

Worksession

Present: Mayor Terry M. Bellamy, Presiding; Vice-Mayor Diana Hollis Jones; Councilwoman Robin L. Cape; Councilman Jan B. Davis; Councilman Bryan E. Freeborn; Councilman R. Carl Mumpower; Councilman Brownie W. Newman; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Magdalen Burleson

Absent: None

ASHEVILLE HIGH SCHOOL'S ENHANCED SERVICE BILL – ASHEVILLE TRANSIT SERVICES

Ms. Alicia Funderburk, Ms. Leah Downey Mr. Zach Cobb and Ms. Alice Royer presented City Council with their proposed enhanced service bill regarding the Asheville Transit Services. They proposed that this local legislation should be enacted with the purpose of improving the Asheville transit system through the means of making it more accessible for citizens.

To achieve this goal, the transit times would be changed to a more suitable and practical schedule. Also, the routes of the buses would be re-evaluated to reach a larger percentage of the constituents. Finally the marketing and publicity of the transit system would be drastically increased to raise awareness of this new opportunity.

This legislation will not only benefit the citizens choosing buses over cars but it will benefit all the people of Asheville. By allowing more people to ride the buses this legislation will be reducing the number of cars on the road and thus the amount of greenhouse gas emissions. Also, the new buses purchased will be diesel based, and therefore allowing them to be run on bio diesel.

The local head of transportation and transit system would head up this legislation and determine what is necessary for implementation. In addition to this legislation would call on the congress representatives of North Carolina to use their franking privilege in order to promote this opportunity to the citizens.

To be able to reach more citizens, this legislation would call for the purchase of \$16,500 each to be added to the present available fleet. In addition to this, there will also be a cost to cover the wages for the added bus drivers. If we increase the route times from 5A.M to 12 A.M, this will cost approximately 1 million dollars, if regular scheduling is maintained. In order to pay for these expenses we would be increasing the average fare to one dollar, and the transfer fare to 25 cents. Federal grants based upon environmentally-friendly transportation can also be taken advantage of.

Finally this legislation would help all of the people Asheville either directly or indirectly and therefore it is our job as congress people to pass it to better our constituents.

Using a powerpoint presentation, they said that the problem is (1) Currently Asheville Transit Services is not easily accessible for all citizens of Asheville; and (2) This is because of inconvenient times for necessary transportation, such as to and from work.

The impact on everyday people will (1) save people money (a) spend less on gas; and (b) little cost to get around; and (2) help the health (a) less pollution; and (b) decrease asthma and other respiratory diseases.

-2-

Economic benefits include (1) Using the local Bio Diesel pump will feed Asheville economy; (2) Protect Asheville from drastic economic impacts as gas prices continue to rise; and (3) Fares put money back into Asheville city system, which will help all citizens.

Environmental Impacts include: (1) Cleaner air (a) Less cars on road; and (b) Bio Diesel buses; and (2) Bio Diesel Buses (a) Cost more now; (b) Reduce cost later; (c) Less emissions; (d) Use less gas; and (e) Fill up station already in Asheville; (3) Less Cars on road; (a) Less emissions; and (b) Less gas; (4) Gas will run out (a) Limited supply; and (b) In Middle East (poor relations); and (5) Look to alternatives (a) Gives us more time.

Proposed legislation costs would be to increase buses on 6 routes based on demand (a) At \$16,500 per bus this will cost \$99,000 (1 bus per route); (b) These will be diesel run buses to allow for the use of bio-diesel fuel; (c) They will also be smaller (16

passenger) buses to use on less frequented routes; (d) To provide for bus driver wages for the first year it would cost approximately 1 million dollars; (e) This cost based upon full scheduling from 5 am until 12 am (our proposal is not based upon full scheduling); and (f) According to our proposal, routes and times will be based upon demand.

Proposed Funding would include: (1) fares raised by 25 cents to \$1; (b) Transfer fares raised by 15 cents to one quarter; (c) During major festivals, such as Bele Chere, fares would be reduced in half to encourage more people to ride; and (d) Federal funding is also available in the form of grants based on environmentally-friendly transportation.

We feel that this proposed legislation would benefit all of Asheville's citizens by decreasing the amount of emissions and encouraging more citizens to use the buses as alternatives to private vehicles.

