

**SPECIAL TOWN COUNCIL MEETINGS  
TUESDAY JULY 21, 2020 AND TUESDAY JULY 28, 2020  
VIRTUAL MEETING/LIVE STREAM  
9:30 A.M.**

**AGENDA**

- 1. CALL TO ORDER**
- 2. DETERMINATION OF QUORUM**
- 3. ADOPTION OF AGENDA**
- 4. DISCUSSION OF UNIFIED DEVELOPMENT ORDINANCE**
- 5. ADJOURNMENT**

**SPECIAL TOWN COUNCIL MEETING  
TUESDAY JULY 28, 2020 – 9:30 A.M.  
VIRTUAL MEETING/LIVE STREAM  
MINUTES  
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**1. Call to Order**

Mayor Callis called the meeting to order at 9:33 a.m.

**2. Determination of Quorum**

Quorum was determined by roll call with Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Jeff Perryman and Anne Pruitt present. Councilmember Mike Smith was absent.

Staff Present: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey, Town Attorneys Kevin Bringewatt and Karen Wolter

Visitors: Walt Hogan, Kayla Hechtel

**3. Adoption of Agenda**

Mayor Pro Tem Propst made a motion to adopt the agenda as presented. The motion passed with a unanimous roll call vote.

**4. Discussion of Unified Development Ordinance**

Mr. Bringewatt reviewed the different types of decisions discussed at the last meeting and the recommended changes to the traditional and conservation residential development processes.

The steps of the proposed Conditional Zoning Process for Conservation Subdivisions were discussed:

- Step 1-required pre-application meeting
- Step 2 – site walk, resource and site analysis plan, yield plan, on site visit, design charette
- Step 3 – Site Specific Development Plan. Includes staff review, planning Board recommendation, community meeting, Call for public hearing and Town Council approval
- Step 4 – Construction plans: staff review and approval
- Step 5 – Final Plat: staff review and approval. There is no discretion in these last two steps, making an administrative decision the most time and cost effective.

This proposed procedure moves all discretion to the front end of the process. The Council has more input and is involved earlier in the procedure and is removed from the approval of the final plat as that is an administrative approval with no discretion. This will save time and resources.

Mr. Bringewatt reviewed the proposed steps for traditional subdivisions:

Currently, a residential development greater than three lots goes through a major subdivision process. Anything smaller is a minor subdivision that is reviewed and approved by the Planning Board. The suggested procedure is for everything less than 10 lots to be administratively approved and 10 or more lots will go through a conditional zoning process with the steps as follows:

- Step 1 – Site specific development plan. Included staff review, a community meeting, planning board recommendation, call for public hearing and town council approval
- Step 2 – Construction plans. Staff review and approval
- Step 3 – Final Plat. Staff review and approval

The proposed Minor Subdivision (less than 10 lots) process is as follows:

- Step 1 – Preliminary plan/Construction Plans. Staff review and approval
- Step 2 – Final Plat. Staff review and approval.

Mayor Callis asked what kind of discretion the council has to make conditions. Mr. Bringewatt gave examples of what cannot be done: The council cannot turn down a plan because developer won't pay impact fees. The council cannot require off site road improvements.

Councilmember Perryman asked for clarification on using the word subdivisions. Mr. Bringewatt explained that it can have two definitions: 1. To subdivide property – cutting it into lots and 2. A neighborhood. For the purpose of the UDO, the term “residential development” is how the neighborhood will be referred. The act of dividing into lots will be an administrative process. The by-right residential development will not need to be a legislative process. It will be done with a check list. The conditional zoning (not by-right) will legislative rezoning review process by the town council because it holds a larger impact.

The Council discussed the number of parcels developed that would make an impact. Mayor Callis suggested going from 10 lots to 8 lots for a minor subdivision. Mayor Pro Tem Propst stated agreement with the minor subdivisions being defined as less than 10 lots. The administrator will still have a process to follow. Councilmember Pruitt expressed concern with worst case scenarios: what developers will do to avoid legislative decisions. The town attorney recommended against using the size of current parcels as the “trigger” for zoning. The Council agreed that less than 10 lots would define the minor subdivision and 10 or more lots would prompt the conditional zoning process for residential developments at this time.

**Motion:** Mayor Pro Tem Propst made a motion to authorize staff and legal counsel to draft the new Unified Development Ordinance to include recommended changes to residential development presented.

**Vote:** The motion passed with a unanimous vote by roll call.

#### Timeline

- August 2020 First draft of articles 1-6
- September 2020 First draft of articles 7-9; Planning Board Review and work session re: articles 1-6

- September 2020 First draft of articles 7-9; Planning Board Review and work session re: articles 1-6
- October 2020 First draft of Articles 10-14; Planning Board Review and work session re: articles 7-9 (\*likely no need for review and work session for articles 10-14)
- November 2020 Initial Public Comment and review period (not required)
- December 2020 Council work session #3 and confirm next steps.
- Early 2021 proceed with formal text adoption process. Time built in for additional public sessions or council work as needed.

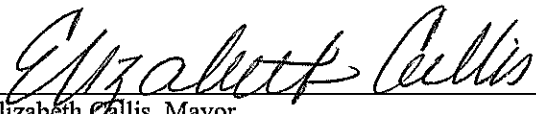
## 5. Adjournment

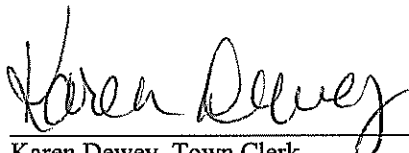
Mayor Pro Tem Propst made a motion to adjourn the July 28, 2020 Special Town Council Meeting at 10:55 a.m.

The motion passed with a unanimous roll call vote.

Approved:

August 10, 2020

  
Elizabeth Callis, Mayor

  
Karen Dewey, Town Clerk