

**TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, MAY 24, 2022, 5:30 P.M.**

COMMISSION MEMBERS PRESENT:	Chair Sarah-Davis Cagle and Christy Cook
TOWN COUNCIL LIASION MEMBERS PRESENT:	Dalton George
STAFF MEMBERS PRESENT:	Jane Shook, Director of Planning and Inspections; Jessica Mitchell, Long-Range/Special Projects Planner and Marlene Crosby, Board Secretary

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, May 24, 2022, at 5:30 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 April 26, 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.

COMMUNITY APPEARANCE STANDARDS

LIGHTING STANDARDS

Ms. Jessica Mitchell, Long-Range/Special Projects Planner, explained the proposed draft language by Planning Staff regarding lighting standards in the Unified Development Ordinance (UDO). She explained that the proposed language to UDO included writing within Article 27, previously reserved, for the Lighting Standards. She said that the Planning Staff proposed language to Article 27, Section 27.01 Purpose, Applicability, Administration. She said the Planning Staff continues to revise the lighting standards as they receive ongoing questions and concerns. She said they are trying to improve the standards to make them more descriptive. She noted that revisions are proposed in Article 7 for non-conforming lighting; they are proposing to remove some current language from Article 25. She asked for the CAC to discuss the proposed language for exemptions in Article 27.02.01(D).

Discussion ensued on neon lighting at businesses. Ms. Mitchell asked the CAC for their direction on neon lighting at businesses. She referred to proposed Article 27.02.02 Prohibited(D) and said some businesses have neon lighting as part of their corporate branding. She referenced examples of the chain restaurants using corporate colors, such as red neon tube lighting, that is part of the roof design, and how neon lighting could be regulated with recessing lighting into the roof design. Ms. Shook pointed out that the ordinance does not

address neon lighting. She suggested doing a night-time survey of businesses' lighting to document current lighting uses.

Council Liaison George asked if the Planning Staff could look into the colors related to neon lights. He said that colors could impact the kind of brightness and intensity of them, especially when you are talking about neon lights. He pointed out that a red neon color differs from a yellow neon color. Chair Cagle asked if the neon lights could be measured in Kelvins or foot candles. Ms. Mitchell said the Planning Staff would research these ideas. Chair Cagle talked about possibly adding language that does not allow someone to put up colored neon lighting if it is not part of their corporate image.

Ms. Mitchell talked about some of the hotels in Boone that use not necessarily neon lighting but colored lighting. She pointed out that the Sleep Inn hotel uses colored lighting that is up-lighting. She said this type of lighting does fall into the category of corporate color lighting. She said the Planning Staff could research this idea of corporate color lighting.

Council Liaison George talked about researching light pollution groups and organizations and see if they have a draft policy that the Planning Staff could review. Ms. Shook said that Dr. Dan Caton from Appalachian State University discussed the International Dark-Sky Association, which has a model ordinance that was an older version, and it had not been recently revised. She said the Planning Staff could get the information from them, but buying some of the materials from various sources that ranged from \$200 to \$900. She said the Planning Staff is trying to locate other options as possible. Ms. Mitchell said they had done research in several jurisdictions. They will continue to research other jurisdictions inside and outside North Carolina to locate light pollution information. Ms. Shook mentioned that there is an International Dark Sky Places community and award that would have some information Ms. Shook agreed this was a great idea, and she said they would research that topic to see what they have to offer.

Ms. Mitchell presented questions to the CAC regarding lighting on buildings, such as multi-family or multi-story buildings, and with these types of structures lighting used other than parking, specifically building entries. She explained that outside of parking is where Staff saw a gap in current and proposed lighting standard language.

Discussion ensued on glare control. Ms. Mitchell said she and Ms. Shook talked about the lighting on multi-family buildings with parking on the top of their building. Ms. Mitchell noted in some instances that their poles are high enough for the light to shine and affect adjacent properties. She pointed out in the proposed language Article 27.03.07 Glare Control(C) is written for pole-mounted lighting to be equal to or less than thirty-five feet (35) feet above finished grade. Council Liaison George asked about what would be defined as finished grade, if it is the top of the building or from the base or grading of the development. Ms. Mitchell replied that it was her interpretation that it would be from the base of the building. Ms. Shook replied that Staff would evaluate current formatting and that under the proposed 27.07 references the top of a parking garage limiting parking lighting to no more than 25 feet above the top floor. Ms. Shook replied that the proposed language can include "unless otherwise specified." Chair Cagle talked about the difference between 35 feet on top of a building or above the parking deck floor versus the top of the building where you measure the grade. She suggested to Ms. Mitchell to clarify the language in 27.03.07 (C); she further suggested to measure from the top height of the building, and not a specified height over the height of the existing building. Council Liaison George explained to clarify to eliminate light spilling over onto adjacent properties, as referenced in proposed language 27.03.07 (D).

