

**TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, SEPTEMBER 27, 2022, 5:30 P.M.**

COMMISSION MEMBERS PRESENT: Chair Caroline Knight, Vice-Chair Paige Smith, Barrett Conner, Kendell Holshouser, Elliot Sheehan, and Evan Warren

TOWN COUNCIL LIASION MEMBERS PRESENT: Mayor Pro-Tem Edie Tugman

STAFF MEMBERS PRESENT: Jane Shook, Director of Planning and Inspections; Jessica Mitchell, Long-Range/Special Projects Planner, Brandon Wise, Environmental Planner, and Marlene Crosby, Board Secretary

CALL TO ORDER

Ms. Jessica Mitchell, Long-Range/Special Projects Planner, called to order the Boone Community Appearance Commission meeting held in the Planning and Inspections Upstairs Conference Room at 680 W. King Street on Tuesday, September 27, 2022, at 5:36 p.m.

Election of Chair and Vice-Chair

Ms. Mitchell opened the floor for nominations for the positions of Chair and Vice-Chair and explained the duties and responsibilities of the roles. Member Sheehan nominated Member Knight to the position of Chair. Member Sheehan nominated Member Smith to the position of Vice-Chair. Ms. Mitchell closed the floor for nominations. It was the consensus of the CAC for Member Knight to be the Chair and for Member Smith to be the Vice-Chair.

Vote:

Aye – All

Nay – None

The motion passed.

ADOPTION OF AGENDA

Member Warren made a motion, seconded by Member Sheehan, to adopt the agenda as presented.

Vote: Aye – All

Nay – None

The motion passed.

APPROVAL OF MINUTES

Member Sheehan made a motion, seconded by Member Warren, to approve May 24, 2022, meeting minutes as presented.

Vote: Aye – All

Nay – None

The motion passed.

Chair Knight asked if it was allowed for the current members to approve of the minutes since they were not at that meeting. Ms. Jane Shook, Director of Planning and Inspections, and Ms. Mitchell replied yes.

PUBLIC COMMENT

No individuals requested the opportunity to speak during public comment.

CAC TASKS

Ms. Mitchell explained that the Planning Staff had asked the Town Council in February of this past year for their direction on the tasks for the CAC. She stated that the Town Council directed the CAC to work on updating the Urban Forestry Master Management Plan in conjunction with the Comprehensive Plan update, in which the Planning Staff and other Town Departments are beginning the Comprehensive Plan update. She said the former CAC members were tasked with reviewing the lighting standards. She continued that the Planning Staff would forward the draft lighting standards text amendment to Planning Commission and Council for the November 2022 public hearing agenda.

Ms. Mitchell explained that the former CAC were reviewing the Community Appearance Standards in Article 25. She explained that these standards were viewed in two different ways. She said the first way was with the Commercial and Multi-family document, which was used to review past development projects and how they compared to the current appearance standards. She explained that in this document former members made a list of pros and cons on each project. Ms. Mitchell said the second way the CAC compared the appearance standards as they were written to see where there could be areas of improvement. She said the CAC was asked, for instance, if they traveled to other places to take note of liked, appearance-based things that could be applied in Boone. She pointed out that the Planning Staff had noticed a trend regarding the proposed appearance of developments where the developers proposed the minimum requirements for their costs. She said the staff was interested in the CAC looking into ways to help incentivize these requirements.

Ms. Mitchell explained that one of the tasks the CAC was working on included Residential Tree Cutting to see if there were ways to help with tree preservation. She said the CAC temporarily stopped working on this topic to work on the Urban Forestry Master Management Plan. She said another reason the CAC temporarily stopped working on residential tree cutting was due to legislation at the General Assembly at the State Level. She said this legislation would guide what the Town can do and the authority to create a text amendment needed for these standards.

Ms. Mitchell said Bee and Bird Health is a task on the CAC work plan. She said the former CAC members previously discussed for the Planning Staff to invite experts to meet with the CAC to discuss how we can create a more attractive community and ways that we can try to protect natural areas. She said that the Planning Staff would work on inviting the experts to a CAC meeting.

Ms. Shook added that some of these topics explained today may be addressed concurrently with the Comprehensive Plan process. She said Ms. Mitchell would update the CAC on any progress on these topics. Ms. Mitchell added that as Staff goes through the Comprehensive Plan process, there might be other topics in the CAC's purview that they may be asked to review and give feedback on.

Council Liaison Tugman asked Ms. Mitchell if there is currently a draft bill in legislation relating to Urban Forestry. Ms. Mitchell said that when she last looked for that bill, it had gone to the committee, and it had gone back and forth. Council Liaison Tugman asked the Planning Staff if the State was removing authority from municipalities. Mr. Brandon Wise, Environmental Planner, responded and said the State was trying to remove authority from municipalities to control their urban canopy. Ms. Shook said the State looked at eliminating authority only if you had specific local legislation approval. She noted that most jurisdictions in North Carolina do not have local legislation approval. She continued that while some have local legislation the Town of Boone is not one of them.

