



Community Appearance Commission

Regular Meeting

<http://www.townofboone.net/>

~ Agenda ~

Jane Shook
828-268-6960

Tuesday, May 24, 2022

5:30 PM

WebEx

This meeting will be held remotely using video conferencing software (WebEx).

For information on how to watch, listen, and/or participate in the meeting, please see the WebEx Video Conferencing Information section at the end of this agenda.

- I. Call to Order**
- II. Adoption of Agenda**
- III. Approval of Minutes**

April 26, 2022 Meeting Minutes

- IV. Public Comment**
- V. Community Appearance Standards**

Lighting Standards

Planning Staff has continued to meet with the Town of Boone Public Works Department to discuss revising the current lighting standards. Staff continues to work on draft lighting standards - presented in the draft staff report attached - based on past conversations and Staff's continued research. Staff is presenting this as a draft - please note there are areas where Staff will continue to revise.

Commercial and Multi-Family Construction - Community Appearance Standards Review

Planning and Inspections Staff compiled a list of Commercial and Multi-Family construction projects in the last ten years (2011-2021) for review. The CAC was presented with the document on April 26, 2022, meeting for their review and continued work. The document presented is current as of May 19, 2022.

Article 25 Community Appearance Standards Review and Discussion

Article 25 - Community Appearance Standards (Current UDO Standards)

VI. Other Discussion**VII. Adjournment****WebEx Video Conferencing Information**

WATCH OR PARTICIPATE IN THE MEETING: Individuals who wish to give testimony/evidence with respect to this case may do so through WebEx either online (by computer or smartphone) or by telephone. To do so, please email Jane Shook, Director of Planning & Inspections at jane.shook@townofboone.net or call 828-268-6960 and you will be provided with an email invitation to the meeting. All requests for participation must be completed by 2 pm on the day of the meeting.

Staff will be happy to schedule a test meeting with each participant to ensure that they are able to participate the night of the meeting. Please call Jane Shook at 828-268-6960 if you are interested in this option.

Staff will moderate the WebEx session to ensure all participants have an opportunity to speak. Individuals who require user assistance registering or joining the WebEx event on the day/night of the meeting can call 828-268-6960 for support.

CONCERNS REGARDING PARTICIPATION: Please contact Jane Shook, Director of Planning and Inspections by phone at 828-268-6960 as soon as possible if you are concerned about your ability to participate through the options listed above (online or by telephone) in the “To participate in the meeting” section above.

**TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, APRIL 26, 2022, 5:30 P.M.**

COMMISSION MEMBERS PRESENT:	Chair Sarah-Davis Cagle and Christy Cook
TOWN COUNCIL LIASION MEMBERS PRESENT:	Edie Tugman-Mayor Pro-Tem and Dalton George
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections; Jessica Mitchell, Long-Range/Special Projects Planner and Marlene Crosby, Board Secretary
OTHERS PRESENT:	Dr. Dan Caton-Appalachian State University and Matt Makdad-New River Light and Power

CALL TO ORDER

Chair Sarah-Davis Cagle called to order the meeting of the Boone Community Appearance Commission, held via WebEx, a video conferencing software, on Tuesday, April 26, 2022, at 5:33 p.m.

ADOPTION OF AGENDA

Chair Cagle made a motion, seconded by Member Cook, to adopt the agenda as presented.

Vote: Aye – All

Nay – None

The motion passed.

APPROVAL OF MINUTES

Chair Cagle made a motion, seconded by Member Cook, to approve the February 22, 2022, meeting minutes as presented.

Vote: Aye – All

Nay – None

The motion passed.

PUBLIC COMMENT

No individuals requested the opportunity to speak during public comment.

PRESENTATION: DR. DAN CATON – LIGHTING

Dr. Caton asked to speak before the Commission and began his presentation (permanently on file) and noted that he is a member of the American Astronomical Society's Committee on light pollution, radio interference, and space debris. He said he is also a member of the North Carolina Section of the International Dark Sky Association.

Discussion ensued on light pollution. Dr. Caton noted that in 2005 or 2006, he had spoken to the Community Appearance Commission about the Apex, North Carolina Code. He mentioned how he discussed with the Town not requiring low-pressure sodium lighting (LPS), a very deep orange street light. He said the problem with LPS lighting is that all colors turn monochromatic such as black, white, and gray; he further stated that this type of lighting presents a security issue.

Dr. Caton explained the problem with LED lights installed by the Town of Boone. Dr. Caton showed several photos of light pollution in the Town of Boone, some of the photos going back 50 years. He pointed out that most existing lighting was not designed or specified, or installed by people who are trained in lighting. He

explained that the current ordinance includes full cut-off fixtures as a requirement. He noted that these lighting restrictions added to the ordinance before building commercial buildings like Zaxbys, Publix, McDonald's, and The Standard of Boone helped reduce light pollution. He explained that full cut-off fixtures are flat on the bottom, and they do not allow light to go up above the horizon and cause light pollution. He explained the value of full-cut off as it is nice lighting, safe lighting, and does not cause excessive glare into peoples' faces.

Dr. Caton explained how the Town is replacing the high-pressure sodium street lights with LEDs at 3,700 Kelvin, according to his measurements, which resulted in a big blue spike in color temperatures with a handheld spectrometer. He compared the reading to color temperatures and in nanometers as in his presentation. He explained that at night, the light shifts, and our sensitivity moves over to the blue color, which is not suitable. The blue light is dangerous to your health, and the glare is discomforting. He gave an example of how hatching sea turtles at Carolina Beach are affected by light, and it involved cooperation with Duke Power in changing the lighting.

Dr. Caton talked about melatonin production in humans and how blue light interferes with it. He said that melatonin is a natural compound produced by the human body. It is also an important antioxidant in the anti-cancer cycle. He said one solution is to use the nightlight setting on all your devices like cell phones and laptops to reduce the blue light.

Dr. Caton talked about a solution for indoor lighting, specifically Phosphor Converted Amber lighting that absorbs the blue in the LED light and remits it as yellow-red. He said there is almost no blue spike with this type of lighting, and the Kelvin temperature is 2,300K. He provided an example of a previous lighting issue with gas station canopies and the result of compliance with the Town standards that reduced the footcandles of canopy lighting at a particular gas station.

In summary, Dr. Caton suggested that the Town of Boone consider using a lower color temperature fixture and checking the LEDs' specifications to get a spectrum and then measure the blue spike. He said the lighting requirements should be below 3,000 Kelvin for commercial businesses. He also suggested that lighting could also be 2,700 Kelvin. He noted that lighting of 2,500 Kelvin might not be economical. He might want to consider a sunset provision for existing non-shielded floodlights.

Discussion ensued on current lighting issues in the Town and buildings of lighting concern, including the Public Works facility used by the Town and near the area of Earth Fare on King Street and Cherry Street.

Ms. Shook thanked Dr. Caton for presenting his information to the Planning Staff and Community Appearance Commission. She explained that the Planning Staff had recently met with Dr. Caton and a lighting design professional, which assisted as the Planning Staff updates the lighting standards.

COMMUNITY APPEARANCE STANDARDS

Discussion ensued on the lighting standards. Ms. Mitchell gave a brief update on the lighting standards. She said that the Planning Staff started looking at lighting standards to propose language that reflects the best lighting practices. The Planning Staff realized that they needed assistance; as a result, Staff has had meetings with lighting design professionals, Dr. Dan Caton as a dark sky advocate, and local energy cooperatives. She said that the Planning Staff recently met with Mr. Matt Makdad, Engineering Supervisor from New River Light and Power. She said the Planning Staff is scheduled to meet with Blue Ridge Energy on April 27 to discuss lighting. Planning Staff will also continue to work with other Town departments that deal with lighting.

Ms. Mitchell noted that the Planning Staff would keep the requirements for full cut-off fixtures, canopy lighting, and lighting regarding sports fields. She said the Planning Staff would continue to work on the

proposed language by comparing different jurisdictions. She mentioned that language to change regarding lighting includes exempted or prohibited lighting, pole-mounted lights and height restrictions, and the table of activities that regulates footcandles in Article 25.05.03 and Article 25.05.04. She listed items for continued discussion: lighting on parking decks, specifically on top of parking garages, and using Kelvins.

Ms. Mitchell said the Planning Staff is looking at the language in Appendix A regarding the lighting plan. She said we hope to make this information more detailed and easier to understand what is required and how to get more information up-front.

Dr. Caton added to the discussion about floodlights from commercial buildings interfering with driving and issues with glare. He suggested that the pole heights be restricted for this reason. He also stated that if pole heights are lowered, there would be more pole lights for uniform lighting, and if pole heights are higher, more light can spread out. Ms. Mitchell said that the Planning Staff has already considered Kelvins, and they have been discussing them. She also stated that in reference to lighting interfering with driving, language could be considered for lighting to be placed to prevent glare.

The question was asked regarding enforcement of Kelvins with lighting. Dr. Caton replied that a spectrometer is over \$1,000, and apps are available on mobile phones. He mentioned that a spectrometer would be able to measure color temperature.

Ms. Shook discussed why the Planning Staff is looking at lowering the light poles. She explained that people would often put in taller poles to light larger areas; however, the problem is affecting the adjacent property owners because the light is spread out more.

