

# City of High Point

*Municipal Office Building  
211 S. Hamilton Street  
High Point, NC 27260*



## Meeting Agenda

**Wednesday, March 9, 2022**

**9:00 AM**

**Council Chambers**

### **Prosperity and Livability Committee**

*Wesley Hudson - Chair  
Michael Holmes  
Cyril Jefferson  
Monica Peters  
Jay Wagner, Mayor (Alternate)  
Britt Moore, Mayor Pro Tem (Alternate)*

**Prosperity and Livability Committee - Council Member Wesley Hudson,  
Chair****CALL TO ORDER, ROLL CALL****PRESENTATION OF ITEMS**[2022-115](#)**Update: City Lake Park Project**

Lee Tillery, Parks & Recreation Director, will be providing an update on the City Lake Park Project.

**Attachments:** [High Point City Lake Park Update.pptx March 2022](#)

[2022-116](#)**Discussion: Long Term Tree Plan**

Andy Piper, Senior Planner-Planning & Development Department, will be discussing the city's Long Term Tree Plan.

**Attachments:** [Tree Plan Powerpoint](#)

[2022-117](#)**Update: Keep High Point Beautiful**

Rebecca Coplin, High Point Beautification Supervisor, will be presenting Keep High Point Beautiful's Strategic Plan for 2022.

**Attachments:** [KHPB Strategic Plan](#)

[2022-118](#)**Discussion: Creation of Social Districts**

Staff will provide information regarding the Creation of Social Districts.

**Attachments:** [High Point Uptowne Social District Map - 2-22-2022](#)

[High Point Catalyst Social District Map - 2-16-2022](#)

[NCRMA Social Districts Summary NCLM](#)

**ADJOURNMENT**



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## Master

**File Number: 2022-115**

**File ID:** 2022-115

**Type:** Miscellaneous Item

**Status:** To Be Introduced

**Version:** 1

**Reference:**

**In Control:** Prosperity and  
Livability Committee

**File Created:** 03/08/2022

**File Name:**

**Final Action:**

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**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** High Point City Lake Park Update.pptx March 2022

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**Contact Name:**

**Hearing Date:**

**Drafter Name:** mary.brooks@highpointnc.gov

**Effective Date:**

**Related Files:**

## History of Legislative File

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## Text of Legislative File 2022-115



