



**MINUTES OF THE BURLINGTON PLANNING
AND ZONING COMMISSION MEETING**

June 24, 2018 – 7:00 pm

Council Chamber, Burlington Municipal Building

CITY MEMBERS:

Richard Parker, Chairman
John Black, Vice-Chairman
James Kirkpatrick
Nicole Enoch
Ryan Kirk (Absent)
Nancy Rosborough (Alternate)

EXTRATERRITORIAL MEMBERS:

Earl Jagers (absent)
Bill Abplanalp

STAFF PRESENT:

Mike Nunn, Interim Planning Director
Joey Lea, Zoning Administrator

ITEM NO. 1:

Commission Chairman Mr. Richard Parker called the meeting to order at 7:00 p.m.

ITEM NO. 2:

Approval of the minutes of the meeting held April 22, 2019.

Chairman Richard Parker stated, do I have a motion to approve the minutes from April 22?

1st motion James Kirkpatrick

2nd motion Bill Abplanalp

Approved Unanimously

ITEM NO. 3:

Introduction of Interim Planning and Community Development Director Mr. Mike Nunn

Chairman Richard Parker stated, before we go any further let's see who our new interim director may be, do we have an interim director?

Interim Planning Director Mike Nunn stated, yes Mr. Chairman I just want to take a second, I've met some of you through other opportunities but I just wanted to give you a little information about myself and I look forward to working with you, if you ever have any questions as you have, reach out to me or come by the office, I'd be glad to help you out.

Chairman Richard Parker asked, so you are in the same office now that Amy was in?

Interim Planning Director Mike Nunn stated, I am.

Chairman Richard Parker asked, we can knock on your door at any time we need to?

Interim Planning Director Mike Nunn stated, you can as long as I am available that would be perfect I appreciate that, I'm glad to be here and look forward to working with you.

Chairman Richard Parker asked, how long are you going to be the interim?

Interim Planning Director Mike Nunn stated, in the interim we are not sure, it's not defined.

Chairman Richard Parker stated, well we would love you to stay on.

Interim Planning Director Mike Nunn stated, Thank you I appreciate that.

ITEM NO. 4:

Chairman Richard Parker stated, next item of business is Mr. Lex Depp to present an application to rezone from R-15 Residential District to CB Conditional Business District for the use an Automobile Parking Lot. The property is located on the northwest side of Overman Drive, referenced as Alamance County tax identification number 113434 and being a portion of 113435. Tell us about what you want to do.

Mr. Lex Depp stated, good evening thanks for having me here. So what we are submitting here is a proposal to put in a small parking lot. We acquired this land back in 2016 developed it as a car dealership for Flow Motor Companies. These three properties are directly behind the Verizon if you are familiar with that on Huffman Mill Road. What we would like to do is connect from our existing parking lot on to this piece of property and build an employee parking lot, to hold about 37 to 38 cars. We've submitted these plans, we've given some conditions we are willing to put in the plan and we are going to put in a fence for the neighbors. We are going to put in some lighting that is consistent with some other recent approvals that you guys have put in recently as far as lighting goes. We are going to do extensive shrubbery and trees around the property and it's going to be very minimal as far as any type of movement of soil, it's a fairly flat property right now. That's our proposal and I have our civil engineer over here that is going to be over seeing the property and answering any other questions.

Chairman Richard Parker asked, there is no drive to Overman Dr. or no connection to any public streets. it's all in your parking lot?

Mr. Lex Depp stated, yes this will be directly from our existing parking lot into that parking lot and that will be the only way in and way out, you would just have one drive.

Chairman Richard Parker asked, you don't need any more spaces than this?

Mr. Lex Depp stated, no we do not, we have found a way on the property right now to be a little more efficient that is why we hired Steve's company, so we are going to be re- laying out the property to pick up an additional like 35 spots and then this will house just our employees.

Chairman Richard Parker asked, all of it up hill? Is it all uphill from the parking lot to the dealership?

Mr. Lex Depp stated, the back of the property is all sloped downhill so this is roughly in the middle of the property and then we have a big parking lot back here and an old body shop. I would like you to know too that we have done everything we can to contact the neighbors. We put out flyers and I hosted a meeting on Friday night because as you know Overman Dr. is residential. A very nice lady she said this was wonderful, its fine and it did not bother her a bit. The only concern was the car wash. I do want to add one more thing to, with this, the investment that we are putting into this I have made it clear to my

staff that the exit and the entrance to our dealership is the only right of way moving forward so we are going to do everything in my power to keep all of my staff any of my customers off of Overman because it is an easy exit right now but I do want to restrict any of my employees from going out that way once we complete this.

Chairman Richard Parker asked, okay do we have any questions from this commission?

Commission Member James Kirkpatrick stated, yes I have one question is that the only person that you heard from, there has been no commentary from any of the neighbors.

Mr. Lex Depp stated, in full disclosure there was one lady that over heard that we were putting a parking lot in and she went on google and she posted a bad review but she never came forward, she never called and we responded to her comment on google and gave her my name and telephone number and said I would be happy to meet with her at any time, we can discuss it but she never came forward.

Chairman Richard Parker asked, so this fence, it says it is an opaque fence. Is that the plan that is making it opaque or is it the actual fence?

Mr. Steve Causey stated, I'm with allied design and it's an opaque style fence. The fence itself being opaque is the intention either shadow box style or if you guys will allow a vinyl type fence but the fence itself will be opaque that is in addition to the condition you have seen in your notes regarding the 20 foot buffer for planning a type B yard. Also with future greenway easements on the property, I think you have plans for a greenway to come along overman Dr. One clarification I don't think this made it into the conditions, though we have agreed to a lighting condition in accordance with the western overlay standard.

Chairman Richard Parker asked, is this land small enough that it doesn't need storm water management?

Mr. Steve Causey stated, right now in total the impervious coverage is about 1,150 sq. ft. so we would be disturbing just a little beyond the perimeter of that so we are exempt with under an acre disturbed, which exempts us from storm water management. We are trying to maintain sheet flow off the property as you have observed it falls downhill we are thinking about removing that whole curb and naturalizing it. That would be preferable.

Chairman Richard Parker asked, any other questions from the commission, Mr. Black?

Commission Member John Black asked, so will this be an entrance only, off of Overman into there?

Mr. Steve Causey stated, there is an existing residential drive way, the legend in the plan should indicate that the drive is being removed so the only access to this property will be off the dealership. Did that answer this question?

Commission Member John Black asked, okay did I miss something? Is there an entrance or an exit to this property off of overman?

Mr. Steve Causey No, the existing drive is to be removed.

Commission Member John Black asked, there is no reason for a PA system there?

Mr. Steve Causey stated, no typically they are associated with inventory, and people being on the lot.

Commission member Bill Abplanalp stated, I don't think they use a PA system.

Mr. Lex Depp stated, we don't use a PA system at our dealership.

Commission Member Bill Abplanalp asked, do you own the property next door?

Mr. Lex Depp stated, yes sir we own all three parcels.

Chairman Richard Parker asked, any other questions? Okay thank you gentleman. We may come back to you.

Mr. Lex Depp stated, thank you.

Chairman Richard Parker stated, as I said at the beginning this is a public meeting so if anyone has come to speak about this matter now is the time, is there anyone on this side of the room who would like to speak? Is there anyone on this side of the room who would like to speak? What is your recommendation planning?

Zoning Administrator Mr. Joey Lea stated, this development has been approved through our technical review committee. The comprehensive land use plan as you can see shows this area to be regional commercial. This parking lot is continuous with commercial to the north and to the west, so it is consistent with the uses that are there and with the conditions staff would recommend approval.

Chairman Mr. Richard Parker stated, we have the proposed consistency statement in front of you.

Commission Member Mr. Bill Abplanalp stated, Mr. Chairman I have a question for Mr. Lea, have you received any calls or statements or letters about this?

Zoning Administrator Mr. Joey Lea stated, no I have not.

Chairman Mr. Richard Parker stated, now though the suggested motion is before us either for or against. Would somebody like to make a motion on this request?

Commission Member Mr. James Kirkpatrick stated, on this part I'm confused because usually we just have a statement for approval.

Zoning Administrator Mr. Joey Lea stated, it's at the top. There are two different options for approval the one at the top is the consistency statement, it is consistent with the land use.

Commission Member Mr. James Kirkpatrick stated, I would like to make a motion Mr. Chairman.

Chairman Mr. Richard Parker stated, okay.

Commission Member Mr. James Kirkpatrick stated, I move we recommend approval of this request, with the stated conditions, to rezone from R-15 Residential District to CB Conditional Business District. The property is located on the northwest side of Overman Drive, referenced as Alamance County tax identification number 113434 and being a portion of 113435.

The motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that:

- The Future Land Use Map in Section 4 "Land Use" of the Comprehensive Plan calls for this area to have Regional Commercial and Suburban Residential uses

- The property is contiguous with commercial zoning and the proposed parking lot is properly screened from residential properties.
- The development incorporates requirements identified in both the Greenways & Bikeways Plan (Map 3.4A Comprehensive Network (Northwest Burlington) and the Pedestrian Master Plan (Map 3.2 – Pedestrian Network Recommendation Map, Northwest Grid).

This action is reasonable and in the public interest in that:

- The Comprehensive Plan calls for Regional Commercial and Suburban Residential uses in the area and the use of an automobile parking lot is compatible with the uses in the area.
- The request is compatible with the existing zoning in the area.
- Developer is providing an easement for the future greenways network.

Commission Member Ms. Nicole Enoch seconded the motion.

Approved unanimously

ITEM NO. 5:

Chairman Mr. Richard Parker stated, next item Mr. Chad Huffine to present an application to rezone from CI Conditional Industrial District to I-2 Light Industrial District. The property is located at 305 North Main Street, referenced as and being a portion of Alamance County tax identification number 136545.