Ms. Shook explained that the Town of Boone Public Works Department installs the street lights in the Town. She also explained that the ordinance applies to development. The Town's installment of street lights is not regulated by the Department or the ordinance. She said that the Town has been working on the new LED lights as part of a sustainability project, and the new LED lights run about 5,000 Kelvin. She said it is her understanding that the Town has already invested in those lights, some lights have been installed, and the fixtures have been purchased for the remaining lights. She said this would be a discussion for Council to move forward with the project. She referenced a conversation with New River Light and Power in which the pole height is between 25 to 30 feet, and the lights are 3,500 Kelvin for commercial lots. The Planning Staff's research from other ordinances showed that other jurisdictions have already reduced their lights to 3,500 Kelvin for their maximum regulating Kelvin. She added that it is still possible that the Kelvin amount could be lower than that within the language.

Commercial and Multi-Family Construction – Community Appearance Standards Review

Discussion ensued on the Commercial and Multi-Family Construction and Community Appearance Standards Review.

Ms. Mitchell referred to the information on packet page eight of the Commercial and Multi-Family Construction document. She explained that this summarizes the discussion at the last CAC meeting held on February 22, 2022.

Ms. Mitchell referred to packet page nine. She reminded the CAC about the Google Document that she created for the CAC to review and add notes to as they evaluate current design standards in Article 25. She said the CAC was asked to consider the "Pros" and "Cons" of the photos of past projects. Council Liaison Tugman noted that she would be traveling to Columbia and Hilton Head Island, South Carolina, and she would take photos of the design elements. Chair Cagle said she would try to add some "Pros" and "Cons" using the

current standards. She noted a pattern of building design noticeable in viewing the pictures. She further explained that it would be helpful to be more specific in the feedback.

Ms. Mitchell added that color and number of features are discussed often during plan review. She said that the CAC might want to consider these topics while evaluating the current design elements and the previous discussion of minimum standards. Ms. Shook noted that many chain stores have corporate colors and would like to use them, although she is not advocating for corporate colors. She informed the CAC that the Planning Staff had seen some submissions where they wanted to stripe their building with their corporate branding. She said we need to make it clear to applicants how we regulate color, as the ordinance currently references a Sherwin Williams color palette that is no longer available. She said she thought one of the local paint stores would be willing to put a palette together for the Town.

In summary, Ms. Shook suggested that the Planning Staff and CAC evaluate (1) elements that meet minimum requirements, (2) the most economical feature that we can use in a list of acceptable features, (3) a combination of those things that can be used to meet the ordinance requirements, and (4) as we move forward, consider incentivizing features and materials. She explained that this is an initial step as part of community input for the comprehensive plan. She concluded that the evaluation and community input would be considered as we change the ordinance to get the community we want to see in 20 years.

Discussion ensued on the timeline to present information to Council. Chair Cagle asked Ms. Shook what the CAC could do to help speed up their assigned task to be more helpful to the Planning Staff. Ms. Shook stated that she preferred that the CAC continue to work on their assigned task and move at the current pace where they can evaluate the material and give good feedback.

Ms. Shook explained that the Planning Staff is preparing to present to Council a high-level view of the comprehensive planning process in May. She noted that the Planning Commission and the Historic Preservation Commission would also bring value to the comprehensive planning process. She said the Planning Staff is discussing how to coordinate all of the work to get the best work products and the best value for our community. She concluded with giving the CAC another month to review and work on the presented document.

Discussion ensued on the appearance of local buildings, included in the Commercial and Multi-Family document presented in the packet. Council Liaison Tugman noticed the Allen Tate Real Estate looks very different from other buildings downtown. Chair Cagle noted that it has a modern twist, but she does not personally appreciate the completely solid color scheme. She further stated that she prefers variations with different materials or at least different colors of materials, and she likes the modern look. She said her one “con” about the building is that it is all the same color. Ms. Shook pointed out that this building proposal came in after an ordinance change, which allowed the design as it is.

Ms. Shook mentioned the Five Guys restaurant and stated that there were compliments when it was first built. Chair Cagle noted how there is variation in buildings and throughout Town, as it would not be as appealing if there were multiple buildings of the same design in a row. She stated that there is much in between the commercial buildings, such as Public or The Standard. Council Liaison Tugman questioned, based on the conversation, as we move to the next stage of development and the evolution of development, how can we stop the sameness and current developments not being side-by-side. Chair Cagle stated that it was a good discussion.

Based on a question, Ms. Mitchell clarified that the Commercial and Multi-Family document is based on projects looking at permits in the permitting system. She explained that for the project of the parking lot

for members to consider lighting, landscaping, and comparisons to other impervious surfaces or open parking lots.

Ms. Shook said the Planning Staff would provide some suggested changes for lighting standards at the next CAC meeting in May.

OTHER MATTERS BY BOARD MEMBERS OR STAFF

Ms. Shook reminded the CAC to look for individuals who might want to serve on the CAC.

ADJOURNMENT

Chair Cagle made a motion, seconded by Member Cook, to adjourn the meeting at 6: 42 p.m.

Vote: Aye – All
Nay – None
The motion passed.

Sarah-Davis Cagle, Chair

Marlene Crosby, Board Secretary



**STAFF REPORT
PUBLIC HEARING
JUNE 27, 2022**

Case PL05640-040822 Lighting Design Standards – Community Appearance Standards – UDO Text Amendment

Request

To modify UDO Article 25 Community Appearance Standards to reflect lighting industry changes and lighting design best practices. In conjunction with the Community Appearance Commission evaluating current Community Appearance Standards, Planning Staff has evaluated the current lighting standards by meeting with lighting design professionals, dark sky advocates, and local energy providers to discuss current lighting practices and areas of improvement.

History

February 22, 2022	Community Appearance Commission tasked with evaluating Community Appearance Standards in UDO Article 25. Planning Staff tasked with Lighting Design Standards within Article 25.
April 12, 2022	Meeting with lighting design professional and dark sky advocate
April 20, 2022	Meeting with local energy provider, New River Light & Power
April 26, 2022	Presentation of drafted lighting standards to Community Appearance Commission
April 27, 2022	Meeting with local energy provider, Blue Ridge Energy Members Foundation, Inc.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area’s natural beauty, university, and medical center presence as the Town’s greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and “cheap” apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

Comprehensive Plan Policies: Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
 - A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
 - E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for

development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

2.3 THE COMMUNITY

2.3.1 Community Appearance

- C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.
- E. The Town shall encourage public, private, and utility company efforts to place utility wires underground whenever feasible.

2.3 THE COMMUNITY

2.3.2 Community Character

- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

2.3 THE COMMUNITY

2.3.4 Public Involvement

- A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public.
 - A.2 Maintain and update a mailing list of architects, engineers, surveyors, landscape architects, realtors, builders, developers and contractors for notification and distribution of changes in Town policies and regulations.
- D. Special committees, advisory panels, educational forums, public workshops, leadership seminars, town meetings and media contacts shall be encouraged and fostered to enhance the effectiveness of citizen involvement in community planning and action.

PLANNING BOARD REPORT/RECOMMENDATIONS

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Vote 1: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance # PL05640-040822 and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent.

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

Communication: Planning Staff has continued to meet with the Town of Boone Public Works Department to discuss revising the current lighting

TOWN COUNCIL ACTION – Adoption of Ordinance

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

ORDINANCE # PL05640-040822

AN ORDINANCE TO REVISE UNIFIED DEVELOPMENT ORDINANCE RELATING TO LIGHTING DESIGN STANDARDS

WHEREAS, the Boone Town Council desires to modify, clarify and regulate best practices for lighting design standards for commercial development; and

WHEREAS, the Boone Town Council held a duly-noticed public hearing on June 27, 2022 with respect to this ordinance; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

WHEREAS, the Town Council finds that it is in the best interest of the Town and its citizens that Town Council directly consider and, with input from the public as deemed appropriate by Council; and

WHEREAS, the Boone Town Council is authorized to enact this Ordinance pursuant to its zoning authority under G.S. Chapter 160D, Article 6;

NOW THEREFORE, BE IT ORDAINED BY THE BOONE TOWN COUNCIL THAT:

SECTION 1. Article 26, Appendix C of the Town of Boone Unified Development Ordinance (“UDO”) is hereby revised as set forth in the attached **Exhibit A** to this Ordinance, which is incorporated by reference, with deletions and additions shown in **red** and **blue** respectively:

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this ordinance.

SECTION 4. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the ____th day of _____, 2022.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon, Town Clerk

Communication: Planning Staff has continued to meet with the Town of Boone Public Works Department to discuss revising the current lighting

Vote 1: The proposed amendment to the Town’s zoning ordinance ☐is OR ☐ is **not** consistent with the Town’s comprehensive plan and any other adopted plan(s) of the Town:

Note 1

Vote 2: The Town Council ☐approves OR ☐denies Ordinance # PL05640-040822 to the Town’s zoning ordinance and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent. Town Council members may reference the comprehensive plan policies in the Planning Commission’s recommendations, or use the other comprehensive plan policies as the Council member see relevant and pertinent to the case.

