ms. Shook stated this was an amendment to UDO Article 1 to allow for corrections of scrivener errors and other non-substantive changes.

Ms. Meade suggested striking the word *changes* after the word spelling in the 3rd line of Section 1.27.01. She stated the point of the amendment was so that the Planning Director, rather than coming to Town Council, can make non-substantive changes to the UDO. Ms. Meade emphasized the fact that this did not apply to substantive changes, noting substantive changes were required by law to go through the public hearing process. She stated this amendment would allow for things such as code reference changes, section numbering, and minor word changes.

Vice Chairman Plaag suggested including the allowance for the Planning Director to make grammatical changes as long as it did not change the meaning of the Code.

Council Member Furguele stated a lot of the things being worked on currently would have a ripple effect that could require a great deal of renumbering in the UDO.

With no further questions or comments, Mayor Brantz closed the public hearing for this case at 7:00 p.m.

OTHER MATTERS

There were no other matters discussed at this hearing.

ADJOURNMENT OF TOWN COUNCIL

Council Member Furguele made a motion for Town Council to adjourn at 7:00 p.m. The motion was seconded by Mayor Pro Tem Clawson.

Vote: Aye – All
Nay – None
The motion passed.

Rennie Brantz, Mayor

Brenda Henson, Board Secretary

Elizabeth Shay, Planning Commission Chairperson

Continuation of Planning Commission Meeting

Chairperson Shay called a break in the Planning Commission meeting from 7:00 p.m. until 7:08 p.m.

Approval of Meeting Minutes

Vice Chairman Plaag noted that approval of the September 23, 2019 and October 28, 2019 Planning Commission meeting minutes had previously been deferred and asked why they were not on this meeting's agenda. Ms. Shook replied that it was an oversight and would place them on the next meeting agenda.

Commission Member Veno stated he found some typographical errors in the minutes and asked if the Commission was supposed to point out typographical errors or suggest substantive changes only in the minutes. Both Chairperson Shay and Vice Chairman Plaag stated they typically suggest substantive changes only, noting that minute taking was a difficult task and they did not feel the need to point out typographical errors. Vice Chairman Plaag thanked all Town employees who took meeting minutes.

Chairperson Shay suggested the following changes to the December 9, 2019 meeting minutes:

1. Page 5, paragraph 5 should read *Commission Member Veno asked Chairperson Shay what her objection was to 20,000 sq. ft. and she replied that larger lots could possibly encourage sprawl.*
2. Page 8, last paragraph, second sentence should read *Chairperson Shay replied that this would decrease the appraised value of the home, noting she recently looked at purchasing a home and found examples of this while house hunting.*

Vice Chairperson Plaag made a motion to approve the May 20, 2019, August 26, 2019, and December 9, 2019 meeting minutes as amended. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None
The motion passed.

CASE PL03452-123119 & PL03453-123119 Christopher Taylor – General Use Zoning Map Amendment

The Town of Boone has initiated a General Use Zoning Map Amendment for property owned by Christopher and Kimberly Taylor (Watauga County PINs: 2920-31-8460-000 and 2920-31-8255-000) to R1 Single-family Residential with WS-IV Watershed Areas Protected Area (WS-IV-PA). Zoning is to coincide with the property owner's voluntary annexation of the properties. The properties are located along Paul Critcher Road.

Vice Chairman Plaag stated he remained concerned about the trap that was set, not by anyone's design, for this property owner relative to his neighbors. He felt that in an effort to address a much more global problem for the Town it had led to a complication at the micro level for individual property owners. Vice Chairman Plaag stated he would be sympathetic to this particular applicant if he had said he wasn't really crazy about being annexed into the Town and wished there was a different way to do this. He stated he also took Council Member Furgiuele's point about this really being the only mechanism left for the Town to control growth along the perimeter of Town and he was sympathetic to that. Vice Chairman Plaag felt this seemed like an awfully complicated way to accomplish this goal with regard to these particular two parcels but he did not know of a better way to do it.

Commission Member Veno asked Vice Chairman Plaag what he felt was the complication. Vice Chairman Plaag replied there the applicant currently had neighbors who were already on Town water that had no obligation to be annexed into the Town and the Town had not taken a position that they were going to withdraw services to those properties unless they annex. Vice Chairman Plaag felt that this particular property owner was being penalized by the consequences of a political fight between the Town and County and the policies that emerged from that fight in a way that his neighbors were not.

