BOONE TOWN COUNCIL
PLANNING RETREAT
JANUARY 25, 2008

Town Council members in attendance: Mayor Clawson, Janet Pepin, Liz Aycock, Rennie Brantz, Stephen Phillips, and Lynne Mason

Planning Staff in attendance: John Spear, Ricky Hurley, David Graham, Jane Shook, Brian Johnson, Christy Turner, David Weakley, and Brenda Henson

Planning Commission members in attendance: Bunk Spann

Others in attendance: Greg Young, Sam Furgiuele, and Bill Post

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Mayor Clawson opened the meeting at 9:00 a.m. by welcoming all in attendance.

Council Member Pepin, meeting facilitator, asked if there were any changes to the agenda. Mayor Clawson wished to add a discussion of the length of Town Council meetings. Mr. Furgiuele wished to have a closed session discussion regarding Howard Street after the meeting. Council Member Mason wished to add discussion of the Downtown Post Office and the Appalachian Theater.

Council Member Pepin made a motion to amend the agenda as discussed. Council Member Mason seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

2007 ACCOMPLISHMENTS

Council Member Pepin gave a Power Point presentation outlining the Planning Department's accomplishments in 2007. Council Member Mason noted that previously in the year a suggestion was made that a quarterly newsletter be generated to update the public on ongoing projects and accomplishments of the town and she would like to see this happen. Additionally, Council Member Mason expressed the need to have UDO alignment with the Comprehensive Plan.

SMART GROWTH

Council Member Pepin asked for thoughts and concerns from the group, as well as those heard from the public, regarding Smart Growth. Although there seems to be a lot of excitement about Smart Growth, it was felt that a great deal of education about the concept is needed. There was concern expressed about possible negative impacts on neighborhoods. There were comments about increased workload for staff and the difficulties that would be faced in implementation, such as how to handle non-conforming situations and density increases or reductions. Several people cautioned that there is no one size fits all approach for any community and although Smart Growth principles are a step in the right direction, this may not be the entire answer but a new approach to an old problem. In conclusion, Council Member Pepin stated she was impressed with the Smart Growth Audit presentation by John Cock of The Lawrence Group.

Smart Growth Options Memorandum

Mr. Spear reviewed the Smart Growth Options Memorandum **(see attached)** and explained that the Charrette process was recommended by the auditors as the most effective process for creation of a Land Use Master Plan. He explained that utilizing the Charrette process could allow the completion of the Land Use Master Plan in a 6 to 8 month time period versus a 24 to 30 month time period using the traditional process of monthly meetings. Council Member Mason felt that working with ASU on master planning is crucial. Mr. Furgiuele stated that, from a legal prospective, a slower process is better and the Board of Adjustment should be included in whatever process is utilized. Council Member Pepin felt the need to work on current regulations while developing a new plan in an effort to continue striving toward the betterment of the town. The cost of $45,000-$55,000 for conducting the Charrette was discussed. Mr. Young stated that $100,000 has already been budgeted for Smart Growth so there are some funds currently available.

Council Member Pepin recessed the meeting at 10:35 a.m. and reconvened at 10:47 a.m.

Strategic Land Use Master Plan – Step One

The task list for preparing a Strategic Land Use Master Plan was discussed and each item was prioritized as follows:

TASK	YEAR 1	YEAR 2-5	YEAR 6-10
Utilize the Rural-Urban Transect Model (1)	9		
Provide Guiding Vision for Community Development (1)	9		
Expand Mixed-Use by Right (2)		9	
Encourage Greater Density (1)	9		
Coordinate with ASU Master Planning Efforts (1)	9		
Use Form-Based Coding for Implementation (2)		9	
Concentrate Commercial Development in Mixed-Use (1)	9		
Locate Highest Density Residential Near Mixed-Use (1)	9		
Maximize On-Campus Housing (1)	9		
Create Open Space/Green Infrastructure Plan (1)	9		
Develop Comprehensive SWM Plan (2)		9	
Consider Density Bonuses/TDR for Preservation (2)		9	
Provide Incentives for Compact Development (1)	9		
Develop a Downtown Master Plan (1)		9	
Update Thoroughfare & Transportation Master Plan (2)		9	
Update Alternative Transportation Plans (2)		9	
Consider Tax Rebates for Eligible Housing (3)			9

A task was added to Develop Master Plans for other strategic areas (2).

It was felt that the creation of an Open Space/Green Infrastructure Plan was very important and should be included in the Land Use Master Plan. Mr. Spear cautioned that the cost estimate is for the Land Use Master Plan only and the addition of any specific area plans would result in additional cost and time. After some discussion, the Transportation Master Plan, as well as any other small area plans could be budgeted, developed, and implemented over a period of time.