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

EXHIBIT A**Article 7 Nonconformities**

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7.05 Nonconforming Situation

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7.05.02 Development which requires compliance with UDO:

- A.** Cost of development as referenced herein shall be measured by adding together the costs which will be incurred in all development activity as proposed, together with the development activity other than normal maintenance and repair that has been permitted within the prior thirty-six (36) months.
- B.** All new structures or portions of structures must comply with all Ordinance requirements. However, when a nonconforming structure is destroyed or damaged by fire, flood, wind, other act of God, the structure may be repaired or restored to its original dimensions and conditions as long as the structure is not located in a Floodway or Special Flood Hazard Area, a building permit for the repair or restoration is issued within one (1) year and the structure is occupied within two (2) years of the date the building permit is issued.
 - 1. A nonconforming structure damaged by other cause to such extent that repair, reconstruction or restoration is expected to cost more than fifty percent (50%) of the total value of the structure, must be removed.
- C.** Compliance of existing development with the requirements of the Ordinance shall be triggered by the costs of proposed new development (excluding any costs associated with improvements made due to compliance with this Section) in accordance with the following tiers. The Administrator may require certification of the new development by a competent professional. The following tiers are cumulative in effect:
 - 1. **Tier 1:** Reconstruction, modification and alteration of a structure or development in which the cost is certified to exceed ten percent (10%) of the value of the development shall comply with the following, to the extent practicable:
 - a. Bicycle parking in accordance with Section 24.09.
 - b. Landscape improvements pursuant to Section 31.09 Screening Along Streets with a priority given to large deciduous trees.
 - 2. **Tier 2:** Reconstruction, modification and alteration of a structure or development in which the cost is certified to exceed twenty-five percent (25%) of the value of the development shall comply with the following, to the extent practicable:
 - a. Solid waste and recycling containers pursuant to Section 22.13.
 - b. Signs pursuant to Article 26.
 - c. Color requirements in accordance with Subsection 25.02.05.

- d. Lighting in accordance with ~~Section 25.05~~ [Article 27 Lighting Standards](#).
- e. Landscape improvements pursuant to Section 31.06 Buffer and Screen Requirements with a priority given to large deciduous trees.

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Article 25 Community Appearance Standards

25.02.05 Colors: The intent of this Section is to prevent inordinately bright façades and primary color ranges. All new construction elements are subject to color requirements, except pavement markings and signage.

- A.** Acceptable colors for site walls ~~_, site lighting,~~ and any other outside construction elements (excluding signage) include that equivalent to Sherwin-Williams series “Essential” and “Fundamentally Neutral” in the Town of Boone Color Reference Guide.

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25.03 Parking Structures

25.03.01 The intent of this Section is to regulate aesthetic features on parking structures to prevent a utilitarian appearance, and to provide a safe, secure environment for patrons, employees and vehicles.

25.03.02 Publicly visible facades must comply with provisions of this Article pertaining to exterior walls, materials, and colors.

25.03.03 All above-ground parking floors and decks shall be designed using a continuous façade incorporating window-like openings. The sill of any window-like opening must be a minimum of 42” above the finished floor.

25.03.04 Elevator and stair shafts shall be topped with gabled roofs or other architectural features and be oriented so that lobbies are visible from the street at each level.

~~**25.03.05** — Lighting shall be uniform throughout the structure so that dark hiding places are not created. Lighting levels must conform to IESNA standards.~~

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25.05 ~~Lighting~~Reserved

~~**25.05.01** — The intent of this Section is to prevent light from commercial developments from excessively illuminating the property in question, other properties, or the night sky.~~

~~**25.05.02** — Only light fixtures which are categorized as full cut-off (FCO) fixtures shall be permitted, except sports field fixtures which must comply with Section 25.05.04.~~

~~25.05.03 — The following are specific standards for lighting intensity based upon the activity involved. Values are presented in allowable foot-candles (fc) maintained (measured horizontally) at grade and are to be averaged throughout the site to avoid hot spots, i.e. areas of extreme light intensity relative to the remainder of the site:~~

Activity	Minimum	Maximum	Min./Max. Uniformity Ratio
Pedestrian Areas/Sidewalks	.2 f.c.	1.0 f.c.	
Building Entries	1.0 f.c.	10.0 f.c.	
Street Lighting	.2 f.c.	1.0 f.c.	
Open Parking Areas	.2 f.c. to 9 f.c.	3.6 fc	4:1
Playgrounds		5.0 fc	
Site Perimeter		.5 fc	

~~25.05.04 — Lighting for sports fields and outdoor courts is generally in excess of general outdoor lighting levels. Recreation lighting levels established by the IESNA are to be used as the standard. All sports fields or tennis courts must meet the following minimum standards:~~

- ~~1. Fixtures must be fitted with the manufacturer's glare control package. If the manufacturer does not have a glare control package, the fixture specification must be changed to a manufacturer that offers a glare control package.~~
- ~~2. Lighting shall be extinguished no later than one hour after the event ends.~~
- ~~3. Fixtures must be designed with a sharp cutoff and aimed so that their beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted.~~

~~25.05.05 — Canopies associated with vehicle related services shall be illuminated at a maximum illuminance of 30 fc and individual fixtures shall be flush mounted or have the canopy edge below the lowest light emitting point on the fixtures. All existing gas station canopies which exceed this standard shall be made compliant within seven (7) years of the date of adoption of this Article.~~

~~25.05.06 — Up-lighting may be used to illuminate a building, landscaping element or architectural feature, provided the lighting design has a maximum illuminance of 12fc, measured in a vertical plane. Down lighting is preferred.~~

~~25.05.07 — Parking decks and covered parking areas must conform to IESNA standards.~~

~~25.05.08 — At the end of a development permit, the applicant shall submit a final certification that a post installation inspection was conducted to check for compliance with a light meter against the approved lighting plan. Substitutions by electricians and contractors are common and will not be accepted unless substitutions are reviewed and approved.~~

~~———— The post installation inspection should be conducted by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist~~

~~who is lighting certified (LC) by the National Council on Qualifications for the Lighting Professions (NCQLP).~~

...

Article 26 Signs

...

26.01 General Regulation of Signs

...

26.01.08 Lighting: Interior lighting for signs, where permitted, shall not exceed eleven (11) watts per bulb (the standard industry size). In the case of the use of exterior lighting by floodlights, such lights must comply with N.C. Gen. Stat. § 136-32.2.

...

26.13.02 The following regulations shall apply solely to a historical reconstruction of a projecting theater marquee:

...

F. A projecting theater marquee may include the use of flashing, scrolling, or intermittent lights subject to the following conditions:

- a. The flashing, scrolling, blinking, or intermittent lights may only be in operation during the time the theater is open to the public and prohibited between the hours of 11 p.m. to 7 a.m.
- b. Light fixtures on the projecting theater marquee do not have to meet the requirement for full cut-off fixtures as required in Subsection 25.05.02.

...

Article 27 Lighting Standards ~~Reserved~~

27.01 Purpose, Applicability, Administration

27.01.01 Purpose: The regulations set forth in this Article are designed to place emphasis on the physical effects of lighting. The intent is to:

- A.** Prevent light from excessively illuminating the property in question, other properties, or the night sky.
- B.** Conserve energy.
- C.** Maintain public safety.

27.01.02 Applicability: Unless otherwise listed, this Article shall apply to all development in the Town of Boone, which requires approval and proper permitting through the Planning and Inspections Office.

27.01.03 Administration

- A. Subject to the requirements of Article 4, a lighting plan using light fixtures that meet the standards herein and the standards set forth in Section A3.08 Lighting plans, shall be required for any new development, modifications that trigger Tier 2 in Section 7.05, or for any other modification to an existing light fixture unless exempted herein.
- B. **Nonconforming Lighting:** Any nonconforming lighting, lighting fixture, or light pole lawfully in place or approved by the town prior to the adoption of this Article shall be exempt from these requirements.
 - 1. Routine maintenance is permitted for all existing fixtures. Routine maintenance work includes changing the lamp, ballast, starter, photo control, lens, and other required components.
 - 2. In the situation any previous nonconforming lighting, including any lighting installed prior to the adoption of this Article, is replaced, moved, upgraded, or otherwise changed, the fixture must be replaced by a fixture that is in compliance with this Article.
- C. At the end of a development permit, the applicant shall submit a final certification that a post installation inspection was conducted to check for compliance with a light meter against the approved lighting plan. Substitutions by electricians and contractors are common and will not be accepted unless substitutions are reviewed and approved. The post installation inspection should be conducted by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist who is lighting certified (LC) by the National Council on Qualifications for the Lighting Professions (NCQLP).

27.02 Exemptions and Prohibitions

27.02.01 Exemptions:

- A. Any lighting required by state and federal agencies.
- B. Any lighting installed by the Town of Boone or the State for the benefit of public health, safety, and welfare.
- C. Lighting of United States of America or North Carolina state flags specifically if the flag and flag pole do not exceed the maximum permitted building height for the zoning district.
- D. Individual residential lighting for Single-Family Dwellings (Use 1.01), Manufactured Homes (Use 1.02-1.04), other uses lawfully operated out of a single-family dwelling or Use 1.06 Duplex (one duplex building per lot), that are not part of subdivision plan for street or other common or public area outdoor lighting.
- ~~A.E.~~ A suspended string of lights. Any use of string lighting cannot constitute meeting lighting requirements of this ordinance.
- F. Temporary Lighting:

1. Any temporary lighting installed or used by a government entity, their agents, contractors or emergency services for lighting public streets.
2. Any temporary lighting used by the Police or Fire Department or other emergency services.
- ~~1.3.~~ Any temporary outdoor lighting for a temporary event, including recreational activities, concerts, plays or other outdoor events open to the public.
4. Any temporary seasonal lighting displays that are part of customary holiday decorations and/or annual civic events.

