

**BOONE TOWN COUNCIL
PLANNING RETREAT
Tuesday, February 4, 2014**

Town Council members in attendance: Mayor Andy Ball, Rennie Brantz, Lynne Mason, Jennifer Pena, and Quint David

Planning Staff in attendance: Bill Bailey, Jane Shook, Christy Turner, Todd Miller, and Brenda Henson

Other Town Staff in attendance: Sam Furgiuele and Greg Young

Others in attendance: Anna Oakes-reporter

Mayor Ball called the meeting to order at 9:00 a.m. and welcomed all in attendance.

2012-2013 Review

Mr. Bailey began by reviewing the Planning & Inspections staff, explaining that Chris Grubb is 50% Code Enforcement and 50% Environmental Planner.

- **Unified Development Ordinance Revisions and Adoption**
Mr. Bailey noted that revisions to the UDO which began in October, 2010 were completed and Town Council adopted the newly revised and reformatted UDO on December 16, 2013. Mr. Bailey stated by having staff do the revisions it saved the Town about \$1-\$1.5 million.
- **Code Enforcement Summary**
Mr. Miller explained condemnation and minimum housing and noted that the condemnation process is quite lengthy. He stated that a large percentage of minimum housing complaints were about mold. Mr. Miller explained that mold issues were not regulated by the NC Building Code and the building inspectors can only make a determination if the underlying cause of the mold is related to a code violation. Mr. Miller noted that there has been one management company that consistently violates the minimum housing code. Council Member Brantz suggested providing educational materials for substandard housing. Council Member Mason stated that the Town used to partner with ASU to educate students about housing rights. Mr. Furgiuele stated that the program was discontinued due to landlord complaints. Mr. Bailey noted there were several complaints regarding UDO violations such as Boone Ready Mix and the stream behind Wilco.
- **Boards, Commissions & Task Forces**
Mr. Bailey stated the Planning Commission had considered a lot of text amendments from April, 2012 through January, 2014. Mr. Bailey explained that text amendments were sometimes put together very quickly by staff and that sometimes leads to revisions having to be made to that text. Mr. Bailey stated that Web Alexander is on both the Board of Adjustment and the Planning Commission and felt that this could be perceived as a conflict if both boards had to consider the same project. Mr. Furgiuele added that bias could cause a court challenge of the Board of Adjustment decision. Mr. Bailey stated that the Affordable Housing Task Force was not a UDO board and no terms had been set for its members. He noted that the Town Code outlines terms for boards that have not had terms set and asked if those guidelines should be applied to the Task Force. It was mentioned that Watauga Green, a low income housing project, was now in the permitting process.
- **Discussion and Action on Scottish Inn**
Mr. Bailey stated he had received a letter from Jill Atfield (Patel) asking for an extension and waiver of fees through May 31, 2014. In February and March the project will submit a water application, have variance requests heard by the Board of Adjustment, and have a public hearing for conditional district zoning. Mr. Bailey noted that FEMA had requested that the buildings be left in place until the project was ready to begin because removal of the buildings would cause the property to be considered vacant therefore creating more modeling and flood mitigation and cost thousands more. Mr. Bailey stated that \$100 per day penalties have been accruing since April 11, 2012 for blighted property. Council Member Brantz made a motion to extend the demolition deadline through May 31, 2014 and suspend all penalties through May 31, 2014. The motion was seconded by Council Member Mason.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

- Overlay Districts (Mid-Town, Medical, Downtown)

Mr. Bailey stated that the work on the overlay districts had not been completed due to the work that had to be done on the UDO. He stated that the most work had been done on the medical overlay while the mid-town overlay was about 1/2 done and the downtown overlay about 1/3 complete. There was discussion about floor areas ratios, building heights, and form based codes. Mr. Bailey felt the work on overlay districts would take 6-9 months. He stated the mid-town overlay needed a lot of staff time and a parcel by parcel evaluation. Mr. Bailey noted that the height limitation downtown would make for an extensive evaluation. Council Member Mason stated that the mid-town overlay area would be having some development in the near future and felt it would be helpful to have the overlay in place for developers. Mayor Ball asked that Town Council be provided with a copy of the previous report that was done on downtown building heights. There was discussion regarding which overlay district should be completed first.

Mayor Ball called a break in the meeting from 10:25 a.m. until 10:35 a.m.

- UDO Articles

Mr. Bailey noted that Christy Turner was working on updating the sign section in the UDO. He felt that 2 articles a year could be updated. Mr. Bailey asked Town Council to consider bringing water retention requirements back into the UDO. Council Member Mason mentioned temporary storage containers. There was discussion regarding which UDO articles should be updated next.

- Technical Specifications Manual

Mr. Bailey stated that the Town has a number of technical documents to aid the public with development standards and suggested that these documents be merged into one technical specifications manual. Council members felt this was a good idea and advised Mr. Bailey to proceed with this task.

- Comprehensive Plan, Boone 2030 Land Use Plan

Mr. Bailey stated that a Comprehensive Plan should be updated every 5 years and the Town's Comprehensive Plan had not been updated since 2006. He noted that a lot of data gathering would need to be done to complete this task. Mr. Bailey suggested having the Planning Commission begin work on the update. He felt the process would take 2-3 years to complete. Council members felt this was a good idea and advised Mr. Bailey to proceed with having Planning Commission work on this task.

- Web Page

Mr. Bailey expressed the need for the department to be able to post information on the Town's website. Greg Young replied that Amy Davis, Finance Director was working on the website and noted that an expansion of the website could cause the need for IT personnel to be hired.