# HIGH POINT CITY LAKE PARK CONSTRUCTION UPDATE

MARCH 9, 2022





# Construction Update

1. Project History
2. Slide
3. Pedestrian Bridge - Greenway Connector & PARTF Grant
4. Budget
5. Timeline

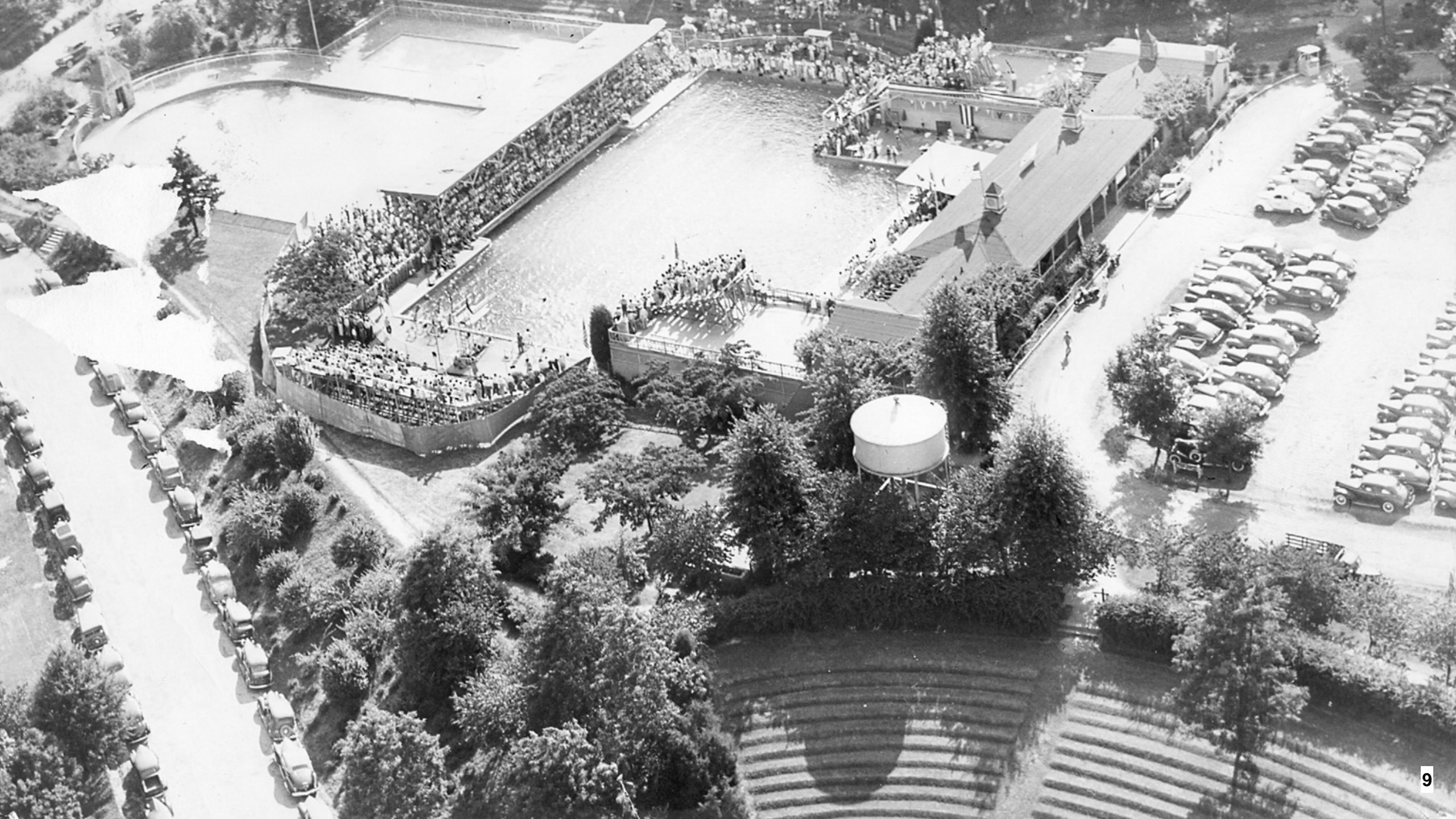






































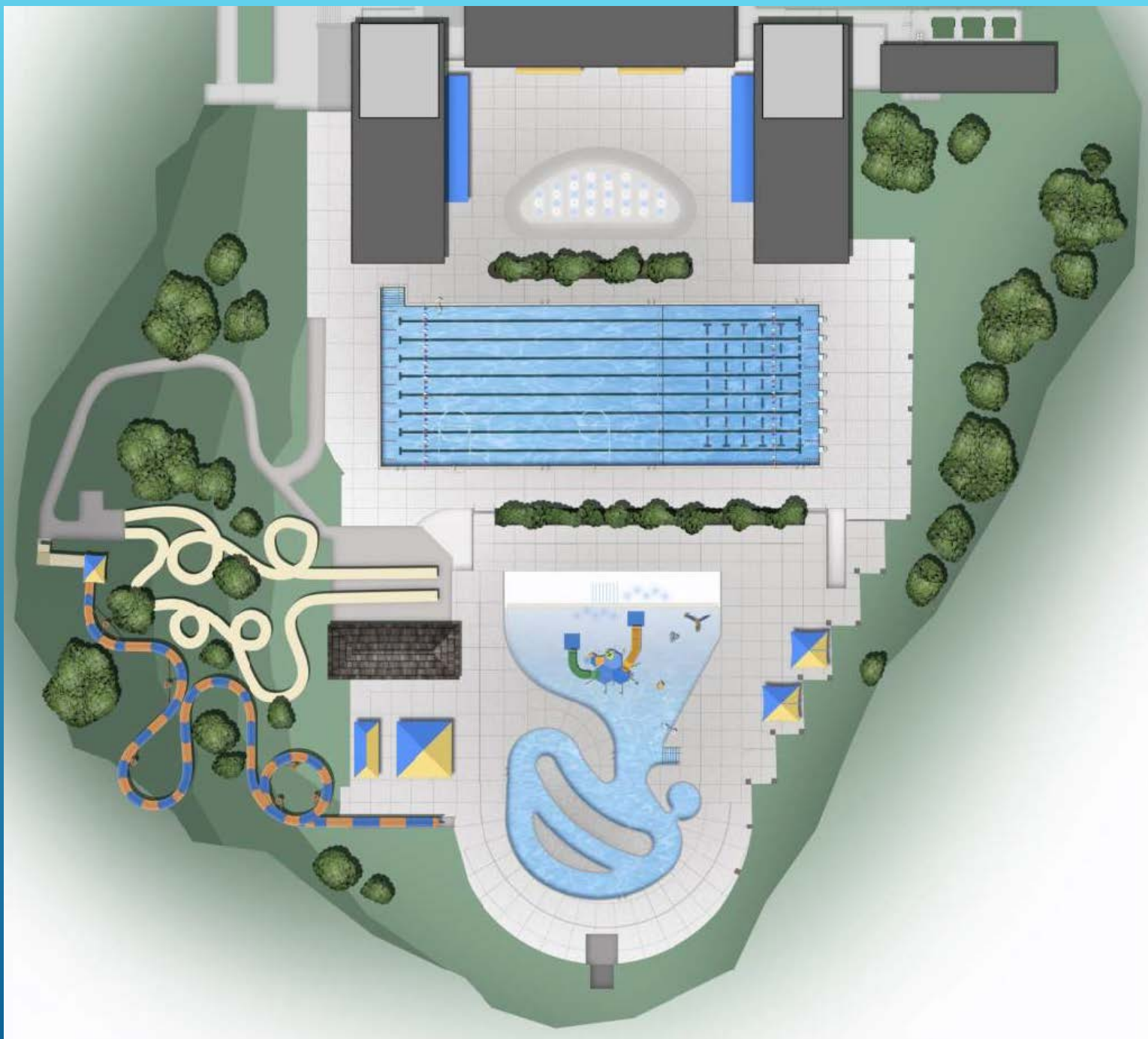






HH ARCHITECTURE





















































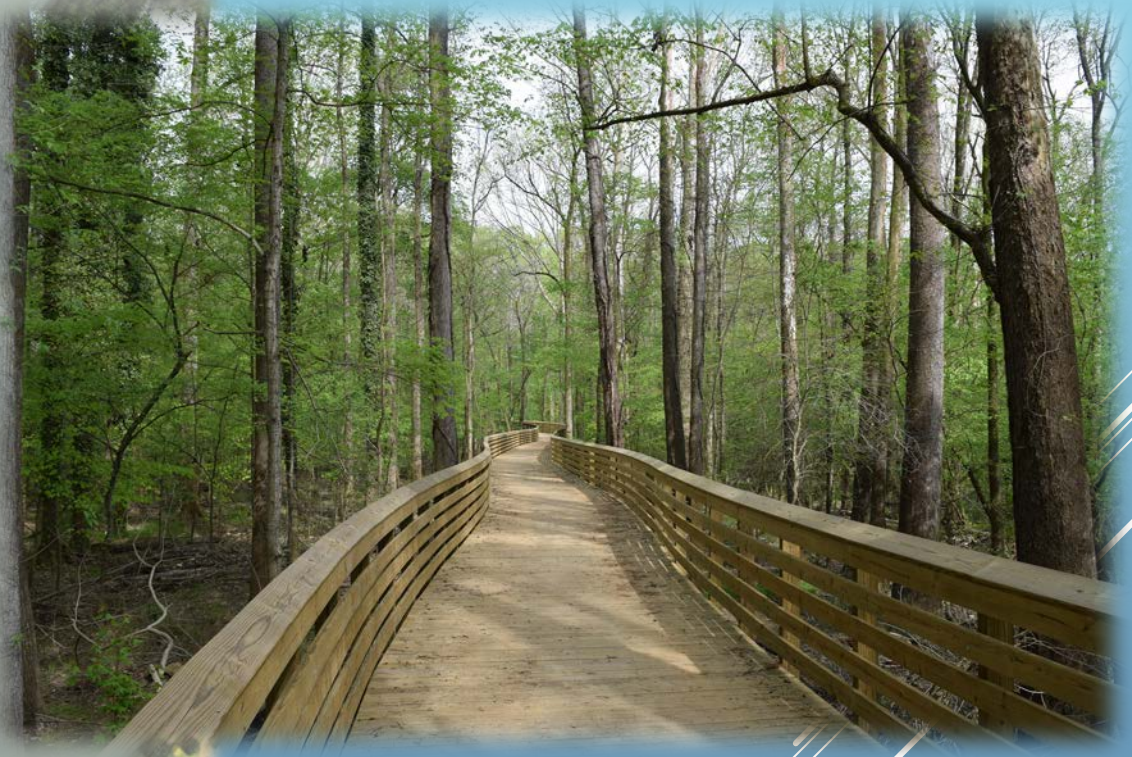














# Total Project Budget

## \$23,152,748

Action	Amount	Date Approved by City Council
Preconstruction Package – Samet Construction	\$6,376,513	May 3, 2021
Guaranteed Max Price for Samet Construction (Includes Preconstruction Package)	\$19,893,743	June 21, 2021
Non-Samet Expenses	\$2,090,785	June 21, 2021
Change Order #2 Life Floor, IT Needs, Additional Demolition of Kiddy Pool	\$144,395.71	September 20, 2021
Change order #3 Additional costs for concrete removal	\$306,938.45	September 20, 2021
Change Order #4 Addition of pedestrian bridge/greenway connection	\$861,619.01	February 21, 2022



# Budget Update

Savings/Grants	Amount		Expenses to be Incurred	Amount
Current Cost Savings	\$213,156.57		Pedestrian Bridge/Greenway Connection	\$861,619
Samet Construction Contingency Remaining	\$357,045		Additional Costs with New Slide	\$201,981.78
COHP Construction Contingency Remaining	\$293,015.84		Chemical Storage Roof	\$40,989.19
PARTF Grant	\$500,000			
<b>Estimated Savings</b>	<b>\$1,363,217.41</b>		<b>Estimated Additional Expenses</b>	<b>\$1,034,610.83</b>



# PROJECT TIMELINE

## High Point City Lake Park

**Pool Construction**



**June 29, 2022**

**Exterior  
Improvements**



**July 21, 2022**

**Event Center/  
Locker Rooms**



**July 27, 2022**

**New Water Slide**



**August 4, 2022**

**Pedestrian Bridge/  
Greenway  
Connection**



**September 20,  
2022**









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Andy Piper, Senior Planner-Planning & Development Department, will be discussing the city's Long Term Tree Plan.