The students responded to various questions/comments from Council, some being, but are not limited to: what compelled you to bring this legislation forward; where did you research the prices for buses; they you look at the feasibility of the City purchasing hybrid City vehicles; what is the amount of grants being offered and by what agencies; have you researched what the bus would add in the affordability of each family or car owner, taking into account the cost of car insurance, gas, car maintenance; and have you researched other angles of view.

Upon inquiry of Mayor Bellamy regarding the next steps for the students, Ms. Downey hoped that there could be a student representative on a committee. Councilwoman Cape also encouraged the students to attend a Transit Commission meeting.

Mayor Bellamy asked the Boards & Commissions Committee investigate the possibility of tapping into the student representative resource on some of our committees.

Councilman Newman said that Council will be looking at things to market our transit system and hoped that the students would work with other young people to encourage ridership. He felt that the word-of-mouth kind of community outreach would be great.

Councilman Freeborn encouraged the students to utilize the student summer pass system and asked that if they see something good or something that needs improvement to contact our Transit Services Director Bruce Black.

Councilman Mumpower said that he would be interested in talking with some ways students can help with the Top-A-Stop Program.

-3-

Mayor Bellamy said that City Council is considering some components of what was recommended in the presentation. And, on behalf of City Council, Mayor Bellamy commended the students and their instructor Jotwan Daniels for their research in presenting this proposed legislation to City Council.

LAND USE ISSUES

Mayor Bellamy said that this is an opportunity for Council to present information and give direction on items they would like for City staff to work on, including amendments to the Unified Development Ordinance (UDO) and policies on growth and development. This will begin setting the stage for the workload of the Planning & Development Department over the next 12-18 months. This is the first step setting the tone for growth and development, with the second step being the community forum on this issue on May 30, 2006.

Councilman Davis' comments are as follows:

1. What is going well?
 - Staff response to developer, neighborhood groups and public boards.
 - Public process that includes Technical Review Committee (TRC), Planning and Zoning, review and hearings of Level III projects and zoning applications by Council.
 - The UDO, though cumbersome, is a development guide that is specific and readily adaptable to change.
 - Planning and Economic Development Committee
 - Corridor planning
 - Continued improvement in Permitting and Inspections
2. Areas that need improvement.

- Enforcement
- Permitting
- Communication
- Continued improvement of UDO
- Adequately staff Planning Department for the workload they are handling.
- Ridgetop, hillside protection

In response to the question “If we can only accomplish one thing in the area of planning, development and code enforcement during the next year, what would it be?”, Councilman Davis’ response was to find the balance that makes Asheville attractive to development, that offers good jobs and tax base, without compromising quality of life.

Mayor Bellamy’s comments are as follows:

1. What is going well?
 - Planning & Zoning Commission’s comprehensive look at development
 - Signage of Planning & Zoning hearings
 - Staff’s ability to meet with developers in advance of putting in an application in for rezoning
 - Recent Downtown Commission recommendations and process they completed to make the recommendations
 - Corridor updates from staff
 - Comprehensive nature of the 2025 Plan
2. Areas that need improvement.
 - Public relations around issues that have been addressed
 - Clarify on how to address concerns

-4-

- Need for enforcement on a consistent basis
- Permitting time
- Need for additional staff members
- Communication between departments on permitting issues
- General nature of the evolution of planning documents

Guiding principles: The UDO is the City’s development manual; however, it is missing guiding principles. We live in Asheville, N.C., which is located in the mountains of Western North Carolina. Our UDO should have guiding principles that keep in mind our sense of place – which is of major concern for many residents who come to Council to dispute a proposed development. City Council and staff should work with the community to develop guiding principles for the UDO, which will assist with planning future development in our community.

Small Area Plans: Work to create additional small area plans that are created by neighborhood residents in collaboration with business owners, property owners in and around the neighborhood, city staff and other interested parties. These plans will serve as a neighborhood’s vision for their area. The West End/Clingman Avenue (WECAN) neighborhood residents created a plan that is a guide for development in their neighborhood. The developers wishing to develop in the WECAN area or any other neighborhood with a neighborhood plan will have an understanding of what the neighborhood envisions for their area, while at the same time neighborhood residents will understand that the vacant lots that are in their area today may not always remain undeveloped. The plan will be a guide but not a mandatory tool for a project. This could potentially reduce a significant amount of negative response to development in and around neighborhoods.