Mr. Chad Huffine stated, I'm the civil engineer for Meredith Web our office is 505 E. Webb Ave Burlington North Carolina. The request that you have before you is to create some consistency on some property that a few years prior we asked for a conditional use on. If you look at one of the examples you have in front of you have the property that is outlined in red, the conditional use associated with a few years back for a tent washing outfit. They are no longer washing tents and they have been gone for about 3 to 5 years. The Owner would just like to have the consistency of that parcel back to light industrial. We are here to remove that conditional zoning.

Commission Member James Kirkpatrick stated, that was done in 2006 that was a long time ago.

Commission Member James Kirkpatrick asked, what says Joey?

Chairman Mr. Richard Parker stated, let's find out, and other questions from us, Joey what is your recommendation

Zoning Administrator Joey Lea stated, the Comprehensive Land Use Plan calls for mixed use residential in the area. This is a commercial and industrial area as seen by the map. Staff believes that rezoning this small portion back to Industrial, from an economic stand point makes it easier for development, with that staff recommends approval.

Chairman Mr. Richard Parker asked, are the poles still there? The tent washing poles.

Mr. Chad Huffine stated, no sir.

Commission Member Ms. Nancy Rosborough asked, what about the catch basins, are they still there?

Mr. Chad Huffine stated, the concrete slabs that they used to wash the tents over are still there and the catch basin down the hill at the drive way is still there. The entire infrastructure is there, and the draining

infrastructure will remain we are not asking to change anything physically on the property just the zoning. The poles are gone, the concrete is there and the draining structure is there.

Chairman Mr. Richard Parker stated, okay there are two proposed statements for approval would anybody like to make a motion.

Commission Member Mr. James Kirkpatrick stated, I would like to make a motion. I move we recommend approval of this request, to rezone from CI Conditional Industrial District to I-2 Light Industrial District. The property is located at 305 North Main Street, referenced as and being a portion of Alamance County tax identification number 136545.

The motion is based upon the consistency of the proposed rezoning with the Comprehensive Plan, in that:

- The Future Land Use Map in Section 4 “Land Use” of the Comprehensive Plan calls for this area to have mixed use and traditional residential uses
- The request is compatible with the surrounding zoning of I-2 Light Industrial District.

This action is reasonable and in the public interest in that:

- The Comprehensive Plan calls for mixed use and traditional residential uses in the area and this property was previously zone I-2 Light Industrial District.
- The request is compatible with the existing zoning in the area

Commission Member Bill Abplanalp seconded the motion.

Approved Unanimously

Interim Planning Director Mike Nunn stated, Mr. Chairman Can I just take one second before we move forward. Joey and I are working together on several items just evaluating your meetings and presentations. Just so you know we are now sending out notices and letters to property owners for your P & Z meeting now not just city council. Joey and I are talking about ways to get more involvement, more comment. So there might be some small things that we will bring to you. We are trying to advertise and publish the meeting a little bit more and get more community involvement.

Commission Member Mr. James Kirkpatrick stated, we have never had a problem or trouble drawing a crowd.

Interim Planning Director Mike Nunn stated, that’s right, just little things like that.

Commission Member Ms. Nancy Rosborough asked, are you just sending out to impacted residents?

Zoning Administrator Mr. Joey Lea stated, we are going to do our normal 300 ft. from the property just like we do for public hearing.

Chairman Richard Parker stated, well thank you for doing that.

Zoning Administrator Mr. Joey Lea stated, in addition, we are giving you the proposed ordinance that will go to council and from this point it could possibly change and have things added to it. Normally you have the conditions written out on the application or on a separate page.

Commission Member Ms. Nancy Rosborough asked, I have one more question May I have a copy of the letter that gets sent out?

Interim Planning Director Mike Nunn stated each case or just the template?

Commission Member Ms. Nancy Rosborough stated, just the template.

Interim Planning Director Mike Nunn stated, sure.

ITEM NO. 6:

Chairman Mr. Richard Parker stated, Mr. Chad Meadows to present the Public Hearing Draft of the Unified Development Ordinance for consideration and recommendation. Let's hear from Mr. Meadows.

Mr. Chad Meadows stated, good Evening Mr. Chairman and commission members. This is going to be tough standing in one place. I normally take 30 mins to 45 mins to go over this, usually with the hot breath of the angry public behind me but tonight they are still in the room out there or there aren't any members of the angry public so that is wonderful. I'm Chad meadows I'm the principle of Code Wright. It has been my pleasure to work with staff over the last couple of years on your new Unified Development ordinance. We are here tonight as part of the mandated public hearing process. This is a public hearing tonight assuming you are able to make a recommendation on the ordinance we will move the ordinance forward for the next required public hearing with the public officials on July 16th. At that point, should they adopt the ordinance there will be a new Unified Development Ordinance in affect, however, there is an anticipation that we will delay the effective date for a short period to allow staff time to prepare application forms, submittal requirement, and applicant resources etc.... We will talk more about that in a minute.

I'm going to bore you to death with the project background. I'm going to talk about the UDO very quickly, go through the chapter review. I have spent an awful lot of time with you guys on this. Most of this complete review for you, I'm not going to spend much time talking about your zoning map as I understand number 7 on your agenda is staff talking about the zoning map. Then I will tell you about the next steps and I am happy to answer questions for the record. The Unified Development Ordinance is a set of rules governing where land uses are allowed, what kind of uses are allowed, how they are established and how they are operated. There are also revisions that include site features, landscaping, parking, signage and lighting etc. The UDO includes the zoning maps and also includes the rules that govern the division of land into individual lots. We are innovating the subdivision of land into the ordinance they are separate currently and then finally we have rolled in some standards that protect the environment; repairing buffers, storm water management, soil erosion, sediment control etc. All of this stuff is coming together into a single ordinance that is applied to all the city's corporate limits and ETJ. For those who tell you that we are moving too fast and jamming this down your throat I think you can safely say that is not the case, we have been actively working on this project since December of 2014, it is a very long time, to be fair we have had some challenges along the way. Staff has always been wonderful and willing to put in the extra effort I am very pleased with the ordinance that is before you tonight. We started back in December 2014 with a project initiation, we held an ideas forum with the elected officials. I believe that this board was invited to that forum as well. We talked about a variety of things like revitalizing down town etc. We put together a code assessment document this is the road map, a blueprint for the Unified Development Ordinance and we have remained remarkably true to the recommendations that are in this document which is certainly to be applauded. We spent about the last 18 months drafting the ordinance working in close operation with the advisory committee, staff and elected officials etc. We completed that in June of this year and we hope to adopt the document in July. These are the 6 themes of project goals that were identified in the code assessment making the document easier to use, more procedure efficiency, revitalizing down town, raising the bar for development quality

and then finally incorporating incentives flexibility. We have done a very good job remaining consistent. Let me talk generally about some of the UDO improvements that we have made. We have reorganized the 30 major sections from your current zoning ordinance in to 10 topic based chapters, the light material, those things that are similar in nature have been grouped together for example: all of the district material has been located in the district chapter and all the procedure in the procedure chapter etc. Material that is used most frequently is located closer to the front of the document. There is a consolidated table of contents at the front, and each chapter has a table of contents, all those table of contents are dynamic, in other words when you get the digital version in a pdf of this document you will be able to click any single table of contents entry and be directly sent to that location in the document. There will be an index and terms at the back of the document which is also dynamically linked.

Chairman Mr. Richard Parker stated, when we click on something in the PDF and it goes over there, will there be a button to go back to where you were?

Mr. Chad Meadows stated, unfortunately No there is not in adobe. Now I use adobe distiller which is part of acrobat pro and they do not currently have a back button. That said if you access the document via the web browser, it has a back button so that is one thing that is available to you.

Chairman Mr. Richard Parker stated, I'm worried that I'm going to be on this page I'm going to click over to that one, then something else will get my attention over here and I will click on that it will take me over here. Then I will never get back to where I started.

Mr. Chad Meadows stated, right you could take the browser approach, you should also know that the pdf will have one of the basic functionality pieces of the adobe document is the bread crumb menu do you guys go and use Unicode a lot now. When you up the Unicode version there is a table of contents it is a static table of contents that rides on the left side of the page that allows you to jump back to a particular section. Anywhere that is listed inside that list. The adobe document that is produced for your document will have the same thing on the left side. That is the best I can do for going back.

A quick view of what the pages look like, we reformatted the page layout, and the front of each chapter has some information that explains what is in the chapter and the key changes between the current draft and the UDO. Those changes will come out of the adopted version obviously. There are directions on how to use the UDO generally at the front, using this UDO and the numerous sections sprinkled throughout the document that shows how to use the individual chapter or the individual section in a chapter, there are lots of those materials in there. This is an example of tables, lots of summary of tables built into the document. This one is the development procedures, an easy way to transmit a lot of information very quickly. You see those yellow highlighted brackets those will be digital cross references you will be able to click on those and jump immediately to the various procedures. A couple of other things are page headers that identify the chapter, a major section, the page numbers are to the outside include the chapter number that include a color scheme, the major section headings. There is a text indentation system that helps you better understand how the texts relates to the text above it. Finally the cross references shown in yellow again will also be dynamic. This is an example of the development standard pages these are the design standards. A couple of things to note here numerous images showing allowable options, figuration alternatives, there are schematics showing dimensions, this document has upwards of 300 to 330 total graphics in it so much more richly illustrated than your current regulation. All of the illustrations are supplemental to the text, the text controls and that is clarified in the chapter. That's kind of a general over view of the improvements we have made now let's talk about the chapters themselves.

Chapter 1 is the general provisions chapter it is basically the boiler plate, legal language for the document it includes the operational standards provisions for the authority of the city to have regulations, a detailed purpose of intent statements, some policy guidance and how that interacts with

the regulation. There is a section that addresses conflict between the provisions in the ordinance, a set of transitional standards that handles applications in process at the time that the ordinance becomes effective, a zoning district translation table and how vested rights are established so those are general parameters of chapter 1.