Discussion ensued on pole heights. Chair Cagle explained that her thought was regarding the finished grade, and specifying a height from the entrance grade. Additionally, she also explained her thoughts on the light that is above the building from the top height; further, she stated that with the example of a parking deck on

the top floor might be considered a different category of the proposed language. She stated that from a safety perspective, there might need to be lighting that covers a certain square footage of the parking deck. She replied that it would make sense to measure against the grade. Ms. Mitchell said the standard poles used by New River Light and Power are 25 feet high, and between that energy cooperative and Blue Ridge Electric there is a range of pole heights. After comparing pole height from other jurisdictions, she said the pole height ranged from 25 feet to 35 feet. She further stated that it can be modified as Staff continues to research pole heights in other jurisdictions. She clarified that the 25 feet proposed regulation was initially intended for regulating a parking deck on the top floor of a building. She further stated that the 35 feet proposed regulation was to capture any other lighting; however, she stated that based on this discussion Staff would evaluate if the 35 feet needed to be categorized differently on lighting uses. Chair Cagle mentioned that a range of height might be beneficial for a building entrance depending on the building. Ms. Shook clarified that New River Light and Power primary uses a 25-foot light pole for parking lot lights, and they use a direct burial method. She further explained that private development has the option to use any energy cooperative. Ms. Shook also explained that in researching glare control other jurisdictions regulated lighting that did not seem feasible for our topography.

Member Cook talked about the Sleep Inn hotel image that Ms. Mitchell shared as an example. She felt that this hotel has a crow's nest just for lighting, and the light extends beyond the majority of the roofline. Ms. Mitchell stated that this would be part of the proposed up-lighting language. Member Cook said she thought the crow's nest on the Sleep Inn hotel is maybe 10 percent of the roofline. Ms. Mitchell said she thought the language needed to be more specific or add a percentage to the language for this type of situation. Chair Cagle suggested adding more language to include an architectural design feature that, for instance is only built for a sign. Ms. Shook pointed out that these would be new proposed standards under (D). Glare Control, and that under the proposed language the brightness might exceed the number of footcandles proposed in the draft. Ms. Mitchell mentioned that Staff would evaluate regulating amount of colored lighting. Additionally, she mentioned that Staff continues to evaluate neon lighting in different ways, including neon signs inside a window.

Chair Cagle asked about neon signs inside and outside. She suggested coming up with a way to measure an acceptable brightness for a neon light. She questioned if there is a way to reference the types of usages of light if someone wants to put a neon light or sign outside. Ms. Shook pointed out that there should be an exemption for signage in the proposed language, whether attached or freestanding. She further stated that corporate colors would have to be allowed in signage. Ms. Shook said the Planning Staff is working on our Sign ordinance. She said we have never regulated anything inside the building, but we have regulated flashing signs or neon signs outside. She explained that the Council had asked that we start regulating this kind of lighting or signage on the inside of the windows because the flashing lights cause disturbances to vision. She said the Planning Staff would address some of these issues.

Discussion ensued on exterior lighting. Ms. Shook read Article 27.03.04, and she said that some jurisdictions allow the colored amber or white lights with the exception of signage. Ms. Mitchell pointed out in Article 27.03.05, the table within, Planning Staff added 3,500 (K) Kelvins based on research widely used throughout other jurisdictions. She shared a Kelvin color temperature chart. Ms. Mitchell said there is an exemption in 27.03.06, B.1., where it is drafted for 2,700 (K) Kelvins used for outdoor displays. Chair Cagle said that using 2,700 (K) Kelvins makes sense during non-peak hours. Ms. Mitchell explained that putting time on the outdoor lighting would be helpful and limit any specific nighttime glare, which is one of the critical purposes of this proposed language.

Discussion ensued on foot candles. Ms. Mitchell said she and Ms. Shook would re-evaluate foot candles in proposed language 27.03.06. to make the proposed language clearer. Ms. Mitchell explained that in the

current UDO section, it lists a minimum and a maximum, and after Staff research it seemed to be clearer to list a maximum footcandle amount.