Affordable Housing: I support the creation of a comprehensive affordable housing plan to effectively address the growing affordable housing problem in the Asheville community that looks at density bonuses, zoning regulations and financial support in a comprehensive manner. For example, (1) Increase density bonuses for developers who develop affordable housing; (2) Provide density bonuses to developers who build affordable housing on and near transportation routes and on or near the City’s major corridors; and (3) Encourage more mixed income housing. Provide density bonuses for developers who put affordable housing in with market rate housing.

Councilwoman Cape’s briefly reviewed with Council her ideas about how Council might accomplish some of the provisions from the text of our guiding document – the Asheville City Plan 2025:

1. Update UDO to include form based codes and contextual design for each distinct district.

- a. Traditional neighborhood development patterns should be recognized and encouraged via our zoning districts
 - i. Codify existing neighborhood plans
 - ii. Determine if other definable neighborhoods should organize for community plans, i.e. Merrimon Corridor Group and support their development and work
 - iii. Look for opportunities to create transition points, e.g., a roundabout or entry marker where land use character changes, where a commercial area stops and a neighborhood begins. A land use node that demarks the transition from one neighborhood
 - iv. Manage transitions between higher and lower density neighborhoods with step down heights
 - v. Add pedestrian friendly design requirements to developments, wall heights, fenestration, etc.
 - vi. Instead of “mandatory review and voluntary compliance” of design plans for downtown development projects, require “mandatory review and

-5-

mandatory compliance” to ensure that new development is consistent with what the City wants for downtown.

- vii. Putting more design requirements into the zoning regulations (UDO) will also help accomplish this.
2. Specify maximum square footage of disturbance based on slope steepness
 - a. Steep sloped and environmentally sensitive areas should be identified and preserved while allowing alternatives to development that protect private property rights
 - i. Efforts must be made to preserve sensitive areas, such as steep areas, flood plains, and other unique natural areas, as well as limited agricultural lands and open spaces
 - ii. Permit duplexes and low intensity multifamily development meeting design and spacing requirements are as use by right subject to special requirements in single family zoning districts.
 3. Make changes in our standards about the maximum square footage of a building instead of the number of units
 - a. Create an option to incorporate duplexes and multi family where single family once existed if it is within the same footprint as the neighborhood context
 - b. Create an ordinance allowing cottage developments within residential neighborhoods, modifying the subdivision rules for cottage developments
 4. Remove loopholes /update and clarify UDO
 - a. Single-family homes currently are not guided at all in addressing issues of storm water run off/parking requirements/slope disturbance, height requirements, footprint, size, etc.
 - b. For primary buildings in CDB I and II
 - c. For drive throughs
 - d. For buffering requirements
 - e. For loading zone and street access requirements
 - f. Attached signs
 - g. Clarify and enforce remodeling and renovation requirements
 - h. Consider the creation of pattern books to help streamline construction and planning processes
 5. Utilize smart growth codes, form based code models, district overlays, etc to achieve goals
 - a. Direct staff to develop new zoning tools to promote (smart growth)
 - b. The City should assure that new development and redevelopment is of high quality, complementing and adding to the character of the City of Asheville.
 - c. Revise standards to require connectivity between parcels and development projects. Connectivity should include vehicular connections, frontage or service roads, alleys, and/or pedestrian connections.
 - d. Establish standards for building orientation through the development of building templates that address build-to lines and site relationships.
 - e. Develop design templates for structures that promote contextual design
 - f. Through revision of development standards, the City should eliminate the opportunity for suburban development in urban settings.
 - g. The City should identify areas for development focus, identifying and establishing standards for the type of development appropriate for the areas.
 - h. The City should develop design standards for multi-family structures and non-residential uses in single-family areas.

