

**BOONE TOWN COUNCIL
PLANNING RETREAT
FEBRUARY 9, 2009**

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: Sam Furgiuele, Bill Post, Morgan Murray, and Greg Young (arrived at 11:00 a.m.)

Mayor Clawson opened the meeting at 9:10 a.m. by welcoming all in attendance. She announced that Howard Love, a former employee with the Town, passed away and wished to extend the Town's condolences. She also noted that the Town Manager, Greg Young, is on jury duty and may not be able to attend.

Council Member Pepin, meeting facilitator, asked everyone to relay their most enjoyable planning memory from 2008. These included the Charrette, occupancy issues, historic preservation, the Master Tree Plan and Urban Forestry Management Plan, alternative transportation, affordable housing, floodplain management, post office acquisition, and becoming more involved with planning staff.

Mr. Spear noted that a Municipal Service District Expansion report as well as a section on Green Building was included in the packet for informational purposes.

Board Activity Summaries

Mr. Spear noted that summaries of each board's activities were included in the packet for review and discussion. Council Member Pepin mentioned the DBDA Growth Task Force stating it seemed to be a duplicate of the DBDA and questioned the need for its continuance. She felt that the Task Force had gone beyond their prevue and needed to be eliminated.

Council Member Aycock made a motion to amend the agenda to take action regarding the DBDA Growth Task Force. Mayor Pro Tem Mason seconded the motion.

VOTE: Aye – All
 Nay – None

Mr. Spear explained that several Planning Commission members have recently resigned. It has become increasingly difficult to obtain quorum for this 13 member board and Mr. Spear

proposed that council members consider the possibility of reducing the number of board members. Mayor Clawson stated that she knew of two people who currently were interested in serving on this board. Mayor Pro Tem asked Commission Chairman Spann to speak with Planning Commission members to see how willing they are to take on a more active roll as a planning board because there will be increased tasks for this board in the coming year. Council Member Pepin saw the board changing from reactive to proactive and this would require commitment on the part of the board members. Council Member Brantz suggested having anyone applying for a board position meet with the chairperson of the board they are wishing to join in order to properly educate an applicant on the responsibilities and expectations. Board Member Pepin noted that this suggestion would need to be included on the board application.

Mr. Spear then explained that the Tree Board is comprised of members of the Community Appearance Commission and because CAC members may lack knowledge or interest in tree related issues he felt it would be a good idea to separate these boards. Mr. Johnson added that the Community Appearance Commission and the Tree Board were going in different directions and felt they really should be separated. Mr. Furgiuele noted that this would require a revision of the UDO. Mr. Johnson noted that the Tree Board consists of five members and must meet at least four times yearly to maintain our Tree City USA status. Mayor Clawson suggested including this matter on the next Town Council agenda for action regarding Tree Board membership with Mr. Furgiuele to draft appropriate UDO language.

Council Member Pepin called for a break at 10:20 a.m. and reconvened the meeting at 10:30 a.m.

Council Member Pepin made a motion to amend the agenda for discussion regarding a request by the Historic Preservation Commission. The motion was seconded by Council Member Brantz.

VOTE: Aye – All
 Nay – None

Council Member Brantz stated his desire to authorize the continuance of work by the Historic Preservation Commission beyond its current boundaries. He suggested having a nine member board instead of the current number of five members. Council Member Pepin expressed the importance and power of the Historic Preservation Commission and her desire to have some more knowledgeable members on the board. Council Member Brantz added that the Historic Preservation Commission was instrumental in helping acquire the Downtown Post Office. Mr. Johnson suggested having any design guidelines for historic properties be presented to the Community Appearance Commission. Mayor Pro Tem Mason stated she would like to see a Historic Landmark Walking Tour.

Land Use Master Plan

There was discussion regarding the Charrette and the Land Use Master Plan. Mr. Spear stated that a final draft of the Land Use Master Plan has been completed, is awaiting revisions from the Advisory Committee, then public review and comment. He noted that Town Council would be scheduling a special meeting at the end of February to consider the draft.

Land Development Code

Mr. Spear noted that an estimated timeline for the Development Code process was included in the packet. He felt that this process would take approximately 18 – 24 months to complete. Also included in the packet was an outline draft of the code as well as an overview of form-based codes. Council Member Pepin expressed concern that a form-based code would not work well for redevelopment. Mr. Spear stated that existing developed areas would need to be closely examined, but a form-based code would be friendlier to redevelopment than our current ordinance. Mr. Spear felt that a form-based code accommodates both greenfield and infill development. Mayor Pro Tem Mason expressed her desire for a code that would be fair, transparent, and easy for everyone to understand. Mr. Spear stated that the development of a new form-based code could be done in-house or the Town could bring in a code consultant at an estimated cost of \$25,000-\$100,000 dependant on the scope of work. There was concern and discussion regarding the amount of staff time involved with in-house development of a form-based code and the estimated two year timeline. There were no general objections to a form-based code and Council was in agreement to further explore the concept. Council Member Aycock noted that she would like more information on the pros and cons of a form-based code.

At 12:05 p.m. Council Member Pepin announced a break for lunch.