27.02.02 Prohibited:

- A. Lighting that could be confused for any warning, emergency, or traffic control devices.
- B. Any lights which blink, flash, move, flicker, or change intensity or color unless otherwise exempt.
- C. Any lighting fixture or device that is operated in such a manner to constitute a hazard or danger.
- D. Unshielded accent building mounted luminous tube including neon, LED, fluorescent, or similar technology.
- E. High intensity lights such as search lights or lasers, unless otherwise exempt.
- ~~A.F.~~ Internally illuminated wall panels if the light from the panels extends beyond the decorative wall panel or if the light is facing upward.
- G. Awnings or canopies intended for building accents over doors, windows, and other exterior features cannot be internally illuminated so as to turn a translucent material into an internally illuminated material. Lighting may be installed under canopies that light the sidewalk, or downlights onto the architectural features of a building.

27.03 Design Standards

- 27.03.01 Areas such as building entrances, outdoor seating or pedestrian areas, shall be illuminated to highlight the area without creating glare.
- 27.03.02 Parking lots and driveways shall be illuminated to meet the needs of the general public for safety while remaining unobtrusive to neighboring properties.
- 27.03.03 Areas subject to a small area plan or a zoning overlay (such as a historic district or landmark) may be subject additional standards for lighting.
- 27.03.04 Material & Color: Unless otherwise specified all light poles used within a development site shall:
 - A. Be of a matte, low-gloss, or satin grey, black, bronze, dark green or dark brown finish.
 - B. Be made of aluminum, fiber-glass or wood.

27.03.04 All exterior lighting, including lighting attached to or within the property, shall be either amber or white, in color, with the exception of low-light output (800 lumens or lower) landscaping or other decorative lighting, or signage lighting.

27.03.05 No light fixture shall exceed a color temperature of 3,500 Kelvins (K).

27.03.06 The following table sets forth the maximum standard for lighting intensity based upon the purpose of the lighting involved. Values are presented in footcandles (fc).

	<u>Residential Zones</u>	<u>All Other Zoning Districts</u>
<u>Building Entries</u>	<u>10</u>	<u>10</u>
<u>Parking Areas</u>	<u>4</u>	<u>6</u>
<u>Site Perimeter</u>	<u>.5</u>	<u>.8</u>
<u>Outdoor Display Areas</u>	<u>10</u>	<u>10</u>
<u>All Other On-Site Lighting</u>	<u>10</u>	<u>10</u>

A. Values are presented in allowable foot-candles (fc) maintained (measured horizontally) at grade, i.e. on pavement, and are to be averaged throughout the site to avoid hot spots, i.e. areas of extreme light intensity relative to the remainder of the site:

B. The values in the above chart for outdoor display areas and all other on-site lighting shall represent the maximum point of illuminance measured at grade in footcandles.

1. Exemption: Outdoor displays may exceed 10 footcandles if outdoor lighting is cut off, leaving only lighting that is amber in color with a temperature rating equal to or less than 2,700 (K) Kelvin), after closing or 11:00 p.m., whichever comes earlier.

C. The values in the above chart for site perimeter shall represent the maximum point of illuminance as measured at the property line in footcandles.

1. Exemption: In the case of buildings closer than ten feet (10') to the property line using only wall pack lighting, light trespass may be greater than one (1) footcandle, when the wall packs are fully shielded, directed downward, light output equals 1,600 lumens or less.

27.03.07 Glare Control

A. Unless otherwise specified, all light fixtures shall full cut-off (FCO) fixtures as defined in Article 34.

B. All pole- or wall-mounted lights shall be oriented horizontally or angled at 90 degrees.

C. Any lighting, including pole-mounted lighting, shall be mounted at a height equal to or less than thirty-five feet (35') feet above finished grade.

D. Though down lighting is preferred, up-lighting may be used to illuminate a building, landscaping element or architectural feature, provided the lighting design has a maximum illuminance of 12fc, measured in a vertical plane.

1. Up-lighting should not exceed the roof line of the building.
2. Any up-lighting shall be located, aimed or shielded to prevent spill light.

27.04 Street Lighting

27.04.01 Street lights shall be installed on all streets for the safe use of streets by both automobiles and pedestrians. The need for street lights shall be evaluated with each development and any deficiencies shall be corrected during the approval process.

27.04.02 Specifications:

A. Minimum street light spacing shall be adequate to protected the public safety for the area in which the development is located according to the standards below.

~~A.~~B. Lighting shall be placed at all street intersections and is preferred at street curves.

C. The table below provides the fixtures, pole materials, and spacing as regulated by location:

	<u>Fixture Type</u>	<u>Pole Material</u>	<u>Light Spacing</u>	<u>Color</u>
<u>US Highway 421</u>	<u>Fixture to be compliant with NCDOT specifications</u>		<u>TBD</u>	<u>matte or low-gloss black</u>
<u>All other major traffic corridors</u>				<u>matte or low-gloss grey</u>
<u>Properties located in a B1 zoning district.</u>			<u>TBD</u>	<u>matte or low-gloss black</u>
<u>Properties identified in the Wellness District Small Area Plan</u>			<u>TBD</u>	<u>matte or low-gloss black</u>
<u>All other streets</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>matte or low-gloss grey</u>

27.05 Sports Field Lighting

27.05.01 Lighting for sports fields and outdoor courts is generally in excess of general outdoor lighting levels. Recreation lighting levels established by the IESNA are to be used as the standard. All sports fields and tennis courts must meet the following minimum standards:

A. Fixtures must be fitted with the manufacturer's glare control package. If the manufacturer does not have a glare control package, the fixture specification must be changed to a manufacturer that offers a glare control package.

B. Lighting shall be extinguished no later than one hour after the event ends.

C. Fixtures must be designed with a sharp cutoff and aimed so that their beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted.

27.06 Canopy Lighting

27.06.01 Canopies associated with vehicle related services shall be illuminated at a maximum illuminance of 30 fc and individual fixtures shall be flush mounted or have the canopy edge below the lowest light-emitting point on the fixtures. All existing gas station canopies which exceed this standard shall be made compliant within seven (7) years of the date of adoption of this Article.

27.07 Parking Lot, Parking Garage Lighting

27.07.01 Parking decks and covered parking areas must conform to IESNA standards.

A. Lighting on the top level of a parking garage shall not be greater than 25 feet above the top floor of the parking deck, including any raised foundations.

~~27.08 Required Final Certification 27.08.01 At the end of a development permit, the applicant shall submit a final certification that a post installation inspection was conducted to check for compliance with a light meter against the approved lighting plan. Substitutions by electricians and contractors are common and will not be accepted unless substitutions are reviewed and approved. The post installation inspection should be conducted by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist who is lighting certified (LC) by the National Council on Qualifications for the Lighting Professions (NCQLP).~~

...

Appendix A Application Information

A3 Site Plans

...

A3.08 Lighting Plan

A3.08.01 When required, an applicant shall submit a lighting plan ~~in accordance with Article 25 Community Appearance Standards~~ meeting the requirements detailed herein.

A3.08.02 The plan shall contain the following information:

A. ~~An area lighting plan~~ A plan, drawn to scale, indicating all structures, parking lots, building entrances, vehicular and pedestrian traffic areas, vegetation that may interfere with

lighting, and adjacent land uses that may be adversely impacted by the lighting. The plan shall contain a layout of all proposed fixtures by location, orientation, aiming direction, mounting height and type.

- B. The plan shall include all existing (to remain) and all proposed exterior lighting (site, architectural, building entrance, landscape, flagpole, etc.).
- C. A 10' x 10' illuminance grid (point-by-point) of maintained footcandles overlaid on the site plan plotted out to 0.0 footcandles, which demonstrates compliance with Section ~~25.05~~27.03 Design Standards.

A3.08.03 A detail of all proposed light fixtures demonstrating compliance with Section ~~25.05~~27.03 Design Standards shall be submitted with the lighting plan.

Commercial and Multi-Family Buildings - Community Appearance Standards Review

At the February 22, 2022, CAC meeting, Planning Staff presented the Commission with the task of reviewing the current [Community Appearance Standards](#) in the Town of Boone Unified Development Ordinance (UDO) [Section 25](#). Additionally, a review of the relevant [Comprehensive Plan](#) policies, such as Section 2.3, was discussed.

The task assigned was to evaluate how design elements are currently written in UDO Article 25. In addition, the CAC was to consider possibly regulating design (such as incentives, point system) and if a CAC member was influenced by another jurisdiction to investigate, if possible, the jurisdiction's appearance standards. Additional considerations discussed include innovative standards for green products and considering the minimum standard that developers will most likely reach in construction projects.

Planning and Inspections Staff has compiled the following list of Commercial and Multi-Family Buildings permitted and completed from 2011 through 2021. Please note that most projects permitted in 2022 have not been completed, and those are not included.

Please view the images and comment on the "Pros" and "Cons" for each building presented on the following pages. The photos are also available in the folder (available [here](#)), where there are separate folders for each Multi-Family Construction and Commercial Construction project.

Note: For address reference, please view the address included with each item number. The address reference in the images may be incorrect due to the location services when the images were taken.

For any questions, please contact Jessica (jessica.mitchell@townofboone.net).



Commercial Construction

1. Alliance Bible Fellowship (New Sanctuary)

Address: 1035 Hwy 105 Bypass Application Date: 2012





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
Example	Pitched roofs are appealing; Mix use of stone	Color blocked painting - although it provides some design variety

2. ARHS (New Parking Lot)

Address: Mary Street

Application Date: 2018





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Parking lot looks to be well lit.	There appears to be some vegetation in the islands of the parking lot but would like more.