-6-

- i. The City should develop plans, programs, regulations and incentives for upgrading developed sites to meet new development standards.
6. Increase funding for sidewalks/greenways and bike path initiatives through bonding mechanism or similar option like fee in lieu from new development. Explore impact fees for infrastructure enhancements for new developments and permits.
 7. Consider the establishment of neighborhood councils for the ETJ areas to give them a voice in their governance
 8. Encourage redevelopment along commercial corridors to encourage mixed use housing options/commercial/ live work/etc...
 I.e. Patton Avenue, Tunnel road, etc.
 - a. Mixed use redevelopment and infill development efforts must be concentrated on corridors where land values are greater than the value of the improvements on the land
 - b. A minimum residential density of 8.16 units per acre is necessary to support transit;
 - c. Development must be located in those areas where infrastructure exists or can be easily
 - d. Major corridor and Brownfield redevelopment incentives for mixed use redevelopment
 - e. Consider the development of a flexible zone that would permit higher density at appropriate locations within a five-minute walk of transit stops. The higher density development should be in accordance with design standards tailored for these areas.
 - f. Residents and visitors must be offered viable transportation options for moving around the City
 - g. Existing road systems must be used more efficiently due to the constraints on building new roads and widening existing ones;
 - h. The City should permit and encourage transit supportive density (8-16 units per acre minimum) along and adjacent to major corridors and at logical transit nodes
 - i. The City should revise its development standards for corridors to ensure that the corridors are developed in an urban manner.
 - i. Development standards should be prepared for primary corridors that address the need to increase density along the corridors. The standards should provide incentives for mixed-use development that incorporates residential uses.
 - ii. Minimum setbacks (or build-to. lines) should be required, with buildings permitted to front on the street.
 - iii. Prepare design guidelines for corridor development. Guidelines should promote an urban style (multi-story, pedestrian oriented) of architecture along the corridors.
 - iv. Create opportunities for the retrofitting of single use commercial and retail developments in to mixed use communities
 - v. Invest city infrastructure in the redesigning of corridor areas to encourage reurbanization
 - vi. Invest city infrastructure in existing neighborhood business districts
 9. Create incentives for green/energy efficient buildings, neighborhood design compatible and affordable housing
 - a. streamline the permitting process for projects that fit specific guidelines
 - b. support tax incentives for green/efficient affordable and design compatible building

-7-

10. Support assimilation of public green space throughout the city via fee in lieu for green space lot requirements
 - a. The City should ensure that the environmental quality and natural beauty of the area is protected as tracts of undeveloped land
 - b. Revise the City's open space standards to require the incorporation of more well-defined open space into the City 's land use pattern
 - c. Provide an option for the payment of a fee-in-lieu-of providing open space in developments.
 - i. Incorporate conservation/open space design standards into the City's subdivision regulations. This alternative design template should be available to all subdivisions and required for those above a certain size and/or proposing development of sensitive lands (steep slopes, unique natural features, wetlands and flood plains, etc.)\
 - ii. The City should identify sensitive areas and steep slopes that should be treated with caution during development and prepare additional regulations that promote their protection while reasonably respecting private property rights; such regulations may include transfer of development rights
 - iii. The City should revise its standards to permit clustering of buildings in residential developments in order to avoid steep areas, ridge tops, wetlands, and other sensitive areas.
 - iv. The City's open space standards should require the connection of open space areas where feasible and logical.

- v. The City should develop a resource conservation zone that provides incentives for the protection/preservation of important natural resources during the development process.
- vi. The City should develop an estate zoning classification requiring very large lots to apply to selected areas when such a development pattern is already a part of the neighborhood or to protect critical environmental or open space areas.

11. Pursue statutory authority rights to give the city greater development flexibility

- a. Pursue stricter ridgeline control authority
- b. The City should pursue statutory authority for a greater variety and range of development tools in order to actively promote development and redevelopment within the City and its ETJ.
 - i. The City should pursue statutory authority for transfer of development rights in order to provide an opportunity to protect environmentally sensitive areas, scenic lands and farmland through a market-based regulatory incentive program.
 - ii. The City should further investigate the benefits of land value taxation, and, determine if useful for our community for community development goals, i.e. greenways, parks, appropriate infill development
 - iii. The City should pursue legislation authorizing inclusionary zoning for larger residential developments
 - iv. The City should pursue statutory authority for mandatory design review for areas other than local historic districts in order to promote a Smart Growth development pattern by overcoming land use compatibility objections

12. Requirements for wildlife/sensitive plant relocation

13. .Salvage requirements for demolition projects.

- a. Preserve and reuse historic materials in public works projects.

