MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, SEPTEMBER 22, 2014
7:00 PM

Mayor Pro Tem Baldwin called the meeting to order and called for a moment of silence.

PLEDGE OF ALLEGIANCE

Commissioner Farrell led the Pledge of Allegiance.

ATTENDANCE

Members present: Mayor Pro Tem Pamela Baldwin, Commissioner Jay Farrell, Michael Fiocco, Bett Wilson Foley and Beth Turner. Mayor Bill Terry, excused absence.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Chief of Police Percy Crutchfield and Finance Officer Nancy Emslie.

Motion made by Commissioner Turner seconded by Commissioner Fiocco to approve the regular meeting agenda as submitted.

Vote Aye-5 Nay-0

CONSENT AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Foley to approve the consent agenda as submitted. The Consent Agenda contains the following items:

1. Approve minutes of the September 8, 2014 regular meeting.

2. Set Public Hearing for Hughes Rezoning. (REZ-2014-02) for October 27, 2014 at 7:00 pm.

Vote Aye-5 Nay-0

REGULAR MEETING AGENDA

CITIZENS MATTERS

Mike Watkins – 400 Prince Creek, Pittsboro, NC - spoke about the Board of Adjustment Statuary Language public hearing that was held. He would agree with the Town Attorney that no member of the Board of Commissioners should be able to serve on the board. The proposed ordinance tonight does allow that. He thinks another public hearing should be held to get public input about that issue.

NEW BUSINESS

Unified Development Ordinance (UDO) Update from Clarion

Roger Waldon, Clarion Associates introduced the Clarion Team that will be working on this project. Mr. Craig Richardson and Mr. Waldon made a power point presentation (attached to minutes)

Website for UDO is: http://www.pittsboroudo.com/. Individuals can sign up for updates on the project.

A Kick off Public Forum will be held on September 30, 2014 from 6:30-8:00 pm at Chatham Library.

OLD BUSINESS

BOARD OF ADJUSTMENT STATUTORY LANGUAGE MODIFICATIONS

Attorney Messick went over the changes that were made to the ordinance presented at the last meeting. They were as follows:

11.1 Powers and Duties

Hear and decide appeals from any order, decision, requirements or interpretation made by the Planning Director or Zoning Enforcement Officer in accordance with standards and procedures specified in the ordinance.

11.1.3 Variances

Add as a new paragraph to #4:

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.

11.2.2 Composition between Town and ETJ.

1. The composition of the regular members shall reflect proportional representation between the Town's corporate limits and the ETJ. This shall be determined by estimating the total population in the ETJ as a percentage of the population in the Town's corporate limits and the ETJ and multiplying this percentage by 5 (the total required regular membership), and rounding up to the next whole number. If the resulting product is .5 or less, the membership number shall be rounded down to the previous whole number.

2 Members appointed from the ETJ shall be residents of the ETJ. The balance of the Board of Adjustment's membership shall reside within the Town's corporate limits.

11.2.3 No Town employees. No Town employee shall serve on the Board of Adjustment.

After much discussion the following change was made to 11.2.3

11.2.3. No elected officials or Town employees. No member of the Town Board or a Town employee shall serve on the Board of Adjustment unless no qualified applicant is available.

Motion made by Commissioner Fiocco seconded by Commissioner Turner to approve the Ordinance Amending the Zoning Ordinance as amended with the changes made tonight regarding availability.

Vote Aye-5 Nay-0

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 46-52

BOARD OF ADJUSTMENT CANDIDATES

Attorney Messick stated based on what the Board just approved we will need two ETJ members and none of the applicants reside in the ETJ.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Turner to appoint Walter Harris, Sherri Murrell and Melody Girard as the in town members and John Bailey as an alternate member of the Board of Adjustments.

Vote Aye-5 Nay-0

The Board agreed to re-advertise the ETJ vacancy for the Board of Adjustment.

POWELL PLACE, PHASE 2D (SD-2013-02) FINAL PLAT REVIEW

Bryson Powell stated he brought the check for the surety by today but Mr. Bass was not here.

After questions a motion was made by Commissioner Fiocco seconded by Commissioner Foley to make conditional approval subject to the approval of the Subdivision Improvement Agreement with appropriate surety.

Vote Aye-5 Nay-0

CAPITAL PROJECTS REPORT

MANAGER'S UPDATE ON CAPITAL PROJECTS

Manager Gruesbeck said we are having weather related delays with the pavers.

Manager Gruesbeck said tentatively we have been approved for a loan to help improve I & I issues in town. Staff is still working to get information submitted by October 1, 2014.

Manager Gruesbeck stated the East Street Sidewalk project has been rebidded and bid opening will be on October 10, 2014 at 2 pm.

Manager Gruesbeck reported staff has had conversation with NCDOT. They will be sending someone out to check, but they think there is a 60 ft. r-o-w there and we would not have to get additional r-o-w for the project. Pittsboro Elementary Road r-o-w issues are also being looked at.

