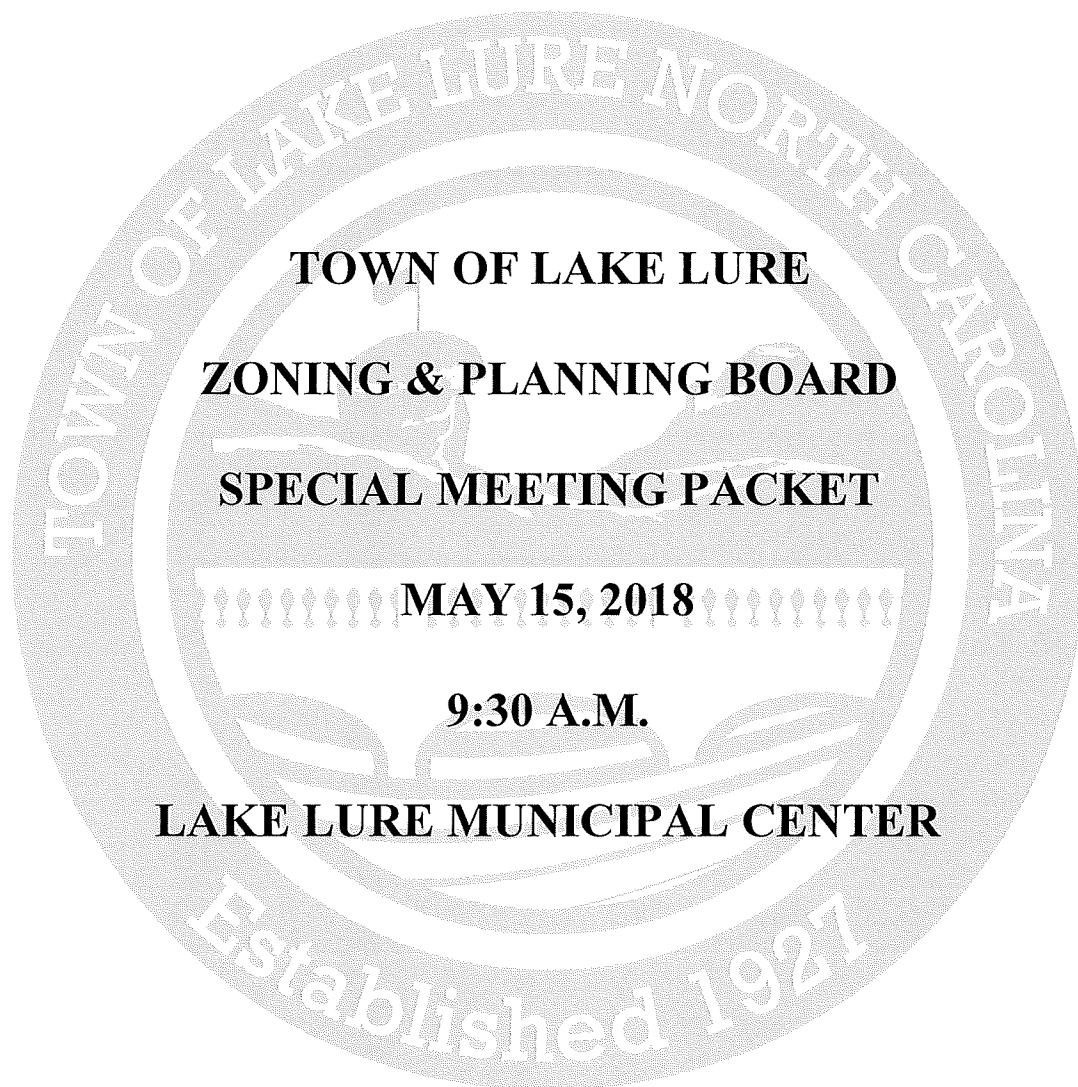






## **SPECIAL MEETING OF THE ZONING AND PLANNING BOARD**

*May 15, 2018*

*9:30 a.m.*

*Fire Department*

### **AGENDA**

1. Invocation
2. Roll Call
3. Approval of the Agenda
4. Approval of Minutes from the April 17, 2018 Regular Meeting
5. Old Business
  - a. Permitted Uses in Commercial Districts
  - b. Lighting on Commercial Properties
6. New Business
  - a. Communication Tower Amendments to Accommodate Latest Technology
7. Monthly Report – April 2018
8. Adjourn



## **Minutes of the Regular Meeting of the Zoning and Planning Board**

Tuesday, April 17, 2018

Lake Lure Municipal Center

**Present:** Thomas M. McKay, Chair  
Bruce Barrett  
Charlie Ellis  
Jonathan Hinkle

**Absent:** Norman McGlohon

**Also Present:** Commissioner Moore, Town Council Liaison  
Shannon Baldwin, Community Development Director

The meeting started at 9:32 am. Chairman McKay led the pledge of allegiance.

Bruce Barrett gave the opening prayer beseeching the Almighty to grant wisdom to the Board throughout the deliberations and overall proceeding.

### **ROLL CALL**

Chairman McKay called roll. Norman McGlohon was not present. Mr. Baldwin stated Mr. McGlohon had called in advance.

### **APPROVAL OF THE AGENDA**

**Charlie Ellis moved the agenda be approved. Jonathan Hinkle gave the second. All voted in favor.**

### **APPROVAL OF THE MINUTES**

Regarding approval of minutes from the February 20, 2018 Regular Meeting, **Bruce Barrett moved the minutes be approved. Charlie Ellis gave the second.**

### **OLD BUSINESS**

Regarding Old Business, Permitted Uses in Commercial Districts (May/June Review), Shannon Baldwin reported that this project is ongoing but has been delayed because of new unexpected projects being assigned. He hoped we could finish this by the end of the year and would speak about this more later on the agenda.