Council Member Mason made a motion to adopt the tasks for development as discussed for a Strategic Land Use Master Plan. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Mason made a motion to proceed with the development of a Strategic Land Use Master Plan requesting proposals with a clearly defined scope for the project to include the staff to assist with the pre-charrette activity for the proposal to include an outside consultant doing the charrette activity and assisting staff with the post-charrette activities and the development of the Land Use Master Plan. Council Member Phillips seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Mason made a motion that a time limited task force be established to comprise of planning staff, the town attorney, two council members, and two planning commission members to develop the scope of this project and to work on the request for proposals, reviewing proposals, and making recommendations back to Town Council. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Form-Based Code – Step Two

Council Member Pepin questioned the urgency of considering such detailed information relating to a Form-Based Code and Mr. Furgiuele suggested looking at only the first year priorities at this time. Require Bicycle Parking should be changed to a year one accomplishment. Revise Tree and Landscape Protection Practices should be a two on the priority list but changed to a year one accomplishment.

Council Member Pepin made a motion to approve the items listed and revised to be in the year one accomplishments. Commissioner Spann suggested changing Provide Incentives for Green Building Standards to a year one accomplishment. Council Member Pepin accepted this change. Council Member Aycock seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Pepin the summarized the action taken thus far as short-term code modifications will continue, with focus on Smart Growth principles where possible with the creation of a task list for action. A Land Use Plan will be developed in 2008. A Form-Based Code will begin in 2009.

Council Member Pepin recessed the meeting at 12:00 p.m. and reconvened at 12:31 p.m.

COMMITTEE AND TASK FORCE GOALS

(see attached)

DBDA GROWTH TASK FORCE

Council Member Pepin noted that the DBDA Growth Task Force was given a specific task and should be distinguished from the Downtown Boone Development Association.

Tuesdae Rice, DBDA Director, Mary Baker, DBDA Assistant Director, and Ritchie Jacobs, DBDA Board Member, were in attendance to represent the DBDA. Ms. Rice explained that the DBDA Growth Task Force was established to travel to similar towns to gather ideas and recommendations of what is working in other towns.

Ms. Rice then reviewed the goals and objectives for 2008. She noted that the group would like to utilize town personnel to help with grant writing to obtain funding for downtown projects. Ms. Rice expressed the importance of creating a Downtown Master Plan. She stated the desire of the DBDA to have the Municipal Service District expanded. Ms. Rice brought up the issue of safety and suggested revising the Pan-Handling Ordinance in order to address this issue.

Council Member Pepin noted that the original task for this group was for research only and the goals and objectives that have been outlined go beyond that scope. Mr. Jacobs replied that the town is behind in planning for growth and tourism and he feels a sense of urgency for the task force to move forward with the 2008 goals as outlined. He requested that the task force be allowed to move from a research group to an action group. Council Member Brantz stated that some of goals could be acted upon fairly quickly without having a Downtown Master Plan in place.

Mr. Spear asked if anyone was aware of the process of expanding a Municipal Service District (MSD). Because no one was familiar with the process, Mr. Spear stated that the planning staff could prepare a report outlining the process and distribute it to Town Council.

After discussion, action items for the DBDA Growth Task Force for 2008 include:

- Funding Sources – For Example: DOT Grants
- Improve Streetscape: sidewalks, landscape plantings, green space, public lighting, and site furnishings to create a pedestrian friendly downtown – *Develop recommendations*
- Revised MSD Area – *Development Services staff to provide expansion process report*
- Revise UDO for the MSD *i.e.* Revise Sign Standards, Revise Parking Standards, Revise Setbacks – *For Development Services staff*
- Revise the current TOB Ordinance on Pan-Handling – *Re-examine for safety purposes*

Council Member Phillips made a motion to approve the goals and objectives for the DBDA for 2008 as discussed. The motion was seconded by Council Member Aycock. For clarification, Mr. Spear stated that planning staff would be responsible for the MSD report and UDO revisions.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

HISTORIC PRESERVATION COMMISSION

Council Member Pepin suggested having discussion of the Downtown Post Office and Appalachian Theater at the end of the Historic Preservation Commission's presentation with all in agreement.

Chuck Watkins, member of the Historic Preservation Commission, reviewed the duties, accomplishments and goals of the group. The following changes were made to the list of goals:

- B. The commission's goal is to create (*explore the creation of*) a downtown visitors center for distribution of the brochures published by the commission. The commission is considering the current US post office on King Street.
- Add E. Develop criteria for what constitutes a historical property.
- Add F. Explore recommendations for language in the Comprehensive Plan regarding historic districts.