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**Attachments:** Tree Plan Powerpoint

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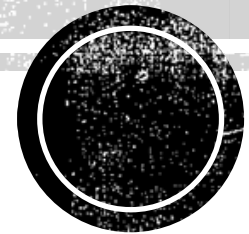


# HIGH POINT TREE PLAN

High Point City Council

Prosperity & Livability Committee

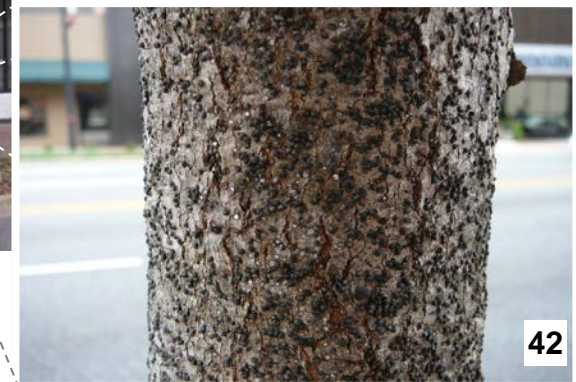
March 9, 2022





# ESTABLISH A LONG-TERM, FUNDED TREE PLAN

- Make High Point a net positive tree city
- Develop a tree replacement plan for Main Street in downtown →
- Contracting with a nursery to grow trees that are ready for planting when needed
- Introduce a City-sponsored annual tree giveaway to High Point residents
- Initiate a line item in the annual budget to ensure the success of these programs





# WHERE WE STAND NOW

- High Point Urban Forestry Committee

- Memorial Tree Program →

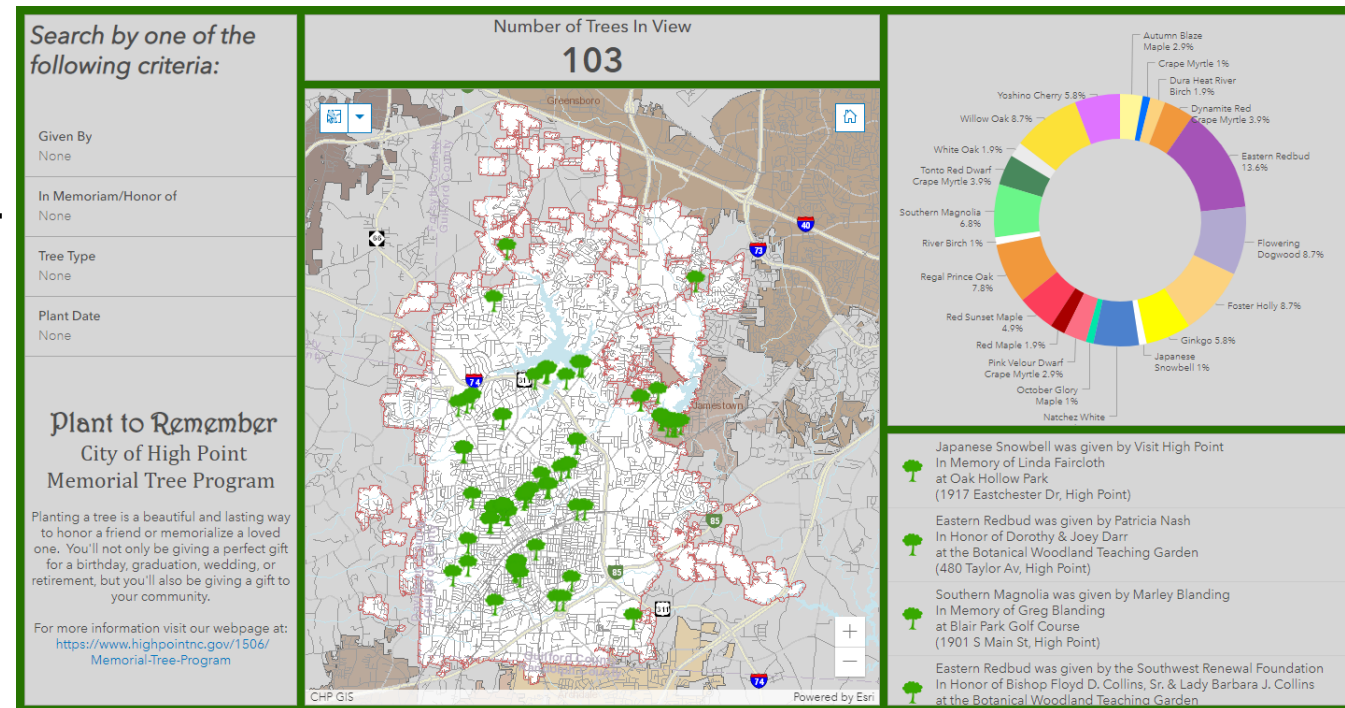
- Community Cultivation Campaign with



- Other Tree Planting Projects with Local Businesses & Organizations



18 years





# MAKE HIGH POINT A NET POSITIVE TREE CITY

- Plant a tree to replace every tree on City-controlled space that dies or is removed
- Not necessarily in the same spot but somewhere in the city
- Goal: each year there would be at least one more tree than the previous year
- As the tree plan develops, make this goal even bolder and set a higher number





# KEEP A FOCUS ON DIVERSITY

- America learned a difficult lesson with the demise of the elm, chestnut and ash
- Cities with monoculture streetscapes suddenly had rows of dead trees (or no trees at all!)