Council Liaison Tugman asked Ms. Shook if the new CAC members knew about local legislation. Ms. Shook explained that Ms. Mitchell would cover this topic in the Planning and Inspections Primer presentation.

PLANNING AND INSPECTIONS PRIMER

Ms. Mitchell reviewed pages one through 20 of the presentation (permanently on file). In the presentation, she covered the operation and organization of the Planning and Inspections Department, including the Planning, Zoning, Code Enforcement, and Building department programs. She reviewed the legal authority of the CAC based on North Carolina General Statutes 160D and Unified Development Ordinance (UDO) Article 2. She began reviewing the guiding documents beginning with the UDO, specifically within the UDO Article 1 General Provisions, Article 4 Development Approvals, and Article 9 Amendments.

Ms. Mitchell discussed the development process within Article 4, and Ms. Shook added that the standards are site specific and are based on State regulations 160A and 160D.

Ms. Mitchell explained the amendment processes within Article 9, specifically for a UDO Text Amendment, Zoning Map Amendment, and a Conditional District Zoning Map Amendment. Ms. Shook and Mr. Wise detailed specifics during the plan review process, including the tiered system for development within the UDO Article 7. Ms. Shook added that the CAC affects the development processes by the work on evaluating where the standards have been, where the standards are, and where the standards are going. She emphasized that the decisions the CAC makes impact other levels of development and compliance. Ms. Mitchell and Ms. Shook added to the development process discussion that Town Council may place conditions on a project the developer is to agree to, which is a part of the conditional district process discussed. Ms. Shook explained to the CAC that three types of cases were recently reviewed at a public hearing. She said a text amendment, a General Use Rezoning-Map Amendment, and two Conditional District cases. She said these cases would be on October 12, 2022, Council meeting agenda if the CAC is interested in attending the meeting to see how each type of case is handled.

Ms. Mitchell said that at the next CAC meeting, she would begin with page 21 of the presentation, starting with UDO Article 25 Community Appearance Standards.

Member Warren asked if the next meeting would discuss CAC tasks. Ms. Shook clarified that the Planning Staff wanted to explain to the new CAC where we are at with the tasks of the CAC and how they got here. She added that the previous CAC task of Community Appearance Standards review was before the Comprehensive Plan process started. She stated that there is interest in getting public input on the built environment through the comprehensive plan process.

Council Liaison Tugman suggested asking the new CAC members to do the same Commercial and Multi-family exercise that the former CAC members had done to get their perspective on it. Ms. Tugman expressed interest in continuing that project and the different architectural features she photographed in her travel experiences. Ms. Mitchell replied that during the orientation session, this document was mentioned as possibly one of the Commission's first tasks. She explained that because of the comprehensive plan process, Staff determined it would be best to start with the primer. She noted that the Planning Staff wants all the boards and the community to participate in the Comprehensive Plan process through charrettes or whatever process is selected. She stated that she would inform the CAC of their involvement as the comprehensive plan process begins soon. She added that this would be a great place for the CAC to start and that it would possibly given to the CAC after completing the primer.

Ms. Shook also suggested that the CAC members look at the appearance of materials, design, and fenestration in other places they visit to see if other options exist to incentivize such design through a point system. She encouraged the CAC to look at the development standards in other areas they liked and see how they applied the standards in those areas. She said we want to reach the type of built environment our community wants. She told the CAC that we would love to hear their ideas on reaching this goal.

Member Warren asked Ms. Mitchell to explain the Commercial and Multi-family exercise that she mentioned in this meeting. Ms. Mitchell explained that this was the Google document that the former CAC used to review Commercial and Multi-family projects from 2011 to 2021, including photos of buildings, reviewed during the orientation session. She explained that the former CAC members started writing about the pros and cons of each project, knowing the standards in Article 25 to evaluate the projects. Ms. Shook added that this would be after finishing the primer. She said reviewing Article 25 Community Appearance Standards and Article 31 Landscape Standards would be helpful for the CAC to understand better how we got here with the standards. She added that we wanted to focus on what makes sense, what is appropriate, what is our sense of place, what we want in future development, and how we can improve the standards. She said the new CAC has many backgrounds and could bring various ideas forward for project discussion. Mr. Wise added to the discussion that there are ways to evaluate what recent projects have done to maximize the cost and still have an architecturally appealing design under the current standards. He added that this would include ways to incentivize architectural styles and to bring innovation to the standards, such as a point system, as Ms. Shook mentioned earlier.

OTHER DISCUSSION

Ms. Mitchell added the next CAC meeting would be on October 25, 2022. She explained the communication process from Planning Staff of receiving emails of the meeting minutes and the next meeting packet.

Ms. Mitchell explained that the presentation shared at this meeting would be included in the next CAC meeting packet as a resource.

ADJOURNMENT

Member Sheehan made a motion, seconded by Member Holshouser, to adjourn the meeting at 7:18 p.m.

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

Caroline Knight, Chair

Marlene Crosby, Board Secretary