Chapter 2 is the procedures, all of the procedural information is here, there is a section at the front that talks about how to use the chapter, you may recall that information is broken down into a set of common review procedures that are applied to each and every development review process, and set of specific development procedures 27 of them to be exact. Down in this summary table, there is a snippet in the table that shows procedures down the side, the review authority across the top and then matrix a table that makes a decision, which makes a comment, how appeals are handled etc.. So this gives you a quick an easy way to understand exactly who is responsible for what portions of review, again with cross referencing etc. I mentioned the common review procedures such as things that are applied to every application, it basically takes an applicant from a required pre application conference, through the staff review portion through the staff report portion, how the meetings are conducted, how withdrawal contenance referral is handled, and then ultimately how the notification takes place. Our material is the same for each and every single one of the procedures. There is also a standardized procedural format we have included detailed flow charts for each how the procedures. There are 11 newly codified procedures in the ordinance. We have placed limits on traditional rezoning's, I know that is a topic of interest for you. There is a new planned development procedure that allows or maximum flexibility. This chapter also includes the enforcement provisions, there is a comprehensive list of violations in detailed discussion about how the violation process works.

Chapter 3 zoning districts we have brought all the zoning related material into this chapter, we have taken the cities currently 24 districts and boiled it down to 19. There are 13 general for conditional planned development, there are new density dimension standards set out by use, a comprehensive use of purpose and intent statements, both from grouped districts as well as the individual districts themselves a new graphic for general layout on general districts, and reorganization and inclusion of modern development configuration types. This is an example of one of the district types included. This is a mixed use district, it is a new district but exemplifies the structure standards. Each district has 2 or 3 pages and it includes an intent statement, dimensions standards applicable in the district broken by the use type. In this instance, I realize it is kind of hard to see but if you look at the table on the left hand side you could probably see there examples for single family detached, single family attached, multifamily, mixed use and nonresidential development. That is fairly typical structure for the districts. There are district specific notes at the bottom of the dimension standards that handle the particular kinds of issues that might be unique to a regular district, there are examples of development and examples of lot configurations layouts.

Chairman Mr. Richard parked Stated, all of these will basically have parking in the rear building to the street.

Mr. Chad Meadows stated, no sir the mixed use district absolutely has some of that and there are a handle full of other districts that focus on the location of parking but generally speaking parking standards and location of parking are handled through the design provision not necessary the district provisions. The mixed use district and the planned development down town district are 2 places where we are focusing on parking in the district standards instead of in the design standards. For what it is worth we are incorporating new limits on parking in a variety places downtown, mixed use, gateway corridor, so we are trying to address that. We discuss in chapter 3 some limitations on some development standards that in the past have been waived through the conditional zoning process. We are in response to staff and response to comments in this body setting down some limits on what can be waived or reduced through the conditional zoning process, for example the vast majority of the design standards cannot be waived or reduced. The signage controls cannot be waived or reduced through the

conditional zoning process. We have made some attempts to try to fetter the discretion of the elected officials in consider the conditions of rezoning applications. Planned development district does offer maximum flexibility if somebody wants to come in and propose deviations on a scope that may be broader than what can be accommodated to the conditional zoning process they can propose a planned development application. However even the planned development application has some limitations on the kinds of things that can be waived, for example environmental protection cannot be waived through a planned development process nor can flood plain nor can signage. We have identified a variety of things that we want to keep sacra sancta regardless of what kind of zoning application is propose now that may go far enough, we might need to go further but we can talk about that when you are ready. There are two new planned development districts one for downtown and one for outside downtown. The intent of the downtown development district is to revitalize the development of downtown and encourage development to happen in the downtown and as a result it makes it easier to develop in a 60 block area. It's what we call the planned downtown development eligibility district boundary that map is included in section 3. 18, of the ordinance. There is also a new parks and conservation district. There is a new development district for gateway corridor, like the one that is being prepared for Maple Ave. You should anticipate a handful of these corridor designs in the future, they will all reside within this gateway corridor district overlay. The flood prevention provision from the city code have been incorporated as a flood protection overlay district the water shed, historic and airport height restriction districts are also included in chapter 3 and have been rewritten for clarity purposes

Chapter 4 are the use standards, all of the use provisions are in a single chapter we are trying to use a new use classification structure that will allows unclassified uses to be quickly qualified. We have a list of prohibited uses, you may recall, that I have told you that outdoor advertising uses be one that we are suggesting be prohibited community wide. There is a comprehensive list of principle use types. Comprehensive set of standards that are applicable to accessory uses and a set of temper provisions. This is an example of the consolidated use table, this is a color coded table uses go down the side. Districts are across the top and the procedure to establish the use is located in the middle of the matrix. For those of you have spent some serious time with this table you will notice that PD and PDD has an 'a' not a p for permitted or an s for special use. An 'a' that means that in order for that use to be allowed for a planned development district, planned development application forms need to list that use. If they list that use in that material and there is an 'a' into his table that needs to be accommodated if they fail to list that use or that list is not permitted in that district they could not get that use in that district that is proposed. I mentioned that it is color coded it is color coded by type of district. One thing that you will in the table in your ordinance, we included a series of gray lines, the text is not as dark as the text as the table. That is there for the purpose of comparison, it gives you what is happen in the current regulation and what is proposed in the new.

Chairmen Mr. Richard Parker asked, so this table of permitted uses, this covers everything that is in our ordinance now and then adds new ones?

Mr. Chad Meadows stated, that is absolutely correct, what it does not include in this table that is in your current regulation, your current regulation blends accessory uses and principles uses. Accessory uses are something that is an accessory to a principle use example a swimming pool associated with a single family home. Your current regulations blend the two, this proposal separates the two, and there are two separate tables, one for accessory use and one for principle use. So it is everything you got and then some at the back of the table on the right hand column you will see a use specific standard in that yellow bracket set, obviously that is a dynamic cross reference applicable to any use specific standards. So if you are proposing a use that is on the table and you want to see if there are any particular use standards you have to follow you can just click on that and it will take you directly to those provisions. A couple of things I want to draw your attention the range of use that require special use approval has been reduced, so we are relying less on the quasi-judicial process and decision making on the fly and instead we are relying more on codified standards that are embedded in the ordinance. Inclusion of new use

specific standards revision of the use structure allows us to reduce our reliance on special use permit. So you will see fewer uses in this table requiring it than what your current regulations require. I will also mention for your information the range of uses that were permitted in a particular conditional zoning district has been reduced so the broader range of uses that are permitted in a conditional district today have been reduced. So you will need to avail yourself of the general zoning district instead of the conditional zoning district intentionally. Those are 2 important features to this table that I wanted to show you so that you are aware of it.

Chapter 5 is the development standards; parking, access, landscaping, screening, signage. We just need a little bit of time with this just a refresher. The comprehensive table, on the left is parking that is your parking table it list the parking requirements for each listed use type, we have parking maximums for large retail uses, there are some new limitations for parking on yards for residential districts in other words you have to resurface to park. You have to have approved surface to park. There are new bicycle parking requirements for nonresidential mixed use and single family. We have a more robust approach to flexibility on the parking plan process there is a removal for parking loading spaces, there are new loading configuration standards, circulation provisions to the right hand side There is an addition for new consolidated on site access and circulation standards lot access stem length of parking lots, driveway standards, site distance triangles, parking lot connection requirements and on site pedestrian walk ways.

Chairman Mr. Richard Parker asked, but it still does not include handicap?

Mr. Chad Meadows stated, it makes reference to the state building code on accessible parking spaces.

Chairman Mr. Richard Parker asked, those spaces aren't in the ordinance?

Mr. Chad Meadows stated, the exact requirement is from the state building code are not reproduced in the UDO, rather it mentioned a cross reference for an applicant to use. we are working on a procedures manual that might be one of the places where you want to put in a link to the state building code standards for ease of reference for now, they can click on that and be taken to the state building code where it references accessible parking so that is an option.

Chairman Mr. Richard Parker stated, I don't want some engineer to draw up some big old plan with so many spaces, and Joey says "oh what about the handicap?" That is covered in the permit right.

Zoning Administrator Mr. Joey Lea Stated, generally that is the only thing will ever have to do is tell them to add one but that will go along with the state law.

Mr. Chad Meadows stated, next slide, landscaping and screening, they are going to change here. The first thing that I would like to Mention to you guys is the current regulations have 15% cap on the amount of landscaping that can be provided on a smaller lot, a lot of 65,000 sq. ft. or smaller. In other words I have more than 15% of my lot area covered by landscaping, guess what I don't have to do? Meet the standards any more I can stop at 15% that's no longer carried forwarded. We have reorganized the landscaping standard into parking lot, perimeter buffer, street scape and street trees. We have enhanced the landscaping standard with new interior and perimeter planting as well as requirements for shade trees, there are now four layers of perimeter buffer that are applied based on the zoning district instead of the use type. There is new street scape standards that are require trees to be planted front yards of lots along major streets and street trees in the downtown and gateway corridor area. So there will be a distinction between trees on lots versus trees in the right of way. The new detailed landscaping area configuration standard, a need for a landscaping plan there is flexibility for an alternative landscaping plan and we have incorporated incentives for the retention of existing tress. Screening which you see on the right hand side of the screen is a tiered system of minimum screening requirements and techniques

for various site activities there are features that include wall mount or roof mount equipment as site features. There various levels for screening with increased capacity as you move up the scale and guidance for screening requirements based on where you see that site feature from. The requirements to screen from the street are more intense than your requirements to screen from a next door neighbor that is in an industrial zone. Design standard and guidelines, we have design standards for commercial mixed use and multifamily. Their design guidelines for single family detached and single family attached. State law is driving our distinction between standards and guidelines. By in large the design standards addressed building orientation, massing exterior materials, windows and parking placement for new commercial mixed use and single family. The design guidelines again focus on single family duplex and single family attached, they address materials street facing garage and requirements for architectural virility in other words your house may not look like your neighbor's house.

Chairman Mr. Richard Parker asked, who is going to make that decision?

