

**LENOIR CITY COUNCIL
TUESDAY, MARCH 5, 2019
6:00 P.M.**

PRESENT: Mayor Gibbons presiding. Councilmembers present were Beal, Perdue, Perkins, Thomas and Willis. Also in attendance were City Manager Hildebran, City Clerk Cannon and City Attorney Rohr.

ABSENT: Councilmember David Stevens.

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance led by Mayor Gibbons.

RECOGNITION; ED BLAIR & T.J. ROHR:

- B. A reception was held prior to the Council meeting to honor and recognize City Attorney Ed Blair who is retiring off of City Council and T.J. Rohr who resigned from City Council in order to accept the position of City Attorney.

On behalf of City Council, Mayor Gibbons commended Mr. Blair for his 26+ years on City Council and presented him with a framed key to the City. He also thanked Mr. Blair for all he has done for the City and its citizens.

Attorney Blair stated it has been a blessing to be the legal advisor for City Council and the Caldwell County Board of Education. He stated Lenoir is a great place to live because everyone works together for the common good as well as being friends. Mr. Blair remarked he hopes to continue to be involved in the community and stated that Mr. Rohr was a great choice as his replacement. He further commented he has enjoyed the non-partisanship of the Council over the years and thanked City Council for the reception.

Mayor Gibbons congratulated Councilmember T.J. Rohr upon his new position as City Attorney and presented him with a framed key to the City. He thanked Mr. Rohr for his fifteen + years on City Council and remarked that Mr. Rohr has made all of us better Councilmembers over the years due to his having us think through issues before taking formal action on them. Mayor Gibbons also mentioned that Mr. Rohr has served on several local committees along with being a current and prior member of the National League of Cities' Finance, Administration, Intergovernmental and Relations (FAIR) Committee.

Mr. Rohr stated it was an honor to serve on City Council and expressed his appreciation to his wife, Lisa Rohr, and her parents, Herman and Linda Hicks, who were in attendance at the reception. He thanked City Council for their

support and expressed appreciation to them for always letting him have his say about issues.

UPDATE; ZONING

CHANGES: C. Planning Director Jenny Wheelock presented a power point presentation on the proposed changes to the City of Lenoir's Zoning Ordinance. A public hearing will be held on Tuesday, March 19 regarding approval of these proposed changes.

Director Wheelock explained the Planning Board has been reviewing an ordinance for several months that will modernize the Lenoir Zoning Ordinance, specifically focusing on the intent of the zoning districts, the district-specific development regulations, and the chart of permitted uses. This ordinance has been in development by staff for over four years and implements many policy goals of the Comprehensive Plan, addresses needs identified by Council and Department Heads during annual strategic planning retreats and fixes errors and deficiencies identified by staff in day-to-day zoning administration.

Director Wheelock reviewed the four proposed policy goals as follows:

- 1) Transparent, accessible regulations. The proposed changes should make it easier for realtors, developers, and the general public to look up and understand the rules specific to their properties, and how the districts relate to one another.
- 2) Productive Re-Use and Infill. Development regulations that hinder the re-use or re-development of existing buildings for new uses have been eliminated in favor of standards that allow for flexibility of use over time. Where ever changes are proposed, such changes aim to facilitate infill development, productive re-use of buildings, and gradual intensification of existing lots already served by infrastructure, thus growing the tax base without additional maintenance responsibility to the City.
3. Increase Variety of Allowable Housing Types. Much needed "missing middle" housing types (accessory apartments, townhomes, duplex, triplex, quadplex, etc.) are added to the list of permitted uses in appropriate residential areas, and an overall scheme for regulating maximum density by zoning district is proposed. The intent is to move away from contentious quasi-judicial public hearings, while establishing fair density and design standards to balance the need for development of new housing with protection of established neighborhoods.
4. Context-Sensitive Zoning. Proposed changes lay the groundwork for future map amendments and corridor studies, to ensure that intensities, design standards, access management standards, streetscape requirements, etc. can be adopted in the future in a more context-sensitive way-the distinction between what uses are allowed in each zone becomes secondary to the design and development requirements for each zone.