### **NEW BUSINESS**

Regarding New Business, Soil Erosion and Sedimentation Control Ordinance, Shannon Baldwin referred to the conveying memo in the packet from Clint Calhoun and then read a summary of the proposed changes in the draft ordinance.

Consensus of the Board was that the changes were very positive for property owners and but also ensured high water quality was maintained as well. The Board had a lengthy discussion regarding the need to inform zoning permit applicants of the mandate to install sufficient and maintain measures in addition to the requirement to maintain a self-inspection log. The Board suggested the erosion control pamphlet on file be revised to reflect the new changes in addition to having a blank log written on the back for use by the property owner.

After considerable discussion, Charlie Ellis made the following motion:

**I move the Planning Board does find the ordinance discussed consistent with the Town of Lake Lure 2007-2027 Comprehensive Plan in that it is being updated to comply with NC State Law, seeks to maintain "Water Quality, Sedimentation and Erosion Control" described in Section 10 of said Plan, and allows for more flexible use of property without having to secure a permit.**

**In addition, I move town staff update the erosion control brochure to inform citizens about said changes and add a blank log for use by citizens.**

**I further move said ordinance, written to revise Chapter 96, Soil Erosion and Sediment Control Regulations of the Town of Lake Lure Code of Ordinances, be presented to the Lake Lure Town Council for review, consideration and public hearing on May 8, 2018.**

**Jonathan Hinkle seconded the motion. All those present voted in favor.**

### **NEW BUSINESS, CONTINUED**

Regarding New Business, Discussion of Planning Projects List, Shannon Baldwin distributed a sheet to the Board entitled "Work Plans Review." He explained the elements of the work plans were identified and prioritized by a subcommittee of the Planning Board, town staff and Mayor Cooley on Monday. One work plan was for the remainder of Fiscal Year '17-'18 and the other represented a draft work plan for Fiscal Year '18-'19.

Bruce Barrett exited the meeting to make a previously scheduled appointment.

After lengthy discussion regarding the elements of the works plans, **Charlie Ellis moved each work plan be revised as discussed then forwarded to Town Council for review and approval. The motion was seconded by Jonathan Hinkle. All voted in favor.** The work



plans as amended by the Planning Board (and enhanced by staff to further define each element) are as follows:

'17-'18 Work Plan (Remainder of the Current Year)

- Sedimentation and Erosion Control (almost complete)
- Permitted Uses in Commercial Districts (in progress)
- Communication Tower Amendments to Accommodate Latest Technology
- Lighting on Commercial Properties (preliminary work being done)
  - Review Existing Standards for New Commercial Construction Review Process
  - Consider New Standards for Lighting and Permit Review Process to Approve New Lighting for Existing Commercial Properties
  - Pass Ordinance Mandating Duke Energy Install Lights with Shields as New Lights are added in the Community

'18-'19 Work Plan (New Fiscal Year)

- General Clean-up (reference Webber Memo and corresponding email)
- Sign Provisions
  - Community Banner Program
  - Temporary Signs (Commercial, Grand Opening, etc.)
  - Vehicle Signs (of a Political Nature)
  - Content Neutrality Compliance
  - "A" Frame Sandwich Board Signs (expressly include as part of allowable signs)
  - Review the Number of Signs Allowed for Businesses
  - Review Decorative Flags Provisions
- Parking Provisions – Review parking schedule to ensure building code is referenced relative to handicap parking, parking requirements for overlapping commercial uses, general parking ratios and parking for non-conforming uses on commercial property.
- Sewer Ordinance Compliance (Relative to Subdivision and Zoning Regulations)
- Embrace "e" Businesses – Review regulations to ensure these types of businesses are recognized, permitted and not unnecessarily restrained.
- Permit Application to Include Check off for Other Permits Approvals Issued by other Town Officials: Fire Chief and Environmental Management Officer, etc. Check boxes may need to be added to the permit. Nor final would be given by the CEC until all necessary town staff are satisfied.
- Change "Certificate of Zoning Compliance" to "Zoning Permit" and "Certificate of Occupancy" to "Certificate of Compliance" and establish an MOU with Rutherford County Building Inspections Regarding Written Protocol (Permits, Inspections, Final Approvals, etc.)
- Subdivision Plat Revision Process for Existing Standard Subdivisions
- Subdivision Standards Relief Process (ministerial – specific standard 5, 10, 15%)

**PLANNING PROJECTS UPDATE**

Regarding the Monthly Report – March 2018 item on the agenda, the following projects were discussed between the Board and Shannon Baldwin per Chairman McKay's request:

- Beer, Wine & Mixed Beverages Sales Legislation
- Strip Center

- ABC Store Walkway

**Chairman McKay called for adjournment at the appropriate time. Jonathan Hinkle move the meeting adjourn. Charlie Ellis made the second. All voted in favor. The meeting adjourned at 11:35 am.**

**ATTEST**

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Thomas M McKay, Chair

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Shannon Baldwin, Recording Secretary

To: Zoning & Planning Board

From: Shannon Baldwin, Community Development Director

Date: May 14, 2018

RE: Permitted Uses in the CG General Commercial District

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Our CG District is characterized as a General Commercial District. Staff studied the General Commercial/Business Districts from seven other towns. Districts are usually established to accommodate much of the following:

- A wide range of commercial activities,
- primarily characterized as retail sales and retail services,
- not dependent upon being centrally located and pedestrian traffic,
- operating out of a single freestanding building,
- on larger lots accessible primarily by automobile,
- complete with off-street parking,
- having frontage on major thoroughfares at convenient points in the area, and
- development that preserves the traffic carrying capacity of the local highways.