- Fee Schedule, Cost Recovery, Process Improvement, Budget

Mr. Bailey discussed the time it takes to process permits versus the cost and noted that the Town is subsidizing about 60% of permit fees. Council Member Pena stated she was new to the Council and would like for Mr. Bailey to provide her with some examples. Mr. Bailey supplied Council members with cost recovery spreadsheets for building and planning fees. Mr. Bailey expressed the need for permitting tracking software. He stated he had participated in several software demonstrations and his preference was MyGov. Mayor Ball asked if Town Council could participate in a demonstration of permit tracking software. Mr. Bailey stated that the Planning & Inspections Department had been experiencing an increasing work load while staff has been decreased. He noted that Chris Grubb, Code Enforcement Officer/Environmental Planner was spending a great deal of time with soil erosion responsibilities which left less time for code enforcement. Mr. Bailey asked Council to consider moving Mr. Grubb to a full time position as Environmental Planner and hire another employee as Code Enforcement Officer. Mr. Bailey requested that fee schedule modifications be made as well as an investment in technology and the replacement of several vehicles.

Mayor Ball recessed the meeting from 12:08 p.m. until 1:04 p.m. for lunch.

Board Reports

- Planning Commission

Eric Woolridge, Chairman and Greg Simmons, Vice Chairman, spoke on behalf of the Planning Commission. Mr. Woolridge relayed that the Planning Commission would like to do more long range planning like neighborhood or bike plans, streetscapes, or downtown plans now that the UDO revisions were complete. Council members tasked the Planning Commission with updating the Comprehensive Plan.

- **Board of Adjustment**
Rich Crepeau, Chairman, spoke on behalf of the Board of Adjustment. He stated that the Board had been working to develop more explicit findings of fact and efforts seem to be successful. Mr. Crepeau stated that new Rules of Procedure needed to be developed to reflect current law and with the adoption of the revised UDO, training for Board members was necessary.
- **Community Appearance Commission**
Brian Williams, Chairman, spoke on behalf of the Community Appearance Commission. He stated the Commission's work on the Design Guidelines was ongoing. Mr. Williams stated they had worked some with the Historic Preservation Commission regarding design guidelines for downtown. Mr. Williams felt it was important to complete the downtown overlay first. Council members asked that the Community Appearance Commission continue work on the Design Guidelines, meeting quarterly with the Historic Preservation Commission to focus on the downtown area.

Mayor Ball asked that the Town Council be updated on each board every 6 months.

- **Affordable Housing Task Force**
Lynnwood Brown, Chairman, spoke on behalf of the Affordable Housing Task Force. He provided Council members with a handout outlining the Task Force's accomplishments and goals. There was discussion about redevelopment of dilapidated buildings. Mr. Bailey noted that the Town's Minimum Housing Code was out of date. There was discussion of appointment terms for Task Force members. Mr. Furgiuele felt that because no terms had been established for the Task Force that regulations in the Town Code of no more than 2 consecutive 3 year terms should be followed. Mayor Ball suggested that the Town Clerk research appointment dates for each member to determine how many terms they have served. Mr. Brown asked if Town Council would consider adding more members to the Task Force as they had some difficulty obtaining quorum. Mayor Ball asked that attendance records for the Task Force be provided to the Council.
- **Historic Preservation Commission**
Rennie Brantz spoke on behalf of the Historic Preservation Commission. He noted that the Commission was nearing completion of its Design Guidelines and would soon be ready to have them reviewed by the Town attorney. Council Member Brantz stated the Historic Preservation Commission sponsored "Tea & Old Times" which helped to gather important historic information from community members. He also noted that the Commission was instrumental in helping the Town obtain the downtown Post Office building. Council Member Brantz stated that the Commission was interested in the Coffey house and Commission Member Plaag was looking into having the house placed on the National Historic Registry. Council asked that the Historic Preservation Commission complete the Design Guidelines and work with the Community Appearance Commission regarding appearance guidelines for downtown.
- **Tree Board**
There was no one present from the Tree Board. Mr. Bailey stated that the Tree Board had only met one time this past year and had accomplished very little. He noted that the Tree Board had talked about residential tree cutting and Council felt they should continued this discussion and focus on meeting the required number of times.

Mayor Ball called a break from 3:25 p.m. until 3:35 p.m.

There was discussion regarding overlay district priority. Mr. Bailey noted that the medical overlay was the farthest along. Council Member Mason felt it might be better to hold off on the downtown overlay until the Historic Preservation Commission Design Guidelines were farther along. Mr. Bailey felt that the downtown would not really need an overlay if some of the properties were rezoned and there were specific guidelines for B-1. Mr. Furgiuele stated that height should be limited in the corridor overlay district.

Council Priorities

Council set the following priorities for the Planning & Inspections Department for the coming year:

1. Medical Overlay District
2. Downtown Overlay District
3. Mid-Town Overlay District
4. Affordable Housing
5. Technical Specifications Manual
6. Update Comprehensive Plan
7. Revise UDO Article 14 Zoning Districts and Zoning Map and Article 15 District Use Requirements

- 8. Revise UDO Article 26 Signs
- 9. Revise UDO Article 25 Community Appearance Standards
- 10. Revise UDO Article 31 Landscape Standards and Appendix B
- 11. Revise UDO Article 24 Parking
- 12. Revise UDO Article 16 District Standards
- 13. Revise UDO Article 12 Enforcement

Fee Schedule, staffing, software, and budget items will be considered by Town Council during budget hearings.

Council Member Mason stated that Council needed a revised estimate of the time frame for completion of the Mid-Town Overlay.

Council Member Brantz made a motion to adjourn the Planning Retreat at 4:59 p.m. The motion was seconded by Council Member Mason

VOTE: Aye – All
 Nay – None

The motion was unanimous.

Andy Ball, Mayor

Brenda Henson, Admin. Support Specialist