



MINUTES

May 24, 2023

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Lyndsey Simpson and Council Members: Dr. Jennifer Hensley, Debbie O’Neal-Roundtree and Jerry A. Smith Jr., J.D.

Staff Present: City Manager John F. Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Communications Manager Allison Justus, Budget Manager Adam Murr and others.

1. **CALL TO ORDER**

Mayor Barbara G. Volk called the meeting to order at 4:00 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

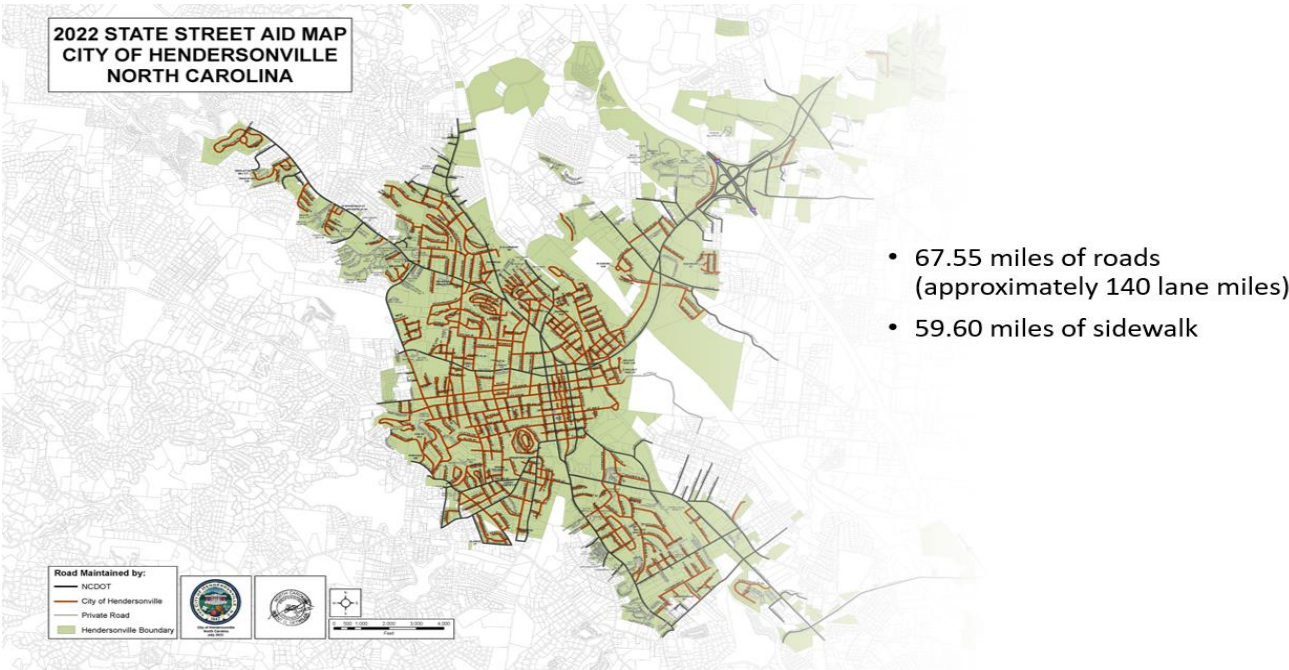
2. **CONSIDERATION OF AGENDA**

Mayor Volk said the agenda was approved as presented.