-8-

- b. Reduce reusable construction materials going to landfill

14. Enhancement of existing density bonus provisions for preservation of key environmental features.

15. Close loopholes in size of commercial structures in the HB districts.

- a. Set maximum size at 50,000 sq feet.
- b. Prohibit Blank walls, no uninterrupted length on any façade in excess of a specified amount,
- c. codify fenestration of at least 60 %,
- d. building must be in scale and character with traditional neighborhood/urban design and no more than 50% of parking between the building and the street
- e. The City should refine its development guidelines for large retail uses to ensure that the site and building design for these uses are reflective of the natural and architectural heritage of Asheville.

16. Create River way development plan in conjunction with stakeholders that includes a full range or commercial/mixed use/residential/work live units etc.

- a. City should take the lead as the voice for a river redevelopment vision
- b. consider flex zoning to allow developers/property owners to easily supply space in response to changing market/community needs
- c. utilize TIF funding mechanisms for redevelopment

17. Create a comprehensive citywide street plan in conjunction with Neighborhood Districts, the Greenways committee, the transit committee, and the DOT

- a. The City should work with property owners, institutions, and public and private agencies to enhance the streetscape along streets and roads in the City.
- b. The City should prepare streetscape design plans to serve as guide for development and treatment of the City's streetscapes.
- c. The City should reevaluate how the public right-of-way is used. As part of this reevaluation, the following should be considered
 - i. Revision of the City's engineering standards to require street trees between the street and the sidewalk.
 - ii. Permitting on-street parking on most streets.
 - iii. Eliminating private use of the public right-of-way unless approved through a process

- iv. As new development is proposed, encourage/provide incentives for developers to incorporate streetscape terminating vistas (public art, buildings) as part of their developments.
- v. The City should work with TDA/ NCDOT and (neighborhood stakeholders) to identify gateway areas and develop a streetscape/landscape plan, including signage, for each gateway that emphasizes each area as an important entrance to the City
- vi. The City should work with utility companies to bury overhead utility lines as funding becomes available.
- vii. The Planning and Development Department staff should continue to work with the City's Urban Forester on better selection, placement, and care of street trees
- viii. The City should develop an ordinance requiring tree pruning to be done according to accepted professional standards and practices.
- ix. Rename streets where necessary for ease of identification and travel
 - Wilma Dykeman Riverway
 - Hwy 25 Merrimon/Broadway/Biltmore
 - Broadway/Lexington

-9-

Patton/College/Tunnel

- x. The City should work with local artists and community organizations to incorporate public art throughout the City of Asheville, such as Downtown, the river district, historic districts, and urban and neighborhood corridors. The streetscape plans should work to beautify these areas, reduce the environmental impacts of development, encourage pedestrian activity, and uniquely identify these areas. The streetscape design plan should provide for the following:
 - a. an inventory of street trees.
 - b. a schedule and policy for replacement of street trees.
 - c. Streetscape design templates for different areas/categories of streets.
 - d. Appropriate setbacks and building heights for different areas/categories of streets.

She questioned if we have the comprehensive conservation map of the city and extraterritorial jurisdiction area in the year 202, and what is the status of our architectural inventory identified in the 2025.

Vice-Mayor Jones said that there is basically a cultural and organizational change that is happening within the City of Asheville's operations in terms of planning & development and building safety. Anytime you have that type of cultural change, it takes time, and we are now beginning to feel some of those impacts. The Planning & Economic Development Committee had an update on the implementation of the Development Review Task Force recommendations and it is incredible what has been implemented in less than 12 months. We are getting some positive feedback from the developer community. We are also poised to have that type of input from the community at large. The benchmarking of that shift and openness is going well.

She felt that opportunities for improvement have to do with building public trust. That will play out in issues of enforcement, in issues of telling the stories of what we are doing, in owning our mistakes when we make them, and in building a neighborhood liaison. She agreed that most development things are going fine, but it appears that the big mistakes are with the high profile things. She hoped that we will continue to work on our mistakes.

In response to the question "If we can only accomplish one thing in the area of planning, development and code enforcement during the next year, what would it be?", Vice-Mayor Jones' response was how do we as a City incentivize our community needs around affordable housing – places where our working people can afford to live.