Town Council Member Phillips suggested contacting Donna Warmuth, former employee of Development Services, who has stated her willingness to assist in preparing ordinance language for historic preservation.

Council Member Pepin stated she was uncomfortable with the term Historic Preservation Districts. She feels that the town currently has individual properties that could be classified as historic but not districts or areas containing several historic properties. Mr. Furgiuele added that, under state law, three historic properties in a given geographic area constitute a Historic District.

Council Member Brantz made a motion to approve the goals as discussed and amended. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Downtown Post Office

Council Member Pepin then began discussion of the sale and preservation of the Downtown Post Office. She noted that the Historic Preservation Commission has taken on the cause of preserving the post office. A meeting of interested parties has been scheduled at the library on Monday, January 28, 2008 at 3:00 p.m. The Commission would like to try to purchase the building for $1.00 and lease it back to the post office for $1.00 with a request for first right of refusal. This would include the town taking on maintenance and restoration of the building. Proposals must in to the postal service by the beginning of March. Other options are to do nothing, get the building given to the town, have a private seller buy the building, have a collaborative purchase of the building, or try to stop the sale by putting political pressure on the postal service. Council Member Pepin feels there is general consensus that the building should remain a post office, however other uses could occupy vacant portions of the building. Some suggestions include office space, meeting space, visitor center, walking tour center, and cultural arts museum. She noted that currently the deed for the post office does not have any language to protect it as a historic landmark.

Council Member Pepin noted that the preservation of the post office was not listed as a goal for the Historic Preservation Commission and would like to have this included if Town Council approves the plan for the post office preservation.

Council Member Brantz made a motion to authorize the Historic Preservation Commission to proceed with the post office acquisition. The motion was seconded by Council Member Phillips.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Appalachian Theater

Council Member Mason explained that the now closed Appalachian Theater is currently owned by a private party with intentions to preserve the theater possibly as a non-profit cultural arts museum. The county has shown an interest in participating in a joint preservation effort. Council Member Pepin questioned who should take responsibility for spearheading this task. Council Member Mason felt a separate committee should be formed. She also suggested checking with Jim Byrne about funding opportunities for restoration to the building.

Council Member Pepin made a motion that Council Member Mason create a task force consisting of whomever she felt necessary for exploration and recommendation for preservation of the Appalachian Theater. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Pepin recessed the meeting at 2:02 p.m. and reconvened at 2:15 p.m.

Council Member Pepin explained that no appointments were made for the Master Land Use Plan Committee and this action needs to be taken. The following nominations were made: Lynne Mason and Stephen Phillips from Town Council and Bunk Spann and Gayle Turner from Planning Commission. Council Member Pepin made a motion to appoint the nominees. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

AFFORDABLE HOUSING TASK FORCE

David Graham presented the task force's accomplishments and goals. Council Member Mason elaborated further on the goals and objectives, mentioning modular and manufactured homes, inclusionary zoning, setbacks, different zoning districts, and density bonuses. Mayor Clawson stated that she had heard concern from neighborhoods about allowing accessory apartments and the possibility that this would cause occupancy violations.

Council Member Aycock made a motion to approve the goals as discussed. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

COMMUNITY APPEARANCE COMMISSION

Adrian Tait, Chairperson of the Community Appearance, was present to represent the commission. Brian Johnson began the presentation by stating that Sean Krause, former Chairperson, performed a lot of outstanding work for the Appearance Commission and suggested that Town Council give him some type of special recognition. Mr. Johnson then reviewed the commission's duties, accomplishments, and goals. Light pollution and color requirements were discussed. Council Member Pepin expressed a desire to enforce appearance standards on existing buildings. Council Member Brantz brought up the question of requiring underground utilities. Mr. Johnson stated that it was extremely expensive. However, the town currently requires new construction projects to place utilities underground that come off of the main line.

Council Member Mason made a motion to approve the goals as written with the addition of further enhancing the lighting standards. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

TREE BOARD

Adrian Tait, Chairperson of the Tree Board, was present to represent the Tree Board. Brian Johnson presented the board's goals and objectives. Tree topping was discussed and Council Member Pepin felt that the tree topping ordinance should apply to residential as well as commercial uses. Mr. Johnson suggested distributing educational materials to teach correct tree pruning practices.

Council Member Pepin made a motion to approve the goals as stated including looking at the parameters for expansion of the tree topping ordinance to include residential properties. Council Member Aycock seconded the motion.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

PLANNING COMMISSION

Mr. Spear presented the commission's goals for 2008. Council Member Aycock recommended that the Planning Commission do some planning in advance to bring up new ideas for the Town Council and to be more proactive.