Commission Member Veno asked what the applicant's penalty would be for being annexed into the Town. He noted that the applicant seemed to be willing to be annexed. Vice Chairman Plaag stated he would be paying a substantially higher tax rate. Ms. Shook stated the applicant would pay double water rates for receiving water outside the Town limits and the difference between higher taxes and double water rates would have to be weighed to know which was greater.

Commission Member Veno asked if the applicant would also receive sewer because he was being annexed. Mr. Little stated that was not necessarily the case and Commission Member Veno asked why. Ms. Shook replied that there were no sewer lines in that area.

Vice Chairman Plaag stated it would be interesting to know why water lines were extended to these locations without sewer lines.

Commission Member Behrend asked if someone else really wanted Town water but was located outside the Town limits, would this annexation they were considering tonight set a precedent for other properties. Ms. Shook replied that not all cases were treated the same and explained that hardship cases were limited to single-family and two-family uses and did not extend to commercial uses. She stated that there were secondary pressure zones where water was extended but noted there was no guarantee someone could hook on to water in those zones.

Commission Member Tippettt felt the Town now had a chance to extend zoning and bring this property into the Town and he supported that.

Vice Chairman Plaag noted Mr. Taylor's agreement with the Town was that in exchange for receiving Town water he would petition for annexation and asked what happened if Town Council decided not to annex his property. Ms. Shook replied that there were several provisions in the Town Code that had to be met before a property could be satellite annexed. She stated, if a property was not able to annex, the property owner would sign an agreement with the Town to seek annexation in the future when their property would meet the requirements of the Code.

Chairperson Shay asked what other Town services a property might receive if it was annexed. Ms. Shook replied that some properties could receive service by the Fire Department and Public Works Department and noted that all annexed property would receive service by the Police Department.

Vice Chairman Plaag stated he lived in an area that was a satellite annexation and was, for a time, surrounded on all sides by County jurisdiction. He stated they had been in the house for about two weeks when they heard gunshots and called Boone Police who told him they could not do anything about it because the shooting was coming from property in the County. He stated they then called the County who said they could not help him because his property was located in the Town. Vice Chairman Plaag stated there was an impasse and was still an issue to this day regarding jurisdictional services. He felt that issues such as this would cause hardships to Mr. Taylor that his neighbors would not suffer.

Commission Member Veno wished to clarify that what they were considering with this request was to zone both properties as R1 with Watershed.

Chairperson Shay stated she agreed with everyone. She noted the homeowner was willing to undergo annexation at a significant cost to him in order to get water. Chairperson Shay felt annexation was an

important tool that the Town needed to use to impose zoning along the periphery of the Town and she was in favor of approving the zoning request.

First Motion and Vote: Commission Member Tippettt made a motion that the proposed amendment to the Town's zoning map to R1 Single-family Residential with WS-IV Watershed Areas Protected Area is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that is applicable because it complies with:

1.1 Overall Objectives for the Boone Comprehensive Plan

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Vice Chairman Plaag seconded the motion and wished to amend the motion to add the following:

1.1 Overall Objectives for the Boone Comprehensive Plan

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Comprehensive Plan Policy 2.3.3 Housing & Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- D. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Commission Member Tippettt accepted the amendments.

Vote: Aye – All
Nay – None
The motion passed.

Second Motion and Vote: Commission Member Tippettt made a motion that the Planning Commission recommends approval of the proposed amendment to the Town's Zoning map and believes approval is reasonable and in the public interest because the extension of water and annexation of the property will improve public health and safety with the property receiving Town services and the R1 zoning is compatible with the surrounding, largely single family uses. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None
The motion passed.

Case PL03449-123119 Non-substantive Errors – UDO Text Amendment

The Town of Boone has initiated a UDO Text Amendment to allow typographical errors, spelling errors, numerical reference errors, errors in section or page numbering or other purely non-substantive editorial changes to be corrected by the Planning Director without formal adoption by the Town Council provided that such corrections do not change the meaning of the Ordinance.

Chairperson Shay reminded Commission members of the change suggested to the language in 1.27.01 to include grammatical errors.

Commission Member Tippettt felt this needed to be done. Commission Member Behrend agreed.