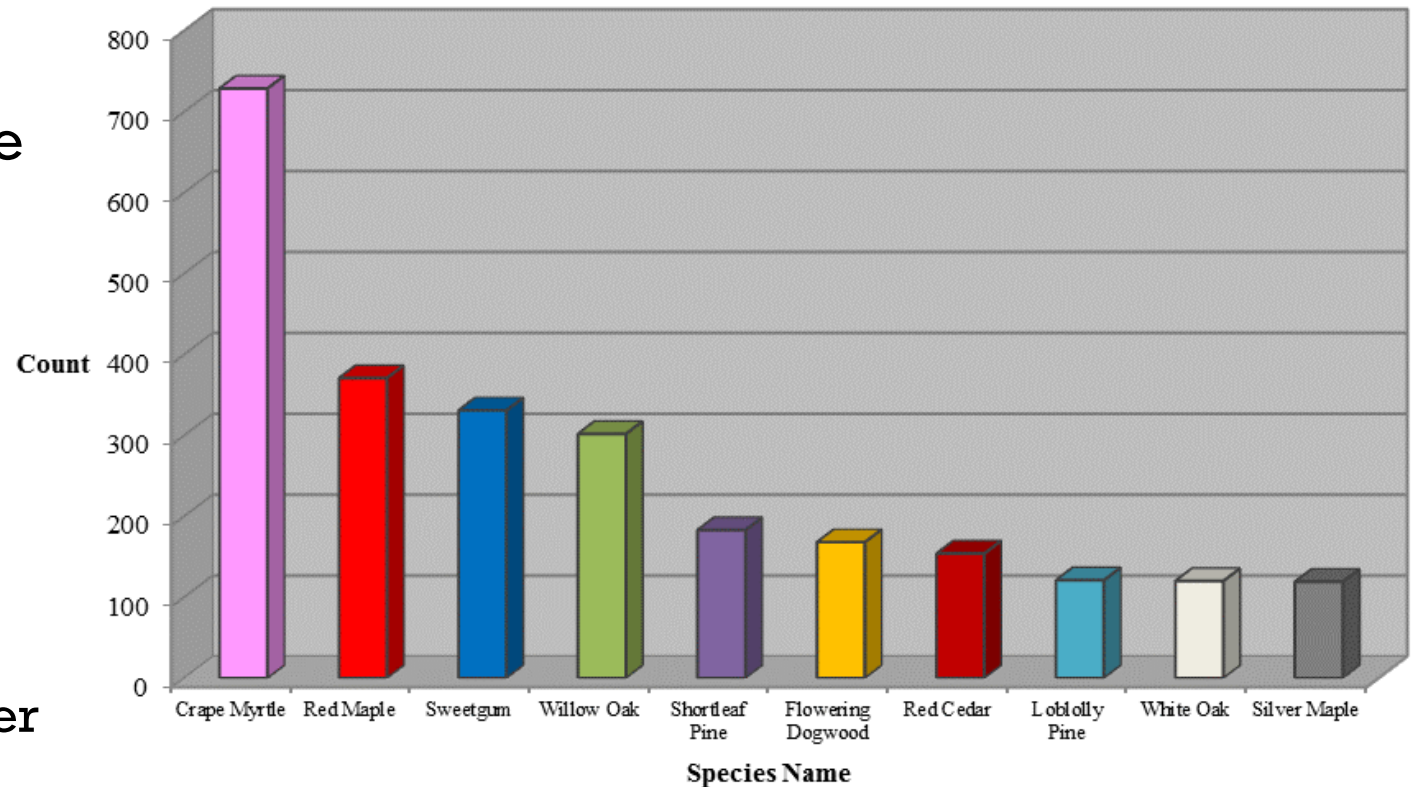


# KEEP A FOCUS ON DIVERSITY

- Limit the amount of any single tree variety in the entire city
- Create a well-designed streetscape with a variety of trees on every block in downtown
- Emphasis on staggered interest throughout the year:
  - Bloom at different times
  - Good shade canopy in summer
  - Eye-catching fall leaf colors
  - Attractive shape and bark in winter

*From High Point Core City Tree Inventory conducted in 2011*

**Top 10 Species Distribution**





# EASILY MAINTAINED & READILY OBTAINABLE

- Only plant something if it can be maintained
- Avoid trees that are bothersome – no odors, excessive leaf litter, root lifting, etc.
- Establish an agreement for local nursery to grow trees to ensure long-term success
- Through tree giveaways, the City can guide the varieties being added to the urban forest





# TREES AFFECT THE LIVABILITY OF A CITY

- Like with the economy, the goal is positive growth and improving quality of life
- Studies have shown that trees have direct economic benefits →
- Where there are more trees, there is more prosperity + health benefits
- Providing trees can connect the City to the lives of its citizens



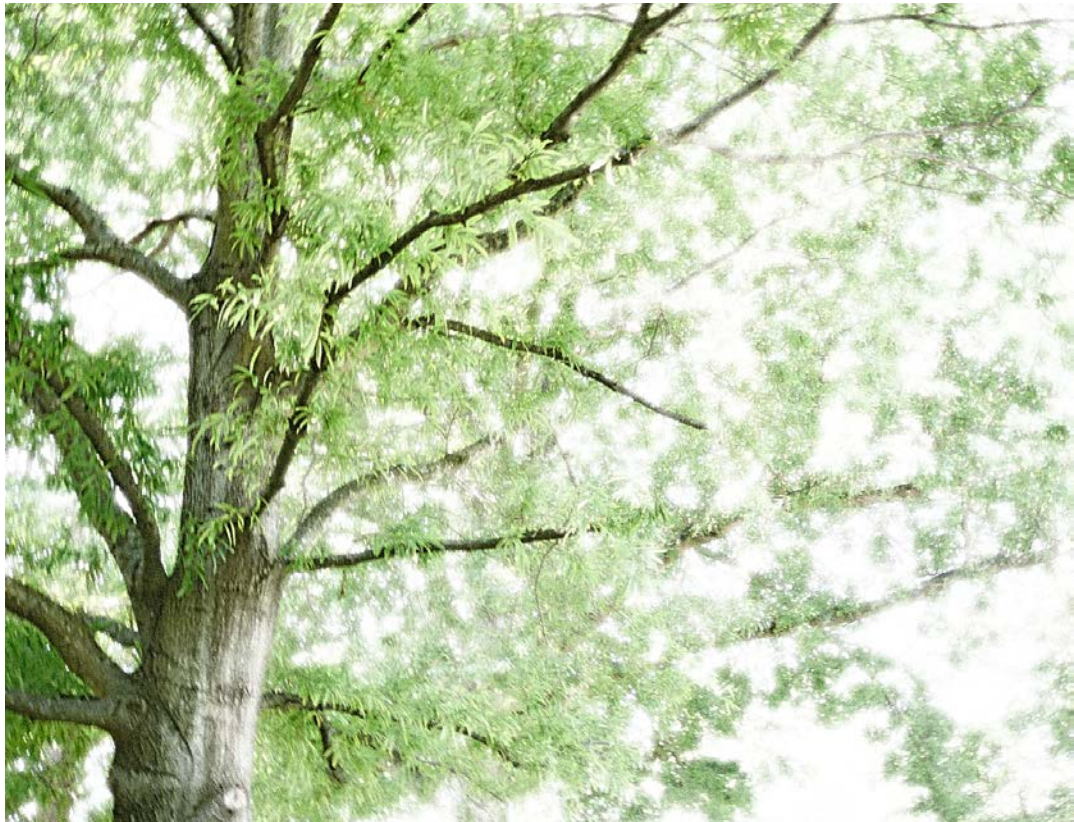


# WHAT WE ARE ASKING FOR

- A greenlight to move forward with initial planning efforts
- Giving this initiative a line in the budget to establish its importance
- Requesting \$25,000 in recurring funding for:
  - An annual tree giveaway
  - Establishing a contract with a local tree nursery to grow trees for High Point
  - Replacement and improvement of trees in downtown Main St. corridor
  - Marketing, publicity, and materials
- There are multiple organizations that would be interested in supporting and partnering on this program



# QUESTIONS?



*“The best time to plant a tree was 20 years ago.*

*The second-best time is now” - ancient proverb*

Andy Piper, AICP  
Senior Planner  
Planning & Development Dept.  
[andy.piper@highpointnc.gov](mailto:andy.piper@highpointnc.gov)





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# KEEP HIGH POINT BEAUTIFUL

## STRATEGIC PLAN 2022





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## Foundation:

Keep High Point Beautiful operates under the City of High Point, Public Services Department, Environmental Services Division. The organization was originally formed in 1987 as High Point Keep America Beautiful. The group follows the original bylaws that now include some amendments.