The items in yellow verbiage below are uses permitted in the Town's CG District. At the end of this memo (page 4-6) you will see those items (in blue) staff recommends as additions to our CG District based on extensive research. I will hand out draft ordinance tomorrow morning ready for your review and recommendation to Town Council for a public hearing June 12<sup>th</sup> that adds the uses in blue.

#### 1.) Town of Lake Lure Permitted Uses (CG)

Intent: These commercial districts are established as districts in which the principal use of land is for retail sales and services to the consumer. The districts are intended to be located in high traffic areas along major thoroughfares. Because these commercial districts are located on the major thoroughfares of the Town and are subject to public view, which is a matter of important concern for the community, they should provide ample parking, controlled traffic movement and suitable landscaping.

Retail Sales: Appliance stores, florist shops, book stores, clothing stores, sporting goods and equipment stores, jewelry stores, hardware stores, grocery stores, video sales and rentals, drug stores, musical instrument sales, but not excluding other similar uses.

Retail Services: Restaurants, dry cleaning stores, coin laundries, tailoring shops, barber and beauty shops, indoor theaters, financial institutions, indoor game rooms, and indoor exercise physical fitness facilities, but not excluding other similar uses.

Residential: Single and multi-family dwellings.

Business and Professional Offices: Real estate

Educational/Cultural/Religious: Public and private schools, child care centers, art galleries, museums, churches and other similar cultural, civic and government buildings.

Recreation/Amusement/Entertainment:



Governmental/Emergency/Medical Service: Post offices, fire stations, libraries, medical services or clinics, dental services or clinics and other similar uses.

Transient Accommodations: Hotels, motels, lodges. Residential vacation rentals subject to special requirements contained in §92.042.

Miscellaneous:

Live-work units

Brewpubs, micro-breweries, micro-distilleries, micro-wineries, and nano-breweries subject to special requirements contained in §92.042.

Customary accessory buildings incidental to single and multi-family residential buildings.

This district specifically excludes outside display of merchandise for sale or open storage of vehicles, motorized equipment, wrecked vehicles, inoperable vehicles, discarded tires, auto parts, and machinery and construction equipment; boat storage facilities; business which sell, rent, or display obscene materials as defined in the town's code of ordinances; tattoo parlors; mobile homes; moveable storage facilities; and manufacturing employing ten or more persons.

## **2.) Town of Blowing Rock (GB)**

Single family residence with accessory apartment, Duplex, Townhouses, Rooming Houses, Boarding Houses, Tourist Home or other temporary residences renting by the day or week, Hotels, Motels, Bed and Breakfast, ABC Stores, Convenience Stores. Sales and rental of goods, merchandise and equipment. Office, clerical, research, and services not primarily related to goods or merchandise. Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembly of goods, merchandise and equipment. Elementary and Secondary schools. Trade or Vocational schools. Places of worship. Libraries, art galleries, art centers, and similar uses. Social, fraternal clubs, lodges and union halls and similar uses. Bowling alleys, indoor tennis, billiards and pool halls, skating rinks. Movie theaters. Coliseums, stadiums, places that hold 1,000 seats or more. Publicly owned and operated outdoor recreation facilities. Driving ranges not accessory to golf courses, miniature golf course, skateboard parks, water parks. Adult business establishments. Restaurants, Bars and Night Clubs - Consumption within fully enclosed building. Restaurants, Bars and Night Clubs - Carry-out and delivery service, drive-in service or consumption outside fully enclosed structure. Motor vehicle sales or rental. Sales with installation of parts and accessories. Motor vehicle repair and maintenance. Motor vehicle paint and body repair. Gas sales. Police station, fire station, rescue squad and civil defense operations. Post office. Public maintenance building. Dry cleaner and laundromats. Utility facility (neighborhood, community or regional). Telecommunication towers. Open air markets and horticulture sales. Nursery schools and Day care. Bus station. Commercial greenhouse and sales. Special events.

## **3.) Town of Black Mountain (HB-8)**

Any use permitted by right in the CB [and other]....districts; Animal services; Amusements and entertainment uses; Art studio and galleries; Automotive sales, rental and service; Bank and financial services; Bar/brewery; Building material sales; Business services; Cultural and community facilities; Day care centers; Farm supply stores; Freight handling facilities; Funeral homes; Government facilities; Group home; Health and fitness facilities; Heavy equipment sales, rental and service; Heritage crafts;

Hospitals; Hotels and motels; Industrial cleaning services; Instruction services and studios; Laundry and dry cleaning; Manufactured home sales and service; Manufacturing, light (indoor); Medical offices and clinics. Meeting halls for civic, social, and fraternal uses; Mini-storage or self-storage; Mixed use buildings; Places of worship; Printing; Professional offices and services; Public utilities; Restaurant, brew pub/tavern; Restaurants and taverns (walk-up, drive-thru, sit down); Retail; Shared housing arrangements/community living; Warehousing; and Wholesale. (All uses subject to supplementary district construction requirements).