Mr. Gruesbeck said he is still working on Chatham Forest HOA concerns as well as the Potterstone issues.

FINANCIAL REPORT

MONTHLY FINANCIAL REPORT AS OF JULY 31, 2014

Ms. Emslie went over the financial report submitted to the Board.

The Board stated they liked the way the information was presented tonight and would like it done that way in the future.

The Auditor will be coming the end of October 2014.

Mayor Updates

- EDC
- RPO – Commissioner Fiocco said he received an email today of grant money available for sidewalks.
- Solid Waste
- Fairground Association – Mayor Pro Tem Baldwin stated the fair was great and they had great attendance.
- PBA/Downtown – Commissioners agreed the social was great. Manager Gruesbeck said the new Secretary of Rural Development was in town and met with members of downtown businesses.

COMMISSIONER CONCERNS

Commissioner Foley mentioned a new business Cackalacky Warehouse opened up over the week in Chatham Mills.

Commissioner Fiocco said in downtown between the curb and landscape islands after the stormwater gets through there is a lot of silt and dirt left behind. He would like Mr. Poteat to look at that to see what can be done to make this better.

FYI –

1. Friends of the Rocky River Handout

ADJOURNMENT

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to adjourn at 8:53 p.m.

Vote Aye-5 Nay-0

_____

William G. Terry, Mayor

ATTEST:

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William G. Terry, Mayor

ATTEST:

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Alice F. Lloyd, CMC, NCCMC
Town Clerk

DRAFT

Unified Development Ordinance (UDO)

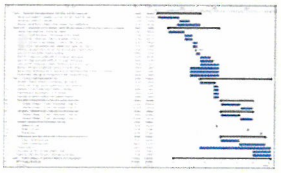
Pittsboro, North Carolina

AGENDA

- Who We Are: The Clarion Team
- Work Program & Public Involvement
- Project Goals
- Questions/Discussion

CLARION

FERRELL MADDEN



2

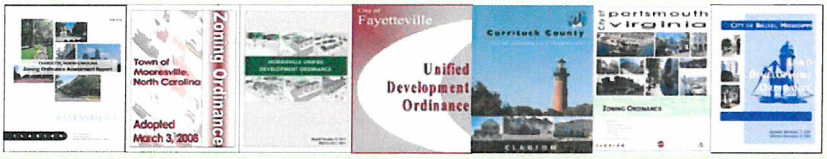
WHO WE ARE: THE CLARION TEAM

Clarion Associates

- Over 100 comprehensive code rewrites
- 2013 National APA Implementation Award, Philadelphia Zoning Code
- 2012 EPA Smart Growth Award, Portsmouth Zoning Ordinance

Prime Contractor:
Project Management, Strategy, All Aspects of Code Drafting

Craig Richardson, Esq., Project Director
Roger Waldon, FAICP, Principal Advisor
Stephen Sizemore, Esq., AICP, Code Drafting



3

WHO WE ARE: THE CLARION TEAM

Ferrell Madden

- National leaders in form based coding
- Experience preparing market-based form-based codes
- Urban designers

Form Based Coding and Design
Geoff Ferrell, FBCI, CNU
Mary Madden, AICP, FBCI, CNU

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WORK PROGRAM & PUBLIC INVOLVEMENT

Unified Development Ordinance

- Task 1 - Project Initiation & Scoping
- Task 2 - Code Assessment
- Task 3 - Draft UDO
- Task 4 - Public Hearing Draft of UDO
- Task 5 – Form-Based District

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WORK PROGRAM & PUBLIC INVOLVEMENT
Task 1: Project Initiation & Scoping

- Review of Land Use Plan, current regulations, and other background documents
- Staff and stakeholder interviews
- Reconnaissance of town
- Public involvement
  - Planning Board
  - Board of Commissioners
  - Advisory Committee
  - Public forum
  - Website

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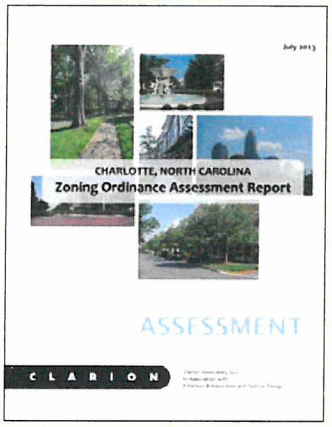
WORK PROGRAM & PUBLIC INVOLVEMENT
Task 2: Code Assessment

- Diagnosis
  - Identify key issues
  - Analyze current regulations
  - Summarize best practices & suggest best approaches to issues
- Annotated Outline
  - Outline UDO structure
- Public Meetings
  - Advisory Committee
  - Planning Board
  - Board of Commissioners