Discussion ensued on street lighting. Ms. Mitchell said that she would continue working with the Public Works Department to finalize the language in proposed section 27.04 Street Lighting. She talked about the materials and colors used generally by New River Light and Power and the Town for the street lighting poles. She noted that Planning Staff and the Public Works department had discussed possibly splitting the lighting into corridors so that the lighting would be more uniform in material and brightness. She said the Public Works department is working on the spacing between the light poles. Ms. Shook clarified that this not a table for Public Works to necessarily follow, but for development in the Town. She furthered explained that there are no current street lighting standards, and Staff noticed this gap during research. She explained that the current corridors of Town, such as the Wellness District and along the Highway 421 project have been areas of investment; for future development, she explained it would be best to have lighting match the current and invested lighting. She talked about the light poles along Highway 421, and said that there are detailed specifications for the light fixtures for the street lighting. Ms. Shook pointed out that the town may have to hire a lighting engineer to figure out the spacing between poles. She also noted that some of the other standards might be completed before the street lighting standards because there are many more moving parts to this section. She explained that the P & I Department and the Public Works Department are working together in ongoing conversations on street lighting.

Ms. Mitchell asked the CAC if they had concerns regarding the proposed language. Chair Cagle noted that she would like to see a glossary. Ms. Mitchell said that any definitions would be listed in Article 34. She noted that full-cut off fixtures, as used in the proposed language, is already defined in UDO Article 34. She also explained that the draft language includes keeping the lighting plan requirements in Appendix A.

COMMERCIAL AND MULTI-FAMILY CONSTRUCTION – COMMUNITY APPEARANCE STANDARDS REVIEW

Ms. Mitchell followed up with the CAC and their task to evaluate the last ten years of commercial and multi-family construction as listed in the meeting packet from Google Docs. Member Cook talked about the Allen Tate Real Estate building on King Street. She noted that when she looked at the position of this building and what is adjacent to it, it helped her decide on its pros and cons. Ms. Mitchell said the Planning Staff would use the document in preparation for the comprehensive plan.

Council Liaison George asked about getting public input from the community to get their interpretation of the commercial and multi-family buildings. He expressed that having these discussions community-wide would help the CAC narrow it down and help modify the language. Ms. Shook explained urban design and community appearance would be a part of the comprehensive plan, and this task for the CAC was a start to the comprehensive plan process. She also explained that the Planning Staff wanted to present to Council the idea of utilizing the boards to lay the groundwork as we go forward with the urban design elements of the comprehensive plan. She noted that the CAC is more familiar with the standards and would have a more critical eye during this process. She further explained that after we start the actual comprehensive planning process, she envisioned having several different types of public input on the town website, and urban design would be one of those.

Council Liaison George asked Ms. Shook if the Planning Staff, as individuals, would give their personal opinion on some of the buildings to help the CAC get started on their task of evaluating them. Ms. Shook said she thought the Planning Staff could do it. Ms. Shook explained that she wanted to use the Town boards as part of the comprehensive plan process. She stated that she is interested in utilizing the internet or online surveys is part of the comprehensive plan process to gather more participation.

Chair Cagle suggested being more specific than the pros and cons for public input and using a survey format of multiple-choice options, such as check boxes or drop-down lists, when doing public surveys. Ms. Mitchell stated that it would be helpful to use the CAC's input as a starting point for any future public surveys.

ARTICLE 25 COMMUNITY APPEARANCE STANDARDS REVIEW AND DISCUSSION

Ms. Mitchell followed up with the CAC on their review of Article 25. She noted that this would be an ongoing discussion.

Ms. Shook also explained next steps for the CAC and for Planning Staff. Planning Staff is to continue working on lighting standards. She also explained as Planning Staff prepares for planning the comprehensive plan process that she would like to have a document by the beginning of next year, and then working with the CAC on an urban design element portion along with public input sessions. She also mentioned that Staff has ongoing text amendment projects as well.

OTHER MATTERS BY BOARD MEMBERS OR STAFF

Discussion ensued on the CAC not meeting in June of 2022. Ms. Shook explained that the Planning Staff needs more time to work on the Lighting Standards, and she suggested that the CAC postpone the June meeting to allow the Planning Staff more time. Chair Cagle agreed with Ms. Shook's suggestion. Ms. Mitchell said the next CAC meeting is scheduled for July 26, 2022, and Ms. Shook said that Ms. Mitchell would give an update on the lighting standards at that meeting.

Ms. Shook pointed out that she might ask Council for a special public hearing in the fall, so that Planning Staff can finish up some of the things they have been working on to start to focus on the Comprehensive Plan.

Council Liaison George left the meeting at approximately 6:46 p.m.

Discussion ensued on creating a webpage on the town website to list the open CAC positions. Ms. Shook pointed out that the applicants would need to reside within the town limits. She said it would be helpful if the applicants had architectural or landscaping expertise.

ADJOURNMENT

Chair Cagle made a motion, seconded by Member Cook, to adjourn the meeting at 6:54 p.m.

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

Sarah-Davis Cagle, Chair

Marlene Crosby, Board Secretary