

**BOONE TOWN COUNCIL
PLANNING RETREAT
MARCH 28, 2012**

Town Council members in attendance: Mayor Clawson, Rennie Brantz, Lynne Mason, Jamie Leigh, Allan Scherlen, and Andy Ball

Planning Staff in attendance: Bill Bailey, David Graham, Jane Shook, Brian Johnson, Chris Grubb, Ryan Lavery-intern, Todd Miller, and Brenda Henson

Other Town Staff in attendance: Sam Furgiuele and Greg Young

Others in attendance: Bunk Spann-Planning Commission and Anna Oakes-reporter

Mayor Clawson called the meeting to order at 8:40 a.m. and welcomed all in attendance. Introductions were made.

2011 Overview

Mr. Bailey stated that, so far in 2012, permit applications are 15-16% ahead of the same time period in 2011. Mr. Bailey reviewed Planning & Inspections activities since last years retreat.

- Unified Development Ordinance Update
Mr. Bailey noted that the Planning Department has been working on changing the Permissible Use Table in the UDO and this has necessitated changing other areas of the Code. The formatting of the Code has been changed and the Permissible Use Table has been expanded.
- North Carolina Department of Environment & Natural Resources (NC DENR) Update
Mr. Johnson stated that DENR conducted an informal review of the Town last summer. A formal review was done in February, 2012 and both reviews were good.
- Community Rating System Update
Mr. Johnson stated that a review is done every 5 years and the Town had their review last year. He noted that the Town got a Class 7 rating which allows residents to get a 15% discount on flood insurance. Mr. Johnson stated that some of the rating criteria had changed and we lost credits in the flood mitigation area and gained credits in other areas.
- Program Analysis Update
Mr. Bailey stated he was still working on the Cost Recovery Analysis and was hoping to present this report at next year's retreat.
- Code Enforcement Summary
Mr. Bailey introduced Chris Grubb, Code Enforcement Officer/Environmental Planner for the Town. Mr. Grubb stated that the main problem he is seeing right now is with retaining walls. A lot of the retaining walls in Town were built in the '50's & '60's and are beginning to fail. Mr. Grubb stated he was dealing with sign violations, mobile home violations at Bradford Park, and multiple violations at Boone Ready Mix. Mr. Grubb noted that most of the construction sites had been good to work with and were willing to comply with site requirements. Mr. Bailey added that Todd Miller, Building Inspector, had been working on several building code violations. Mr. Miller noted the Scottish Inn, The Library Restaurant, and several minimum housing issues and stated most were complying. He stated that most minimum housing complaints were for water or mold and these problems are generally a maintenance issue. Mr. Miller explained that building inspectors could initiate a review themselves but most were complaint driven. Mr. Bailey noted that that the Town Code does not always correspond with building code requirements; for example, window sizes for apartment egress, and felt this needed to be looked at. Mr. Bailey added that the Town was also seeing failing stormwater systems. Repairs to systems can sometimes be a lengthy process due to state requirements and permitting. Council Member Brantz asked if the Town had a mechanism for inspecting rental housing. Mr. Bailey mentioned a possible rental registration program. Council Member Mason asked about fire safety inspections. Mr. Miller stated that the Fire Department performs annual inspections for multi-family and commercial buildings. Council Member Mason asked who enforced other areas of the Town Code. Mr. Bailey noted that the Planning & Inspections Departments only enforces Minimum Housing and Derelict Buildings from the Town Code.
- Neighborhood Conservation Districts Parking Sticker Update
Mr. Bailey reminded Council members that they approved a \$5.00 fee for parking stickers this year and the Department issued 83 parking stickers with revenues of \$415. The approximate cost of the program was \$7,000. Mr. Bailey noted there was only marginal compliance, especially in the Blanwood and Stadium

Drive neighborhoods and Staff is now stepping up enforcement in those areas. Council Member Brantz suggested going door to door. Mr. Bailey replied that it was very time consuming. Ms. Shook stated, in her experience, people did not typically answer the door and suggested using door hangers. This, however, would increase the Town's cost for the program. Mr. Bailey suggested re-establishing the Town-Gown relationship as an effort to better educate the residents.