Mr. Chad Meadows stated, that is a very good question, it is handled at the subdivision level. The developer will have to designate on the plat which house is following which standard via key. An 'a', this is a 'b', this is a 'c' and this is a 'd'. However they decide they want to note that this house is going to be different from this house to be done with the plat at the plat review.

Chairman Mr. Richard Parker asked, will we ever see that Joey?

Zoning Administrator Mr. Joey Lea stated, no.

Mr. Chad Meadows stated, now plats are handled by the TRC. Again important to know the guidelines are voluntary, so as part of the conditional rezoning, it can be inserted as a condition, generally speaking these are voluntary having said that we have opted to include inside the sustainable development incentives materials, if you agree to follow the design guidelines you will have the opportunity to have the increased density and or increased height on some of the buildings in the development. So there is an incentive based approach to encourage people to do this. Here in North Carolina when it comes to single family detached and single family attached we are no longer able to mandate design controls.

Chairman Mr. Richard Parker, so we may still have subdivisions that every house looks the same?

Mr. Chad Meadows, that's right. You might see it in something that is conditional or planned development something that constitutes rezoning, you may see it. Now if it is just a subdivision they may opt to do this standard for subdivision. So if there is no zoning associated with them and it's just a standard subdivision and they chose not to consent it the design guidelines could they build a subdivision with the exact same house the answer yes could you stop them no.

Chairman Mr. Richard Parker asked, this would only apply to a rezoning applications?

Mr. Char Meadows stated, it would apply to a rezoning that is condition, it could potentially apply to a planned development, any kind of negotiated zoning and there is a voluntary statement of consent any one can voluntarily chose to follow this and through the wit charm and guile of Mr. Nunn and Mr. Lea perhaps they will be able to convince folks why it is important to follow these guidelines.

Chairman Mr. Richard Parker stated, a really tough P&Z that will grill them on it.

Mr. Chad Meadows stated, that's right. Now signage. A very deep over haul to the sign provisions passed on the ruling from the state supreme court. In the interest of time I will just say that we have removed content based signage to the maximum extent we could. Signage standards have been standardized in a table form like you see on this screen, it's important to note that the proposed signs

standards remove the ability to locate a pole or free standing sign here in the city and there are some sliding scale of approaches to removing signage obviously our intent was to reduce the impact of signage visibility along the cities main commercial corridors. The total square footage of sign area per lot by zoning district has been removed in favor of this approach new sign accounts by maximum face area standard by individual sign type. Last topic of chapter 5 is the lighting standards. These are applied to multifamily, nonresidential and mixed use development the standards require a preferential lighting plan for developments illuminating 10000 soft or more. There are standard for shielding of illumination, sources, new fixture heights between 15 and 30 feet and the maximum illumination standards for the lot line.

Chapter 6 subdivisions. We have consolidated all of the subdivision standards into the UDO. There are now prohibitions on private streets, new street connectivity requirements and development entry requirements. In other words the more number of houses you have there is a requirement to have more than one means of ingress into the development for purposes of safety. There are new standards in requirements for the dedication and construction of greenways. Where greenways are required in the city's adopted plans there are updated performance guarantee standards, there are new provisions for owners associations that include timing of managing responsibility hand off from the developers to the home owners association and a requirement to establish a reserve fund. So there is seed money in place to help the HOA fund those things that it is responsible for maintaining. Finally there are new standards for conservation subdivisions, subdivisions that are happening in the peripheral.

Chapter 7 Environment. New open space set aside provisions, we replace the public park dedication requirements, and there is a new reforestation requirement or retention requirement if you chose that approach that requires 5% of the development site be under forested canopy cover. We picked the recurring buffering standards from appendix e in the city code and put them here, we have relocated the storm water management standards from appendix d and put it here, we have relocated the sediment control and location standards also here. Finally the voluntary sustainable development incentives, those are the provisions that allow an applicant to get a minor increase in density, a minor increase in height, reduction to the amount of parking that needs to be required or slight increase in sign area based on the provision of a series of sustainable development features. Things like complying with the design guidelines or recertification or rain water harvesting, or white roof, or energy conservation. There are a handful of things that are included in there, so you don't get to avail yourselves of those extra bonus densities or heights without a fairly significant outlay of capital and requirement that you are more sustainable.

Chairman Mr. Richard Parker asked, Joey does this incorporate all of the Jordan Lake rules?

Zoning Administrator Mr. Joey Lea stated, Jordan lake rules are embedded.

Chairman Mr. Richard Parker asked, can you make sure of that Todd?

Engineering Director Mr. Todd Lambert stated, yes sir, between me and Bob Patterson at water resources, those will be incorporated in the storm water guidelines but they will be incorporated into the UDO. Our current regulations require those.

Chairman Mr. Richard Parker asked, so we don't have a storm water document that says lake Jordan rules?

Engineering Director Mr. Todd Lambert stated, that is correct.

Mr. Chad Meadows Stated, chapter 8 measurement definitions. So these are the rules of language construction. What does shall mean, what does may mean? Common phrasing, how do you measure

time etc. and very importantly provision of the delegation of authority, that the zoning or subdivision administrator, or the planning director or engineering director can delegate at a professional level of responsibility to a subordinate a professional subordinate that is employed here in the city, such as code enforcement etc. The rules of measure are defined and illustrated, we include a glossary of abbreviations that are used in the ordinance and there are many pages of definitions that are now located at a single location and revised to exclude any standards or requirements since you might not look in your definitions for development requirements.

Nonconformities, we shifted the proof of establishment that a nonconformity is lawfully established that proof has been shifted over to the land over to show there is allowance for the maintained for a nonconformity. We have made distinctions in the slots structures. Some nonconformity structures can be upgrade and renovated based on the amount of value the ability to replace a structure that is damaged in fire or flood or any other act of God is based on the pre calculated assessment value rather than its replacement cost. We have gotten rid of some legacy provisions that have been around for quite a while. The 3 year emigration period for screening and some impartation for nonconforming signs, those provisions have been removed because they are very outdated. We address nonconforming signage by new requirements for removal of nonconforming signs following significant renovation or sensation of nonconforming use. Then finally the chapter has included provisions for addressing nonconforming site features as part of expansions, in other words the amount of compliance you need to reach as part of your development is tied to your level of investment the more you spend the closer into full compliance you need to come but if you do something small like a minor addition or interior improvement. We are not going to through the book at you and make you come into full compliance with everything. So this is an incentive to redevelop and improve smaller sites typically in the downtown and urban area.

Last chapter authorities, we have put all the materials for the various review authorities into a single location, we have innumerate the powers of duties in standardized the information on composition of material procedures. So those are the 10 chapters on the UDO. Very quickly the zoning map, that's a copy of the PDD eligibility map the dark line that you see there. The zoning map is part of the UDO and we are proposing some minor changes to the zoning map. I'm not going to spend too much time on this because I know that staff is going to talk to you about.

This is the copy of the zoning transition table. Remember I said early you have 24 districts we are going to 19. This table summarizes the changes that are being suggested basically we are talking about going to 4 residential districts, instead of 9, a low density, medium density and a high density residential and we are going forward with a manufacturer of homes district. Business district not a whole lot of change basically translating with some new names and some new abbreviations a couple new special districts the parks and conservation district, and then the mixed use district. Everything that is traditional mixed use district is rolling over to this general use mixed district and the mixed use district is available for any one that might like to rezone to it. There are a variety of reasons to why you might want to do that, including reduced dimensional standards and some adjustments to parking. Then finally the conditionally districts residential, O and I moving forward business are down at the bottom of the table of the two planned development districts that are new.

Handful of things left to do, obviously a public hearing, recommendation which we are hoping to get from you guys this evening, understanding that you have questions and comments and we want to be able to answer those to make you feel comfortable and we are very hopeful that you will be able to make a recommendation this evening. If you are able to make a recommendation this evening and the city council will then hold their public hearing on July 16th, assuming they are able to adopt the ordinance that night we would make any final revisions to the UDO based on your comments and the comments at city council. We will then engage a procedures manual that again is application forms, submittal requirements and details for an applicant to use, the fee schedule the filing schedule for applications, information like link to accessible parking spaces or other things that come up during the discussion.

Then finally the effective date of the adopted UDO which we are still not sure what day that is going to be that is up to the council's discretion. That is our handful of our next steps we are very much closing in on this project. Wanted to just let you know that this is something that we will be using from now until adoption, this is what it looks like this is the errata sheet, this is a list of changes that are suggested by this body, or by city council or by staff. This rides along with the ordinance from here until adoption and it's basically the lineage of changes that are suggested and recommended that we will be incorporated into the final pages of the document. He and I will be very good friends for the next month or so.

Chairman Mr. Richard Parker asked, if we have something after this meeting we could still send you a message or send it to Joey.

Mr. Chad Meadows stated, I would suggest if at all possible you are able to give us your comments tonight because your recommendation tonight is the one that is going forward. We would send the document with your recommendations identified on the errata sheet and your recommendations on the adoption to them as a cohesive unit. It would be better for you to give us all your recommended conditions and suggested changes tonight so that we can get them into the list. Can that be adjusted? Yes, it can it might be that we have a discussion period with city council but will be another opportunity for the tweaking if necessary.

Commission Member Ms. Nancy Rosborough asked, what is the procedure for that?

Mr. Chad Meadows asked, the procedure for?

Commission Member Ms. Nancy Rosborough asked, the procedure for making changes like you suggested would we reach out to Joey?

Mr. Chad Meadows stated, Yes I'm assuming you guys have somethings you would like to talk about tonight and hopefully we can reach a conclusion of that tonight and I will write that down on the list if something else comes up between now and adoption of the ordinance, yes you would share that with Joey and the staff would share that with me. Obviously we would present that. We need to have that done by July 16th to present it to your elected officials. Happy to answer questions or answer questions after the public hearing porting whatever your pleasure.