## Mission:

Keep High Point Beautiful (KHPB) engages and supports organizations and individuals to keep the City of High Point beautiful. KHPB is the local affiliate for Keep America Beautiful.

## Focus:

- Litter Prevention and Removal
- Waste Reduction and Recycling
- Beautification and Greening
- Public Outreach and Education

## Board:

Keep High Point Beautiful has an active board that is comprised of members of the community and includes a Youth Advisory Council (YAC) representing several businesses, schools and various organizations in High Point. The board does not have term limits and many members have served for several years while some are new to the organization. We have found that this creates a healthy balance of experience while always allowing for fresh eyes on our goals and programs.

### **A Special Note of Appreciation:**

As Keep High Point Beautiful operates under the City of High Point, we are fortunate to be able to call on the assistance of other city departments. We would be remiss not to take this opportunity to recognize that interdepartmental cooperation is key to so much of our success. We look forward to our continued work with all city departments, divisions and staff. We are truly thankful!



# KEEP HIGH POINT BEAUTIFUL 2022 CALENDAR

SUBJECT TO ADDITIONS/CHANGES



## JANUARY

- **JAN. 17**  
9:00 A.M. – 11:00 A.M.  
MLK JR. DAY OF  
SERVICE ACTIVITY  
WITH HPU
- **JAN. 22**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP ON MLK JR.  
DRIVE
- **JAN. 24**  
4:00 P.M.  
KHPB BOARD MEETING

## FEBRUARY

- **FEB. 7 – MAR. 6**  
WINTER WIPEOUT
- **FEB. 27**  
1:30 P.M. – 3:30 P.M.  
FLOWERS POWERING  
HOPE



## MARCH

- **MAR. 14**  
4:00 P.M.  
KHPB BOARD MEETING
- **MAR. 19**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP ON MLK JR.  
DRIVE



## APRIL

- **APRIL 30**  
9:00 A.M. – 1:00 P.M.  
GREAT AMERICAN  
CLEANUP



## MAY

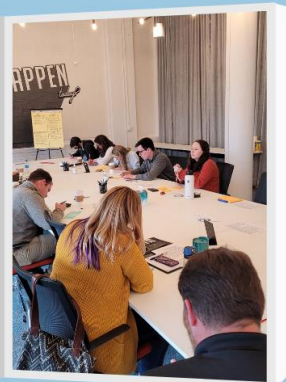
- **MAY 16**  
4:00 P.M.  
KHPB BOARD MEETING
- **MAY 21**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP ON MLK JR.  
DRIVE

## JULY

- **JULY 18**  
4:00 P.M.  
KHPB BOARD MEETING
- **JULY 24**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP ON DR. MLK  
JR. DRIVE

## AUGUST

- **AUG. 2,**  
5:30 P.M. – 7:30 P.M.  
NATIONAL NIGHT OUT  
– TO BE DETERMINED
- **AUG. 6,**  
9:00 AM – 12:00 PM  
SUMMER  
TRASH SMASH



## SEPTEMBER

- **SEPT. 19**  
4:00 P.M.  
KHPB BOARD MEETING  
(LOCATION TBD)
- **SEPT. 24**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP ON MLK JR.  
DRIVE

## OCTOBER

- **OCT. 1**  
9:00 A.M. – 1:00 P.M.  
HIGH POINT BIG SWEEP  
CLEANUP



## NOVEMBER

- **NOV. 20**  
9:00 A.M.  
KHPB ADOPT-A-STREET  
CLEANUP DR. MLK JR.  
DRIVE
- **NOV. 20**  
1:30 P.M. – 4:30 P.M.  
HIGH POINT HOLIDAY  
PARADE



# **Projects of Note:**

**Underhill Neighborhood Sign-** This project is currently underway and is made possible in-part by a \$1,000.00 grant from Visit High Point and a donation of stone from the High Point Housing Authority from the demolished Daniel Brooks property. Additional funding will be necessary to complete the project.

**Stormwater Art Project-** This upcoming environmental art project is in partnership with the City of High Point's Stormwater Division. There will be a call for artists to design and paint four (4) stormwater catch basins with an environmentally friendly message and/or image that focuses on the health of our water in High Point. This project will take place in the parking lot of the High Point Public Library.

**Community Cultivation Campaign-** This project was a fundraiser focused on replacing many dead or dying trees along MLK Drive between Centennial Street and University Parkway. At the end of 2021, all identified trees have been removed and replanted thanks to many generous donations from the community and the City of High Point.

**Environmental Art, You Otter Respect Nature-** This environmental art project was commissioned in 2018 with funding provided by the City of High Point, the Friends of the Library, Theatre Arts Gallery (TAG) and the High Point Library. Erected in the parking lot of the High Point Public Library, sculptures of two metal river otters filled with trash are helping spread the message that littering hurts all who live here.

**Cigarette Receptacles-** Thanks to two grants awarded to us from Keep North Carolina Beautiful, we were able to purchase 10 Sidewalk Buttler cigarette disposal units for placement on city maintained trash receptacles in the Mendenhall Terminal and extending down Commerce Avenue to Main Street. Additionally we partnered with the High Point Rockers to place three units on trash receptacles at Truist Stadium.

**Partnership project with Southwest Renewal Foundation, Trees4Trash-** The 3,820 pounds of litter collected in 2020 and 2021 from the neighboring roadways and area surrounding the Southside Recreation Center were recorded and reported for this project. Every 25 pounds collected resulted in obtaining one tree or two butterfly bushes to be planted in the community. This is all made possible due to a grant that was applied for and administered by the Southwest Renewal Foundation and St. Mary's Episcopal Church in High Point.

**Piedmont Triad Big Sweep-** The first annual Piedmont Triad Big Sweep took place in the fall of 2021. Several local Keep America Beautiful affiliates and organizations took part in coming together to help promote litter cleanup across our region of North Carolina.

**Food collection events-** Keep High Point Beautiful has incorporated, within our cleanup events, requesting nonperishable food donations for local food pantries. This began in 2016 and we have collected over 15,000 lbs. of food and household items.