#### **4.) City of Saluda (C-3)**

Accessory buildings or structures, Animal hospital or veterinary clinic (excluding open kennels on premises), Assisted living/skilled care facility, Banks and financial institutions, Civic & fraternal organizations & lodges, Colleges, vocational & trade schools, Community centers, Fire and Police stations, Government buildings and land, Hospitals, medical clinics, Libraries, museums & art galleries, Newspaper offices and printing plants incidental to such offices, Offices (business, professional, medical and dental), Religious institutions, Appliance sales & service (no outside storage), Appliance sales & service (no outside storage), Auto repair and paint shops, Auto sales, Bakery, Bar/pub, Bed and Breakfast establishment, Bicycle sales and repair, Bowling alley, Building/home improvement supply store, Bus terminal, Car wash, Commercial recreational facility, Convenience store (without gas sales), Cosmetology, Dance or music hall within an enclosed building (excluding sexually-oriented businesses), Dry cleaning, laundry services, Electronic gaming, Fitness center, Florist, Funeral home, Gas station, General merchandise store (with a maximum of 10,000 square feet), Gift/novelty shop, Greenhouse (commercial), Grocery store, Gunsmith, Hotel/motel, inn, Junkyard, Locksmith, Medical supply store/Pharmacy, Mobile food vendor, Music and dance studios, Nursery, retail and wholesale, Office supply & equipment (sales and service), Parking lot (as principle use), Portrait studios, Produce/fruit stands (retail), Radio and TV stations (studios, offices), Restaurants (seated, carry-out, catering, delivery, drive-through excluded), Self-storage buildings, Sign painting and fabricating shop, Tailor, Tattoo parlor & body-piercing establishment, Taxi service, Taxidermy (service and supplies), Telephone exchange with service or storage yard contained within the building, Theaters (indoor and outdoor), Contractors offices (including sheet metal, roofing, plumbing, heating and air conditioning, but excluding open storage), Food manufacturing, Printing establishment, publishing establishment, reproducing establishment and Storage trailers and containers.

#### **5.) Town of Banner Elk (C-2)**

Assisted Living Residences; Residential Care Facilities; Animal hospital or veterinary clinic, excluding open kennels on the premises; Banks and financial institutions; Civic organizations, lodges and fraternal organizations; Colleges, vocational and trade schools; Community centers; Fire and Police stations; Funeral Homes; Government buildings and land (excluding correction centers and jails), including public utility buildings and facilities; Libraries, museums, and art galleries; Newspaper offices and printing plants incidental to such offices; Offices – business, professional and public (including doctors, dentists, etc); Public parks w/ associated facilities such as playgrounds, swimming pools; Antique and Consignment shops; Appliance sales and service, electrical repair no outside storage; Bakery (sold on premise); Bicycle sales and repair; Car wash; Farm machinery assembly, sales and repairs; Feed and seed stores; Fitness centers; Food Trucks; Florist; Gift/novelty shop; General merchandise stores -less than 10,000sf; Greenhouse, commercial; Grocery stores (no wholesale); Gunsmith; Hotels, Condominium



Hotel, Retail stores & ancillary uses to a Hotel, Conference Facility, Health Club & Day Spa; Hydroelectric Power; Medical supply stores; Monument sales; Office supply and equipment—sales and service; Pawn shops; Personal care services—hair, nails, tanning, weight loss; Pharmacy; Photographic studios and camera supply store; Shoe Repair; Sign painting and fabricating shops; Tattoo Parlor; Theaters, indoor; Food manufacturing; and Public utility lines and transformer stations, transmission towers, water tanks and towers with storage in cabinets or buildings.

#### **6.) Town of Tryon (GB)**

Live/Work Units, Second floor apartments, Art centers, libraries and auditoriums, Theaters, assembly/concert halls (or similar places of assembly), Governmental office or other governmental use, Public utility substations, Public utility lines, public elementary or high schools, Childcare, Clinics, Convalescent and/or nursing homes, Assisted Living facilities, Colleges, Funeral home, Hospitals, Religious Institutions, Private School, parochial school, Adult Day Care Programs, Movie Theaters (indoor), Parks, Recreational facilities (indoor), Recreational facilities (outdoor), Animal Services (no outdoor kennels), Automotive/Boat Service Uses, Banks, credit unions, savings and loan businesses, Hotels, Motels, Inns and similar facilities, Newspaper publishing, Offices (of an executive, administrative, sales or professional nature), Automotive/Boat Sales, Nurseries & Greenhouses, Outdoor Markets & Farmers Markets, Produce Stands, Restaurants and taverns, Retail Uses (less than 10,000sf), Gas Stations, Convenience Stores/Convenience Stores with Gas Sales, Outdoor Vending Machines/Info Dispensers, Distilleries/Breweries, Distribution (accessory use), Light Manufacturing, Warehousing (accessory use), Public utility (yards and garages), Accessory buildings and structures, Agricultural Uses, Temporary Uses.

#### **7.) Town of Rutherfordton (C-2)**

Convenience stores, Small Retail Stores, Wholesale sales, Pawnshops, Operations designed to attract and serve customers or clients on the premises (such as the offices of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.), Office or clinics of physicians or Dentists (with not more than 10,000 square feet of gross floor area), Nursing care institutions, intermediate care institutions, handicapped or infirm institutions, child care institutions, Car wash, Post office, funeral home, cemetery, crematorium, temporary structure used in conjunction with the construction permanent building or some non-reoccurring purpose, signs.

#### **8.) Town of Highlands (B-3)**

Single-family dwellings, Modular homes (but expressly excluding manufactured homes), Any customary accessory outbuildings appurtenant to single-family dwellings (including private garages and non-commercial buildings such as greenhouses and workshops), Apartments (located within, and incidental to, a building used primarily for commercial uses), Customary incidental home occupations, Parks and playgrounds, Any retail or wholesale business not requiring a Special Use permit, Any retail service business not requiring a Special Use Permit, Professional offices or studios, Government buildings of any kind, Outdoor storage yards containing materials for sale for businesses (building supply centers, lumber yards, and hardware stores, provided they are secured and screened from public view).