3. **PRESENTATIONS**

A. **Street Maintenance Update - Tom Wooten, Public Works Director**

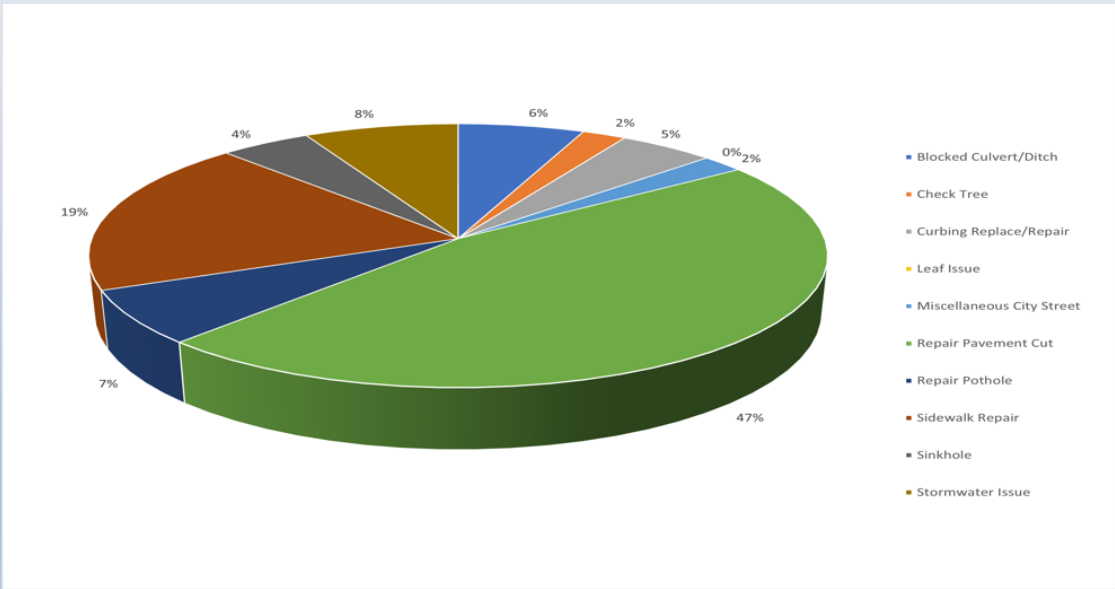
Tom Wooten presented a PowerPoint presentation that reviewed the resurfacing goals for the City.



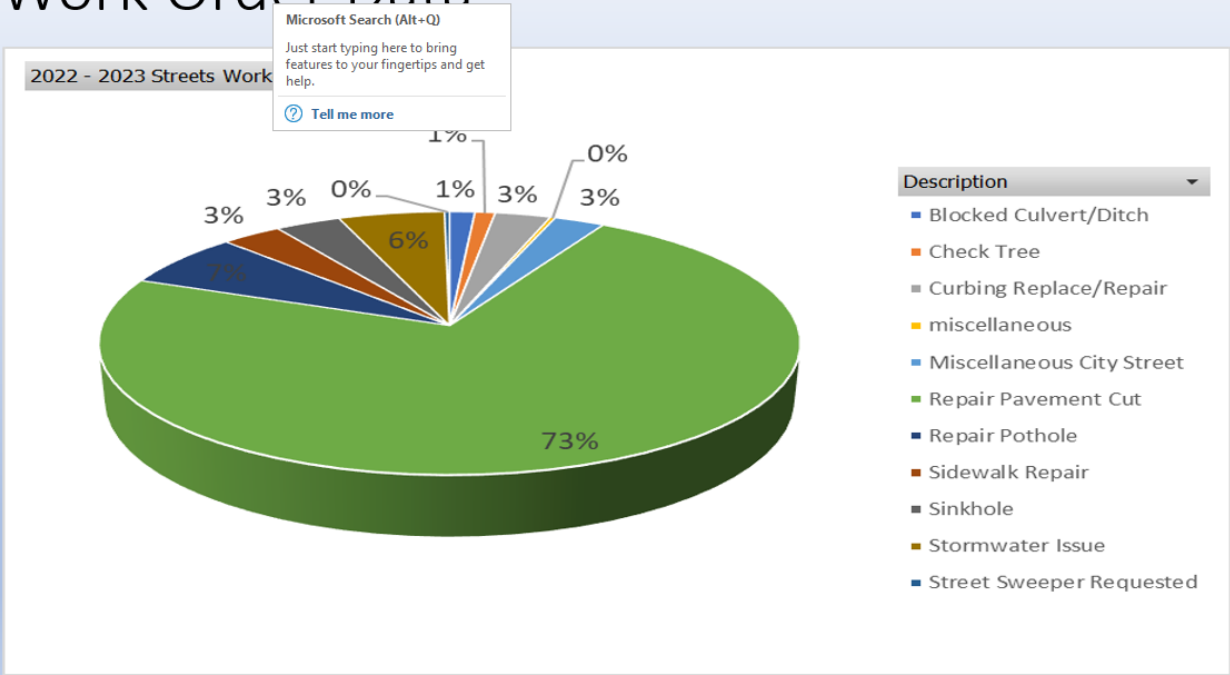
Resurfacing Goals:

- We are on schedule to repave every street every 21.76 years. Our goal is to repave every street every 20 years.
- We are currently spending about \$600,000 annually on resurfacing (FY 23 - \$467,859 from Powell Bill Fund and \$132,141 from GF. FY 24 - \$460,000 from Powell Bill and \$140,000 from GF.)
- We have \$50,000 in the FY24 budget to complete another Pavement Condition Survey.

What Do We Spend Our Time On?



Work Order Data:



Utility Cuts:

- August 2021 – we were spending 30% of our time repairing utility cuts.
- Currently, we are spending 47% of our time repairing utility cuts.
- On average, we complete utility cut work orders within ten days.
- We have completed 201 Water and Sewer Utility cuts so far this year. (County Wide)
- We have completed 54 other utility cuts Duke, AT&T, Etc. (Inside the City)

Other Things to Consider:

We complete other work that isn't included in this data such as:

- Emergency Storm Response (Snow and Ice, Flooding, Wind)
- Special Event Water Barricades
- Guard Rail Installation/Repairs
- Bridge Maintenance (Deck and Railing)
- Retaining Wall Maintenance
- Tree Removal
- Service Requests & Complaint Investigations

NCDOT Paving Update

- King Street and North Main Street will be resurfaced to Clear Creek this summer.
- Church Street will be resurfaced next summer.

Council did ask about how much utility cuts cost for Duke & AT&T and also having them pay us back for utility cuts. Tom said he would look into that.

B. Halloween Traffic Control Options – Blair Myhand, Police Chief & Tom Wooten, Public Works Director

Chief Myhand and Tom Wooten discussed options for the upcoming Halloween holiday. Council consensus was to do the 4th Avenue Closed with Side Streets Open option and use local volunteers.

All Streets Open to Traffic with Message Board Signs

- Use Message Board Signs to help educate motorists and pedestrians about safety.
- Incorporate media release about pedestrian safety, use of sidewalks rather than walking in the road.
- Least Safe Option for pedestrians.
- Allows access to homes during the event.
- We would need to rent the message board signs.
- Least impact on Public Works and Police Dept.



4th Avenue Closed with Side Streets Open

- 4th Avenue would be closed with side streets open to traffic.
- Each intersection along 4th Avenue will need water barriers and road closed signs.
- There will be no access to the homes on 4th Avenue during the event times.
- Four Police Officers stationed at different locations throughout event to help regulate traffic flow and pedestrian traffic.
- This may create parking and traffic flow issues around the event area and may slow EMS/Fire/Police response times.
- A minimum of 150 water barriers would be needed for this option and for Trick or Treat Street Closure which will take about 7.5 hours to fill the water barriers and about 11,250 gallons of water. (We only have 140 water barriers on hand.)



4th Avenue and Side Streets Closed

- 4th Avenue will be closed at each end and the side streets will be closed at 5th Avenue and 3rd Avenue.
- Each intersection will need road closed signs and water barriers
- Four Police Officers stationed at different locations throughout event area to help with traffic and pedestrian control.
- There will be no access to homes on 4th avenue and side streets during the event.
- This may create parking and traffic flow issues around the event area and may slow EMS/Fire/Police response times.
- A minimum of 165 water barriers would be required for this option and Trick or Treat Street Closure which would take about 8.25 hours to fill the water barriers and 12,375 gallons of water. (We only have 140 water barriers on hand.)



Other Considerations:

- This doesn’t address other areas of town with high volumes of Trick or Treaters.
- Downtown Trick or Treat Event is taking place from 4pm – 8 pm which uses a large portion of our signs, water barriers, staff time and Police Officers.
- We could incorporate the message board signs with any of the options.

C. Draft Zoning Text Amendment Priority List – Matthew Manley, AICP/Strategic Projects Manager

Matt Manley went over the text amendment priority list with Council. Council consensus was to let them digest this for a while and they will give feedback as to how each of them feel about it.