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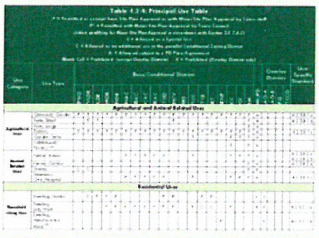
WORK PROGRAM & PUBLIC INVOLVEMENT
Tasks 3 & 5: Draft UDO with Form-Based District

- Two installments
  - Procedure/Administration/ Districts
  - Form-based District/Uses/
  - Development Standards
- For each installment:
  - Staff review draft
  - Public review draft & meetings
    - Advisory Committee
    - Planning Board
    - Board of Commissioners



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WORK PROGRAM & PUBLIC INVOLVEMENT
Task 4: Public Hearing Draft of UDO

- Revision & consolidation of installments into single draft
- Public hearings/work sessions
  - Planning Board
  - Board of Commissioners
- Final UDO Revisions

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WORK PROGRAM & PUBLIC INVOLVEMENT
Schedule

PROPOSED PROJECT TIMELINE

Tasks	Month																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Task 1: Project Initiation and Scoping	■	■																		
Task 2: Code Assessment			■	■	■	■														
Task 3: Draft UDO							■	■	■	■	■	■	■	■	■	■	■	■		
Task 4: Public Hearing Draft of UDO																			■	■
Task 5: Form-based District												■	■	■	■	■	■	■		

10

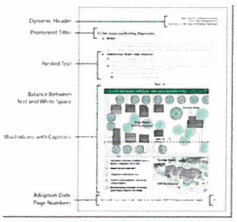
PROJECT GOALS

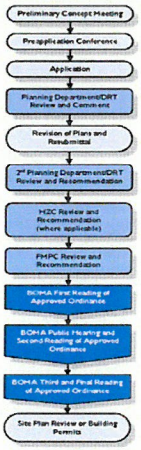
- Make the UDO more user-friendly
- Incorporate flexibility
- Modernize procedures & standards
- Incorporate small-town design principles, especially for gateway & commercial areas
- Encourage sustainable practices
- Implement the Land Use Plan

11

PROJECT GOALS
User-Friendliness

- Flow charts, tables & graphics
- Logical organization
- Streamlined procedures
- Page layout
- Clear definitions & review standards
- Consistency
- Web accessible





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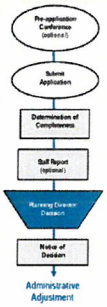
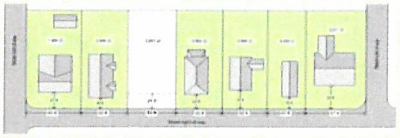
PROJECT GOALS
Flexibility

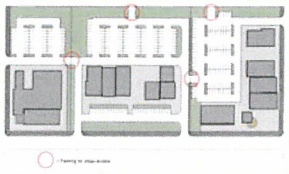
- Context-sensitive districts
- Classification-based use system
- Administrative adjustments
- Contextual dimensional standards
- Alternative parking & landscaping plans

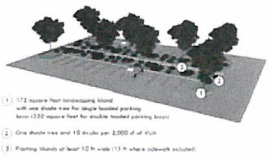




PROJECT GOALS
Modernized Procedures & Standards

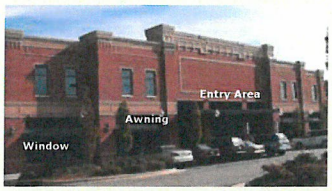
- Conditional zoning and special use permit procedures
- Development standards
  - Parking
  - Landscaping
  - Lighting
  - Protection of single-family neighborhoods

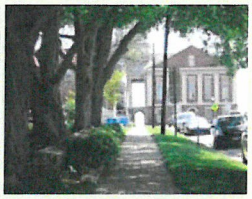




PROJECT GOALS
Design Principles

- Downtown
- Gateways
- Commercial areas





15

PROJECT GOALS
Environment & Sustainability

- Compact, mixed-use, & walkable development
- Open space & resource protection
- Complete streets
- Solar & wind energy
- Energy & water conservation

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PROJECT GOALS
Implement the Land Use Plan

- Street connectivity
- Complete streets
- Parking
- Building form
- Land use mixes
- Design standards
- "Green" development
- Walkable Downtown

17

PROJECT GOALS

- Make the UDO more user-friendly
- Incorporate flexibility
- Modernize procedures & standards
- Incorporate small-town design principles, especially for gateway & commercial areas
- Encourage sustainable practices
- Implement the Land Use Plan

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QUESTIONS/DISCUSSION

- What has been your experience with the Town's current development regulations?
- What are the most important changes to the development regulations that would make this UDO project successful?
- What specific issues related to development or development standards need to be addressed in the UDO project?
- What has been your experience with development review under the current development regulations? Too time consuming? Adequate? Can you provide specific examples?
- What broader Town goals, or specific goals of community organizations, should be addressed in the UDO project?

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Unified Development Ordinance (UDO)

Pittsboro, North Carolina