Councilman Newman briefly reviewed with Council his thoughts as follows:

1. What is going well?
 - Changes in the permitting process
 - Asheville is blessed to have visionary developers
 - Strong green building community

Potential policy options to encourage healthy community development in Asheville

Key goals:

- Attract and retain good jobs in Asheville
- Create incentives for use of green building practices in Asheville
- Create stronger incentives for builders to create affordable and work-force priced homes

- Strengthen enforcement of development standards and communication between neighborhoods and the city.

-10-

- Support in-fill development that is in character with our community.
- Encourage energy savings and reduce fuel costs.

Economic development policy

Discontinue policy of giving special grants to select companies who propose locating or expanding here. Develop specific criteria and give property tax rebates to **all** manufacturing businesses and developers who meet the criteria.

- Manufacturing companies—20% annual tax rebate; perpetual; contingent on company paying a living wage to very high percentage of employees.
- LEED/ Healthy Built Home certified buildings—Each level of LEED/ Healthy Built Home certification = 20% tax rebate for five years. – This could apply to new construction or renovations.
- Affordable housing—25%- 75% tax rebate for 5 years depending on percentage of affordable housing included in development.
- Structured parking—50% rebate for 10 years.
- Any HOPE VI-oriented projects—50% rebate for 10 years.

UDO Reforms:

1. Regulation of large retail developments:

- Cap size of retail buildings in Highway Business/ Regional Business at 75,000 but provide density bonuses for green building, innovative design approaches; direct staff to develop specific criteria for density bonuses.
- Close the loophole in the UDO that allows a tenant within a “multi-tenant” development to be larger than a tenant in a “single-tenant” development, which is 75,000 sq. feet. Again, the cap can be exceeded for projects that include green building and innovative design elements.

2. Incentives for green building and inclusion of affordable housing:

- Automatic, use-by-right density bonuses in UDO for projects that include green-building elements, affordable housing and transit orientation. These density bonuses will not trigger City Council review if they exceed the TIER III thresholds. It may be useful to create a “points system” whereby including various degrees of affordable housing, green building elements, etc will be awarded “points” and the level of density bonus you can get is based on how many points a project receives.
 - Projects that include affordable housing—every 10% affordable = 15% density bonus, up to a 100% maximum.
 - Green building—every level of LEED or Healthy Built Home certification = 15% density bonus.
 - Transit oriented developments can receive a 10- 20% density bonus.
- Create permit fee reduction for green buildings similar to current fee reduction for affordable housing.
- Small scale multi-family allowed as a use by right in all residential areas if they meet design criteria, to be developed by staff. This may include limits on the foot-print size of new developments, or requirements that the buildings can't be larger than most of the other homes in the neighborhood, etc.
 - Duplexes allowed in RS-2 areas.
 - Duplex and triplex allowed in RS-4 areas.
 - 4-plex and smaller allowed in RS-8 areas.

-11-

3. Regulation of hill-side development and incentives to conserve green-space:

- Hillside development standards—should there be limits on the size of footprints or alternate setback requirements on steep slope development (even for single family homes?)
- Open space requirements—strengthen the open space requirements but also create a “Fee in lieu” process if developers don't think additional open space makes sense for their project.

Enforcement

- Bump up/ clarify penalties for violations. They should not be punitive but they need to be an effective deterrent to violating our rules.
- Require developers to clearly mark buffer areas and mature trees to be preserved prior to grading or land clearing.
- Support hiring neighborhood liaison position.

Form based codes:

- Codify existing neighborhood plans—i.e. WECAN.
- Explore creation of neighborhood-wide form based codes for each major area of town (i.e. north, south, east, west and downtown).

Green building/ green energy

- All new City of Asheville buildings over 5000 square feet will be LEED certified.
- Include a green building checklist for builders to review during the permitting process, outlining green building options and benefits of green building to developers. No requirement to actually include green building in the project.
- Asheville sets a goal to reduce energy use by local government by 10% within 1-2 years.
- Asheville sets a goal to reduce fuel usage by ___ % over ___ years.

In response to the question “If we can only accomplish one thing in the area of planning, development and code enforcement during the next year, what would it be?”, Councilman Newman response was to create a broad range of regulatory and economic incentives, including use-by-right density bonuses, expedited permitting, increasing thresholds for Tier III review, and property tax rebates which include affordable housing, green-building elements, and innovative design elements.