#### **9.) Revised Town of Lake Lure Permitted Uses (CG)**

Intent. These commercial districts are established as districts in which the principal use of land is for retail sales and services to the consumer. The districts are intended to be located in high traffic areas along major thoroughfares. Because these commercial districts are located on the major thoroughfares of the Town and are subject to public view, which is a matter of important concern for the community, they should provide ample parking, controlled traffic movement and suitable landscaping.

Retail Sales: ABC Stores, convenience stores (without gasoline sales), appliance stores, feed and seed stores, antique stores, consignment shops, florist shops, book stores, clothing stores, gift shops, sporting goods and equipment stores, jewelry stores, hardware stores (provided outdoor storage is secured and screened from public view), grocery stores, video sales and rentals, drug stores, outdoor vending machines, musical instrument sales, but not excluding other similar uses.

Retail Services: Restaurants, dry cleaning stores, coin laundries, tailoring shops, barber and beauty shops, indoor theaters, bank, financial institutions, funeral home, indoor game rooms, personal care services (nails, tanning, weight loss), health and indoor exercise physical fitness facilities, but not excluding other similar uses.

Residential: Single family dwellings and multi-family dwellings.

Customary accessory buildings incidental to single and multi-family residential buildings like non-commercial greenhouses, workshops, and private garages.

Business and Professional Offices: Real estate, insurance broker, travel agent, stock broker, attorney, physicians and other similar professional offices.

Educational/Cultural/Religious: Public and private schools, child care centers, art galleries, museums, churches and other similar cultural, civic and government buildings.

Recreation/Amusement/Entertainment: Movie theaters (indoors), bowling alleys, skateboard parks, swimming pools, parks and playgrounds and associated uses.

Governmental/Emergency/Medical Service: Post offices, fire stations, libraries, medical services or clinics, dental services or clinics, police station, fire station, rescue squad, and other similar uses. Public utilities and support facilities.

Transient Accommodations: Hotels, motels, lodges, inns, bed and breakfast establishments. Residential vacation rentals subject to special requirements contained in §92.042.

Animal Services: Animal hospital, veterinary clinic and taxidermy.

Miscellaneous:

Temporary structure used in conjunction with the construction of a permanent building.

Live-work units

Brewpubs, micro-breweries, micro-distilleries, micro-wineries, and nano-breweries subject to special requirements contained in §92.042.

Conditional Uses (add)



Carwash

Food Truck (when associated with an existing business located in the Town of Lake Lure)

Theater (indoor)

This district specifically excludes outside display of merchandise for sale or unscreened open storage of vehicles, motorized equipment, wrecked vehicles, inoperable vehicles, discarded tires, auto parts, and machinery and construction equipment; boat storage facilities; business which sell, rent, or display obscene materials as defined in the town's code of ordinances; tattoo parlors; mobile homes; moveable storage facilities; and manufacturing employing ten or more persons.

Community Development Department  
Monthly Report  
for  
April 2018

**Board/Committee Activity**

**Zoning and Planning Board, Regular Meeting, April 17, 2018**

1. Old Business
  - a. Permitted Uses in Commercial Districts (May/June Review)
2. New Business
  - a. Soil Erosion and Sedimentation Control Ordinance (Approved)
  - b. Discussion of Planning Projects List (Approved)

**Board of Adjustment, Regular Meeting, April 24, 2018**

- Meeting Cancelled

**Staff Activity**

**Zoning Administration/Code Enforcement**

|                                                                                    |                      |
|------------------------------------------------------------------------------------|----------------------|
| Certificate of Zoning Compliance Issued .....                                      | 5                    |
| Certificates of Zoning Compliance Denied .....                                     | 0                    |
| Certificates of Occupancy Issued.....                                              | 5                    |
| Vacation Rental Operating Permits Issued .....                                     | 1                    |
| Sign Permits Issued.....                                                           | 0 (temp) 1 (perm)    |
| Complaints Logged.....                                                             | 2                    |
| Complaints Investigated.....(still currently under investigation)                  | 1                    |
| Notices of Violation Issued.....                                                   | 0                    |
| Civil Penalties Issued.....                                                        | 0                    |
| Stop Work Orders Issued .....                                                      | 0                    |
| Improperly Posted Address Notifications Issued.....                                | 0                    |
| Abandoned/Dilapidated Structures Cases Open .....                                  | 0 (0 closed by demo) |
| BOA Hearings Processed.....                                                        | 1                    |
| Demolition Permits Issued.....                                                     | 0                    |
| VROPs Active to Date..303 ( <u>accurate</u> –reflects 2 “carried-over” from March) |                      |

**Subdivision Administration**

|                         |   |
|-------------------------|---|
| Preliminary Plat: ..... | 0 |
| Final Plat .....        | 0 |

Minor Subdivisions:.....0  
 Exempt Plat Reviews: .....0  
 Lots Approved .....0

Review Officer (per GS 47-30):

Plats Reviewed: .....3  
 Plats Approved: .....3

### **Grants Administration**

Total Grants in Progress (see below): \$5,000

Grants submitted recently and waiting for review: \$5,000 - **APPROVED**

- EV Charging Station - \$5,000 (reimbursement after unit installed)

### **Community Development Director Activity Overall (Baldwin)**

Current ongoing projects associated with the department staff:

1. Continuing Care Developments for Senior Citizens –Tommy Hartzog reported that ground should break within a couple of weeks on this project 11/3/16. Hartzog continues to describe the effort as moving forward 4/3/17. Met with Tore Borhaug to discuss his type of operation 10/3/17. Introduced Tore to Tommy Hartzog via email shortly thereafter. TM recently stated he had been discussing the water system for a project being planned contiguous to the town limits with Hartzog and Town Council.
2. Business Needs Initiatives (BNI) – Planning Board is currently looking at ways to direct customers to the Arcade building to help businesses. Discussed at the 11/15 Planning Board Meeting. Result: Improve Islands in support of local businesses and community events. Town Council directed staff to begin this project. Planning Board reviewed and approved wayfinding project to Town Council. Town Council approved project. Removing unhealthy trees was accomplished. Next phase will be to develop a master plan and work secure partners to invest in the redevelopment of islands. Scheduled for next fiscal year 6/8/17. Completed Tree Trimming and East Island Power Pole Removal projects 5/17 and 10/17 respectively. Islands Redevelopment Master plan on hold until Town Center Master Plan is amended with work through Destination By Design 12/5/17.
3. TOLL-CRV Commercial Corridor Connector – Pre-application submitted to ARC for consideration. Met with Equinox, Tm, and other stakeholders in October 2016. Progress is being made 11/5/16. Grant submitted 12/6/16. Received additional questions from ARC. TM and I collaborated on a response. Still waiting to hear results 4/3/17. Received news from ARC that we did not secure grant funds 5/25/17. We need to follow up and secure feedback from ARC 6/8/17. TM and CDD conferenced with Olivia Collier 6/9/17. She stated, “You guys know your economy is tourism-based and this will help you achieve a stronger economy. We know this is an important corridor project for your 2 towns. Your project is a great way to enhance your economy.\_If we had the money we

would have funded your project. We liked it overall, it just didn't rank above the others who applied." She also stated, "Having a shovel ready (build) application would have been more competitive. Your application was design + build. It needs to be "build" to score higher. Having site specific plans for properties along the way would have made your application stronger. Identify needs, develop construction plans for project, demonstrate how project meets needs. We like the application but you are competing against projects that create jobs. (For hypothetical example: develop construction plans for sewer, ask for ARC money to install sewer line. Sewer line attracts hotel which creates jobs while tourism is enhanced). We needed to know we are funding more than a sidewalk. Your application did not identify a funding source for Phase II. Identify a funding partner for Phase II will increase your score, too."

4. Gateway - LLFB West End Plan. *This project concerns itself with ultimate disposition of the El Sureno property and is intimately connected with LLFB West End Improvements as well as linkages for the CRV Pedestrian Facility.* Improvements are well underway as of 11/6/16. Recently reviewed plans with Kathy Tanner and Susie Ellis in meeting with TDA Director on 7/31/17. Considerable progress has been made by the LLFB implementing their plan 11/3/17. Recently had conversations with Kathy Tanner regarding the need for permits relative to steps and handrail. Let her know we are moving to extend walkway under new bridge 3/29/18.
5. Wayfinding System – Scheduled to go before Planning Board on 11/15 and Town Council on 12/13/16 for approval. Approved by Town Council 12/13/16. Met with Teague Engineering and Hoffman on 1/13/17. Staff continues to communicate with Teague Eng. 2/1/17. TM briefed CDD on new circumstances 5/3/17. No new news as of 6/8/17. Don Cason, TDA Director, dropped by to discuss case 7/28. Project at standstill until TDA works out issues with Teague 11/3/17. Staff met with TDA on 3/1/18 to help jump start new TDA effort. Staff sent all documents to TDA so that they can pick this up again 3/29/18.
6. Vision Book - Meeting with Ron Nalley and Meg Nealon to discuss on 10/7/16. Project on hold. Project placed on CP Project Calendar.
7. EV Charging Station – Welcome Center - Requested \$20,000 from Duke Energy but only received \$5,000. Asking for input from Town Council on 1/10/17. Council would like TDA to cover \$2,500 cost overage estimated. Sent request to Don Cason for \$2,500 on 1/13/17. Cason emails news that TDA agreed to fund request. Nalley sent agreement back to Duke for the \$5,000. Staff reported to Council at 1/31/17 meeting monies have been approved and implementation is next step 2/1/17. CDD released RFP for Charging Station on 2/24/17. Received three bids thus far. CDD asked vendors to bid dumb units and set a deadline for 5/5/17. CDD had TM sign contract 6/8/17 for non-networked unit. Unit should be ready by 8/7/17. Met with PWD on site to pick place for unit 8/4. Because of the Morse Park Plan now underway, we are in a holding pattern until the MPP is finalized. Notified Bob Cameron and TM. They agree. Communicated with stakeholders on 10/3/17 regarding MPP development progress. Met with Commissioner Cameron and PWD regarding plans and supplies list 10/19. PWD is ordering supplies



10/19. PWD ordered #5 rebar and plan calls for #6. PWD wants plan designer to ok #5 rebar and asked if I could email designer 11/3/19. EVCS picked-up and PW installed. Waiting for Bob Cameron to communicate with PW to coordinate hook-up 12/5/17. Unit connected 1/2/18. Sam to contact Duke Energy and solicit reimbursement per agreement 1/2/18. Sam sent invoices to Duke as a request for reimbursement. CDD is working with Marshall Williams, P.E., NCDOT regarding highway signs as well as Parks and Recreation Board. CDD reviewed Valerie H.'s article about the EVCS and offered recommendations 2/5/18. Received word back from NCDOT 3/28/18 that we did not qualify for their sign program. We are working on strategy to have signs placed on highway in strategic location. Worked with Valerie and Brightfield regarding operational spec.'s and outward communication to EV drivers 3/29/18. Signs have been ordered, the site has been registered with various mapping companies, the area around the unit is scheduled to be paved and the spaces are scheduled to be painted per PWD 4/13/18.