3. Beaver College of Health Sciences

Address: State Farm Rd Application Date: 2016





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Extensive glass/windows to allow natural light, varying materials & textures (brick, concrete)	



4. Bojangles

Address: 1277 Hwy 421 S Application Date: 2013



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

5. Boone Commons (Chipotle)

Address: 1787 Blowing Rock Road Application Date: 2013





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Landscaping, variety of materials (brick, stucco?), muted colors	

6. Bubbles Carwash
Address: 1157 Hwy 421 A

Application Date: 2014





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Glass/windows, use of natural stone material, signage is to scale & not obtrusive, varying roof lines/pitches	

7. Caldwell Hospice & Palliative Care



Address: 137 Moonstruck Lane

Application Date: 2020





272 Archie Carroll Road
Boone, Watauga County 28607
United States
Apr 11, 2022 1:49:36 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



8. Davidson Office Building

Address: 128 Meadowview Drive

Application Date: 2015



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of stone/natural material, modern clean lines of architecture, natural paint/color selection to blend with the surroundings, proportion of glass	

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9. Dollar General

Address: 140 Forest Hill Drive

Application Date: 2011



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Variation of brick color & pattern	Awnings that don't serve a purpose, lack of window/glass other than the doors



10. Five Guys & Retail Buildings
 Address: 1435 Blowing Rock Road

Application Date: 2011



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of varying materials (brick, stone), decorative brick pattern, landscaping	



11. FMC Watauga
 Address: 2640 Hwy 105 Application Date: 2015



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

Communication: Planning and Inspections Staff compiled a list of Commercial and Multi-Family construction projects in the last ten years



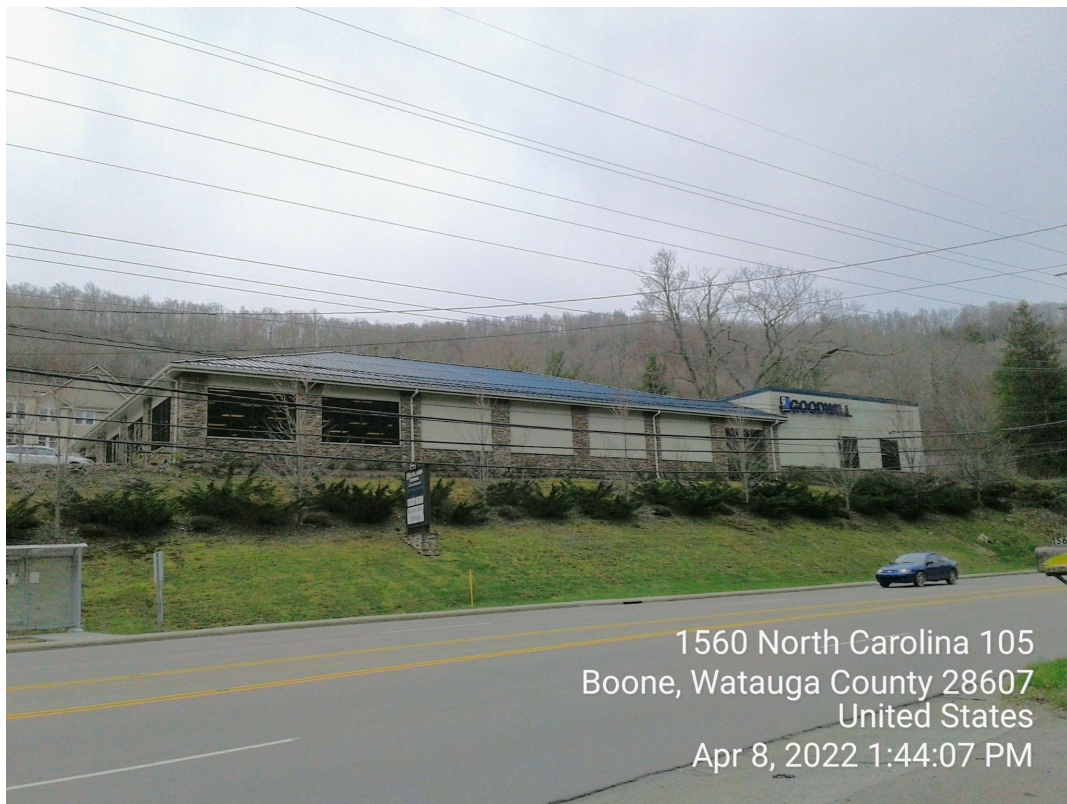
12. Goodwill

Address: 128 Crossing Way

Application Date: 2014

Communication: Planning and Inspections Staff compiled a list of Commercial and Multi-Family construction projects in the last ten years





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in	CONS (List aspects of the building facade or construction you do not find beneficial, appealing
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	design, or features you would want in future construction.)	in design, or features you would not want in future construction.)
SDC	Use of stone & varying material, use of glass/windows, landscaping on bank	

13. Hampton Inn

Address: 1252 US Hwy 421 S

Application Date: 2014



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of landscaping to shore the bank, variation in facade dimensions	Limited variation of facade material

14. Harris Teeter Fuel Center

Address: 1461 Blowing Rock Road

Application Date: 2020





1435 U.S. 221
Boone, Watauga County 28607
United States
Apr 8, 2022 12:24:17 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of stone, retaining wall detail, height & landscaping	

15. High Country Auto Sales & Services
Address: 245 Daniel Boone Drive

Application Date: 2018



Town of Boone
Planning and Inspections Department

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NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

16. Krispy Kreme

Address: 1641 Blowing Rock Road

Application Date: 2015



Town of Boone
Planning and Inspections Department



1641 Blowing Rock Road
Boone, Watauga County 28607
United States
Apr 8, 2022 12:29:42 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



17. MacIntosh, Scott

Address: 736 W King Street

Application Date: 2019



728 North Carolina 194
Boone, Watauga County 28607
United States
Apr 11, 2022 2:28:20 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Proportion of glass	The use of a single brick facade as a material



18. Modern Toyota & Subaru

Address: 225 Modern Drive

Application Date: 2014





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

19. Pet Care Clinic

Address: 1614 Hwy 105

Application Date: 2016



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Modern clean roof lines, use of different building materials (wood, composite), use of natural colors that blend into the surroundings	

20. Publix

Address: 1620 Blowing Rock Road

Application Date: 2015



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of varying building materials (stone, cast stone)	Lack of windows/use of glass

21. Starbucks

Address: 1700 Blowing Rock Road

Application Date: 2016



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of stone & wood, modern strong pitched roof, use of glass to let in natural light, dedicated outdoor space/seating	Ingress & egress

22. Take 5 Oil Change

Address: 1100 Blowing Rock Road

Application Date: 2021



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of stone	



23. Temple of the High Country
Address: 1043 W King Street

Application Date: 2011



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



24. TownePlace Suites by Marriott (Hotel)
Address: 1110 Meadowview Drive

Application Date: 2017





1121 Meadowview Drive
Boone, Watauga County 28607
United States
Apr 8, 2022 12:39:07 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
SDC	Use of stone & varying material, retaining wall with vegetation, varying facade depths	



25. University Nissan

Address: 135 Innovation Drive

Application Date: 2012





2462 Old US 421 South
Boone, Watauga County 28607
United States
Apr 8, 2022 11:17:09 AM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

26. Waffle House

Address: 881 Blowing Rock Road

Application Date: 2012



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

27. Watauga County Recreation Center
Address: 1036 State Farm Road

Application Date: 2018



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
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SDC	Use of stone & natural materials, modern	

28. Watauga County Farm Bureau Inc.

Address: 135 State Farm Road

Application Date: 2018





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



29. Watauga Medics Garage

Address: 133 Longview Drive

Application Date: 2011



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



30. Zaxbys

Address: 545 Hwy 105 Ext

Application Date: 2014



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



Multi-Family Construction

1. Appalachian Suites

Address: 130 Green Street Application Date: 2016



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



2. Boone Exchange Apartments (Phase 2)
 Address: 295 Old Bristol Road Application Date: 2012



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



3. Brooks Apartments

Address: 302 Faculty Street

Application Date: 2013



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)
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4. Greenway Cove Apartments

Address: 164 Winklers Meadow

Application Date: 2012





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

5. King & College (Mixed Use)
Address: 330 W King Street

Application Date: 2017





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

6. Mountaineer Crossing

Address: Crossing Way Application Date: 2012



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

7. Project Peak (Mixed Use)
Address: Hwy 105 Ext Application Date: 2018





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



8. Rivers Walk (Mixed Use)
Address: 178 S Water Street

Application Date: 2017





915 West King Street
Boone, Watauga County 28607
United States
Apr 8, 2022 2:03:45 PM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



9. Skyline Terrace Apartments
Address: Perkinsville Drive

Application Date: 2015



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



10. Standard of Boone (Mixed Use)

Address: Blowing Rock Road

Application: 2014







NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

11. State Farm Road Apartments
Address: 686 State Farm Road

Application Date: 2011



Town of Boone
Planning and Inspections Department



Communication: Planning and Inspections Staff compiled a list of Commercial and Multi-Family construction projects in the last ten years





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



12. The Finmore at 241 (Mixed Use)

Address: 241 Shadowline Drive

Application Date: 2018







NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

13. The Forum on East King Street

Address: 275 E King Street

Application Date: 2018



Town of Boone
Planning and Inspections Department



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



14. The Lofts

Address: 494 W King Street

Application Date: 2014



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



15. Turtle Creek West (Buildings 3, 4, and 5)

Address: 357 Old E. King Street

Application Date: 2012



359 Old East King Street
Boone, Watauga County 28607
United States
Apr 8, 2022 11:38:34 AM

NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



16. University Overlook (Mixed Use)

Address: 475 Blowing Rock Road

Application Date: 2016





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)

17. Watauga Green Apartments

Address: Clawson Street

Application Date: 2014



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



18. Winkler Oaks (Multi-Family)
Address: 203 Pine Street

Application Date: 2015



NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



19. Winkler Square (Mixed Use)
Address: 114 Clement Street

Application Date: 2014





NAME	PROS (List aspects of the building facade or construction you find beneficial, appealing in design, or features you would want in future construction.)	CONS (List aspects of the building facade or construction you do not find beneficial, appealing in design, or features you would not want in future construction.)



