

**BOONE TOWN COUNCIL
PLANNING RETREAT
FEBRUARY 2, 2007**

Town Council members in attendance: Mayor Clawson, Bunk Spann, Rennie Brantz, Janet Pepin and Lynne Mason

Planning Staff in attendance: John Spear, George Cole, Jane Shook, Brian Johnson, Christy Turner, David Graham and Brenda Henson

Planning Commission members in attendance: Mary Ruth McRae and Stephen Phillips

Board of Adjustment members in attendance: Fred Hay, Rebecca Kaenzig and Denise Lockett

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

Mayor Clawson opened the meeting at 8:10 a.m. by welcoming all in attendance.

UPDATE

Mr. Spear began with an update on projects since the 2006 Town Council retreat, listing the following accomplishments:

- 2006 Comprehensive Plan adoption
- Big Box Retail ordinance adoption
- Vacant Buildings/Blighted Properties ordinance adoption
- Outdoor Storage & Display ordinance adoption
- Revised Fee Schedule
- Parks & Open Space Report
- Smart Growth Workshop & Handbook
- Central Business District Report
- Historic Preservation Report

SMARTH GROWTH

Mr. Graham presented a case study comparison of the Town of Boone UDO with the Town of Knightdale UDO. Knightdale's UDO is an award winning form-based code. The comparison detailed similarities and differences with a typical bank project containing drive through lanes located in highway commercial districts. There was general discussion pertaining to the results of the study and the application of form-based codes.

Council Member Pepin suggested having a more in depth learning process for people who are applying for permits. Council Member Mason expressed concern that the town's UDO format was not user friendly. Mr. Spear explained that meeting many ordinance requirements is often challenging for designers. Design professionals new to the process or first time customers seem to be more frustrated and have more complaints about the process.

Mr. Spear noted many similarities between Boone's UDO and Knightdale's UDO. However, the zoning process and districts utilized in a form-based code are very different. Components of a form-based code include an regulating plan and building regulations which are form (design) based and concentrate mainly building form and the relationship of new development to the public realm (streets, sidewalks, mass transit, bike lanes). Mr. Spear discussed issues relating to the adoption of form-based codes and potential problems associated administration.

Council Member Wilcox felt that current zoning doesn't match the community vision. Mr. Spear noted that development in Boone, like most other jurisdictions, is shaped by the development community and that policies affecting growth are determined one development at a time. A Master Plan involving a community's vision for future growth is a more comprehensive approach that would enable the Town to design and determine its own future.

Discussion ensued regarding a Smart Growth Audit. Mr. Spear stated that three options are available for the Council to consider: hiring a private planning consultant, applying for public assistance or performing a self assessment utilizing numerous available tools. Mr. Spear noted that the cost of an outside consultant is approximately \$30,000. He stated that there is grant funding available, however only four (4) applicants are chosen nationwide each year for EPA's Smart Growth Assessment. There is a Smart Growth tool kit available for approximately \$100 that provides tools for communities to perform their own audit.

Ms. Shook provided an analysis of the 2006 Comprehensive Plan policies and their conformity with EPA Smart Growth principles. This analysis was performed by staff to provide the Town Council with additional information concerning local smart growth principles most highly stressed in the Comprehensive Plan.

Council Member Pepin made a motion for staff to develop a scope of work to prepare for a Smart Growth Audit to present at the Town Council retreat for consideration. Council Member Spann seconded the motion and suggested the use of internal resources in order to reduce cost. Council Member Mason wished to emphasize that the Comprehensive Plan be a part of the Smart Growth Audit process. Mr. Furgiuele suggested prioritizing the Comprehensive Plan policies in order of importance.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

Mayor Clawson recessed the meeting at 9:41 a.m. and reconvened at 10:00 a.m.

UDO ALIGNMENT WITH THE COMPREHENSIVE PLAN

UDO alignment with the 2006 Comprehensive Plan was discussed. Mr. Spear questioned if revisions to the UDO should continue or if they should wait until the Smart Growth Audit is complete.

Council Member Pepin made a motion to continue with UDO revisions and not wait for the Smart Growth Audit. The motion was seconded by Council Member Spann.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

STEEP SLOPE AND MULTI-FAMILY HOUSING TASK FORCE RECOMMENDATIONS

Mr. Spear outlined numerous Steep Slope and Multi-family Housing recommendations that have been completed and several that still need to be addressed. Items still needing to be addressed include:

- Employ or contract with a qualified biologist to identify environmentally sensitive habitats.

The Council determined to discuss this further at the Town Council Retreat.

- Ideas to promote green space preservation, such as conservation easements, tax credits and transfer of development rights.

The Council would like to continue the annual budget allowance for green space preservation.

- Develop ordinance language encouraging development of housing stock and mixed-use neighborhoods.

The Council discussed off-campus student responsibility codes.

- Create mixed-use neighborhood districts.

The Council noted that a discussion of mixed-use districts would be held later in the agenda.

There was a consensus of the Town Council that the Town has addressed or is in the process of addressing all of the Task Force recommendations pertaining to multi-family housing and steep slope development.