- Pavement Sealant Update

Mr. Bailey noted that a total of 9 pavement sealant applications had been processed this past year. Ms. Shook added that some applicants had to wait 30-45 days to get their permit due to the weather restrictions and felt Council might want to consider changing the precipitation percentage restriction in order to help expedite permit issuance. Mr. Bailey noted that no coal tar based sealant applications were received and felt it was virtually impossible to use this type of sealant in this town because of the weather. He also noted that parking lots have to be restriped and the Town has no mechanism in place to monitor this. Council Member Mason suggested including reminders and information about pavement sealants and tree pruning in the water bills.

Form Based Codes

Mr. Bailey stated the definition for Form Based Codes was *How does any development relate to public space* and this topic would be further addressed in the presentation regarding overlay districts.

Planning & Inspections Priorities for 2011-2012

- Overview of Permit Activity (2010-2012)

Mr. Bailey again noted that permit activity has already shown a 15-16% increase over last year. He stated that there were more commercial permit applications than residential.

- Town Tree Policies

Mr. Bailey stated that the Tree Board was having difficulty obtaining a quorum and this was hindering them from accomplishing anything toward the Downtown Street Tree Planting Plan. Mr. Bailey asked Council if the Plan could instead be done by Staff and Council members agreed with this request. Mr. Johnson mentioned residential tree protection and asked what the thought was about requiring tree cutting permits. Tree pruning/cutting educational materials placed on the website and in mailings were suggested, as well as starting a Neighborwoods program. Mr. Johnson stated he had spoken with Ed Miller from New River Light & Power and felt the Town should partner with them regarding tree topping and removal for power line rights-of-way. Mayor Pro-Tem Leigh suggested providing incentives for installing larger trees.

- P&I Monthly Report

Mr. Bailey presented a report of permit activity for the month of February, 2012, as well as the top ten priorities for the department and the time devoted to board meetings during the past year. Council Member Ball asked that a monthly report be given to Town Council outlining the number of residential and commercial permit applications.

Mayor Clawson called a break in the meeting at 10:20 a.m. and reconvened at 10:40 a.m.

Committee Reports

- Attendance Report

Mr. Bailey stated the UDO is unclear what steps need to be taken regarding board members who are not attending meetings per the attendance policy. Mr. Spann stated he felt that people who serve on boards need to commit to attending and if they are unable to attend regularly they should resign in order to give someone else who can devote the time an opportunity to serve. Mr. Bailey noted that the Tree Board had to meet at least quarterly to qualify for Tree City USA status. He stated that the qualifications for becoming a Tree Board member were difficult. Mr. Furgiuele stated that if qualified individuals did not apply within a reasonable time period, other applications could be accepted. He noted that the guidelines for CAC members are State law but Tree Board guidelines are not. Council Member Brantz stated he would like to see the requirements loosened up to allow regular citizens to participate on these boards. There was a general consensus that the Town needed to better publicize its committees and other Town services.

- Tree Board

Jim Hamilton, Chairman of the Tree Board, gave a brief overview of the Tree Board's accomplishments and goals including; monitoring the tree canopy to see if residential tree permits are needed, developing a preferred species list, possibly developing a Champion Tree Program for Boone, and developing a Neighborwoods Program.

- Historic Preservation Commission

Trent Margrif, Chairman of the HPC, stated the Commission had been busy this past year working on the Design Guidelines. He stated the HPC planned to have more outreach to the Junaluska area in 2012 as that neighborhood had shown interest in preservation. Chairman Margrif noted two upcoming meetings with representatives from the State Historic Preservation Office on April 4 and April 10 and invited Council members to attend. Council Member Brantz made a motion to amend the agenda to schedule special Town

Council meetings. The motion was seconded by Council Member Ball.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

Council Member Brantz made a motion for Council members to attend the April 4, 2012 Historic Preservation Commission meeting to be held at the Jones House and the April 10, 2012 Historic Preservation Commission meeting to be held at the Library. The motion was seconded by Council Member Ball.

VOTE: Aye – All
 Nay – None

The motion passed unanimously.

- Planning Commission
Bunk Spann, Chairman of the Planning Commission, noted the number of cases heard by the Commission last year. He also pointed out that the Planning Commission had quorum for all of their meetings last year. Chairman Spann asked for some direction regarding Commission member opinions and reasoning for negative votes. Ms. Shook added that the Planning Commission Subcommittee, who is working on the revisions of the Permissible Use Table, has met 13 times since September.
- Community Appearance Commission
Mr. Johnson stated the CAC has been working on ways to fine tune a look for Boone. He noted they had met jointly with the Historic Preservation Commission to discuss the HPC Design Guidelines and how they blend with appearance standards. Mr. Johnson felt the group was making some progress in spite of the number of times they did not meet due to lack of quorum. He added that the color palette would be completed in about 4-6 months.