ARTICLE 25 COMMUNITY APPEARANCE STANDARDS

25.01	Applicability	25-1
25.02	Building Design	25-1
25.03	Parking Structures	25-7
25.04	Site Walls	25-7
25.05	Lighting	25-9
25.06	Flexibility in Administration.....	25-10
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25.01 Applicability

25.01.01 This Article is applicable to the publicly visible portions of building elements, as defined herein.

- A.** A building façade shall be deemed publicly visible when more than thirty percent (30%) of the façade is visible from any street or adjacent residentially zoned property.
- B.** Each element of a building shall be evaluated independently for public visibility
- C.** If building elements are not publicly visible at the time of construction due to existing site features (earthen berms, heavily wooded areas, vegetative buffer, existing buildings to remain), then these existing site features must remain indefinitely. If they are altered at any time to allow greater visibility, then the element made visible must comply with the standard.
- D.** The following uses are exempted from the requirements in this Article: 1.01 Single Family Dwelling, 1.02 & 1.03 Manufactured Home, 1.05 Duplex, 2.01 Family Care Home, A-1 Secondary Suite, A-2 Home Occupation, A-3 Accessory Dwelling Unit, all Temporary Uses.

(Ord. PL01390-032818, 04-26-2018)

25.02 Building Design

25.02.01 Pedestrian-Orientation: The intent of this Section is to provide a design of buildings that support a safe and attractive pedestrian environment.

- A.** Primary façade and main building entry shall face the primary public way.
- B.** If site constraints are present, the applicant's intent to use a "stock plan" is not a basis for appeal.
- C.** The Administrator may approve a redesign in which the main primary entrance does not face the primary public way provided the following:
 - 1.** The main building entrance, when not facing the primary public way, shall provide a safe and convenient access for pedestrians from the main building entrance to the primary public way. The pedestrian way must provide additional landscape amenities.

2. Entrances which are oriented on a diagonal are permitted, provided that they are integrated with the overall architectural design, and not merely angled appendages or alcoves.
3. Ground floor windows or window displays shall be provided along at least ten percent (10%) of the building's (ground floor) street-facing elevation(s); windows and display boxes shall be integral to the building design and not mounted to an exterior wall. Parapets above the first floor are excluded from the calculations when the building is over eighty feet (80') in length.

25.02.02 Exterior Walls: The intent of this Section is to require running lengths of walls to be interrupted by architectural features which lend a more human scale to the overall massing.

A. Features include:

1. Offsets of the building wall or other elements in plan of four feet (4');
2. A colonnade with columns or other vertical elements of sixteen feet (16') or less on center;
3. A change in building material, with a maximum of two (2) uses of this option being counted toward the schedules below;
4. Awnings or canopies;
5. Covered entries or porticos;
6. Windows with a minimum width of two feet and eight inches (2'8") and a minimum height of three feet and four inches (3'4");
7. Trellises;
8. Pilasters, which must be a different material or contrasting color than their background;
9. A combination of the above; and
10. Any other type of feature not listed here which is deemed by Staff to meet the intent of this Ordinance.

B. Plumbing, mechanical, electrical service components and gutter downspouts are not considered features and may require screening. Such screening is not considered an architectural feature.

C. Required features must be distributed throughout the building façade and shall not be clustered.

D. Features shall be provided in accordance with the following feature schedules:

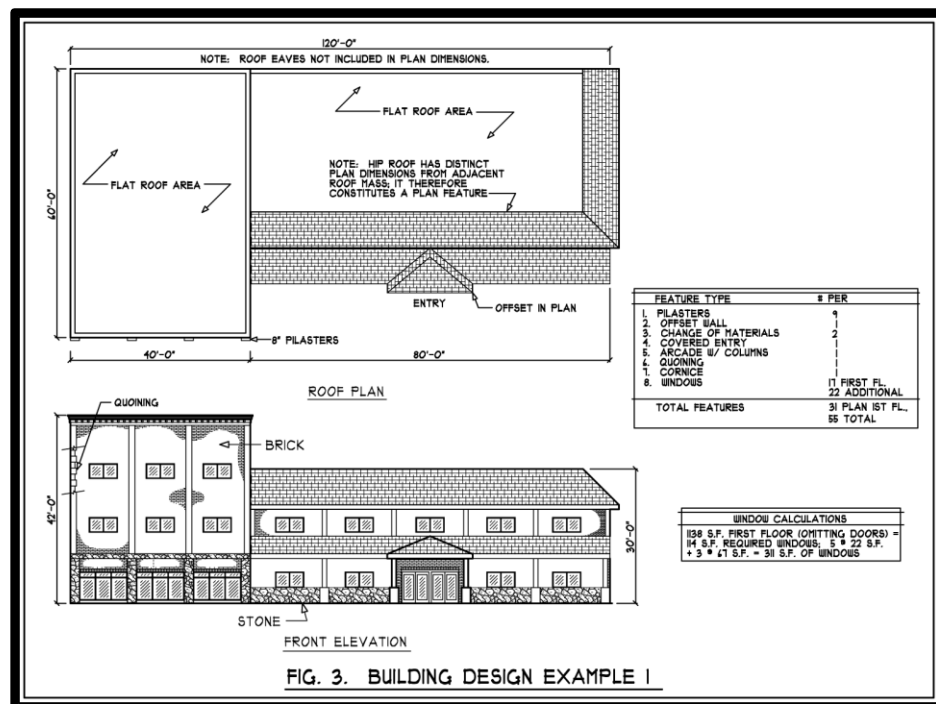
Table A
Feature Schedule – Plan

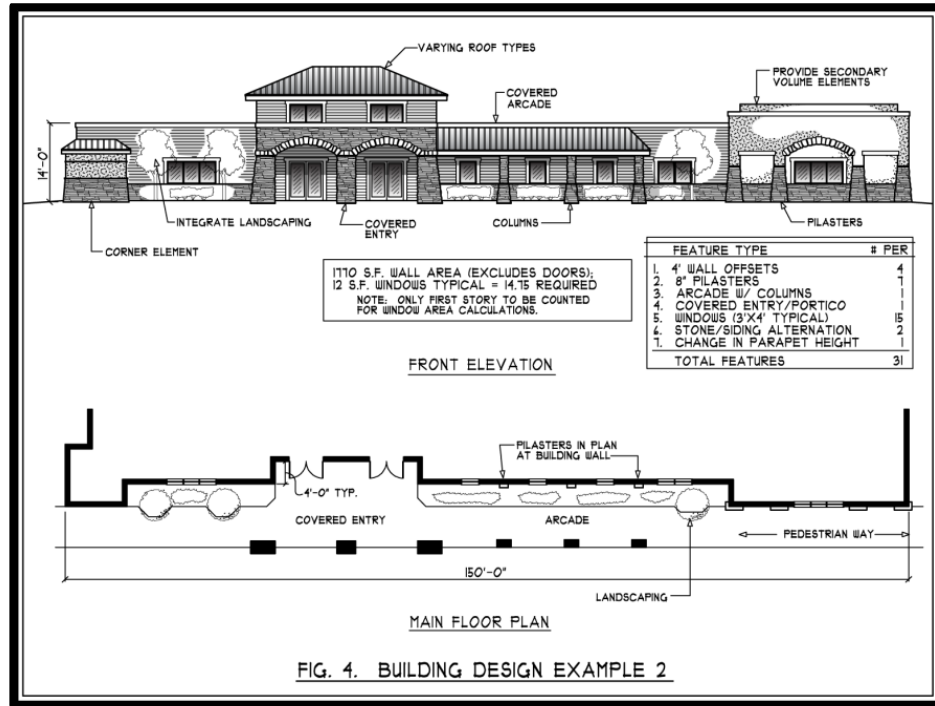
Linear Dimensions, in Plan	Minimum # of Feature Types	Minimum # of Total Features
10' to less than 40'	2	4
40' to less than 80'	3	8
80' to less than 120'	4	12
120'+	5	16

Table B
Feature Schedule – Elevation

Linear Dimensions, in Elevation	Number of Features Required
10' to less than 16'	2
16' to less than 32'	3
32' to less than 48'	4
48'+	5