CENTRAL BUSINESS DISTRICT

Discussion then turned to the Central Business District. Mr. Spear noted that the planning staff had previously provided a report concerning the Central Business District containing numerous recommendations for the downtown. They had also prepared a presentation for the DBDA in order to get feedback from the business community. Recommendations included expanding the B-1 District, developing a core district in the heart of downtown, development of unique design standards and signage for the downtown district, creation of public parks and expanding parking. Mr. Spear explained that he had also spoken with a representative from the NC State School of Design who stated their willingness to assist the Town in the creation of a Master Plan for the downtown. The Master Plan would address pedestrian circulation, signage, landscaping, parking, public art, ADA accessibility, design, and preservation. The only fees associated with this project would be expenses incurred by the NC State staff.

Council Member Wilcox felt there was an immediate need to make a decision regarding development on Howard Street and to limit the encroachment of ASU on downtown. The Council also discussed multi-family housing in the downtown and a desire for mandatory requirements for ground level commercial uses.

Mr. Furgiuele explained that there was a text amendment regarding Special Use Permits scheduled to be heard at the February 8 Quarterly Public Hearing at which time the issue could be considered concerning University land uses in the B-1 zoning district. This was agreeable to all present. An additional ordinance revision pertaining to mandatory ground level commercial land uses would have to be held at a separate public hearing.

Council Member Wilcox made a motion to have the language drafted to require mandatory street level commercial land uses in the Central Business District to present at a special public hearing to be held in March. The motion was seconded by Council Member Mason.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

Dates for the special public hearing were discussed as follows:

Plan A

- March 8, 2007 – Special Public Hearing
- March 12, 2007 – Planning Commission
- March 15, 2007 – Town Council

Plan B

- March 8, 2007 – Special Public Hearing
- March 19, 2007 – Planning Commission
- March 19, 2007 – Town Council

Council Member Pepin made a motion to explore having the NC State School of Design develop a Master Plan for downtown. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

Mayor Clawson recessed the meeting at 12:09 p.m. and reconvened at 12:45 p.m.

CONDITIONAL ZONING DISTRICTS

Mr. Furgiuele addressed the issue of Conditional Zoning Districts. He explained that state law would permit the Town Council to create unique districts by using the Conditional Zoning process. He noted that the UDO currently requires uses in a Conditional District to comply with ordinance standards and does not give council the flexibility to vary the ordinance. He felt that the Council needed to consider it they wanted to relax the standards in the UDO so that it would give them the ability to make modifications to requirements within Conditional Zoning Districts. As it is now, once Town Council approves a Conditional Zoning District request, no variances for that district can be granted.

Council members asked Mr. Furgiuele to work with staff to develop draft recommendations to present at the Town Council retreat outlining what flexibility could be granted to Town Council, possible UDO language and how to implement the change.

MIXED USE DISTRICTS

Discussion moved to Mixed Use Zoning Districts. Mr. Spear stated that ordinance language could be prepared and ready to present at the Spring Quarterly Public Hearing. Council Member Mason wanted to make sure the language protected the integrity of the downtown area.

HISTORIC PRESERVATION

Council Member Brantz expressed his desire to establish a Historic Preservation Commission and made a motion that this be done. The motion was seconded by Council Member Spann. Council Member Mason modified the motion, with the consent of Council Members Brantz and Spann, to establish a resolution recommending the formation of a Historic Preservation Commission. This was requested to be presented at the Town Council Retreat.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

Mayor Clawson recessed the meeting at 2:25 p.m. and reconvened at 2:35 p.m.

ETJ AND CORRIDOR DEVELOPMENT

Mr. Graham provided a listing of current projects that are either under review, approved or under construction. Town Council members asked to have this list updated monthly.

Expansion of the town's ETJ was discussed with areas of particular interest being Highway 421 South and Bamboo Road to Mutton Creek. Any request more than one mile beyond the current limits would require approval of the Watauga County Board of Commissioners. Council Member Spann made a motion for staff to develop maps showing both a one and a two mile radius around the entire perimeter of the Town limits to present for consideration at the Town Council Retreat. The motion was seconded by Council Member Mason.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

AFFORDABLE HOUSING

Council Member Pepin felt that the term affordable housing needed to be defined and noted that small houses on small lots seemed to encourage affordable housing. Council Member Mason suggested that affordable housing could be measured by the median area income and mentioned inclusionary zoning as a tool for local government to address the affordable housing issue. Council Member Spann suggested exploring how other areas have successfully addressed this situation. Mr. Young stated that he had a book entitled *Affordable Housing and NC Local*

Government which contained a lot of useful information and he would order one for all of the Council members. Council Member Mason asked Mr. Spear to provide a model affordable housing ordinance for discussion at the retreat.

REGIONAL PLANNING

Council Member Mason expressed the desire for an inter-governmental approach to long range and regional planning, with all in agreement. She noted that she could meet with Mr. Spear to work on an agenda for a joint meeting with other jurisdictions. The ultimate goal is to present a unified voice in Raleigh on issues affecting the region.

Mayor Clawson thanked everyone for all the work and input involved and adjourned the meeting at 4:16 p.m.

Loretta Clawson, Mayor

Brenda Henson, Admin. Support Specialist