**Garden at Ingleside-** In 2020, the KHPB Board had to stop and take an account of how COVID was impacting our organizational mission. Just as everyone was experiencing change and new limitations, our board had to ask ourselves, “We know what we can’t do right now, but what CAN we do?” Out of that was born the Garden at Ingleside. With the help of staff at Ingleside, our board planted and maintained a 25’ x 25’ garden with produce going to Growing High Point. In 2021, we expanded the garden to 25’ x 40’ and a local Eagle Scout placed a fence around the perimeter for his Eagle Scout Project. We have been able to donate over 100 pounds of vegetables thus far and look forward to donating more in 2022. Gardens are another way we can beautify our community and helping others in need is always a beautiful thing!

**Tree plantings and wildflower beds with NC DOT-** In 2015, Keep High Point Beautiful and the City of High Point were contacted by Mr. Jim Morgan to request the cloverleaf at Business 85 and MLK Dr. receive landscaping. After meeting with DOT they agreed to plant trees and shrubs in the 4 designated areas. Additionally, DOT has filled requests to plant more trees by the north bound entry to 74/311 and created 4 wildflower beds along Business 85.

**Welcome to High Point sign on Greensboro Road (Pennybyrn at Maryfield)-** This sign was adopted by Keep High Point Beautiful to aid in beautifying a city gateway. With the help of some donated plants from High Point University, the sign was given some permanent landscaping in 2015. Seasonal flowers are planted and changed out with the spring and fall seasons and holiday decorations adorn the sign from the end of November through the Christmas holiday.



# **Grants:**

## **UPCOMING APPLICATIONS:**

- 2022-2023 Keep America Beautiful MLK Neighborhood Building Grant
- 2022-2023 Keep America Beautiful UPS Community & Recovery Tree Planting Grant

## **FORMERLY APPLIED FOR:**

(Please note that the list below entails grants that have been applied for but not all have been received.)

- International Coastal Cleanup Small Grants – 2019, 2020 & 2021
- Visit High Point – DRIVE Grant 2021
- Keep North Carolina Beautiful Litter Prevention, Recycling & Beautification Grant Program 2019 - 2020 & 2020 – 2021
- Keep America Beautiful UPS Community & Recovery Tree Planting Grants 2020
- Keep America Beautiful Community Partner Grant 2019
- Keep America Beautiful & Lowe's Community Partner Grants 2018
- Waste Management Think Green Grant 2012



# Strategic Planning Process:

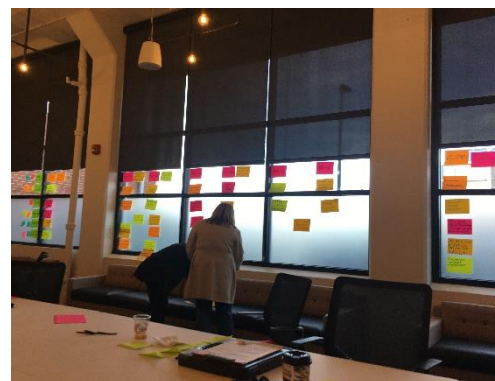
Keep High Point Beautiful Board members and Youth Advisory Council members gathered together on Thursday, December 2<sup>nd</sup> from 9 AM – 1 PM to begin the process of formulating our Strategic Plan for 2022. Under the direction of Andy Piper (longtime board member and City of High Point employee for Planning & Development) we were able to discuss what we saw as positives and what needs work. The meeting took place in the Millis Family Board Room at Congdon Yards. We are so grateful to Business High Point for allowing us to use that beautiful space.

To kick off the meeting, we had Sue Smith with the National Keep America Beautiful office call in via Zoom and share some words of encouragement and guidance. Andy Piper then utilized some training in strategic planning that he has received through his position with the city to lead our meeting.

Unfortunately, not all Board members and Youth Council members were able to attend. Upon completion of the meeting, all the ideas and information presented were compiled into a spreadsheet and shared with the entire Board and Youth Advisory Council. Upon review by all, the Action Plan within this document contains the focus of the goals set by our board for 2022.



GROUP	
STRENGTHS	RESULTS BENEFITS
<ul style="list-style-type: none"><li>- commitment to cause</li><li>- passion</li><li>- consensus</li><li>- adaptable - new clients</li><li>- good outreach</li></ul>	<ul style="list-style-type: none"><li>- more welcoming city</li><li>- clean benefits - more to amplify current trends</li><li>- more participation</li><li>- more diversity</li><li>- pride in the city</li><li>- more coffee sponsoring</li><li>- more knowledge of KHPBS</li><li>- word of mouth spreads</li></ul>
WEAKNESSES	DANGERS
<ul style="list-style-type: none"><li>- marketing</li><li>- more people in streets</li><li>- advertising/reach/outreach</li><li>- need more cap personnel</li><li>- high research/effort</li><li>- how to report?</li><li>- how to see difference</li></ul>	<ul style="list-style-type: none"><li>- too much growth of city</li><li>- too fast</li><li>- pushback from voters</li><li>- losing sponsor</li></ul>



# **Strengths, Weaknesses, Opportunities, Threats (S.W.O.T.) Analysis:**

## **Strengths:**

- Commitment to the mission and organization
- Passion
- Consensus
- Adaptable
- Willing to take on new projects and explore new ideas
- Good outreach

## **Weaknesses:**

- Marketing
- More presence in schools
- Advertising/recruitment
- Need more corporate presence
- People need to know how they can report litter and to see a difference once it has been reported

## **Opportunities:**

- More welcoming city
- Economic benefits – more \$\$\$ into the community
- Amplify current trends
- More participation
- More diversity
- Pride in the city
- More corporate sponsors
- More knowledge of Keep High Point Beautiful and what we do
- More information spread via “word of mouth”

## **Threats:**

- Too much growth of the city
- Keep High Point Beautiful grows at a rate we cannot keep up with
- Pushback from folks who don’t agree with programming or projects
- Lost sponsorship/partners



## **Action Plan:**

The following six goals are specific areas of focus within the 2022 Strategic Plan for Keep High Point Beautiful.

**Green Project:** Board members will ensure that at least one green space project is completed.

**Social Media:** Increase social media participation via the board member activity.

**Schools:** Raise profile of KHPB within High Point schools

**Recruitment:** Increase participation for board membership and events

**Diversity:** Achieve a more diverse & equitable board

**Corporate Outreach:** Increase level of corporate outreach

# **Steps Toward Goal Achievement:**

**Green Project:** Board members will discuss and agree upon a project. Ideas include projects that would:

- Promote native plants and pollinators
- Street tree planting/replacement
- Implement a “Plant a tree” challenge

This goal will be achieved by evidence of increased green space.

**Social Media:** Board members will increase their participation within KHPB social media platforms by:

- “Liking, Sharing and/or Commenting” on a regular basis.
- Board members will also provide feedback and recommend more interactive content.
- Allowing for social media takeover
- Promotion of our social media pages at our cleanup events
- Add a litter reporting resource on our platform.

This goal will be achieved by evidence of an increased following.