Director Wheelock further reviewed the highlights of the specific changes which include several of the following items:

- Updated definitions for clarity.
- Created a new Residential-Commercial district to accommodate higher density multi-family housing.
- Deleted the B-4 (Limited Business) district which is rarely used.
- B-6 district is re-named from “Exclusive Business District” to “Transitional Business District” to better reflect the intent of the district.
- B-7 district is re-named from “Planned Highway Business District” to “Highway Business District”.
- Replaced existing permitted chart of 279 uses with two new charts (2 single pages)-a table of residential uses (17) and a table of permitted non-residential uses (36 separate uses). Footnotes are used to clarify intentions.
- Multi-family dwelling are divided into two categories, low-density garden apartments and mid/high density apartments.
 - * Low-density apartments are capped at the densities allowed in each district for detached single family, but are designated as “permitted uses rather than requiring Conditional Use Permits (CUPs) in the higher density residential districts.
 - * Higher density projects remain CUPs in residential districts, when allowed at all, but the CUP requirement is eliminated for the higher intensity commercial districts. To balance out this “by right” allowance, maximum density standards are established, which will complement existing performance standards at densities appropriate to the district.
- Accessory structure rules are updates to address existing internal conflicts between code sections, and rules are adopted for non-residential districts.
- Deletes 35 pages of repetitive zoning district regulations which have led to multiple conflicts over the years. Development standards (setbacks, lot sizes, frontage requirements, allowable densities, etc.) are included in a single table with a few footnotes similar to the approach used to present permitted and conditional uses.
- Moves on-street loading standards that previously were repeated under each zoning district subsection into the section that regulates parking and off-street loading, so that all transportation-related standards are consistent and located in one logical place.

Director Wheelock clarified for Council the setbacks from centerlines are usually established where right-of-way widths are narrow, to make sure that buildings aren't built in areas needed for roadway expansions. However, because we know what projects are outlined for the next 25 years and the right-of-way already exists or the roadways aren't planned to be widened, we believe that using the setbacks from the edge of the right-of-way allows the most efficient use of property.

Director Wheelock stated the proposed changes are setup for future zoning needs and to find areas where the current zoning is not working.

On behalf of City Council, Mayor Gibbons commended Director Wheelock for the good report.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**III. CONSENT AGENDA ITEMS**

A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:

1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, February 19, 2019, as submitted.
2. Minutes: Approval of the minutes of the joint City Council Planning Retreat of Friday, February 15, 2019, as submitted.
3. Financing Agreement; Lenoir Metering Project: Staff recommends Council call for a public hearing to be held on Tuesday, March 19, to consider financing of the Lenoir Metering Project as authorized by N.C.G.S. §160A-20. This project requires the approval of the North Carolina Local Government Commission (LGC).

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to approve the above listed items on the Consent Agenda as presented and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS**V. REPORTS OF BOARDS AND COMMISSIONS****VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

A. Items of Information

**NATIONAL LEAGUE OF CITIES
CONFERENCE:**

1. The National League of Cities' (NLC) Annual Conference will be held on Sunday, March 10 through Tuesday, March 12 in Washington, D.C. Mayor Pro-Tem Ben Willis, Councilmembers T.J. Rohr and Crissy Thomas along with City Manager Scott Hildebran are attending this event.

**CITY/COUNTY SERVICES
COMMITTEE:**

2. The City/County Services Committee will meet on Monday, March 11 at 11:45 a.m.

**CALDWELL COUNTY ECONOMIC DEVELOPMENT
COMMISSION:**

3. The Caldwell County Economic Development Commission will meet on Tuesday, March 12 at 8:00 a.m.

MAIN STREET CONFERENCE:

4. The annual Main Street Conference is scheduled for March 12 – 14 in Salisbury.

It was noted the City of Lenoir has been nominated for several awards.

ABC BOARD: 5. The ABC Board will meet on Thursday, March 14 at 2:00 p.m. at Lenoir Store #1.

LEPRECHAUN LEAP

5K & 10K EVENT:

6. The annual Leprechaun Leap 5K & 10K Race will be held on Saturday, March 16 beginning at 9:00 a.m. at the Lenoir Soccer Complex.

PARKS & RECREATION ADVISORY

BOARD: 7. The Parks & Recreation Advisory Board will meet on Monday, March 18 at 6:00 p.m. at Mulberry Recreation Center.

LENOIR TOURISM DEVELOPMENT

AUTHORITY: 8. The Lenoir Tourism Development Authority will meet on Thursday, March 21 at 4:00 p.m. at City Hall, Third Floor.

LENOIR BUSINESS ADVISORY

BOARD: 9. The Lenoir Business Advisory Board will meet on Thursday, March 21 at 6:00 p.m. at City Hall, Third Floor.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

NEW CHAMBER OF COMMERCE

DIRECTOR:

A. Mayor Pro-Tem Ben Willis announced that Brian Moore has accepted the position of President, Chief Executive Officer, of the Caldwell County Chamber of Commerce. Mr. Willis stated that Mr. Moore will be attending a Council meeting in the near future in order to get better acquainted with everyone.

SENIOR TALENT

SHOW: B. Councilmember Crissy Thomas announced the third annual Senior Talent Show (Motown Review) is scheduled for Friday, March 22 at the Freedman Cultural Center from 7:00 p.m. -11:00 p.m.

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:40 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor