



**TREBIC  
MEMBERSHIP MEETING  
Tuesday, November 12, 2019  
4:00-5:15  
At TREBIC**

**Declarations of Conflicts of Interest** (association with other groups that might conflict with TREBIC's discussions today)

**Welcome & Introductions** – Sterling Kelly, Chairman

**SPECIAL PRESENTATION**  
**WHAT'S HAPPENING DOWNTOWN?**  
Zack Matheny will update us on Downtown Greensboro

**AN EXTRA 60 DAYS ADDED TO REZONINGS? New Garden Area Plan discussion goes awry.**

**JOINT ELECTIONS COMMITTEE Recap of High Point Elections**

**PIG POULTRY AND POLITICS AND 20<sup>TH</sup> ANNIVERSARY Recap**

**TREBIC TROPHY Nominations?** Who is going above and beyond to improve your experience?  
(Trophies currently held by GSO Water Resources, GC Inspections, HP Development Services)

**Members are reminded that all discussions are confidential, and agendas should not be shared with non-delegates.**

**TREBIC MEMBERSHIP**  
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Just some of the issues we are working on (**UPDATES IN BOLD**):

**FOR DISCUSSION: An extra 60 days for Rezoning? or An Added Bonus From the New Garden Road Strategic Plan**—Most small area plans in GSO have a provision that requires staff to convene a meeting between developers and neighbors when a rezoning requires an amendment to the GFLUM (adopted Land Use Plan). Staff and neighbors are allowed up to 60 days to accommodate comments from the neighbors. (Although TREBIC members are generally not in agreement with the provision, it has precedence and is difficult to oppose.) Councilman Outling pointed out that since most area plans are in more affluent areas (we are not sure that is true), then the requirement for the staff convened meeting is inequitable and to be fair, the provision should apply to all rezonings in the City. In a later conversation, Outling said he could agree it should apply to all or none of the rezonings. Since we do not believe the provision will be removed from already approved plans, we have to presume the proposal is for all. Staff was directed to bring options back to Council in their November meeting. Adding 60 days to all rezonings is an extreme step especially considering that TREBIC has supported measures to make the rezoning process more user friendly for neighbors, like expanded notification and strongly encouraged neighborhood meetings. Additionally, TREBIC did not oppose recent time expansions of the process, first to accommodate the now defunct Council committee system and the change to one business meeting per month.

**New Garden Road Strategic Area Plan**—Though staff agreed to upfit the plan to accommodate growth strategies for commercial and multifamily residential, the plan came to Planning Board still reflected the wishes and desires of single family detached neighborhoods. TREBIC staff followed up and the plan that Council approved in September had density limitations removed. *Background:* Staff and consultants met with development community stakeholders in January 2019. These stakeholders were adamant that strategies developed from the Community Open House in November would not support existing development or encourage new development. The strategies included tightening control of land uses by holding density to 12 du/ac or less and allowing only a narrow list of commercial uses. Staff agreed that the plan should be revised.

**HP Elections 2019**—All High Point Council seats were up for reelection this year and for the first time in quite a while there will be 4 year terms. The Joint Elections Committee interviewed most of the candidates and surprisingly all were good options. Here are the results.

**Mayor:** Jay Wagner handily won over Guilford County Commissioner Carlvena Foster.  
**At Large:** Britt Moore and Tyrone Johnson  
**Ward 1:** Cyril Jefferson, a well spoken replacement for Jeff Golden, who chose not to run again.  
**Ward 2:** Chris Williams  
**Ward 3:** Monica Peters  
**Ward 4:** Wesley Hudson  
**Ward 5:** Victor Jones  
**Ward 6:** This contest is separated by 4 votes with Michael Holmes leading Jason Ewing. We will wait for the canvass to be completed this week to decide this one.

**GSO Non-residential Good Repair Ordinance or Nightmare on Elm Street**—After a line by line review by TREBIC, City staff, and other stakeholders, a reasonable compromise was adopted by City Council in July 2019. The regulations ensure that vacant buildings are safe to enter, but not necessarily move in ready. Some aesthetic concerns on the exterior of buildings were addressed. Most importantly, everyone was reminded (if painfully) of how an effective stakeholder process creates an ordinance that we can all support. Staff plans to begin educational outreach in November 2019. *Background:* Justin Outlin reached out to the GSO Chamber, TREBIC, Action GSO and we presume others to champion a nonresidential good repair ordinance, using the Durham Nonresidential Building Code as a base document. It is not as bad as some of Durham's initiatives, but there are still some parts that need to be clarified and/or deleted. A TREBIC task force met with Outling in January and suggested: 1) removing references to interior repairs, 2) adding the good parts of the Minimum Housing Code which allows inspections for probable cause and repeat offenders 3) supporting a targeted approach to effect change in downtown and redevelopment corridors which will require state approval. After being briefed on the Durham, Charlotte and

Raleigh non-residential maintenance ordinances, Council decided in a recent work session to use the International Property Maintenance Code (IPMC) for standards. As we suggested, the administrative section was copied from the Minimum Housing Code. The struggle has come with the stakeholder process. Not being familiar with our partnering sessions, new staff in the Neighborhood Development, Legal and Councilman Outling have taken some time to come around to our “line by line” approach. The first public input session by staff was a presentation followed by complaints. The second was complaints followed by discussion on how to have a stakeholder meeting after which an actual stakeholder meeting was scheduled at TREBIC.

**GSO Allowances for Development in the 421 Corridor Hinges on Megasite**— **There are no concrete plans to open this corridor for development at this time.** Recent annexation requests along the 421 Corridor have been denied because development along the Corridor is directly tied to sewer needs for the proposed Randolph megasite. The megasite will discharge into a sewer outfall that flows to Big Alamance Lift Station. The allocation for the megasite, 1.5 MGD, (based on the last proposed use of automobile manufacturer) will max out the current design capacity for Big Alamance. Through sewer master planning efforts, a project has been identified that will increase the capacity of Big Alamance without modification of the existing force main. Timing for construction of that upgrade is currently planned for FY 21-22, but could be adjusted based on development at the megasite. For capital planning purposes, the cost of the upgrade is currently estimated at \$4.5M, but that is very preliminary since design has not begun.

**PLANIT GSO**—After attending a couple of meetings, TREBIC staff was informed that the Advisory Board meetings were closed to the public. **Knowing closed meetings for an advisory board is probably not legal and in any case not good public policy, the City’s legal staff was asked to rule. Meetings were suspended for a few months but are now back on track and open to the public. Additional speakers have come to Greensboro to address Opportunity Zones-Bruce Katz and Affordable Housing- former HUD secretary, Henry Cisneros.** Earlier speakers emphasized the need for “gentle” density and the “missing middle” which is as new way to say twin homes and townhomes in traditionally single family neighborhoods. *Background:* The Comp Plan rewrite Advisory Committee is chaired by District 3 Councilman Justin Outling. Members drawn from Boards and Commissions, are Adam Carroll, Alex Rosser, Anita Bachman, Bob Davis, Clinton Gravely, Cyndy Hayworth, David Sevier, David Wharton, Dawn Chaney, James Bennett, Jeff Smith, Joe Gonzales, Kim Record Mac Sims, Marc Isaacson, Michelle Lucas, Moussa Issifou, Saroj Patnaik, Suzanne Nazim, Vicki Foust, and Wayne Durham.

**GSO Changes in Stormwater Management Minimum Design Criteria**—**A task force of TREBIC engineers met with City staff to offer feedback on proposed some changes to the Stormwater Management Manual. Though this project is not a priority for staff at this time, staff continues to work with task force members to hone the proposed changes.** *Background:* The changes are meant to address State revisions and clarify the City’s preferences moving forward. Some of the revisions are minor and relate to changing terminology (like BMPs are now called SCMs according to the State), and others will document the City’s proposed approach in light of the MDC. Some current requirements are proposed to be reduced, and others are proposed to continue with added content for clarification.

**GSO Strategic Plan**—TREBIC members, staff and others are encouraging the Mayor and City Manager to craft a strategic plan--separate and distinct from the Comprehensive Plan update--as a guide for moving forward. Preliminary discussions began at the Council retreat on January 31 and members seemed engaged. **Almost a year later, we seem to be gaining some traction with this idea. Hopefully, a professional facilitator will be retained for the 2020 Council retreat.**

**Jordan Lake Rules** – TREBIC is working with NAHB and Senator Berger’s Environmental Policy Director Tom Reeder (who used to be NCDEQ Water Quality Division Director) on a new, federal approach to eliminating the Jordan Lake Rules: to Seek a Trump USEPA departmental ruling that “TMDL requirements are not applicable to man-made surface water bodies that are supporting their uses when the only impairment is for nutrients” (nitrogen and phosphorus, v. some actual toxic chemical impairment). Meanwhile, TREBIC lobbied successfully through the 2017 legislative session to avoid any changes by the State to the 2016 Legislature’s plan described below. *Background:* The Jordan/Falls Rules Stakeholder group held its first meeting via conference call on 12-15-16. DEQ staff was cordial, but clearly stated that they have no problem with the rules as written and will not be proposing any changes. The new Governor may erode regulatory reform gains, including the 2016 legislation on nutrient

management rule overhaul. TREBIC, City of Greensboro and Greensboro Chamber of Commerce are asking that the 2016 legislation be upheld.