**Schools:** Board members will raise the profile of KHPB within schools by taking the following steps (as allowed by GCS):

- Promote volunteer service credits to students for attending cleanup events.
- Youth Advisory Council members will encourage classmates to participate in events.
- Develop a school specific flyer.
- Develop a Power Point presentation to promote KHPB in schools.
- Attend and speak at meetings. Support clubs & teachers to encourage more educators to join the board.
- Develop a KHPB Environmental Curriculum.

This goal will be achieved by evidence of increased student participation.



**Recruitment:** Board members will increase board member numbers and participation at events by implementing the following:

- Reach out to community leaders and other organizations to recruit new board members.
- Find other organizations to partner with in underserved communities.
- Partner with high schools as a volunteering opportunity.
- Host KHPB Lunch and Learn events at local companies.
- Partner with other organizations.
- Visit local faith-based groups to recruit board members & volunteers.

This goal will be achieved by evidence of an increase in board members and increase in volunteer participation numbers at annual events.

**Diversity:** Board members will achieve a more diverse and equitable board by taking the following steps:

- Do an assessment on equity.
- Use other languages and more images in promotion. Board members should involve their own communities.
- Attend events in all areas of High Point and hold events and programs at different locations.
- Recognize “Stand-Out” properties.
- More follow up with National Night Out and focus on communities that have the greatest socioeconomic struggles.
- Make green space project public.
- Equal attention to all parts of High Point.

This goal will be achieved by evidence of increased representation of all.

**Corporate Outreach:** Board members will increase corporation outreach by doing the following:

- Prioritize businesses to reach out to.
- Find corporations with similar interests and goals.

- Attend Business High Point (Chamber) events and invite company representatives to attend Keep High Point Beautiful Board meetings.
- Attend and speak at events and meetings when possible.
- Send letters to corporations with KHPB intentions and opportunities.
- Create a package to deliver to companies.
- Send emails & letters to corporations of interest.
- Create incentives for sponsors.
- Collaborate on community projects with corporations.
- Mutual cross promotion with corporations.

This goal will be achieved by evidence in increased corporate engagement.



## **Board Members:**

Robbie Baker, City of High Point  
Lisa Barnes, Pinnacle Financial Partners  
Ashley Brooks, Home Depot  
Kelsie Burgess, City of High Point  
Tim Coleman, Resident  
Sandy Dunbeck, City of High Point  
Ellen Foster, Resident  
Flo Gullickson, Southwest High School  
Brett Higgins, Pyramid Environmental & Engineering, P.C.  
Tisha Leonard, Protection Systems  
Terri Millard, Resident  
Patrick Moore, High Point University  
JoAnn Owings, Midweek Garden Club  
Andy Piper, City of High Point  
Troy Thompson, High Point University

### **Youth Advisory Council:**

Jasmine Burks, NC A&T Early College  
Phoebe Clutter, Southwest Guilford  
Avery Higgins, Southwest Guilford  
Luke Rodden, Guilford College Early College  
Michael Skeen, Wesleyan Christian Academy  
RJ Wright, GTCC Jamestown Middle College

Many thanks to Laura McCoy, City of High Point, for her many continued contributions to Keep High Point Beautiful.

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# City of High Point

Municipal Office Building  
211 S. Hamilton Street  
High Point, NC 27260

## Master

**File Number: 2022-118**

**File ID:** 2022-118

**Type:** Miscellaneous Item

**Status:** To Be Introduced

**Version:** 1

**Reference:**

**In Control:** Prosperity and  
Livability Committee

**File Created:** 03/08/2022

**File Name:**

**Final Action:**

**Title:** Discussion: Creation of Social Districts

Staff will provide information regarding the Creation of Social Districts.

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** High Point Uptown Social District Map - 2-22-2022,  
High Point Catalyst Social District Map - 2-16-2022,  
NCRMA Social Districts Summary \_ NCLM

**Enactment Number:**

**Contact Name:**

**Hearing Date:**

**Drafter Name:** mary.brooks@highpointnc.gov

**Effective Date:**

**Related Files:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 2022-118



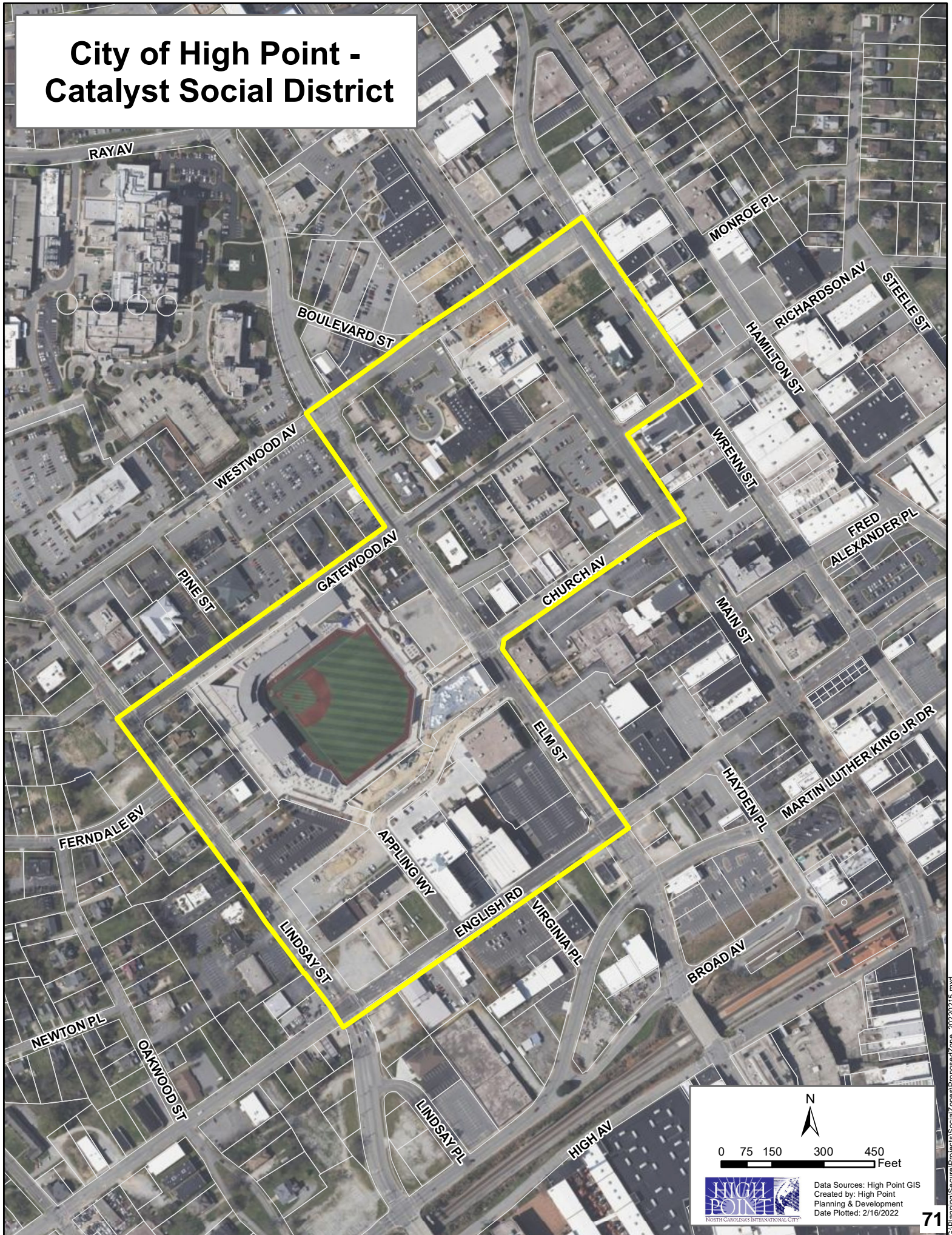
# City of High Point - Uptowne Social District