TEXT AMENDMENT PRIORITIES											
Topic	Preliminary Rankings						Description	Alignment with Stated Goals			Planning Board Thoughts
	Hanley	Robertson	Brown	Comm. Avg	Staff	Total Average		City Council Core Values	City Council Focus Areas	Comprehensive Plan	
Housing Strategies- Short Term	1	2	1	1.3	4	1.3	"Short Term" refers to less complex/contentious text amendments. Zoning Ord – Front Setbacks -Min. 20' with 25' min for front facing garages Encroachment for front porches; Continue front setback based on avg on block; Increase/Scale ADU size; Reduce/Scale Setbacks for Corner lots (150% of side setback). Subdivision Ord – Reduce size for Expedited Subs (DONE!). Increase PB review count to 10 units for Minor Subs	"Must pursue and provide opportunity for responsible growth." "Promotion of diversity, equity and inclusion"	Economic Vitality	Goal PH-2; Goal LU-1	Reduce cost of development to attract more local builders.
CHMU	4	1	2	2.3	2	2.3	Require Access Management for Upward Rd (CHMU). Mirror HMU Standards and implement Comp Plan Goals	"Must pursue and provide opportunity for responsible growth" "Values the lives of all community members"	Sound Infrastructure Strong Partnerships	Goal TC-3	Getting developed quickly. Should be high priority.
"Accessory" Outdoor Retail Sales/Display	2	5	10	5.7	6	5.7	Clarify language. Address "principal" outdoor retail sales.	"Open, transparent communication"	Great Public Service	Goal LU-3	Needed for customer service/transparency. Reconsider current exemptions.
Greenway/Park Dedication in Zoning Ord	5	4	6	5.0	10	5.0	Mirror Sub Ord so that not only a Subdivision triggers this provision	"Must pursue and provide opportunity for responsible growth" "Values the lives of all community members" "Environmental sustainability is critical for future generations"	Numerous Amenities Sound Infrastructure	Goal PH-3; Goal TC-1; Goal TC-2; Goal CF-6; Goal CF-7	Touches a lot of the City's goals.Strong support for this.
Tree Board Ideas	10	3	7	6.7	5	6.7	Establish Standards that are predictable and remove CZD review process ("Ordinance Steering Committee" recently established by City Council)	"Must pursue and provide opportunity for responsible growth" "Environmental sustainability is critical for future generations"	Numerous Amenities	Goal NR-2; Goal LU-2; Goal TC-5	Committee formed to study this. Would new rules apply across the city? Planning Board would make recommendation as part of adoption process.
Food Trucks	12	9	3	8.0	1	8.0	Make sure Standards compliment requirements of other enforcement agencies: Water-Sewer, Health Dept, Fire Dept Make permits location based rather than food truck based	"Services delivered at a high level"	Great Public Service	N/A	Lengthy discussion. Supportive of revising. Would have ranked higher having known the extent of issues.
Housing Strategies- Long Term	3	11	5	6.3	7	6.3	"Long Term" refers to more complex/ potentially contentious text amendments. Make Small-Scale Multi-Family uses with Design Standards a "by right" permitted use in certain districts, PRD Overhaul/Elimination, Rezoning of Low Density Res Zoning Districts or Change Standards to allow for smaller lots/more density, Eliminate larger Min. Lot Size requirement for duplexes, Solutions for Manufacturing Housing, Density/Height Bonus Incentives for Affordable Housing.	"Must pursue and provide opportunity for responsible growth" "Promotion of diversity, equity and inclusion"	Economic Vitality Strong Partnerships	Goal PH-2; Goal LU-1	Need to improve design standards to prevent "vanilla" projects. How will traffic be addressed alongside increased density? Codify definitions of "affordable housing"
Chapter 7 Overhaul	7	7	12	8.7	3	8.7	Modifications of timelines and review triggers and alignment of "Site Plan" language with City Code	"Open, transparent communication"	Great Public Service	N/A	Seems simple and helpful for staff. Non-controversial.
Code Audit	9	12	4	8.3	8	8.3	See "Potential Updates to Zoning Code" and "Proposed ZTA for Code Audit" docs under "Code Audit" folder	"Must pursue and provide opportunity for responsible growth"	Great Public Service	Goal LU-1	No Comments
Update Fee Schedule	6	6	13	8.3	11	8.3	Study Peer Communities. Understand cost of staff time per application type	"Values employees and high-quality services"	Great Public Service Financial Sustainability	N/A	No Comments
Double Frontage Lots	8	8	11	9.0	13	9.0	Establish definition and address how they are treated	"Must pursue and provide opportunity for responsible growth"	Sound Infrastructure	Goal LU-1	No Comments
Front Yard Fencing Restrictions	11	10	8	9.7	14	9.7	Establish fencing standards	"Must pursue and provide opportunity for responsible growth"	Economic Vitality	Goal PH-1	No Comments
Bufferyards	14	14	9	12.3	12	12.3	Provide diagrams showing spacing requirements of plantings and placement of fences.Require buffer between large-scale multi-family and single family Res.	"Must pursue and provide opportunity for responsible growth"	Economic Vitality	Goal PH-1; Goal NR-2; Goal LU-3	No Comments
Camping, Camps, and Campgrounds	13	13	14	13.3	9	13.3	Clarify definitions and clarify that no "camping" can not exceed certain time period?	"Values the lives of all community members"	Great Public Service	Goal PH-1	Could be controversial in regards to impact on the "unhoused". How do you distinguish between accessory/temporary use in the private backyard and long-term use or commercial use?
Other Recurring Topics	Not Discussed at Committee						Update Sign Ordinance for Clarity, Standards for EV Charging Stations, Exemptions for Solar Panels in Parking Lots, add "Event Center" as a permitted use	"Values the lives of all community members " "Environmental sustainability is critical for future generations"	Economic Vitality	Goal NR-3	Study ordinances from other larger cities for emerging trends.