Council Member Mason requested that the Planning Commission review the Growth Strategy Map for future development and extension of water and sewer services. Council Member Pepin asked if this issue would be addressed with the Master Land Use Plan. Mr. Spear stated that it would. He further noted that the Planning Commission had the task of reviewing the Growth Strategy Map on their last meeting agenda but overwhelmingly stated they were not going to review the map again. The Planning Commission did review the map several months ago and recommended no changes until a plan has been developed for water sources as well as the development of a Master Land Use Plan. Council Member Mason expressed concern that by not planning for future growth the town would become reactionary. She felt it was extremely important to explore future growth outside of the town's jurisdiction.

Council Member Aycock questioned the attendance of commission members because of the high number of missed meetings. Council Member Pepin made a motion to have the town attorney draft language to improve the attendance policy. Council Member Aycock seconded the motion. Commissioner Spann suggested having an automatic removal from a board after a set number of missed meetings.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Mason requested that the Planning Commission give a report to Town Council as to why they feel the Growth Strategy Map should remain unchanged.

Council Member Aycock made a motion to approve the goals as discussed. The motion was seconded by Council Member Phillips.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

FUTURE PLANNING PRIORITIES

Intergovernmental Regional Planning Effort

Council Member Pepin noted that the Town of Blowing Rock was supposed to host the next regional meeting. Council Member Mason made a motion recommending that the town manager follow up with the Town of Blowing Rock to see if they are planning to coordinate this meeting. If not, she suggested that the Town of Boone host the meeting, stating that it was originally agreed upon to be held quarterly. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

ASU Joint Master Planning

Traffic, housing, and growth were discussed as topics of concern in the ASU joint master planning effort. Council Member Mason felt it to be extremely important that there be town representation on ASU's master planning group. Mr. Spear explained that in a previous discussion it was decided that the town would designate someone to serve on the campus planning committee. There was discussion as to how this would be accomplished, either by invitation or request. Mr. Young stated that he was to meet with Lorin Baumhover to discuss ASU's master planning efforts and request one or two slots for town participation in their process. He felt, although staff representation was fine, that it is key to have Town Council members present. Mr. Furgiuele suggested that Town Council draft a resolution stating what they feel their level of participation in ASU's master planning should be for Mr. Young to present to Mr. Baumhover. Council Member Phillips made a motion to draft a resolution requesting two Town Council members, the Mayor, the Planning Director, and the Town Manager be allowed to serve on ASU's Long Range Land Use Strategy Planning group. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.
Council Member Mason stated her desire for Town Council to approve and adopt ASU's Master Plan and get community input. She expressed concern about what type of process they will use

and suggested a meeting with ASU to discuss how the process will be and how it will be a joint decision making system. This meeting should take place as the first step. Council Member Brantz made a motion to authorize the Mayor to arrange a meeting with ASU to establish a process and a list of priorities for joint planning between the Town of Boone and ASU. Those to be included in the meeting would be representatives of the Board of Trustees of the Administration, Town Council, Planning Staff, Town Manager, and Town Attorney. The motion was seconded by Council Member Mason.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Committee and Task Force Recognition

Council Member Pepin stated that committees who have completed their assigned tasks seem to simply go away without recognition and a concerted effort should be made to make sure that this doesn't continue to happen.

Mayor Clawson then recognized the Steep Slope and Multi-Family Housing Task Force for the outstanding work they performed. The Smart Growth Advisory Committee was then recognized and thanked by the Mayor. She stated she would be glad to send each of them a thank you letter for jobs well done.

Mayor Clawson mentioned the Residential Occupancy Task Force but felt that this group should remain in tact and on an as-needed basis due to on-going occupancy issues.

OTHER ITEMS

Mayor Clawson expressed her concern with the length of Town Council meetings and suggested setting a certain hour to end meetings with the meeting then to reconvene on the Monday following the meeting. After some discussion, there was general consensus that, for now, the process should stay the same and that Council members would practice restraint in an effort to keep discussion short and timely.

Council Member Pepin thanked everyone for attending.

Council Member Brantz made a motion for Town Council to enter closed session discussion regarding Howard Street property acquisition. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
Nay – None

The motion passed unanimously.

Council Member Brantz: Motion to exit closed session.
Council Member Pepin: 2nd
Vote: Aye – All
Nay – None

Council Member Brantz: Motion to amend agenda to reenter closed session to discuss land acquisition – water.
Council Member Mason: 2nd
Vote: Aye – All
Nay – None

Council Member Pepin: Motion to exit closed session.
Council Member Brantz: 2nd
Vote: Aye – All
Nay – None

Council Member Pepin: Motion to adjourn at 5:10 p.m.
Council Member Mason: 2nd
Vote: Aye – All
Nay - None

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Loretta Clawson, Mayor

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Brenda Henson, Admin. Support Specialist