Mayor Clawson recessed the meeting from 11:56 a.m. until 1:02 p.m. for lunch.

- Affordable Housing Task Force
Mr. Furgiuele gave a brief update on the activities of the AHTF such as; discussions about multi-family housing, the desire of developers for more 1-2 bedroom units instead of 4 bedroom units, cottage housing, building by right, offering incentives, work force housing, and working to develop code language for family oriented multi-family housing. Mr. Furgiuele felt the Town needed to find some ways to encourage redevelopment of dilapidated multi-family buildings.
- Board of Adjustment
Mr. Bailey stated that ETJ Board members now only sat on cases located in the ETJ. He noted that almost 50% of the cases before the Board last year were Administrative Reviews. Mr. Bailey stated Board members were now using a worksheet to log their findings of fact and hopefully this will work well. Council Member Ball stated he would like to see the Board of Adjustment packet on the Town's website.

UDO Permissible Use Table

Ms. Shook briefly explained the Table and how it would function. Council Member Mason stated she would like to have graphics included showing distances for Transitional Zone requirements. After some discussion, Town Council felt it would be best to give Mr. Furgiuele an opportunity to review some more of the material before bringing the revisions back to them.

Mayor Clawson called a break from 2:09 p.m. until 2:22 p.m.

- Possible Changes to the CDR
Mr. Bailey asked Council members if they would like to pursue changes to requirements for Conditional District Rezoning to allow the conditional district to not be tied to a particular zoning district. Council Member Mason stated she would like to see conceptual examples before making a decision but there was general consensus by Council to further pursue the idea.

Medical Center Overlay District

Mr. Bailey reviewed the concept for a Medical Center Overlay District. He noted that watershed issues would limit development in this area however it would be an easy area to install sidewalks. Shared parking lots were discussed as well as the large expense to install parking decks. There were concerns expressed about building height and parking availability. Council suggested that Mr. Bailey continue working on the concept of a Medical Center Overlay District.

Mid-Town Overlay District

Mr. Bailey reviewed the concept for a Mid-Town Overlay District where there would be high density commercial development from in 105/Blowing Rock Road intersection to the King Street/Hardin Street intersection. Mr. Bailey suggested allowing 2-3 story buildings on the west side of Blowing Rock Road and 4 stories on the east side. Council Member Ball expressed concern with pedestrian safety along the 321/Blowing Rock Road corridor and suggested having a separation of bike lanes from the street. Council suggested that Mr. Bailey continue working on the concept of a Mid-Town Overlay District.

Council Priorities

Mr. Bailey listed the items he felt Town Council wanted Planning Staff to focus on.

- Education for pavement sealants
- Education for tree pruning/cutting
- ADA requirements being met when pavement sealed
- Incorporate the Tree Master Plan into the UDO
- Increase education and awareness about Town committees
- When there are no qualified applicants for committees, advertise for interested citizens
- Attend 2 upcoming Historic Preservation Commission meetings
- Present clear opinions and reasons for Planning Commission decisions
- Place Board of Adjustment packets on the website
- Have Mr. Furgiuele revise Planning Commission motions for clarity
- Add graphics to UDO
- Work with Mr. Furgiuele to revise Permissible Use Table before bringing it back to Council
- Limit housing on Faculty Street to student and faculty housing in the Mid-Town Overlay District
- Limit building height on west side of Blowing Rock Road in the Mid-Town Overlay District
- Take bike lanes off the highway in the Mid-Town Overlay District
- Provide a mid-block crossing in the Mid-Town Overlay District
- Rewrite CDR language allowing no base zoning district. Do analysis of parcels 5 acres or larger

Council Member Mason asked for Council direction for the Affordable Housing Task Force and they suggested the continuation of developing UDO language for family oriented multi-family housing.

Mr. Johnson stated that the State (DENR) changed the way the Town calculates cumulative costs for improvements in the Special Flood Hazard Area to 10 years. Currently the UDO specifies one year.

Council Member Ball made a motion to adjourn the Planning Retreat at 4:55 p.m. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
 Nay – None

The motion was unanimous.

Loretta Clawson, Mayor	Brenda Henson, Admin. Support Specialist
------------------------------	--