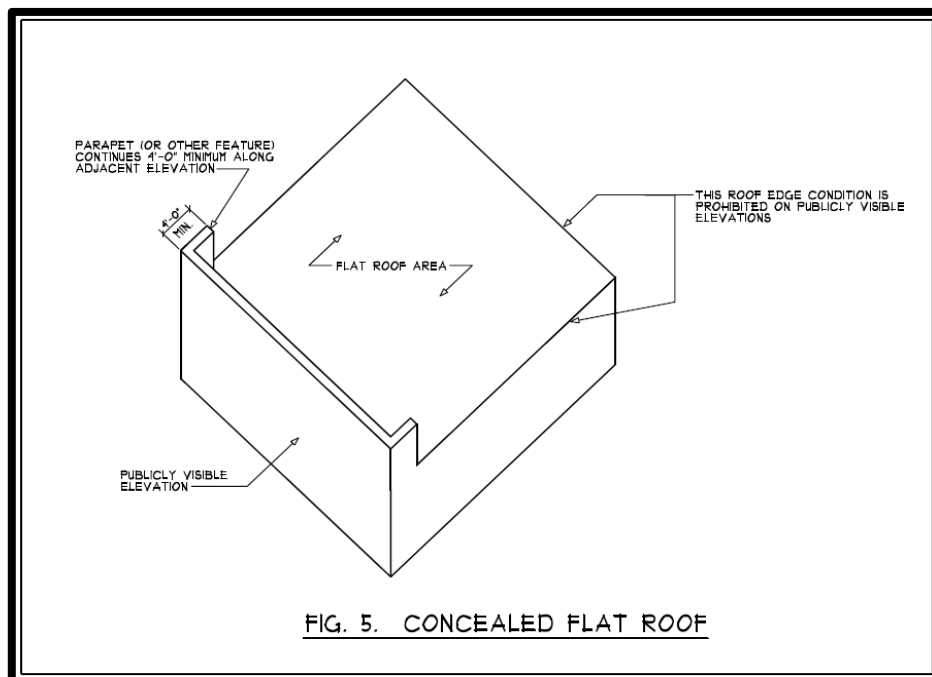
- E. Features which serve to interrupt the building façade in both plan and elevation shall be credited as such using the above charts. Windows are considered plan and elevation features. See examples in Figures 3 and 4 below.



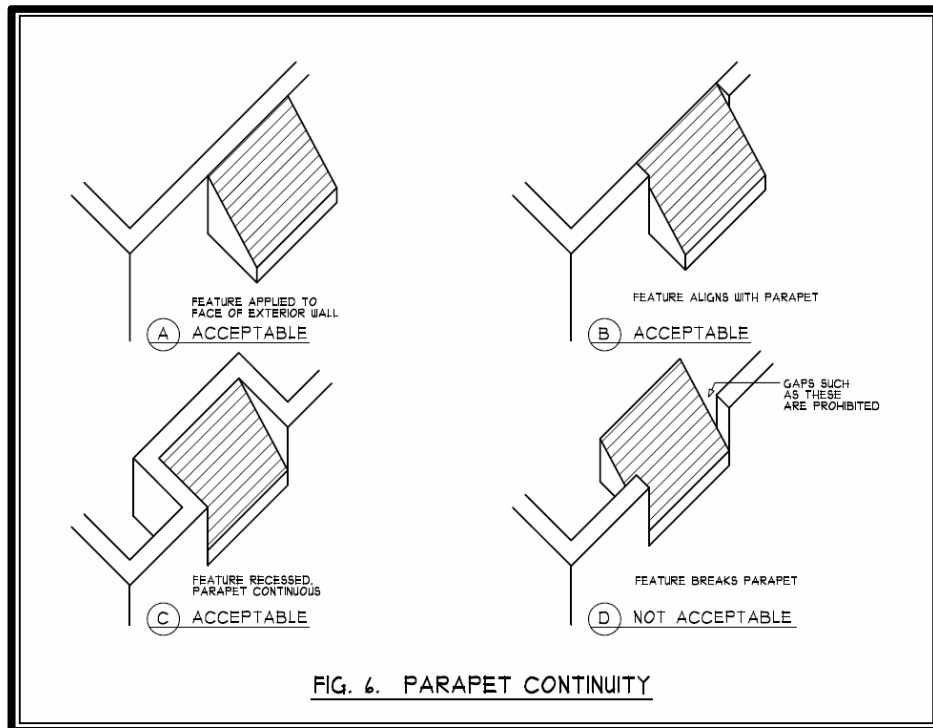


25.02.03 Roofs: This Section regulates both pitched and flat roofs. The intent is to interrupt expanses of pitched roofs and minimize or prevent the visibility of flat roofs.

- A.** Walls shall not appear to terminate at flat roofs. Flat roofs shall be concealed from view by using pitched roof features, parapets, or a mixture thereof. Where only one elevation has this condition, the parapet or other feature will continue four feet (4') along the adjacent elevation. See Figure 5 below.



- B. Buildings over two stories above grade may utilize a flat roof, provided the flat portion is not publicly visible. Compliance may not be possible if the adjacent road grade is substantially above the roof in question.
- C. Minimum roof slope for pitched roofs is 4'(v):12'(h).
- D. Publicly visible plumbing vent stacks shall be colored to match the roofing material.
- E. Where a parapet intersects with a pitched roof element, there shall be no apparent breaks in the parapet wall. See Figure 6 on page 22-17.



- F. Awnings or canopies which are illuminated from within must be covered or finished with fully opaque material.
- G. Publicly visible pitched roofs shall be articulated by features in accordance with the following schedule. Features shall be in proportion to the roof area where they appear. Features include:

Table C
Feature Schedule – Roof Areas

Roof Area	Number of Features Required
Less than 1200 ft ²	0
1200 ft ² to less than 1600 ft ²	1
1600 ft ² to less than 2400 ft ²	2
2400 ft ² +	3

- H. No part of this Ordinance shall be construed to prevent solar panels or any other type of renewable energy collection or storage method, provided the development follows the massing guidelines established herein.

25.02.04 Materials: The intent of this Section is to require materials indigenous to the area for a native, natural appearance.

- A. For any publicly visible elevation, a minimum of twenty-five percent (25%) of the building finish material must be stone or concrete-simulated stone, wood or simulated wood in concrete board (such as “Hardi” products), or brick or concrete-simulated brick.
- B. Mirrorized glass is prohibited from use. Reflective tinted glass is acceptable up to thirty percent (30%) tint. Anything above thirty percent (30%) tint is subject to review by the Administrator pursuant to 25.07.01.
- C. Architectural concrete masonry such as split face, or ground-face block is acceptable.
- D. Stucco and synthetic stone are acceptable finish materials.
- E. Architectural concrete (containing a pattern or finish) as a finish material is acceptable. Gray, unfinished concrete is prohibited as a finish material. Concrete architectural detail elements intended to be a decorative enhancement for exterior walls and site walls are acceptable
- F. Other materials subject to Staff review and approval include vinyl siding (which should simulate wood grain) and other manufactured materials. Vinyl siding shall be anchored to the exterior envelope sufficiently to avoid the appearance of deformation or bowing across the façade.
- G. For publicly visible roof surfaces, allowed materials include standing seam metal, asphalt shingles, shakes, tile, or manufactured shingles which give an appearance of shingles, shakes, or other simulated natural material. Sheet materials other than those listed in this Section are subject to Staff review for use on publicly visible roofs.
- H. Any materials which comprise less than ten percent (10%) of a publicly visible exterior building wall and are components of windows or trim systems are allowed (example: aluminum storefront, metal corner trim, etc.).
- I. FRP, PVC, and other composites formed into architectural detail elements such as columns, cornices, etc., are approved for use as long as such material is intended to be a decorative enhancement for the façade.

25.02.05 Colors: The intent of this Section is to prevent inordinately bright façades and primary color ranges. All new construction elements are subject to color requirements, except pavement markings and signage.

- A. Acceptable colors for site walls, site lighting, and any other outside construction elements (excluding signage) include that equivalent to Sherwin-Williams series “Essential” and “Fundamentally Neutral” in the Town of Boone Color Reference Guide.
- B. Acceptable field colors and trim colors are those equivalent to Sherwin Williams series “Essential” and “Fundamentally Neutral” in the Town of Boone Color Reference Guide.
 - 1. The “LRV” Light Reflection Value of field colors must be below 60.
 - 2. Black is prohibited as a field color in the series “Essential”.
- C. Acceptable accent colors are those equivalent to Sherwin-Williams series “Essential”, “Fundamentally Neutral”, and “Color Options” in the Town of Boone Color Reference Guide.