2016 Legislation: Because most of the methods NC and the US have been using for cleaning lake water have had questionable impact, in 2016 legislators:

- Stayed any new rules;
- Funded two studies to look for new methods that will work; and
- Ordered a statewide overhaul of all rules by the end of 2020, including the Jordan Lake Rules. A statewide stakeholder group is required in this process, and Marlene Sanford is on that group.

**Jordan Lake One Water Association**— JLOW is a recently formed entity administered by Triangle J Council of Governments (TJCOG). The Association is comprised of local government staff and elected officials from Greensboro to Raleigh, conservation groups, universities, water utilities, agriculture, and private industry stakeholders interested in sharing the cost of water quality and quantity improvements. JLOW's ultimate goal is make recommendations to NCDEQ and participate in the nutrient rules revision due by the end of 2020. The group was brought to our attention by Kristine Williams of Greensboro's Water Resources who is a member of the Work Plan Advisory Committee. GSO Council member Tammi Thurm is participating in the elected officials group.

**GSO Personnel Shortage in Development Services**—**Trouble filling positions coupled with an increase in project submissions has slowed review times and general response from the City. Members are experiencing frustrating delays in reviews in all departments—Planning, Transportation, Water Resources and Engineering. Council approved an increase in Inspector pay scale which helped. Unfortunately, because many positions had to be filled, a large majority of the inspectors are probationary and/or still in training. When speaking to Council remember to encourage them to approve additional positions and/or make adjustment in salary ranges to staff up appropriately.**

**GSO Housing Our Community (Greensboro's Housing Affordability Initiative)** – HR&A Advisors (consultants) have been contracted to develop a 10-year affordable housing plan that will build on the work done by the Housing Our Community initiative. The consultants will also prepare the HUD mandated Five-Year Consolidated Plan, and Analysis of Impediments to Fair Housing Choice. **The plan should be completed in early 2020. Background:** In 2016 an assessment of the city's affordable housing needs was completed that identified a \$100M need. The 2016 \$25M Housing Bond initiative grew out of that effort, and The Community Foundation of Greater Greensboro has been discussing raising funds for an endowment for ongoing funding. Then CFGG and the City of Greensboro partnered to lead an extraordinary community initiative called Housing Our Community. The goal is to find solutions and best practices to address the needs and guide spending of the Bonds and the anticipated endowment. A Steering Committee was seated and began meeting in January of 2017. A recommendations report was adopted by the CFGG Board and presented to Council in March 2018. Council has not adopted the report due to concerns about the lack of recommendations from the Social Services Subcommittee. Though Council failed to act, there are essential, easy to implement recommendations that can be accomplished through changes in public policy and text amendments. TREBIC members that served on the committee will be convened to determine how best to proceed.

**NC Affordable Housing SRO Strategy**—Single Room Occupancy homes are allowed for student housing. Why not try this type of affordable housing for young professionals, seniors and others? The strategy must be authorized at the state level. TREBIC staff is working with NCHBA to add SRO's to the building code possibly through the Code Council.

**GSO Council Schedule**— **Council's new strategy to hold meetings in each District has not reduced the number of speakers. The same bad actors that earned the "speakers from the floor" a bad reputation are willing to go on the road, so its just more of the same. Mayor Vaughn's attempt at adding rules of engagement has also backfired and are perceived as an attack on free speech. Background:** When Council decided to limit speakers from the floor to a once per month Town Hall style meeting, business meetings improved just from the return of decorum. However, one business meeting per month is not enough to efficiently conduct business in a growing economy. In June 2019 Council introduced a new strategy to hold Town Hall meetings in locations across the City. Though Council says this strategy is to make meetings more assessible, the tactic may also reduce the number of speakers from the floor because the meetings will not be televised.

**GSO Sign Ordinance**—Council approved the first round of changes in the sign ordinance in February 2019. **Other staff initiatives like Planit GSO and additional workload from Council has delayed future phases.**

*Background:* The first group of amendments:

- 1) allowing 3 flags (in addition to US and NC flags) per property frontage
- 2) No limit on # of temporary real estate, construction, campaign, philosophical or yard sale signs,
- 3) expanded location of pole mounted banners
- 4) New definition of a sign: Any device, form, graphic, illumination, symbol, writing, trademark or changeable image/message used to advertise, announce the purpose of, or identify a person, place or entity, or to communicate information to the public. This definition shall not include works of art or murals provided they do not contain trademarks, logos or other identifying symbols or words associated with a business. This definition shall also not apply to any architectural feature directly integrated into or supporting a building.

**GSO Airbnb Text Amendment**—A Text Amendment proposed by a private citizen to regulate Airbnb’s addresses a specific issue in a specific neighborhood and may need to be more flexible to apply Citywide. Staff is delaying because they do not want to regulate at all. In the meantime, the City is treating Airbnb like a Bed and Breakfast/Tourist Home which requires a Special Use Permit.

**Economic Development Policy for Shovel-Ready Sites**—This is a local initiative to exempt new office and industrial buildings from additional taxes until they are occupied and filled with new jobs. This can be accomplished as new sections in City and County Economic Development Policies. It would allow the local government to enter into contracts to “grant back” the higher property taxes to the builders of these new spec buildings until they are occupied or sold. Greensboro City Council’s Economic Development Subcommittee agreed about 3 years ago to pursue the project and asked us to work with the Manager’s office to draft it. Marlene and Judy have talked to leadership in Guilford County and High Point to match the program. There are 2 particular benefits of adopting such a policy locally instead of seeking state-wide legislation: it differentiates us as economic development leaders; and it allows us to customize incentives for certain geographic areas, redevelopment corridors or desired land uses. This initiative is similar to the 2015 state legislation to allow a 5-year exemption from property tax for incremental increases in value attributable to rezonings and infrastructure installation, which was helpful, but did not get new spec buildings in the pipeline.

**HP Staff Changes**—Chris Andrews replaces Bob Robbins as Development Administrator. Eric Olmedo has been promoted to assistant city manager of administrative services. Eric comes from the budget office and has shown sensitivity to how fee increases affect our industry in the past. Greg Ferguson has been hired to replace Randy Hemann. Greg comes from Waxhaw NC. Judy recently worked with him on a private project and found him to be open to development and finding a way to say “yes.” He will start his position on November 25.

**HP Complete Streets Policy**—Council approved, with TREBIC recommendations on sidewalks, in October 2019. Staff says that the policy is flexible and allows room for professional judgement in interpretations. *Background:* HPDOT continues to work with consultants to establish a Complete Streets Policy. The first draft went overboard on sidewalk requirements, recommending sidewalks on both sides of *all* streets-- an added cost at a time when we are already experiencing affordability issues. Staff eventually agreed to remove references to sidewalks on both sides of the street and instead refer to the current sidewalk ordinance that was hammered out between the City and our industry some years ago. The current ordinance requires sidewalks on only one side of collector and local streets and provides relief in industrial areas, on shorter cul-de-sacs and dead-end streets.

**HP Comp Plan and Land Use Plan Update**— The process will begin late 2018/early 2019. The first year of research will be conducted by staff. Consultants will be retained to complete the process.

**HP Online Access to Utility Locations**—The software is functional, and staff is now working to block out security areas. Electric utilities will not be available. *Background:* HP staff met with GSO Water Resources to learn more about their online access app. Director Terry Houk and Deputy City Manager Randy McCaslin are leading

the effort to provide this service in High Point. HP staff is still committed to online access though progress is slow in the IT department.

**HP System Development Fees v. Water and Sewer Frontage and Acreage Fees**—The draft of the System Development Fee proposal is being reviewed. An early 2020 is the target date for completion. Though current frontage and acreage fees are in compliance with state law, Public Services is going through the process to adopt System Development Fees in an effort to make utility fees fair and consistent with other local jurisdictions.

**HP Development Ordinance Text Amendments**—City staff is committed to perfecting this ordinance. Another round of Text Amendments is coming soon.

**HP Using Minimum Housing Legislation to Target Crime**—The Police Department and Community Housing collaborated, to propose using the “top 10% of properties with crime and disorder” clause as a method to gain entry into problem properties. TREBIC staff sent recommendations cautioning against the strategy and proposed the minimum housing amendment recently adopted by GSO for consideration. **Ultimately the “crime and disorder” idea was abandoned as possibly dangerous to minimum housing staff and ineffective in addressing problem properties.**

**HP Sign Ordinance Revisions**—Staff originally abandoned our typical empowered advisory committee stakeholder process in favor of a focus group with minimal input. Council candidates interviewed by the Joint Elections Committee are supportive of a full stakeholder process. We will partner with Council and staff to establish an efficient stakeholder group to review the consultants first draft. *Background:* Council approved changes in the sign ordinance proposed by the City Attorney to address first amendment issues. Of significance is the removal of a prohibition of Outdoor Advertising signs in Gateway Corridor Overlay Districts. Consultants working on a more complete revision presented their assessment of the current sign ordinance. Though the proposal for creative signage in downtown was well received many other suggestions were contrary to Council’s original direction. Specifically, Council is looking for more leeway for public art/murals and more flexibility.

**HP Rezonings Final at P&Z**— TREBIC can now begin working with Council to initiate this effort. (Staff asked that we wait until their initiative to eliminate quasi-judicial hearings for Special Use Permits at the P&Z level was completed.) After years of promoting the concept and asking the question on our candidate survey, for the first time ever our 2017 candidate survey revealed that the current Council members are willing to switch to the same system that Guilford County and Greensboro have: Rezonings that win a supermajority vote at P&Z are final unless appealed to Council. This streamlines the process by about a month for most rezoning projects (only about 15% of Greensboro cases go to Council due to simple majority votes or appeals). That saves both time and money for all parties: applicants, staff, Council and neighbors.

**HP Small Cell Wireless Text Amendment**—Staff promises wireless regs will be addressed in early 2020. The Planning Department has promised (for months) a text amendment to allow development of Small Cell Wireless critical to a 5G network. The consultant originally retained is unable to complete the project and the RFQ process must started again in April 2019.

**GC Staff Changes**—Chief Plans Engineer, Frank Park plans to retire as of November 1. Kaye Graybeal was hired as the new Deputy Director of Planning and Development. Ms. Graybeal was most recently Principal Planner in Knoxville TN and before that, Planning Director in Wilmington NC.

**GC to Implement new Software**—The County will begin installation of ENERGOV software. Target implementation will be late 2020 early 2021. This program is currently being used in Wake County, Durham, Onslow County and Cabarrus County. The software will be able to include the Fire Marshal in the online review process, accept online payments, issue multi-trade permits and create a uniform process for small town electronic submissions.

**GC Misinterpretation of New Inspection Rules**—Due to an internal audit of inspector vehicle usage, some new rules were instituted and possibly misinterpreted. The overall message is “do what you need to do” to be efficient. If an inspector is at lunch and a call comes in, he must document that lunch was interrupted. It does not mean he cannot respond during lunch.

**GC Ordinance Rewrite**—The steering committee has reviewed most of the proposed changes in the ordinance. The remaining chapters for review are **Environmental Regulations, Enforcement, Nonconformities and Definitions**. *Background:* An empowered Steering Committee includes members of the original Stakeholder Committee plus key participants in the stakeholder interviews held in June 2018. GC staff worked with TREBIC to find members and make sure of a well-balanced representation on the committee. Additional TREBIC members may be called in for specific discussions such as alternative septic service. Though the consultants are committed to many complex planning ideals, staff continues to balance those suggestions with what works for our industry.

**GC Water Authority Study**— The General Assembly recently expanded funding to include the study of sanitary sewer service. *Background:* The General Assembly provided funding for a Water Authority in Guilford and Rockingham counties. Timmons Group was retained to do a feasibility study in the northwest area of Guilford county, and presented their report in September 2018. It is now up to individual small towns--Summerfield, Oak Ridge and Stokesdale--to decide if/how they will participate.

**Oak Ridge Water System**—Oak Ridge Council voted in September to amend Utility standards of the town Code of Ordinances that would govern a proposed municipal water system. The vote advances the plan that will require developers of new neighborhoods with 30 or more lots to deed community wells to Oak Ridge. Oak Ridge will hire a utility company to operate the wells.

**Stokesdale Advised to Eliminate RS-30**— The Ordinance Review Committee has completed their work and is recommending eliminating RS-30; requiring all single-family lots to be a minimum of 1 acre. This measure will limit development flexibility unless RS-30 dimensional standards are allowed in the RS-40 district. The committee recognizes the Comprehensive Plan vision to support growth requires more than conventional zoning districts. The committee is also recommending keeping the PD (Planned Development District) and adding an OSRD (Open Space Residential District) to support mixed use development and a variety of housing types including moderately priced housing.

**Summerfield Elections**— BJ Barnes was elected mayor. On Council incumbents John O'Day and Reece Walker were re-elected and Lynne DeVaney and Tim Sessoms were newly elected. These candidates were running collectively as "Summerfield Proud." The group supports a Planned Development zoning in the ordinance and bringing back decorum to Council meetings.

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