8. Lake Lure Classical Academy – Facilitating review and approval of LLCA request by January 31, 2017. DRC Meeting held 1/3/17. Planning Board meeting scheduled for 1/17/17. Planning Board recommended approval. Town Council approved 1/31/17. CDD to create a project tracker regarding unfinished items. Met with town staff (PWD, CEC, PC) twice to discuss items and town position. Sent notes to TM. Meeting set for 8/2 10 am in Town Hall with LLCA. Held meeting and sent notes to TM, PWD and PC on 8/2 with a request to edit for accuracy. No edits suggested as of 8/8. Received draft As Built from Eric Kunath on 8/30. Sent to CEC, PWD, FC and TM for comments. As of 9/1/17 only CEC has responded. Many emails have been exchanged and Russ Pitts has visited office twice. As Builts will be separated from plat depicting easements. Plat will be recorded. LLCA will have engineer certify As Builts. TM is communicating with TA regarding agreement and easements 11/3/17. Agreement and easement documents taken to LLCA for signatures to meet deadline imposed by LLCA. Communicated with Charlie Ellis, Treasurer, for LLEF (new owners). He will work on getting the easements and agreement signed and recorded 12/5/17. No change as of 1/2/18. Brad is working with Charlie Ellis regarding next steps. Charlie sent email to Brad 3/28/18 regarding authorization to proceed. Had conversation with CEC and TM about outstanding issues. CEC to follow up with Charlie Ellis regarding outstanding issue 5/2/18.
9. Hodge Property – Town Council approved next steps. Brad Burton to communicate with RC Building Inspection. CDD to RFP geo-tech work. Received proposal from Will Gentry per TC approval 4/3/17. TM, CEC and William Morgan conferenced on 4/27/17. Council authorized staff to begin proceedings under Chapter 83.02(j) regarding nuisance properties. Staff is working closely with town attorney 6/8/17. Civil Citation sent 7/19. 15+ days to “appear before manager” comes and goes with no owner or Representative of Duck Cove properties meeting or “appearing before” Town Manager 8/7/17. Second Civil Citation has been issued. CEC is ready to issue a 3<sup>rd</sup> Citation as of 9/1/17. CEC is ready to issue 4<sup>th</sup> Citation as of 11/3/17. 4<sup>th</sup> citation sent and 5<sup>th</sup> (and final citation) is set to go out this week 12/5/17. 5<sup>th</sup> citation sent. CEC is now communicating with William Morgan regarding next steps 1/2/18. William Morgan and Staff briefed ZBP on the issue. William Morgan and Staff reported to Town Council next steps at February Meeting 2/5/18. Gave William Morgan feedback on complaint filed in the lawsuit against

property owners 3/14/18. No change 3/29/18. Sent Kathy Ruth an email on 4/9/18 requesting information on the condemnation carried out by County Building Inspections. Complaint has been created by TA but has not been filed by TA as of 4/27/18.

10. ABC Store Walkway – Authorized survey, plat, and plan development to use in an encroachment agreement with NCDOT and to bid construction. Survey authorized 3/1/17. Still working with Jason Spencer on design detail 4/3/17. Met with TM on 4/26/17. TM wants replacement of retaining wall added to bid option. CDD, PWD and TM met with NCDOT onsite 5/30/17. CDD, PWD and TM met with Tomlin onsite to gather ideas 6/8/17. Created bid documents and released. Received three bids. Took bids to Council. Council rejected all bids and asked that the project be bid with different three scenarios. NCDOT sent back encroachment agreement 7/31/17. New RFP released and CDD set 11/14 as deadline for bids. CDD requested ABC Store Walkway Bid Award be placed on 11/14 TC agenda for decision 11/3/17. Tomblin awarded bid. David Arrowood is working toward securing contract from Tomblin. Met with David Arrowood today (12/5/17) and he gave assurance he would follow up with Tomblin regarding contract 12/5/17. I emailed Brain Tomblin 1/2/18 bulleted list of items needed by the Town so that work may begin in 2018 1/2/18. I sent a second reminder regarding requirements on 1/9/18. Met with David Arrowood and Tomblin Concrete on 3/5/18. Walkway will be complete within 10 days weather permitting. All sidewalk concrete has been poured 3/14/18. Spoke with David Arrowood on 3/29/18 about the need to get groundcover down per Clint. David is working to have it sewed or mulched ASAP. Spoke with David 5/2/18 and he plans to have it complete this week 5/2/18.
11. Westside Connector (OSBR) – CDD will be working with TM to reboot project. Drafted a resolution, vetted with staff and other officials, and finalized for TC to consider at its April 11 meeting. TC approved and Old Sand Branch Road Sign ordered by PW. Sign has been installed 6/8/17. No additional steps taken to my knowledge as of 1/2/18. Alerted on 3/29/18 to the fact by Kat Canant that dispatch has not changed Carsons Way to Old Sand Branch Road. Kat is going to follow-up 3/29/18. Per Kat, 911 dispatch was using Google Maps rather than GIS. This has been resolved 5/2/18.
12. Welcome Center Restrooms - Need to start working on RFQ for architects and RFP for contractors as a follow up to design 12/5/17. Met on 12/14/17 with steering committee. Solicited a proposal from architect recommended by Equinox. Followed up with Destination By Design who eagerly responded. Have a meeting scheduled with DBD and steering committee for 1/8/18 to discuss project. Steering Committee recommended architect Jesse Plaster (JP) to Town Council. Ron Nalley to take scope of work and agreement to Town Council 1/9/18 for review and approval. Town Council approved 1/9. CDD sent signed agreement to JP. Staff to follow up with appraisal (Bud Tanner) and a request of Vic Knight for plans for existing building layout 1/9/18. JP sent concept floor plan to CDD, who solicited comments from Steering Committee RE the same. CDD sent comments to JP 2/5/18. Sent final input to Jesse on 3/1/18. Still waiting to hear from Jesse Plaster regarding final floor plan. Sent reminder email on 3/6/18. Jesse Plaster met with Steering Committee to finalize floor plan 3/14/18. Jesse sent floor plans and I sent them to local contractors for consideration on 3/28/18 that the RFP was

coming. CDD sent Jesse 3 more names of contractors and the Mayor sent 2. After an email was sent 4/12/18 to Jesse requesting an update, he left a message letting us know he is working on it. We are in negotiations relative to the bids received for the project. We will be submitting to Town Council for consideration on 5/8/18.