Councilman Mumpower felt that we have a busy City where development is working well for the most part. He felt that some organizations and activists are over-reacting and socializing the problems that we do have. Many people move to Asheville but then want things to stay the same. We live, however, in a world that is dynamic and requires change. He felt the more we control, the more expensive and elite our City becomes. He personally believes that we should approach our UDO as an evolutionary vs. a revolutionary document. We need to be careful with existing neighborhoods and using tax rebates as an incentive for affordable housing issues is a good idea. When you look at all the new construction in our City, there is very little small construction and small is where affordable comes from. We need to ask our staff to come up with incentive packages that encourage real small development because that is how we are going to be able to get people to live in our community. He feels we have a history of being loose and dynamic and we shouldn't walk away from that by trying to over control development.

Councilman Freeborn commented as follows:

1. What is going well?
 - Likes the Asheville City Plan 2025

-12-

- Downtown Commission is on target and on time
- Council initiating discussion on land use issue
- City staff doing well with limited resources available

2. Areas that need improvement.
 - Need to put more resources into our corridors (charettes)
 - Planning & Development Department needs public relations skills

Planning & Development Director Scott Shuford said that basically many of the ideas and visions that Council has expressed represent a fundamentally different way of thinking than the UDO. Mayor Bellamy's issue about including a lot of guiding principles into the document seems to indicate a different document than a legally worded set of regulations. There are opportunities to add graphics and other things into the document that would simplify it and get to what Council is looking for. Also, if we can find a way to distill Council's comments and the comments from community down in ways that are more simple, we can end up with a document that might have significantly fewer zoning districts and/or a much more simple set of landscaping standards. The developers can use that document more readily and we can still get the results that we are after, but yet still provide some flexibility on dealing with our unique situation. He was very encouraged with the direction Council is going because he sees opportunities for us to incorporate some things that may actually enable the staff to work more efficiently. He said that his goal will be to have all the information compiled for the June 20 worksession, or at the least by the June Planning & Economic Development Committee.

BOARDS AND COMMISSIONS:

Vice-Mayor Jones, Chair of the Boards & Commissions Committee, said that the Committee:

- Reviewed the following three boards and feel they have outlived their usefulness. The Committee recommended (and City Council concurred) dissolving the Americans With Disabilities Act Compliance Committee; the Taxicab Advisory Board; and the Carriage Permit Advisory Board.
- Begin exploring with City staff the potential of expanding the role of the Greenway Commission to be renamed and to include pedestrian amenities and sidewalks.
- Begin initial conversation with pertinent department heads about including transit and parking.
- Was not supportive of increasing the stipend of the Alcoholic Beverage Control Board.

Councilwoman Cape asked that the Boards & Commissions Committee review the recommendation from the URTV Board to expand their membership from 11 to 13 members.

It was the consensus of City Council to instruct the City Clerk to advertise the Civil Service Board vacancy for an additional month.

It was the consensus of City Council to postpone taking action on the Educational Access Channel Commission until September, 2006, at the request of Chairman Tim Amos who would like to meet with the Commission to discuss restructuring.

It was the consensus of City Council to instruct the City Clerk to advertise the vacancy on the Buncombe County Tourism Development Authority for an additional month.

-13-

At 4:20 p.m. Mayor Bellamy recessed the regular worksession and began with the budget worksession.

BUDGET

At 5:05 p.m., Mayor Bellamy recessed the budget worksession and returned into the regular worksession. Councilman Mumpower then moved to go into closed session for the following reasons: (1) to consult with an attorney employed by the City about matters with respect to which the attorney-client privilege between the City and its attorney must be preserved, including litigation involving the following parties: City of Asheville; State of North Carolina; Gannett Pacific Corporation d/b/a Asheville Citizen-Times Publishing Company, an Hawaii Corporation; Chesapeake Television, INC., d/b/a WLOS-TV, a Maryland Corporation; and County of Buncombe. The statutory authorization is contained in G.S. 143-318.11(a)(3). This motion was seconded by Councilman Newman and carried unanimously.

At 6:15 p.m., Councilman Freeborn moved to come out of closed session. This motion was seconded by Vice-Mayor Jones and carried unanimously.

At 6:15 p.m., Mayor Bellamy recessed the regular worksession and continued with the budget worksession.

ADJOURNMENT:

Mayor Bellamy adjourned the meeting at 10:10 p.m.

CITY CLERK

MAYOR