

**FAYETTEVILLE CITY COUNCIL  
AGENDA BRIEFING MINUTES  
LAFAYETTE ROOM  
JUNE 22, 2011  
4:00 P.M.**

Present: Mayor Anthony G. Chavonne  
Council Members Kady-Ann Davy (District 2); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); James W. Arp, Jr. (District 9)  
Absent: Council Members Keith Bates, Sr. (District 1); Robert A. Massey, Jr. (District 3); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8)  
Others Present: Kristoff Bauer, Assistant City Manager  
Doug Hewett, Assistant City Manager  
Karen M. McDonald, City Attorney  
Karen Hilton, Planning and Zoning Division Manager  
Craig Harmon, Planner II  
Bart Swanson, Housing and Code Enforcement Division Manager  
Frank Lewis, Senior Code Enforcement Administrator  
Members of the Press

Mayor Chavonne called the meeting to order at 4:00 p.m.

City staff presented the following items scheduled for the Fayetteville City Council's June 27, 2011, agenda:

**PUBLIC HEARINGS**

**Case P11-08F. The remapping of all Zoning Districts within the City of Fayetteville to the closest matching or appropriate districts within the new Unified Development Ordinance (UDO) (hearing cycle 2). This cycle of hearings affects the remaining 390 properties.**

Mr. Craig Harmon, Planner II, presented this item. He provided background on the UDO process to date and reviewed the purpose of the UDO. He stated three issues had emerged from public input and provided an overview of those issues which included (1) translation of the CIP commercial district, (2) voluntary down zoning or requests for rezonings that reflect a change of use, and (3) translation of the existing R6 residential districts to SF-6 districts under the UDO. He stated there were 390 parcels remaining to be remapped. He stated the Zoning Commission and staff recommended approval of remapping all zoning districts within the City limits as presented by staff.

**Consideration of an ordinance amending the Unified Development Ordinance to address errors or clarifications of a number of areas including provisions related to internet sweepstakes uses.**

Ms. Karen Hilton, Planning and Zoning Division Manager, presented this item. She provided background on the UDO that was adopted on December 13, 2010, and briefly reviewed the amendments. She stated the Planning Commission and staff recommended approval of the ordinance amending the UDO.

**OTHER ITEMS OF BUSINESS**

**Uninhabitable structure demolition recommendation.**

Mr. Bart Swanson, Housing and Code Enforcement Division Manager, presented this item and provided background information on 504 Carteret Place. He stated the structure received severe structural damage as a result of a fire and was condemned on October 4, 2010. He stated the owner had not attended the hearings and to date there had been no repairs, no permits issued, nor any contact with the owners. He stated staff recommended adoption of the ordinance directing the demolition of the structure.

**Ordinance amending Chapter 1, General Provisions, and Chapter 22, Solid Waste, related to notice and appeal of code violations.**

Mr. Bart Swanson, Housing and Code Enforcement Division Manager, presented this item and provided background information on the appeal process. He stated by the use of the U.S. first-

class mail as a means of serving a civil penalty citation, they could not determine when a recipient actually received the citation as required by the code. He stated this was causing problems for staff when recipients filed appeals or paid the citation penalties several months after the issuance date of a citation, claiming that they had just received the citation within the last ten days. He stated the proposed amendments would require that appeals of citations and payment of citation penalties under Chapter 22 be made within ten working days of the issuance of the citation rather than upon receipt of the citation. He stated adding Chapters 7, 14, and 30 to Section 1-9 would provide the required appeal process for citations issued under these chapters. He stated the recommendation was adoption of the proposed ordinance. There being no further business, the meeting adjourned.