13. Peak Season Parking Plan – Met with Tommy Hartzog to start gathering ideas on 6/22. Ron Morgan to send debrief notes from community events 6/28. Asked Ron Morgan for notes 12/4/17. Had meeting scheduled with Ron Morgan for 12/8 and cancelled due to inclement weather. Sent request to Ron Morgan on 1/2/18 for a new meeting. RM sent notes back as well as photo (very blurry) of the map. CDD sent notes to Mayor Cooley on 1/25/18 for review and feedback 2/5/18. No change as of 3/29/18.
14. Zoning Regulations Studies Underway (either authorized or requested) - (1) Retaining Wall and Structures definitions review (Complete); (2) Civil Penalties Assessment (Complete); (3) Permitted uses in commercial districts; (4) Size of “For Sale” signs allowed on commercial property (Complete); (5) Provisions related to tree protection/removal on individual lots (Complete); (6) General provisions per 2015 memo by Commissioner Webber; (7) Down lighting requirement for commercial properties; (8) Residential Vacation Rental process (Complete); (9) Vehicle Signs of a Political Nature (10) Subdivision Regulations Amendment that clarifies Planning Board Authority to amend Previously Approved Plats, (11) General Changes per CEC List and (12) Soil Erosion and Sedimentation Control Regulations Update (In Progress).
15. VROP Amendment – Draft ordinance has been written by CEC and reviewed by Town Attorney, TM and CDD. Changes have been made per ZPB review and feedback on 1/16/18. BOA gave recommendation regarding changing process from quasi-judicial back to administrative. ZPB to give final review of ordinance on 2/20/18 before forwarding to Town Council for Public Hearing on 3/13/18. Commissioner Webber forwarded an earlier version he drafted. CDD forwarded this to the Town Attorney for review and opinion regarding the provision that transforms/converts a permitted use to a conditional use if appealed 2/5/18. Planning Board recommended ordinance to Town Council for review and possible approval at 3/13/18 Public Hearing. Town Council voted to adopt the amendment and fee schedule 3/14/18. Brad changed application and fee schedule week of 3/19/18. (Complete)
16. Permitted Uses in Commercial Districts – CDD has been compiling a long list of permitted uses in commercial districts of municipal cohorts in the effort to study the TOLL’s permitted uses. A partial list was shared with the Planning Board on 1/16/18. CDD will continue to work on the list until complete and ready for review for the 5/15/18 meeting.
17. Down Lighting Requirements for Commercial Properties – CDD forwarded standards to Commissioner Cameron for review on 9/6/18. CDD emailed CC a reminder 2/5/18. Received word from Commissioner Cameron he is working on the review. Received email from Ron Nalley week of 3/5/18 regarding the same. Commissioner Cameron sent



feedback regarding regulations. TM sent link to dark skies regulations. CEC sent email with link to dark skies regulations 3/12/18.

18. Beer, Wine & Mixed Beverages Sales Legislation and Brewery/Winery Zoning Regulations Comparisons – Sent a request to Town Attorney William Morgan requesting a review of the legislation passed for Lake Lure and Zoning Regulations (Ordinance No. 14-10-14) passed by Town Council relative to breweries, wineries, etc. on 11/29/17. Sent a reminder on 12/21/17. Sent another reminder on 1/3/18. William Morgan responded in an email and reported findings to ZPB at the regular January meeting 2/5/18. Complete
19. Commercial Center Renovaion – Town Council requested CDD assume lead staff position on this project. Met with Ron Nalley on 2/20. Had lunch with Ric Thurlby on 3/1. Have been making multiple site visits to understand property, especially water related issues. Met with David Arrowood and Rutherfordton Public Work to video the culvert on 3/6/18. There are concerns related to water on the site. Shared those concerns with Mayor Cooley and Ron Nalley on 3/6/18. Met with Mayor Cooley and Charlie Ellis on 3/13/18. Created and sent memo to Town Council based on the meeting held on 3/13/18. Met with architect, estimator, steering committee on-site and in Town Hall to T-up next steps. Town Council to consider 4/10/18. Town Council approved resolution and associated contracts to reset/reboot the project 4/13/18. Had many meeting and discussions with various folks regarding Commercial Center project 5/2/18.

- Annual Leave, 4/2-4/6
- Attended Town Council Meeting, 4/10
- Attended Department Head Meeting, 4/11
- Attended Planning Board Meeting, 4/17
- Facilitated Commercial Center Steering Committee Meeting, 4/20
- Met with the Mayor and David Odom onsite at Commercial Center, 4/25
- Met with Brady Trakas and SIMS onsite at Commercial Center, 4/26
- Scheduled electrical work with Preferred Plus Electrical for Commercial Center for 4/30, 4/26
- Held bid opening with Jesse plaster for Welcome Center Restrooms Renovation, 4/27
- Pulled Electrical Permit, 4/30

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C. Shannon Baldwin, AICP  
Community Development Director

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Date