Data Sources: High Point GIS  
Created by: High Point  
Planning & Development  
Date Plotted: 2/22/2022



# City of High Point - Catalyst Social District



0 75 150 300 450  
Feet



Data Sources: High Point GIS  
Created by: High Point  
Planning & Development  
Date Plotted: 2/16/2022



## North Carolina's New Law on Social Districts

House Bill 890 – ABC Omnibus Legislation – was passed by the NC House and Senate on Wednesday, September 8, 2021 and signed by the Governor on September 10. Included in House Bill 890 is a provision that allows the creation of social districts in North Carolina. The North Carolina Retail Merchants Association was the major interest group pushing for the passage of this important legislation to drive foot traffic to downtown businesses and level the playing field for brick-and-mortar businesses with ABC permits.

**Questions?** If you need further clarification or more information on this new law, do not hesitate to contact Elizabeth Robinson at [elizabethr@ncrma.org](mailto:elizabethr@ncrma.org) or Andy Ellen at [andy@ncrma.org](mailto:andy@ncrma.org) who are happy to assist you.

### What is a Social District?

A defined outdoor area in which a person may consume alcoholic beverages sold by an ABC permittee. This term does not include the ABC permittee's licensed premises, or an extended area allowed under G.S. 18B-904(h).

### Who Can Designate a Social District?

House Bill 890 did not create a statewide social district but instead allows cities and counties to “opt-in” to social districts via an ordinance.

A city may adopt an ordinance designating an area within the municipal limits as a social district under G.S. 160A-205.4. A county may adopt an ordinance designating a social district for an area located outside a municipal boundary under G.S. 153A-145.9.

### What are the Requirements for a City or County to Create a Social District?

- 1) Social districts must be clearly defined and post signage in conspicuous locations indicating:
  - a) The area included in the social district.
  - b) The days and hours during which alcoholic beverages can be consumed in the social district.
  - c) The telephone number for the ALE Division and Local Law Enforcement with jurisdiction over the social district.
  - d) A clear statement that an alcoholic beverage purchased for consumption in a social district shall:
    - only be consumed within the social district and
    - be disposed of before the person possessing the alcoholic beverage exits the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. (G.S. 18B-904.1(c)(1)).
- 2) Social districts are only allowed to operate during hours defined under G.S. 18B-1004: from 7:00 am until 2:00 am Monday – Saturday and noon until 2:00 am on Sunday. If the local government has allowed for earlier Sunday Sales, a social district may operate beginning at 10:00 am on Sunday. (G.S. 18B-904.1(c)(1)).
- 3) A city or county designating a social district is required to establish management and maintenance plans for the social district and post these plans, along with a drawing of the boundaries and the applicable

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days and hours of the social district, on the city's or county's website. A social district must be maintained in a manner that protects the health and safety of the general public. (G.S. 18B-904.1(c)(2)).

- 4) Before a social district can become operational, a city or county must submit to the North Carolina Alcoholic Beverage Control Commission a detailed map of the social district with the boundaries clearly marked and the days and hours during which alcoholic beverages can be consumed. (G.S. 18B-904.1(c)(3)).

### **Who Can Sell Alcohol in a Social District?**

Under G.S. 18B-904.1(a)(1) a business holding any of the following ABC Permits may sell alcohol to be consumed in a social district:

- 1) An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).
- 2) An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
- 3) An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
- 4) A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
- 5) A distillery permit issued pursuant to G.S. 18B-1100(5).

### **What Additional Rules Do ABC Permittees Have to Follow to Sell Alcohol Within a Social District? (G.S. 18B-904.1(d))**

First, an ABC Permittee must be located in or contiguous to the social district in which it is selling alcohol to be consumed.

Secondly, the ABC Permittee is only allowed to sell and serve alcoholic beverages on its licensed premises. In other words, the ABC Permittee cannot sell alcoholic beverages in the street or down the street from its licensed premises just because the ABC Permittee is located in, or contiguous to a Social District.

Third, alcoholic beverages that are being sold to be consumed in a social district can only be sold in a container that meets all the following requirements.

- 1) The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
- 2) The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
- 3) The container is not made of glass.
- 4) The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21."
- 5) The container cannot hold more than 16 fluid ounces.

Finally, the ABC permittee must prohibit a person from entering or reentering its licensed premises with an alcoholic beverage not sold by the ABC permittee. As an example, XYZ Restaurant sells John Smith a cup of wine. John Smith cannot reenter XYZ Restaurant with a cup of beer John Smith bought at Acme Brewing located within the same social district. John Smith also cannot enter XYZ Restaurant for the first time with the cup of beer John Smith bought at Acme Brewing.

**If I am a business in the social district but I do not want customers coming into my store with alcoholic beverages, do I have to participate?**

Any business without an ABC permit located in or contiguous to the designated social district has the option to participate, or not, in allowing customers with beverages to enter their premises. For example, Printer's Books may remain open during designated social district hours but decide to post a sign that alcohol beverages (or any beverages) are not allowed in their store even if they are located inside of the social district.

Likewise, a business with an ABC permit located in or contiguous to the social district may also decide to participate or not participate in allowing customers to leave their premises with an open container. However, a business with an ABC permit is prohibited from allowing a customer to enter their premises with an alcoholic beverage purchased from another ABC permittee located in the social district.

**What Requirements do Customers Have to Follow Within a Social District? (G.S. 18B-904.1(e))**

First, a person can only possess and consume alcoholic beverages purchased from an ABC permittee located in or contiguous to the social district. A person cannot bring their own personal beer or wine into the social district for consumption.

Second, any alcoholic beverages consumed in the social district must be consumed from the required container described above. In other words, a person cannot pour their wine or beer into a solo cup or any type of container other than the one meeting all the requirements for social districts.

Third, alcoholic beverages shall only be possessed and consumed in the social district during the days and hours set by the city or county. If a city designates an area as a social district from 9:00 pm until Midnight on Friday and Saturdays, a person cannot consume alcohol in the social district at 9:00 pm on Wednesday.

The sale and delivery of alcohol in a social district is subject to the same limitations for sales and deliveries of alcohol in North Carolina:

- No more than two malt beverage or wine drinks at one time to a single patron
- No more than one mixed beverage or spiritous liquor drink at one time to a single patron

Finally, a person is required to dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. In other words, if a person is leaving the social district area, they must pour out or throw away their alcohol. They also cannot take it with them into any other business that sells alcohol. They may **only** take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.