Chairman Mr. Richard Parker stated, Okay before we proceed with any comments from this body, let's see if there is anyone from the public that would like to speak. This is a public meeting, there are no visitors on this side, and does anybody on this side of the room want to speak. Okay so there is no one here to speak. Do we have any comments from this body?

Commission Member Mr. James Kirkpatrick stated, I do. Chad and Joey the one thing I remember that you said from when you started this, at the first meeting in December, you said that Fayetteville took 7 years and ironically today I was in Fayetteville, and I was in their down town district, and remember what it looked like. I just want to tell you and staff, I think you have done one hell of a job, and I have no recommendations and I have no comments. I think what you have done is fantastic.

Commission Member Ms. Nancy Reboought asked, Mr. Chairman, I have a question for you. How do you want us to get this done, I mean is it at a high level or are we down in the weeds? How would you like for us to comment?

Chairman Mr. Richard Parker stated, well I think that we are down in the weeds most of the conceptual ideas are pretty much agreed upon if you have any concerns about specific items and there are 700 pages the definitions alone are 75 pages. So are there any comments.

Commission Member Ms. Nancy Rebought asked, I have a couple of questions, I think one hard one and then one sort of easy one. I will go ahead with the easy one. You mentioned the percentage for forested canopy cover, I don't remember the exact percentage I think 5% maybe, is that for new trees or they can't clear everything or you can clear everything except 5% or they have to plant new trees that will establish the canopy cover.

Mr. Chad Meadows stated, great question so the section you are talking about is 7.2 that is the reforestation section, and we spent a lot of time in the code assessment talking about tree retention how are we going to handle this issue because it is very important for the city. After lengthy discussion with staff, elected officials and the advisory committee we made the determination that we would basically allow people to either; 1 reforest in other words clear the site do whatever they need to do and then plant back small trees in an amount that will equal 5% canopy cover within a specified number of years, or if they didn't want to do that lets say they have site that had a portion that was kind of off somewhere, where nobody was ever was going to disturb or it was too hard to develop and it had trees on it could they use that yes. If that area constituted 5% of the site area and was under canopy coverage would that qualify and you could avoid any reforestation yes as long as those trees are there.

Commission Member Ms. Nancy Rosborough stated, that raises another question you said that you should establish a canopy cover with in a certain amount of years that dictates a certain type of plant that will reach that cover in a certain number of years.

Mr. Chad Meadows stated I think what is important and unfortunately I didn't get to speak to you about this notion of common sense because it is really important to me, and I know that you know Joey and you know how important common sense is to him. What we did not want to do is write standards that would box us in or make it impossible to implement and so with that in mind we basically said we want these trees when they reach maturity whatever that stage is that canopy covers at least 5%.

Commission Member Ms. Nancy Rosborough stated, my concern is if you are saying 5 years or 8 years then you are limited to a certain type of tree. My other question I just didn't get it, but you said it twice so I know that it is important the range of special use has been reduced. I don't understand the range so can you through numbers at me. Was it 1000 and now it is 500 I don't get that.

Mr. Chad Meadows stated, the easiest way to grasp this quickly is to turn to the principle use table which is 4-4. It is the early pages of chapter 4. If you come to a very colorful table you will see, if you look at the table you will see the light grey rows there are a hand full of dark rows, say assisted living is a dark grey text and then boarding and room houses are light grey text. Light grey are you current provisions so those are the things that are in place right now. What you can do if you want to see a change is look for the 's' that are in the light grey and look at the corresponding ones that are above them in the dark bold. What you can see in many instances we receded in many instances things that require an "s" so let me point your attention though page 4-5 community youth center if you look at community buildings which is the current use under your current code you will see that-that is primarily is a special use in residential districts now we are suggesting that they be allowed in the NDR and HDR by right. Let's go to parks, next page public parks you swimming pools, community, nonprofit it's the same situation, permitted as a special use across the residential districts. We are suggesting that parks that have a swimming pool be permitted by right in those districts. Again with churches if you look down to religious institutions, churches and places of worship lots of special uses across the residential districts and some industrial districts. You can see that we changed those to permit by right. So just on the first couple of pages you can see a handful of instances.

Chairman Mr. Richard Parker asked, the old 'p' is permitted by right?

Mr. Chad meadows stated, that's right 'P' is permitted by right as a special use, 'a' is allowed.

Commission Member Ms. Nancy Rosborough stated, okay I see that, so these are all allowed. Okay I get it, it makes sense.

Mr. Chad Meadows stated, those grey rows will go away they are just here to make comparison easy for us right now. Once the city adopts the ordinance we don't need them anymore.

Interim Planning Director Mr. Mike Nunn asked, Chad didn't you also say, when we were doing all this, it is a way of compatibility. These things are saying that they are compatible, the special uses are coming off because it's not so much a condition or specifics needed.

Mr. Chad Meadows stated, I will mention to you that Joey said something very intelligent to me and that was when you have a use that has a special use requirement you need to be sure that there are specific standards associated with them and he is absolutely right.

Zoning administrator Mr. Joey Lea stated, with our special use permits, some of the uses had no specific use requirements attached to them.

Mr. Chad Meadows stated, which makes it even more of a negotiated kind of one off process and we are trying to adjust that by bringing forth some conditions, some requirements you can use in reviewing the special uses that you do have.

Chairman Mr. Richard Parker asked, any other questions? I just have some comments so you mentioned the word transition and that was one of my questions these subdivisions that we have previously approved but have not been, are they subjected to this book.

Mr. Chad Meadows stated, so the thing to do to answer that question is to go to chapter one and in chapter one, in section 1.10 transitional provisions which start on page 1-5. So what this tells us it goes through and address pending complete applications, prior approvals, pending applications in existing uses. To your question, here is a subdivision it's been through the process and we have made a decision on it, is it subject to this book, unless the plat approval that is associated with it expires for whatever reasons. If that approval expires then they are subject to this book.

Chairman Mr. Richard Parker stated, we have a lot of subdivisions that we approved 2 or 3 years ago and it is still dirt. How long are those expiration dates normally good for?

Zoning administrator Mr. Joey Lea stated, the preliminary off the top of my head is three years and then if you are doing a subdivision in phases each phase is 3 years.

Chairman Mr. Richard Parker stated, so some of these may expire before they come forth to be permitted.

Zoning administrator Mr. Joey Lea stated, we have had some that have expired and had to go back through the process.

Chairman Mr. Richard Parker stated, so now they will have to be subject to this?

Zoning administrator Mr. Joey Lea stated, as he just said if it expires in whatever time it is they will have to come back.

Mr. Chad Meadows stated, one other caveat we have what we call a vested right certificate, if somebody comes in and gets their subdivision approved and they come back and get a vested right certificate they get extra time extra time before their development approval expires. That's important, the statutes create this process for applicants to pursue if they choose to and that process can allow them to have additional time.

Commission Member Ms. Nancy Rosborough asked, how much time?

Mr. Chad Meadows stated, that depends on the elected officials' usually 2 years but it cannot be more than 5.

Commission Member Mr. Bill Abplanalp asked, when do they request it?

Mr. Chad Meadows stated, it is up to the elected officials'.

Commission Member Mr. Bill Abplanalp stated, 2 and a half years into the program and they realize they need additional time who do they go to get it and who approves it?

Mr. Chad Meadows stated, they apply for a vested rights certificate to the elected officials'.

Chairman Mr. Richard Parker stated, so even if they put in no private roads they will still be able to put in private roads. Even after we say no private roads.

Mr. Chad Meadows stated, I think so, I think that there are going to be some things from the past that are going to be with you guys for a while. I think that is the answer. If you really don't want that private road.

Chairman Mr. Richard Parker stated, the book says no more private roads after the approval and a lot of these subdivisions we have approved have got private roads, so we just have to live through that?

Mr. Chad Meadows stated, until it redevelops or the city council makes the decision to accept the street for public.

Commission Member Mr. Bill Abplanalp stated, let me just throw a quickie in here, one of my wife's favorite items, outdoor advertising, maybe it is a staff question are we going to eliminate outdoor advertising and billboards in Burlington?

Zoning Administration Joey Lea stated, we are going to eliminate new ones.

Commission Member Mr. Bill Abplanalp asked, What about existing?

Zoning Administration Joey Lea stated, they would be nonconforming and they would be somewhat protected by the state law.

Mr. Chad Meadows stated, that statutes have provisions in them currently that allow existing outdoor advertising structures to be renovated and redeveloped, there is a bill that is pending right now in the general assembly that some believe would prohibit local governments from removing existing outdoor advertising altogether, whether or not that bill passes I don't know, but for now existing nonconforming outdoor advertising which is what you would have can remain in place, and can be approved according to the statutes.

Chairman Mr. Richard Parker asked, what if it is blown over in a hurricane. It can be replaced.

Mr. Chad Meadows stated it can be replaced but today if someone had to bring in an application for redevelopment on site that had outdoor advertising on it, you could require that the outdoor advertising to be removed and it would not be able to be replaced. Now the bill that is in front of the general assembly right now does away with that but as it sits right now today, the regulations allow cities to require nonconforming outdoor advertising to be removed as part of redevelopment if that law does not pass then it will stay on the books.

Chairman Mr. Richard Parker asked, who is going to enforce the pole sign, in other words you are driving down web aver there is a business out of business, Joe's Mufflers gone out of business with a pole sign. Is the community improvement program going to get this or report it to you. Is this going to be complaint driven or are you going to be driving around looking for them, outdated pole sign going to be enforced.

Zoning Administrator Mr. Joey Lea stated, there are one or two avenues our code enforcement officers has a particular zone and as opposed to being complaint driven, we are now out looking for violations and if they see that or see someone taking a sign down for instance they would address it. The other way is we get a lot of sign permits every year for new signs, so if someone comes in wants to renew a sign then they would have to comply with the ordinance.