Background

- + Over last 2 years, staff has identified varying levels of issues and needs within our land use ordinances
- + Comp Plan + Zoning Ordinance Re-write Status
- + Legislative Committee heard an overview of each of the identified areas and prioritized them
- + Staff Ranking = Complexity/Simplicity + Controversy/Non-Controversy + Organization Efficiency/Customer Service
- + Planning Board Comments

1) Housing Strategies – Short Term

"Short Term" refers to less complex/contentious text amendments.

Zoning Ord -

- + Front Setbacks
 - + Min. 20' with 25' min for front facing garages
 - + Encroachment for front porches;
 - + Continue front setback based on avg on block
- + Increase/Scale ADU size
- + Reduce/Scale Setbacks for Corner lots (150% of side setback).

Subdivision Ord -

- + Reduce size for Expedited Subs (DONE!).
- + Increase PB review count to 10 units for Minor Subs

Staff Ranking: #4

Aligns with:

- 2 Core Values
- 1 Focus Area
- 2 Comp Plan Goals

2) Revise CHMU

- + Require Access Management for Upward
 - + Mirror HMU Standards
 - + Implement Comprehensive Plan recommendations
 - + Work in tandem to with Transportation Consultant for any tweaking of the language that is needed

Staff Ranking: #2

Aligns with:

- 2 Core Values
- 2 Focus Area
- 1 Comp Plan Goals

3) Accessory Outdoor Storage

- + Eliminate Confusion
- + Create standards that apply to Outdoor Retail that is a "Principal" use
- + Clarify Parking & Landscaping Standards

Staff Ranking: #6

Aligns with:

- 1 Core Value
- 1 Focus Area
- 1 Comp Plan Goal

4) Greenway/Parkland Dedication

- + Add Greenway / Parkland Dedication to Zoning Code
- + Compliment/Mirror requirements in the Subdivision Ordinance so that Commercial and Multi-Family Developments provide links in our Parks & Greenways Network

Staff Ranking: #10

Aligns with:

- 3 Core Values
- 2 Focus Areas
- 5 Comp Plan Goals

5) Tree Ordinance

- + A Committee has been appointed to study this topic
- + Site Plan Requirements
- + Street Tree Requirements
- + Open Space Trees
- + Buffer Yard Trees
- + Tree Preservation & Construction Protection
- + Parking Lot Trees
- + Stream Buffer & Steep Slope Plantings