The meeting reconvened at 1:02 p.m.

Mayor Pro Tem Mason made a motion to amend the agenda to wrap up around 2:45 p.m. and begin closed session at 3:00 p.m. Council Member Aycock seconded the motion.

VOTE: Aye – All
 Nay – None

Current Planning Priorities

Mr. Spear referenced the Smart Growth Options from 2008 that are contained in the packet and stated that the Year 1 priorities in the Land Use Master Plan priorities list have either been completed or are currently being addressed by the Land Use Master Plan. He also questioned whether or not the Council wished to continue with interim measures until a new code was in place. The following changes were made to the priority plan:

Year 1 (2008)
Year 2 (2009)
Year 3-5 (2010-2012)

- Land Use Master Plan -

Place Develop Comprehensive SWM Plan in Year 2 as well as Year 3-5

Move Consider Density Bonuses/TDR for Preservation to the Form-Based Code list

Move Provide Incentives for Compact Development to the Form-Based Code list

Place Develop a Downtown Master Plan in Year 3-5

Place Update Thoroughfare & Transportation Master Plan in Year 2

Place *Update Alternative Transportation Plans* in Year 3-5
Place *Consider Tax Rebates for Eligible Housing* in Year 2
Place *Investigate Car-Free Housing Allowance* in Year 2

There was discussion of extending the Downtown Municipal Service District and this was felt to be a priority for Town Council.

- Form-Based Code -

Place *Use Form-Based Coding for Implementation* in Year 2
Place *Allow Greater Mixed-Use* in Year 3-5
Place *Reduce Setback/Dimensional Standards* in Year 2
Place *Use Density-Based Districts* in Year 3-5
Place *Update Density & Height Requirements* in Year 2
Place *Use Density Bonuses* in Year 2
Place *Revise Parking Standards* in Year 2
Place *Revise Screening Standards* in Year 3-5
Place *Revise Accessory Apartment Standards* in Year 2
Place *Consider Inclusionary Housing Provisions* in Year 2
Place *Allow Cottage Housing* in Year 2
Place *Allow Multi-Family Housing By Right* in Year 3-5
Place *Enhance Sidewalk/Streetscape Requirements* in Year 3-5
Place *Adopt Pedestrian Network Requirement* in Year 2
Place *Adopt Pedestrian Oriented Design Standards* in Year 3-5
Place *Restrict Drive-Thrus in Walkable Districts* in Year 3-5
Place *Apply Design Standards Supporting SG* in Year 3-5
Place *Revise Sign Standards* in Year 2
Place *Require LID Provisions* in Year 3-5
Place *Revise Tree and Landscape Protection Practices* in Year 2
Place *Enhance Recreation Space* in Year 3-5
Place *Provide Incentives for Green Building Standards* in Year 2
Place *Require Bicycle Parking* in Year 2
Place *Revise Street Standards* in Year 3-5
Place *Improve Connectivity* in Year 3-5
Place *Enhance TIA Requirements* in Year 3-5
Place *Develop Clearly Defined Development Standards* in Year 3-5
Place *Allow By-Right Development Meeting Objectives* in Year 3-5
Place *Consider Density Bonuses/TDR for Preservation* in Year 3-5
Place *Provide Incentives for Compact Development* in Year 2

Policy Discussion

Mr. Furgiuele reviewed the packet insert entitled Policy Questions in Recently Proposed Text Amendments. There was agreement that the process needed to be worked out in order that everyone would be more informed regarding text amendment changes. Mr. Furgiuele and planning staff will work together to draft language for UDO amendments.

Mayor Pro Tem Mason stated that when the Land Use Master Plan is implemented she would like for the Planning Commission to look at priority for water and sewer service extension.

Nonconformities (Grandfathering)

Council Member Pepin expressed concern about the grandfathering of nonconforming situations. Mr. Spear felt that the nonconforming section in the UDO was in need of improvement. Mr. Hurley stated that he had prepared some improved text which is in the packet regarding nonconformities. It was felt that there should be text prepared that would encourage greater conformity of occupancy, signage, and appearance standards.

Speculative Grading

Mr. Spear discussed potential remedies for speculative grading including changes to zoning and special use permit expiration dates. Mr. Spear felt a significant increase in permit fees for increased land disturbance could create a financial incentive to reduce clearing and grading activities. Mr. Furgiuele suggested the possibility of penalties for undeveloped property. It was agreed that this situation should be a priority for Town Council.

DBDA Growth Task Force

Council Member Pepin made a motion to dissolve the DBDA Growth Task Force. The motion was seconded by Council Member Aycock.

VOTE: Aye – All
 Nay – None

With no further discussion, Mayor Clawson adjourned the meeting at 3:01 p.m.

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

VOTE: Aye – All
 Nay – None

On a motion by Council member Phillips, seconded by Council member Mason, Council moved to exit Closed Session at 3:43 p.m.

VOTE: Aye - All
 Nay - None

Adjournment

Council adjourned at 3:44 p.m.

Loretta Clawson, Mayor

Brenda Henson, Admin. Support Specialist