Mr. Chad Meadows stated, there is one other aspect that I want to share with you and that is that your code enforcement officers right now should be logging existing pole signs and when the new ordinance becomes effective then you will have a list of all of the pole signs in the community. When a business closes or ceases to operate or the time frame that is required lapses then that pole sign needs to come down the cities records will be used as the enforcement mechanism to make sure that that happens.

Commission Member Mr. James Kirkpatrick stated, in my experience they do a very good job.

Chairman Mr. Richard Parker asked? So if you have an absentee owner that lives in Texas and then tenant leaves the property and the absentee owner doesn't agree with taking the pole sign down or doesn't want to pay for it can the city take it down physically and bill them for it?

Mr. Chad Meadows stated, if they choose to.

Commission Member Mr. John Black asked is that like when a yard is not mowed for a time and then the city comes in and cleans it up and bills?

Mr. Chad Meadows stated, it's a little more complicated than that.

Commission Member Mr. John Black asked, well that's what I'm saying, is that what you are saying that you could do that? Are you saying that you could do that? And I will follow up and I know it is going to sound stupid but I'm going to ask it any way, is that the pole and the pole sign? The pole is part of the pole sign correct? So if they take down the sign they remove the pole also. I just want to be sure I didn't want someday to say oh I will get the sign down and leave that pole.

Mr. Chad Meadows stated, a pole sign is a sign that has air between the underside of the sign face area and the ground, there is open space then there is a pole sign.

Commission Member Mr. John Black stated, Understood, I just wanted to make sure they took down not only the sign but the pole that is separating it from the ground.

Now they could come back and cut down the posts.

Commission Member Mr. John Black stated, I don't care as long as it is removed.

Mr. Chad Meadows stated, if, let's say for the sake of arguments, if a new person is coming in and you can't do pole signs but you can do ground signs can I cut those pole supports down to the height that would allow the ground sign to be in there? Yes as long as it meets the code.

Commission Member Mr. John Black stated, okay I don't have a problem there, just that if we are removing a pole sign I just want to make sure we remove the pole as well.

Chairman Mr. Richard Parker stated, I'm just concerned that we will have a pole sign with Johnny's Mufflers and the owner just says "I'm not going to pay for that, if you want it down you pay for it", if you all want to enforce your ordinance then you will send a truck out there and cut it down.

Interim Planning director Mr. Mike nun stated, that would be something we could do through our enforcement process because it would be nonconforming or it would be against code now it would be a code violation so we would have to do it a little bit different than grass but it's still a similar process to go through. We have actually been enforcing it, recently we had a few that have been removed voluntarily but there will be some that do not want to do it. So we will have to put that process into place.

Chairman Mr. Richard Parker stated, so somebody is going to have a business for rent, I'm getting a new tenant next month and I'm going to change the sign from Johnny's mufflers to something else. Are you going to say okay?

Mr. Chad Meadows Its going to be nonconforming at the time of adoption. So there will be no expansion or enlargement anything to that sign.

Chairman Mr. Richard Parker stated, Changing contributors, you couldn't put a new face to it.

Zoning administrator Mr. Joey Lea stated, there has to be something done to the sign to trigger it or if it exceeds 180 days if the use is gone nothing comes back with in that 180 days then that sign has to be removed. So there has to be something physical like the sign has to be removed if it is nonconforming they can change the face but physically something has to happen to the sign in order to bring it into compliance. It's not that every pole sign is going to come down immediately.

Chairman Mr. Richard Parker stated, Okay but eventually we will clean them up won't we ?

Zoning administered Mr. Joey Lea stated, eventually yes.

Chairman Mr. Richard Parker stated, just a couple of questions about the residential conditional district and I believe you have seen in my list of questions, I hope you have some answers. What are we trying to clean up in my opinion we are going to be faced with high density residential most of the time we are not going to have a lot of other request, most people who want to build houses, they want smaller lots and shorter setbacks and this is my pet peeve Bill knows that. you are down to 6000sqft of lot size, we have done away with all these other sizes of lots, so I think we are going to be faced with here somebody wants to come in and build a subdivision with 150 houses they are going to say 6000sqft lots are high residential , high density. What we have had are developers that come in and make smaller lots and they say this lot is 5100sqft but the next lot is 7000sqft so if you average the two together they average to 6000sqft lots. We have had a lot of those arguments before and imp just concerned we are going to have a lot of developers come in reductions in setbacks and exemptions land owner on A4 on chapter 3 says the land owner can pose reduction in development standards they can request exemptions, they can

reduce the level of compliance and this is what we are trying to avoid with this and I just want to see every house sitting on at least 6000sqfeet with 10 foot sidelines going forward, add infinite and not have this conditional thing. We negotiated with this guy from Greensboro for just mere feet, we said 8 feet he said 7 feet, it was like we were gambling or playing a game with each other about how many feet on this setback. I just wish that we could just write this thing so we could say 10 feet sides and 6000sqft. I just feel like if we make one exception to this the first developer that comes in, he says 8 foot sidelines and we approve it we are sunk it is just going to continue on the next guy is 7 feet and the next guy will want 5800sq feet instead of 6000sqft. Can we not make this iron clad 10 foot sidelines and 6000sqft?

Mr. Chad Meadows stated, The errata sheet, I understand, there is a lot in what you just a lot of moving parts so imp going to try to unwind it just a little bit so we can talk about it. Okay so you are talking about the conditional zoning process where an applicant can suggest reductions to things like dimensional standards. The general use districts can't do that, so we are all on the same level of understanding there. Now we did suggest the planned development district, can an applicant come in as part of the planned development district and request reduced setbacks, answer yes they can. There is an expectation as part of any planned development that the resulting development be of a higher quality than other wise result from a strict adherence to the code requirements. So I just want you to know that the planned development process is a way by which if somebody from Greensboro could show up and you guys would be discussing or debating the 6 or 7 or 8 feet. That is still going to be in place. Now one more caveat for you, remember I mentioned the conservation subdivision-the conservation subdivision is a development that is set up to set aside at least 40% of the development site as open space. In order to do that it's often necessary to have smaller lots and smaller setbacks so if somebody comes to you and proposes a single family detached conservation subdivision in one of the 2 districts you can do something like that you probably will see reduced setbacks those are the caveats. Now I'd like for you to look at the use table, go to page 4-4. I would like you to look at single family attached dwelling and single family detached dwelling, I would like you to see where the districts for that are allowed and where they are not allowed. When can I request a deduction in my dimension standards? When imp rezoning to? Conditional residential, can I do a single family attached or single family detached in a conditional residential?

Chairman Mr. Richard Parker stated, in a single family? Help me understand it, rezoning which one?

Mr. Chad Meadows stated, CR is the column you are most interested in right now, if someone had to come along and tried to do that in one of the other districts where it is allowed they could do that but in CR.

Chairman Mr. Richard Parker stated, Okay I was in the wrong column. What are you saying to me? He can't?

Mr. Chad Meadows stated, I'm saying that the likelihood that you are going to see somebody coming to reduce setbacks as part of the single family detached residential subdiviosn in a CR district is very low.

Chairman Mr. Richard Parker stated, it's not going to happen unless it is a conservation subdivision, or a pocket neighborhood.

Mr. Chad Meadows It could be a conservation subdivision, or it could be a pocket neighborhood or it could be a bungalow court.

Chairman Mr. Richard Parker stated, so that absence in the block answers my question. Because I don't want to be arguing with the guys from Greensboro or Durham about this anymore. I'm going to go to that block and say wait a minute but Joey knows that to and he is going to tell them don't mess with them.

Mr. Chad Meadows stated, that's right, the likelihood you are going to start seeing more of these pocket neighborhoods or more of these bungalow courts or those kinds of things where staff is going to be working to make sure set backs are handled properly but the kinds of abuses you have seen in the past are not going to happen.

Chairman Mr. Richard Parker stated, I think the bungalow courts and the little pocket neighborhoods are a really great idea and I can see some comprise there but I don't want tone of these 150 house developments with 5 foot sidelines like they have in Mackintosh.

Mr. Chad Meadows stated, now you know those developers. The developers are going to come here and they are going to take down 500 acres in a residential subdivision. They are going to propose a planned development the only reason they haven't proposed it now is because you don't have it on the books now, when you put it on the books they are going to bring it. You do have somethings you can hang your hat on, in the plan development process least of which is this body and the elected officials say that what is resulting needs to be of a high quality, it is possible that someone could propose a residential development that has setbacks of 7 feet but the development is of such a quality that you that you are okay with that.

Chairman Mr. Richard Parker stated, all of them say that. Alright well Joey you have heard our plea about this. So when people come I hope that you will say 6000sqft and 10 feet on the side.

Commission Member Mr. James Kirkpatrick stated, I wouldn't say it is our plea I would say that it is Richard's.

Chairmen Mr. Richard Parker stated, well I have the gavel right now, alright thank you. So we have had our public herring any other discussions?

Commission Member Mr. John Black stated, yes I have a comment at one time did not this commission discuss the Fee in Lieu in that we were not looking at fee in lieu that they would have to build. Didn't we agree to that at one point?

Commission Member Mr. James Kirkpatrick stated, we discussed that.

Commission Member Mr. John Black stated, but I don't think he is here tonight. Somebody didn't trust it, wasn't trustworthy of putting that money away for somebody else to get a hold of it and I thought that this group said that we were in agreeance that we weren't going to go along with the fee in lieu. Now I might be wrong and I did not go through all the old minutes but at some point I thought we had agreed against that. I can't remember.

Chairman Mr. Richard Parker stated, well we had Mr. Nunn come and explain to us how that fee in lieu would actually work. Once we heard from Mr. Nunn we went ahead and approved it.

Interim Planning Director Mr. Mike Nunn stated, we had a good in depth discussion of that.

Commission Member Mr. John Black stated, I knew we had an in depth discussion about that I was trying to think did city council approve it.

Commission Member Mr. Bill Abplanalp stated, I believe the first time it came up we tabled it.

Commission Member Mr. John Black stated, Maybe that's what it was. Very good.