Staff Ranking: #5

Aligns with:

- 2 Core Values
- 1 Focus Area
- 3 Comp Plan Goals

6) Food Trucks

- + Make sure Standards compliment requirements of other enforcement agencies:
 - + Water-Sewer
 - + Health Dept
 - + Fire Dept
- + Make permits location based rather than food truck based

Staff Ranking: #1

Aligns with:

- 1 Core Values
- 1 Focus Area
- 0 Comp Plan Goals

7) Housing Strategies – Long Term

- + "Long Term" refers to more complex/ potentially contentious text amendments.
- + Make Small-Scale Multi-Family uses with Design Standards a "by right" permitted use in certain districts
- + Overhaul/Eliminate PRD,
- + Rezone Low Density Res Zoning Districts or Change Standards of existing districts to allow for smaller lots/more density,
- + Eliminate larger minimum lot Size requirement for duplexes,
- + Provide solutions for Manufactured Housing,
- + Provide Density/Height Bonus Incentives for Affordable Housing.

Staff Ranking: #7

Aligns with:

- 2 Core Values
- 2 Focus Area
- 2 Comp Plan Goals

8) Chapter 7 Overhaul

- + Align all timelines, public notice requirements and review triggers within the bounds of General Statute
- + Align "Site Plan" language with City Code (Chapter 40)

Staff Ranking: #3

Aligns with:

- 1 Core Value
- 1 Focus Area
- 0 Comp Plan Goals

9) Code Audit

- + Covers a range of corrections, clarifications, and improvements to the code that will improve staff and public's use of the Zoning Code while not making substantial policy alterations
- + Examples:
 - + Clean up Table of Uses
 - + Add Definitions
 - + Use Bulleted format instead of long paragraphs containing multiple standards.
 - + Correct references

Staff Ranking: #8

Aligns with:

- 1 Core Value
- 1 Focus Area
- 1 Comp Plan Goal

10) Fee Schedule

- + Study Peer Communities
- + Understand cost of staff time per application type

Staff Ranking: #11

Aligns with:

- 1 Core Value
- 2 Focus Areas
- 0 Comp Plan Goals

11) Double Frontage Lots

- + Establish Definition
- + Address how they will be treated

Staff Ranking: #13

Aligns with:

- 1 Core Value
- 1 Focus Area
- 1 Comp Plan Goal

12) Fencing

- + Establish standards for fencing
 - + Specify standards for front yard fencing
 - + Setbacks
 - + Height Limits
 - + Corner lot visibility
 - + Materials
 - + Commercial vs Residential

Staff Ranking: #14

Aligns with:

- 1 Core Value
- 1 Focus Area
- 1 Comp Plan Goal

13) Bufferyards

- + Require buffer between large-scale multi-family and single family residential
- + Provide diagrams showing spacing requirements of plantings and placement of fences

Staff Ranking: #12

Aligns with:

- 1 Core Value
- 1 Focus Area
- 3 Comp Plan Goals

14) Camping, Camps & Campgrounds

- + Define
- + Distinguish
- + Provide Code Enforcement with clarity

Staff Ranking: #9

Aligns with:

- 1 Core Value
- 1 Focus Area
- 1 Comp Plan Goal

15) Others not discussed to date

- + Revamp Sign Ordinance
 - + Clean up confusion/use of language/flow of ordinance
- + EV Charging Stations
 - + Require for certain projects
 - + Create standards
- + Solar Panels in Parking Lots
 - + Establish exemptions/standards

Staff Ranking: N/A

Aligns with:

- 2 Core Values
- 1 Focus Area
- 1 Comp Plan Goal

Next Steps

- Get Feedback from Planning Board ☒
- Present to City Council at Workshop ☐
 - Receive Direction from City Council ☐
- Initiate ZTAs as time permits ☐
 - May not follow exact order of ranking

4. **ADJOURN**

There being no further business, the meeting was adjourned at 5:16 p.m. upon unanimous assent of the Council.

ATTEST:

Barbara G. Volk, Mayor

Jill Murray, City Clerk