

Quarterly Public Hearing

FALL

November 10, 2005

Meeting Minutes

- Town Council in attendance:** Mayor Burnley, Loretta Clawson, Lynne Mason, Bunk Spann and Dempsey Wilcox
- Planning Commission in attendance:** Stephen Phillips-Vice Chairperson, Charlie Walker, Matthew Robinson, Gregory Reck, Gayle Turner, Paul Welsh, Stacy Yates, Shawna Rhyne and Mary “Bo” Bolick (arrived at 7:03 p.m.)
- Staff in attendance:** John Spear-Development Services Director, Brenda Henson-Board Secretary and Marlene Crosby-Administrative Support Assistant
- Others in attendance:** Greg Young-Town Manager

Mayor Burnley welcomed everyone to the Fall Quarter Public Hearing. She called the meeting to order at 7:03 p.m. and invited John Spear to present the first case.

Case RZ2005-16 The High Country United Church of Christ has filed a general use district map amendment request for property located at 315 State Farm Road. The request is to reclassify 2.9 acres from CUR-3, Conditional Use Multi-Family Residential to R-1, Single Family Residential. The property is further identified as Watauga County PIN 2910-45-2250-000.

Mr. Spear stated that the property failed to develop under the terms of the previous conditional use district approval and the new owners had initiated proceedings to return the property to its original R-1 zoning classification.

Council Member Clawson asked what plans, if any, the church may have for the development of this property. Bill Dixon, an architect with Appalachian Architecture speaking on behalf of the church, stated that the church is growing and wished to proactively plan for future expansion. He indicated that the zoning change is necessary before the church can move forward with any planning efforts.

Commissioner Reck asked how much of the property is currently developed for the church building and parking. Mr. Dixon replied that approximately half of the property is built upon, with the other half being wooded.

Council Member Spann asked for verification of the zoning classification of the surrounding property. Mr. Spear responded that the abutting property, as well as the property across State Farm Road, is zoned R-1.

There was no public comment. Mayor Burnley then moved to the next case.

Case RZ2005-17 The Town of Boone has initiated a zoning text amendment to various sections of the Unified Development Ordinance to reflect and track recent changes to the State of North Carolina planning statutes. Mr. Spear presented the staff report and invited any questions.

Commissioner Robinson asked about the language changes to Section 46 regarding board member conflicts of interest. Mr. Spear explained that the language proposed tracks the language from the General Statutes and reflects case law relating to individual rights to impartial decision making.

Commissioner Robinson noted that the proposed language in Section 382 regarding conflicts of interest by Town Council members is not as specific as the language in Section 46. Mr. Spear replied the language in Section 46 relates to Board of Adjustment member participation in quasi-judicial hearing procedures, while the language in Section 46 relates to Town Council participation in legislative procedures. Both sections reflect changes in statutory language.

With no public comment, Mayor Burnley moved to the next case.

Case RZ2005-18 The Town of Boone Tree Board has initiated a zoning text amendment to Section 36 of the Unified Development Ordinance to add (2) alternate members in order to ensure a quorum is available for scheduled meetings. Mr. Spear presented the staff report and noted that the amended text would allow citizens to participate without the requirement of serving on the Community Appearance Commission. Nan Chase, Chairperson of the Tree Board and Community Appearance Commission, was also present to respond to questions.

Mayor Burnley asked if there are any special requirements to become an alternate member of the Tree Board. Mr. Spear replied that Tree Board members should have special training in horticulture, arboriculture or landscape architecture.

Council Member Mason questioned why the Community Appearance Commission would make the appointments of the two alternate members. Mr. Spear stated that currently the chairperson of the Community Appearance Commission appoints all Tree Board members. He also indicated that staff had discussed the appointment of alternates and felt that either the Appearance Commission or Town Council could appoint Tree Board alternates. After discussion, staff chose to recommend the Appearance Commission.

Council Member Clawson felt that the Community Appearance Commission should make recommendations to Town Council for the two alternate positions, with Town Council making the final decision. Ms. Chase agreed with this approach.

There was no public comment. Mayor Burnley then moved to the last case.

Case RZ2005-19 The Town of Boone Tree Board has initiated a zoning text amendment to Section 369 of the Unified Development Ordinance to allow adequate time for area landscape contractors to obtain licensing due to the limited number of licensed landscape contractors in this area. Mr. Spear presented the staff report.

Commissioner Welsh asked if Caldwell Community College offers classes that landscape contractors could take prior to taking the licensing exam. Council Member Spann felt it would be prudent to determine whether or not CCC & TI would offer such a course if not already offered.

Council Member Spann questioned the two-year time frame allowed for obtaining the required licensing. Ms. Chase explained that two years would be adequate time for individuals to take any courses, as well as the exam, without being a length of time that would compromise the quality of work for the town. Ms. Chase noted that the Town staff would continue to review and approve the installation of all plant material.

Planning Commission Member Rhyne noted that large jobs are often bid well in advance and can take some time to complete.

With no public comment, Mayor Burnley noted that this was the last item on the agenda.

ADJOURNMENT

With no further comments, questions or items to come before the Council and Commission, Council Member Clawson, seconded by Council Member Mason, made a motion to adjourn the meeting. With all board members in agreement, the meeting ended at 7:30 p.m.

Velma Burnley, Mayor
Brenda Henson, Board Secretary