Interim Planning Director Mr. Mike Nunn stated, we went back and got you some more information.

Chairman Mr. Richard Parker stated, we insisted on more information.

Commission Member Mr. John Black stated, I have only two other things one has to do with A frame signs on sidewalks and I do not like that idea. I don't like the concept of the public walkway being blocked. If you want to put a sign against your building I have no problem with that if you have an overhang in your building that you can put an "A" sign on or a sandwich sign on without impeding the public walkway imp good with that. But as far as putting a board sign on the side walk I have looked at the dimensions and it has to be so far of the side of the curb, I don't like that idea. I just don't want to impede people walking down the street, especially if someone is handicapped, or somebody has problems like that imp just saying if you want to have a little sign for what is going on put it against your wall or something like that do not block the side walk and imp pretty adamant about that. Of course it might just be one person out of 12 that are adamant about it but I am. Then the second thing and I'm speaking now for the public who I feel like I'm representing because I've asked this question to several people out there. I was looking at 5. 101 D section 3 political signs maybe placed in the right of way only for a period of time, I don't think that the public, at least the public that I have talked to, like the political signs in the right of way. I think that if asked the majority of people will say no. My idea of a political sign is if I want to endorse a candidate and I want my thoughts to be shown I will put that candidate's sign in my yard, fine subject to sign guidelines and of course these two pictures which have been presented has no way represented what the right of way would look like in a political time. There would be 60 signs here. I think putting one sign there is a misrepresentation. I would like to, and imp pretty sure that the city officials', people who represent the city and the people of Burlington, they don't want to see a myriad of signs in the right of way so I would like to remove that.

Chairman Mr. Richard Parker asked, is there some kind of national law or state law about that?

Commission Member Mr. John Black stated, the only thing is when you can put them up and when you can take them down. There is a law that says you can't put them up before this time and after the election they must be taken down or they are subjected to the city as I recall.

Chairman Mr. Richard Parker asked, aren't they allowed by DOT in the right of way?

Mr. Chad Meadows stated, there is a statute that would be DOT right of ways that they can be placed in the right of way. They have to be of a certain size and they have to be back so far. There is a state statute that actually allows that and I think we are mirroring that.

Commission Member Mr. John Black stated, so this is subject to the statute, so we really don't have a choice there.

Mr. Chad Meadows stated, on DOT streets, streets that are maintained by the DOT. City streets are a little different in that, can you adopt regulations to bar political signage along city streets that are not DOT maintained. The answer is yes, should you? Because then you will be in the business of which one is a city straight which one is a state street. I don't know and obviously you may some violators who know the difference very well but when you ask them about it "oh I didn't know about that, what do you mean that's the city street?."

Commission Member Mr. John Black stated, so it would be prudent if we were to during the campaign time provide candidates with a notice of these are DOT streets they are allowable. These are city streets they are not allowable, so they cannot come back and say oh I didn't know.

Mr. Chad Meadows stated, I don't know what the city's policy is, I believe that candidates are given some information about what the city's signage rules are for state roads. Unfortunately, we have overly zealous supporters to some political candidates who might not decide to follow the regulations that have been given to a political candidate.

Chairman Mr. Richard Parker stated, remember that all of city council are political candidates.

Commission Member Mr. John Black stated, Well you see I don't represent them, I'm representing the people of Burlington who I have talked to who say they hate those signs.

Commission Member Mr. Bill Abplanalp stated, I'm behind you 100%, there was a case on Grand Oaks where one candidate had like 15 signs in a row one after the other.

Mr. Chad Meadows stated, we have tried to get a handle on political signs here in Burlington in the Right of Way we have made a decision in managing enforcement resources and consistency state law and not putting the city in position where it might be running up against the state law. We feel that what is proposed here is the safest way to go. Now having said that will we share your thoughts with the elected officials? Certainly.

Commission Member Mr. John Black stated, Thanks I appreciate it, if it's on a DOT road and we have no control over that, that's fine but this UDO is for Burlington and I'm thinking that if we can take 60% of the signs of the right of the way.

Mr. Chad Meadows stated, for what it is worth you guys have some pretty restrict right of way requirements. You don't really allow a lot of signage in the right of way. Now that doesn't mean people won't put signs out there but the rules are pretty clear; with the exception of the B3 district you are not supposed to have signs in the right of way.

Chairman Mr. Richard Parker stated, they pick them if they are out there.

Commission Member Mr. Bill Abplanalp stated, I believe the same with political signs if they were in the right of way.

Chairman Mr. Richard Parker asked, does anybody else have anything else they would like to say?

Commission Member Ms. Nancy Rosborough stated, I have one more question, about the navigation of this document. I noticed that there are a ton of figures is there a reference somewhere, where you can go to a particular figure? Or do you just have to go page by page figure by figure?

Mr. Chad Meadows asked, so you are asking could we include a list of figures in this document.

Commission Member Ms. Nancy Rosborough stated, I don't know if it is too many for you to do that.

Mr. Chad Meadows stated, there are an awful lot of them. If you feel like having a list of figures will be helpful then I'm happy to make that happen.

Commission Member Ms. Nancy Rosborough stated, I just wanted to throw that out there. I have seen it before where you can go by figure.

Mr. Chad Meadows stated, there is about 280 odd figures sprinkled around here some of them are really hard to reference individual graphics, like the sign rules or the districts because there are just all kinds of

things. Then there are those standalone images, those are a little bit easier to reference and again there are about 280 of them so if you feel like that would be helpful we would be glad.

Commission Member Ms. Nancy Rosborough stated, I don't know, I would defer to your judgment.

Interim Planning Director Mr. Mike Nunn stated, I think maybe the major ones, the key ones, if they are not relevant then I could see it but I think it's a good suggestion.

Mr. Chad Meadows stated, they are all relevant, some of them are just harder to reference than others.

Commission Member Ms. Nancy Rosborough stated, I hate to do this but I want to circle back around to the change process. Just emailing joey and I know you have the errata sheet but what's form. You mentioned flow charts and how much is this going to change? How are you managing the change to this document.

Mr. Chad Meadows stated, so we will track the section, the change and who makes the comment on that sheet we always produce, and you guys don't see this because it's not something we circulate broadly but I think you did get a red line image, so we provide a red line so everybody knows exactly, precisely what changed from one version to the next, so that will be prepared for this first document just like it has always been prepared for every piece.

Commission Member Ms. Nancy Rosborough stated, that is if it is approved, what about is point about the sign? Maybe some of those changes, maybe it doesn't, what about the changes that are either rejected or deferred.

Mr. Chad Meadows stated, we will share with the elected officials what you guys have mentioned today, and the concerns that you have brought up and the comments that you made.

Commission Member Mr. John Black stated, since they have said that I will miss you guys, I have enjoyed serving with you and I will miss you a lot.

Chairman Richard Parker stated, this document could be revised next year if we come across a section and we just decide that it's just not working. We could revise it and then pull that page and put a new one in or add a page.

Mr. Chad Meadows stated, well we won't be adding any pages, that is the old way of doing things, but yes we will amend this document. It is likely for this year that you will be making some adjustments for this, things won't work how we wanted it to, new things will come up that we didn't anticipate and that's natural. Text amendments come for recommendation through this body. No text amendment will happen that you are not aware of and when they happen you should absolutely be getting a red line here is what it says today, here is what we want it to say.

Chairman Richard Parker stated, that would be applied to Todd for example lake Jordan, they added a new rule or something then we would put that in this book and approve the text amendment? So nothing will be snuck in here after without our knowledge?

Zoning administrator Mr. Joey Lea stated, it would be just like any other text that requires that you hear the recommendation for approval to happen.

Commission Member Mr. Bill Abplanalp stated, will the procedures document be approved through the planning and zoning commission?

Mr. Chad Meadows stated, we are suggesting that the procedures manual be reviewed and approved via resolution not by ordinance, because when you adopt an ordinance you are required to have a public hearing and having a public hearing on submittal requirements could prove to be loathsome so we suggest to you that we approve the procedures manual via resolution. Whether or not this body wanted to be involved in the looking at the draft of the procedures I don't know if that, it's up to staff. My suggestion to the city is should you choose to work with me to prepare one for you that it be adopted via resolution not the ordinance. So changes to that are not part of the ordinance, they are simply changes that are proposed by staff.

Chairman Richard Parker stated, okay have we talked it all out, can I get a motion.

Commission Member Mr. James Kirkpatrick stated, I'm prepared to make a motion.

Zoning administrator Mr. Joey Lea stated, Mr. Chairman I just want to recap what your suggested comments or amendments would be.

Chairman Richard Parker stated, okay let me get the wording because it says based on the recommended revisions, and is that what you are talking about.

Zoning Administrator Mr. Joey Lea stated, yes that is what I'm talking about, if you were not going to recommend any revisions we would strike that part. I want to clarify what it is your suggesting will be recommended or changed. First, I'm hearing is the sandwich board signs.

Mr. Chad Meadows stated, not allowed on the sidewalk regardless of clearance.

Zoning administrator Mr. Joey Lea stated, right, can you elaborate more?

Commission Member Mr. John Black stated, I said it can be against the wall which would be touching the sidewalk.

Mr. Chad Meadows asked, is it flat against the wall or can it be perpendicular to the wall?

Commission Member Mr. John Black stated, I think my idea is flat against the wall, I don't want any impediment so if you have a sign, we would take it from an A frame sign to just a flat sign against the wall.

Mr. Chad Meadows stated, right now the way the standard is written it preserves a clearance of 5ft.

Commission Member Mr. John Black stated, plus a half a foot from the curb.

Mr. Chad Meadows stated, yes plus 6 inches from the curb, now let's say the side walk is 4ft wide can I have a side walk sign on a sidewalk that is 4ft wide?

Chairman Mr. Richard Parker stated, no it would be too skinny.

Mr. Chad Meadows stated, you got to have 5ft of clearance.