(Ord. 20150767, 11-19-2015; Ord. 20160438, 03-16-2017; Ord. PL04727-050721, 07-01-2021)

25.03 Parking Structures

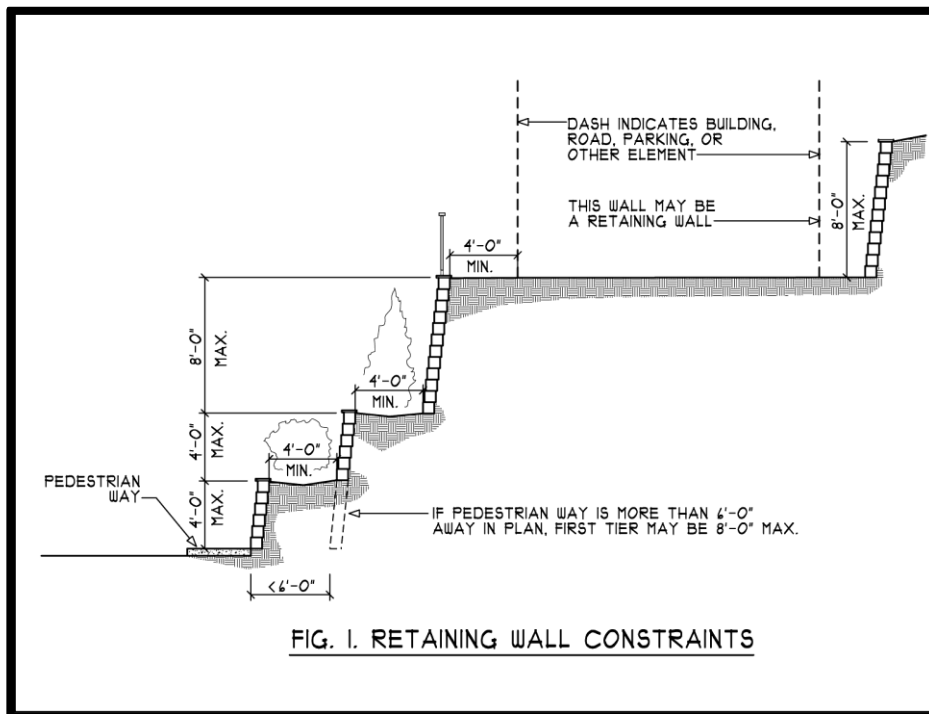
- 25.03.01** The intent of this Section is to regulate aesthetic features on parking structures to prevent a utilitarian appearance, and to provide a safe, secure environment for patrons, employees and vehicles.
- 25.03.02** Publicly visible facades must comply with provisions of this Article pertaining to exterior walls, materials, and colors.
- 25.03.03** All above-ground parking floors and decks shall be designed using a continuous façade incorporating window-like openings. The sill of any window-like opening must be a minimum of 42” above the finished floor.
- 25.03.04** Elevator and stair shafts shall be topped with gabled roofs or other architectural features and be oriented so that lobbies are visible from the street at each level.
- 25.03.05** Lighting shall be uniform throughout the structure so that dark hiding places are not created. Lighting levels must conform to IESNA standards.

(Ord. PL04727-050721, 07-01-2021)

25.04 Site Walls

- 25.04.01** The intent of this Section is to prevent walls which appear to dwarf the human scale and to encourage equalizing cut/fill or majority cut slope methods of grading.
- 25.04.02** No retaining wall may be more than eight feet (8’) in height. This height does not include decorative caps that are less than eight inches (8”) in height. Screen walls shall not be taller than necessary to conceal the item screened (such as a dumpster, HVAC equipment, etc.)
- 25.04.03** Buildings located near the top of site retaining walls shall be a minimum of four feet (4’) horizontally from the top of the retaining wall.

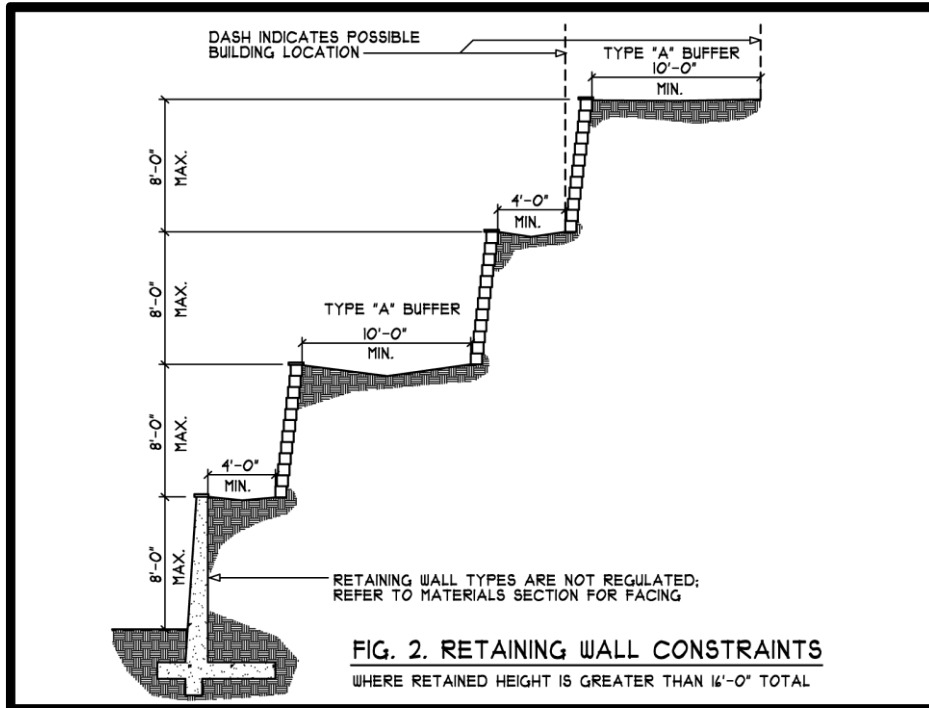
25.04.04 Retaining walls, any portion of which are within six feet (6') of a sidewalk or pedestrian way, shall not exceed four feet (4') in height. Subsequent walls must be offset a minimum of four feet (4') in plan. See Figure 1 below.



25.04.05 A series of two (2) retaining walls must have a minimum of four feet (4') horizontally from the back of the top of the lower wall face to the toe of the upper wall face in plan. See Figure 1 above. For three (3) or more walls in series, see item [g] below.

25.04.06 The space between retaining walls in series shall be landscaped with appropriate grasses, vines or other ground cover in accordance with provisions of in Appendix C, Town of Boone Details and Specifications Manual and may contain shrubs and trees not to exceed thirty-five feet (35') in height at maturity. This area shall be maintained in accordance with the provisions of Section 31.12.

25.04.07 Retaining walls in series which collectively exceed sixteen feet (16') in height shall have a minimum of one (1), ten foot (10') wide Type "A" buffer (see Section 31.05), between two of the walls. Retaining walls which are separated by a building, a road, or a parking area shall be exempt from this requirement. See Figure 2 below.



25.04.08 Publicly visible site wall material and color shall be architecturally compatible with the principle building(s) on site.

25.05 Lighting

25.05.01 The intent of this Section is to prevent light from commercial developments from excessively illuminating the property in question, other properties, or the night sky.

25.05.02 Only light fixtures which are categorized as full cut-off (FCO) fixtures shall be permitted, except sports field fixtures which must comply with Section 25.05.04.

25.05.03 The following are specific standards for lighting intensity based upon the activity involved. Values are presented in allowable foot-candles (fc) maintained (measured horizontally) at grade and are to be averaged throughout the site to avoid hot spots, i.e. areas of extreme light intensity relative to the remainder of the site:

Activity	Minimum	Maximum	Min./Max. Uniformity Ratio
Pedestrian Areas/Sidewalks	.2 f.c.	1.0 f.c.	
Building Entries	1.0 f.c.	10.0 f.c.	
Street Lighting	.2 f.c.	1.0 f.c.	
Open Parking Areas	.2 f.c. to 9 f.c.	3.6 fc	4:1
Playgrounds		5.0 fc	
Site Perimeter		.5 fc	

25.05.04 Lighting for sports fields and outdoor courts is generally in excess of general outdoor lighting levels. Recreation lighting levels established by the IESNA are to be used as the standard. All sports fields or tennis courts must meet the following minimum standards:

- A. Fixtures must be fitted with the manufacturer's glare control package. If the manufacturer does not have a glare control package, the fixture specification must be changed to a manufacturer that offers a glare control package.
- B. Lighting shall be extinguished no later than one hour after the event ends.
- C. Fixtures must be designed with a sharp cutoff and aimed so that their beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted.

25.05.05 Canopies associated with vehicle related services shall be illuminated at a maximum illuminance of 30 fc and individual fixtures shall be flush mounted or have the canopy edge below the lowest light-emitting point on the fixtures. All existing gas station canopies which exceed this standard shall be made compliant within seven (7) years of the date of adoption of this Article.

25.05.06 Up-lighting may be used to illuminate a building, landscaping element or architectural feature, provided the lighting design has a maximum illuminance of 12fc, measured in a vertical plane. Down lighting is preferred.

25.05.07 Parking decks and covered parking areas must conform to IESNA standards.

25.05.08 At the end of a development permit, the applicant shall submit a final certification that a post installation inspection was conducted to check for compliance with a light meter against the approved lighting plan. Substitutions by electricians and contractors are common and will not be accepted unless substitutions are reviewed and approved.

The post installation inspection should be conducted by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist who is lighting certified (LC) by the National Council on Qualifications for the Lighting Professions (NCQLP).

(Ord. PL04727-050721, 07-01-2021; Ord. PL05270-110121, 12-08-2021; Ord. PL05272-110121, 12-08-21)

25.06 Flexibility in Administration

25.06.01 Flexibility in administration is required for this Article. When strict application of the standards within this Article undermines other provisions of the UDO, then those other provisions take precedence. For example, the retaining wall height limitation may be increased to afford an opportunity to preserve significant or historic tree(s).

25.07 Alternatives

25.07.01 Alternatives to the appearance standards provided herein may be permitted upon written review and approval of the Administrator.

25.07.02 The Administrator may approve an alternative not to exceed +/- 25% of the relevant standard or requirement if they find that the alternative meets the purpose and intent of the provisions contained within this Article. When the Administrator approves an

alternative, they specifically identify how the alternative meets the purposes and intent of this Article. The Administrator may, but is not required, to seek the recommendation of the Community Appearance Commission with respect to any proposed alternative. An applicant may not seek a variance with respect to any deviation allowed by the Administrator under this section.

(Ord. 20160438, 03-16-2017; Ord. PL04727-050721, 07-01-2021)