First Motion and Vote: Vice Chairman Plaag made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that is applicable because it complies with:

Comprehensive Plan Policy 2.1.1 Economic Development

E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.

E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

The motion was seconded by Commission Member Tippettt.

Vote: Aye – All
Nay – None
The motion passed.

Second Motion and Vote: Vice Chairman Plaag made a motion that the Planning Commission recommends approval of the proposed amendment to the Town's Zoning map and believes approval is reasonable and in the public interest because the proposed change would streamline the permit and application process for those who are working with the Planning Staff while also limiting the amount of time that Planning Commission and Town Council need to spend on fairly academic changes that might be necessary in the Code. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None
The motion passed.

Election of Officers

Ms. Shook stated it was time for election of the Chair and Vice Chair of the Planning Commission. Vice Chairman Plaag asked if the process had changed so that the Commission would forward their nominees for Town Council to make the final selection of Chair and Vice Chair. Ms. Shook replied that the text amendment to make that change had not yet taken place but was on the P&I Work Plan.

Chairperson Shay called for nominations for Chair. Vice Chairman Plaag asked Chairperson Shay if she was willing to continue as Chair and she replied that she was willing unless someone else wanted the position.

Commission Member Tippettt made a motion to nominate Elizabeth Shay as Chairperson. There were no other nominations. The motion was seconded by Commission Member Veno.

Vote: Aye – All

Nay – None

The motion passed.

Chairperson Shay called for nominations for Vice Chair. She noted that Vice Chairman Plaag had done an excellent job in the position and she asked if he would be willing to continue as Vice Chair. He replied that he would be willing to continue as Vice Chair.

Chairperson Shay made a motion to nominate Eric Plaag as Vice Chairman. There were no other nominations. The motion was seconded by Commission Member Behrend.

Vote: Aye – All

Nay – None

The motion passed.

OTHER MATTERS

Ms. Shook stated that Planning Staff met with Town Council for their annual Planning Retreat on January 22, 2020 where tasks and priorities were set for the coming year. She stated there have been some legislative changes, some of which became effective on July 1, 2019 and some which will be effective on January 1, 2021. These changes are due to the consolidation of County and Town regulations into what will be known as Chapter 160D of the North Carolina General Statutes. Ms. Shook stated the UDO would have to be brought into compliance as soon as possible with the regulations that were effective in July and by the end of this year for those that will take effect in 2021. She stated this was one of the new top priorities for staff and amendments would come to Public Hearing and Planning Commission throughout the year.

Ms. Shook noted that Planning Staff's other priorities directed from Council remained the same as last year with another top priority being Downtown plans. She stated that the Community Appearance Commission has been working on an expansion of the B1 and the Historic Preservation Commission has been working on a Local Historic Downtown District. Ms. Shook explained that these were two different plans for the same area. She stated that the CAC and HPC were nearing the end of their processes and, once complete, the next step would be to hold a joint meeting with Town Council, Planning Commission, Historic Preservation Commission, and the Community Appearance Commission in order to work out any issues prior to gathering public input.

Ms. Shook stated she would be provided Town Council and update on each board at their February meeting and Council will then look at setting a date for the joint meeting. She anticipated the joint meeting would take place in March or April with public input happening soon after.

Vice Chairman Plaag asked where the public input sessions would be held. Ms. Shook stated they would likely have to look at an alternative space so dialogue could be encouraged.

Chairperson Shay asked if it was correct that there was a vacancy on the Planning Commission. Ms. Shook replied that was correct. She stated the vacancy was for an ASU representative and that position served a one-year term. Commission Member Veno asked if the ASU position was for a student or staff. Ms. Shook responded that the position was meant to be for a student. Chairperson Shay and Commission Member Hedrick were notified that their terms on the Commission were set to expire on June 30, 2020 and were urged to reapply if they wished to seek reappointment. Ms. Shook added that Commission members were eligible to serve up to three terms on Planning Commission.

Ms. Shook stated there was a possibility that the February Planning Commission meeting could be a joint meeting about the Downtown plans. If that did not work out to be the case, Ms. Shook stated she would like to have some Board training.

ADJOURNMENT OF PLANNING COMMISSION

Vice Chairman Plaag made a motion to adjourn the meeting at 7:48 p.m. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None
The motion passed.

Elizabeth Shay, Planning Commission Chairperson

Brenda Henson, Board Secretary