Commission Member Mr. John Black stated, if you have a 5ft sidewalk and a 4ft sign, and you have to be 6 inches off the curb so you are flat in the middle of the sidewalk.

Mr. Chad Meadows stated, you would still have to have 5feet of clearance from the sign.

Commission Member Mr. John Black stated, I understand what you are saying but I just think we have any sidewalks that are that wide.

Chairman Mr. Richard Parker stated, we don't have any sidewalks that wide.

Commission Member Mr. James Kirkpatrick stated, that is what he is saying there is not going to be any sandwich board signs on the sidewalk.

Mr. Chad Meadows stated, they are also allowed on pedestrian walkways, so they could be beside pedestrian walkways on individual sites.

Commission Member Mr. James Kirkpatrick stated beside?

Mr. Chad Meadows stated, beside but not in.

Commission Member Mr. John Black stated, I'm more concerned about someone is blind or something like that, or kids running up and down I just don't like it. It is one of those hazards that you can eliminate.

Mr. Chad Meadows stated, the notion should be if you don't have 5ft of clearance then you shouldn't have a sign.

Commission Member Mr. John Black stated, it shouldn't be on the sidewalk.

Mr. Chad meadows stated, no sidewalk sign on the public sidewalk.

Assistant City Manager Mr. Nolan Kirkman stated, Chad I hate to interject here but I need some clarification on something. You are putting together one list or two lists?

Mr. Chad Meadows stated, one list

Assistant City Manager Mr. Nolan Kirkman stated, Is the one list you are putting together a consensus from the P & Z commission?

Mr. Chad Meadows stated, yes.

Assistant City Manager Mr. Nolan Kirkman stated, I was wondering if it is one that is a consensus and another one that is comments by individual members that we will pass along to council.

Mr. Chad Meadows stated, Sure we can very much provide a set of comments that don't rise to the level of red line changes to the document.

Commission Member Mr. John Black stated, I was under the impression that these are comments because there might be somebody here that might think 'oh I don't care if somebody trips over a sign.' I have been in insurance for many years and I have seen so many accidents they may not have my perspective they may not agree with me.

Mr. Chad Meadows stated, we could very easily pose that as a comment and not necessarily a red line change for consideration.

Commission Member Ms. Nicole Enoch stated, Yes I thought that this is what it was going to be because it would be ear marked that John Black was the one who said he didn't want political signs.

Mr. Chad Meadows stated, well obviously you could do it either way.

Zoning Administrator Joey Lea stated, you could do it on consensus obviously that would be what you as a body requested.

Commission Member Mr. James Kirkpatrick stated, I think that is what we should do.

Commission Member MS. Nicole Enoch stated, it was my understanding that it was going to be comments because I don't agree with all of those.

Commission Member Mr. John Black stated, I mean a kid falls and hurts himself, if it doesn't come out of your pocket you don't care.

Mr. Chad Meadows stated, so I have no sidewalk sign on the public the public sidewalks, not allowing political signs in the right of way, add a list of figures. Do those capture all the major comments?

Chairman Mr. Richard Parker stated, I just want to make sure that we have subdivision standards, I guess you explained but I don't want to see a bunch of exceptions to this. Once we have approved this UDO I want to see just regular subdivisions without reductions and exemptions. If it's going to be a planned development as you said it has to reach higher standards then might get credit for something but everybody that comes before us says that their subdivision is the greatest one.

Mr. Chad Meadows stated, because it's a rezoning you get what they call legislative discretions, you could decide if it is the greatest thing ever. You are not bound like you would be under your current subdivision regulation.

Chairman Mr. Richard Parker stated, we also addressed the signs you know we talk about the pole signs, we want to make sure that abandoned pole signs get removed by the owner or the city.

Mr. Chad Meadows stated, okay and we talked about what happens with changes. We don't want to see a lot of subdivisions with exceptions.

Commission Member MS. Nicole Enoch asked, how are you going to keep people from asking?

Chairman Mr. Richard Parker stated, well they have preconference's with applicants where they sit down with planning to kind of go over what our UDO is and I'm sure some will ask sure but I think we just need to take a stand.

Commission Member Ms. Nancy Rosborough stated, we could just say that it is not consistent with our ordinance.

Chairman Mr. Richard Parker stated, we want them to stay within our established UDO we have been working on this for 5 years 700 hundred pages it means something.

Commission Member Mr. James Kirkpatrick stated, the way it stands right now the only way that could happen is in a planned development. It can't come any other way before this board unless it is in a planned development or the conservation, that's the only way they can get it.

Chairman Mr. Richard Parker stated, okay I just want to make sure that happens, that is my biggest concern.

Commission Member Ms. Nicole Enoch stated, the question now is what revisions are going in this motion as consensus?

Commission Member Mr. James Kirkpatrick stated, we decided if we were going to do a consensus or just comments, and I think we decide collectively we were going to do just comments.

Chairman Mr. Richard Parker stated, this suggested motion doesn't have anything in here about consensus.

Zoning Administrator Mr. Joey Lea stated, it just says with revisions.

Commission Member Mr. James Kirkpatrick asked, can we replace the revisions word with comment?

Chairman Mr. Richard Parker stated, yes let's change that word with comments

Commission Member Ms. Nicole Enoch stated, if we add it in a motion it still implies consensus.

Chairman Mr. Richard Parker stated, no they are comments.

Commission Member Ms. Nicole Enoch stated, well it depends on the wording.

Chairman Mr. Richard Parker asked, how would you word it?

Commission Member Mr. James Kirkpatrick stated, Bill is writing it down now.

Zoning Administrator Mr. Joey Lea stated, suggested comments.

Chairman Mr. Richard Parker stated, right we don't all agree with me or all agree with bill we are making a list for Chad.

Mr. Chad Meadows stated, I encourage you to come to the meeting as well.

Chairman Mr. Richard Parker stated, oh we will.

Mr. Chad Meadows stated, in case I forget something or misconstrue something.

Commission Member Mr. Bill Abplanalp stated, I move we recommend approval of the Unified Development Ordinance along with comments listed.

The motion is based upon the consistency of the Comprehensive Plan, in that:

- Properties are being reclassified and not being rezoned
- The Unified Development Ordinance is adopted per 160A Article 19 of the North Carolina General Statutes, specifically § 160A-381, Grant of Power, that gives cities the authority to adopt a Unified Development Ordinance.

This action is reasonable and in the public interest in that:

- The Unified Development Ordinance updates the current regulations that are more than 40 years old

Commission Member Mr. James Kirkpatrick seconded.

We have a motion and a second do we have any other comments?

Approved Unanimously

ITEM NO. 7:

Chairman Richard Parker stated, one last item, staff to present the reclassified zoning map for consideration and recommendation. The map will reflect the zoning classification changes from the UDO.

Interim Planning Director Mike Nunn stated, thought since we went through the trouble of prepping them you would like to see them, we also have them digitally but these were out front. This is the existing zoning map. Just to be clear that is stated in your agenda, this is just a translating from existing zoning to all the districts we have recommended in the UDO, there is no rezoning. This is just new classifications.

Chairman Richard Parker stated, new Classifications.

Commission Member Mr. James Kirkpatrick stated, how things look today when the UDO passes.

Interim Planning Director Mike Nunn stated, how they look today, it's what you have with the old classifications reflective of the new.

Chairman Richard Parker asked, instead of R-12 its low?

Interim Planning Director Mike Nunn stated, yes instead of R-12 its going to be low, medium or high.

Chairman Richard Parker asked, the only place with low density is the country club?

Zoning Administrator Mr. Joey Lea stated, right.

Chairman Richard Parker asked, everything else is pretty much medium to high?

Zoning Administrator Mr. Joey Lea stated, medium is a combination of R-9 and R-12.

Interim Planning Director Mike Nunn stated, again this is going along with the document, it is two separate actions but it is going with document.

Commission Member Mr. Bill Abplanalp asked, so if the document is effective January 1st then the zoning map will be effective January 1st?

Interim Planning Director Mike Nunn stated, right and you have a consistency statement for that.

Chairman Richard Parker asked, No public comments I assume?

Interim Planning Director Mike Nunn stated, I think it would be fine to do that for minutes.

Chairman Richard Parker stated, this is public meeting if there is anything in the room that would like to speak to the matter now is the time to do so. Ok no there are public comments for the minutes. Staff do you recommend this?

Zoning Administrator Mr. Joey Lea stated, staff recommends approval.

Commission Member Mr. John Black stated, I move we recommend approval of the Zoning District Translation Map.

The motion is based upon the consistency of the Comprehensive Plan, in that:

- Properties are being reclassified and not being rezoned.
- The Zoning District Translation Map is adopted per 160A Article 19 of the North Carolina General Statutes, specifically § 160A-364, Procedure for adopting, amending or repealing ordinances under article, that gives cities the authority to amend the zoning map.

This action is reasonable and in the public interest in that:

- The Zoning District Translation Map is in direct correlation with the Unified Development Ordinance.

Commission Member Ms. Nicole Enoch Second.

Approved Unanimously

Okay gentleman you have got your map.

Interim Planning Director Mike Nunn stated, Mr. Chairman I would like to just take a second to thank you all for your participation and support this has been a long process. It is a big event for the city of Burlington 40 plus years. It's not taken lightly what has gone into this and we really appreciate it.

Commission Member Mr. James Kirkpatrick stated, if it does what it did for the town of Fayetteville, I'm telling you it is night and day it is amazing. And I don't know how much the UDO played into that but it is amazing especially the downtown.

Chairman Mr. Richard Parker asked, is there any new busy to come before the commission?

Zoning Administrator Mr. Joey Lea stated, no sir.

Chairman Mr. Richard Parker stated, our next meeting date is July the 22nd, now can I have a motion to adjourn?

Commission Member Mr. John Black stated, I make a motion to adjourn.

Commission Member Mr. Bill Abplanalp seconded.

There being no further business to discuss, the meeting was adjourned at 9:08 p.m.

Richard Parker, Chairman

John Black, Vice Chairman