



Community Appearance Commission

Regular Meeting

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

~ Agenda ~

Jane Shook
828-268-6960

Tuesday, November 22, 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**

October 25, 2022 Meeting Minutes

- IV. Public Comment**
- V. Planning & Inspections Primer**

Planning and Inspections Operations Primer - Presentation (Continued)

- VI. CAC Tasks Discussion**
- VII. Other Discussion**
- VIII. Adjournment**

WebEx Video Conferencing Information

WATCH OR PARTICIPATE IN THE MEETING: Individuals who wish to participate may do so through WebEx either online (by computer or smartphone) or by telephone. To do so, please email Jessica Mitchell, Long-Range/Special Projects Planner at jessica.mitchell@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 day of the meeting. Please call Jessica Mitchell 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 Jessica Mitchell, Long-Range/Special Projects Planner 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 “Watch or participate in the meeting” section above.

**TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, OCTOBER 25, 2022, 5:30 P.M.**

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

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

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

CALL TO ORDER

Chair Caroline Knight 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, October 25, 2022, at 5:41 p.m.

ADOPTION OF AGENDA

Member Sheehan made a motion, seconded by Vice-Chair Smith, to adopt the agenda as presented.

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

APPROVAL OF MINUTES

Member Sheehan made a motion, seconded by Vice-Chair Smith, to approve September 27, 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.

Discussion on Virtual or In-Person CAC Meetings

Ms. Mitchell explained that she told each new CAC member during their orientation that they would need to decide if they wanted to hold future meetings in person or virtually. She said all the members indicated at that time that they wanted to hold the meetings in-person. She pointed out that a question had come up regarding the format of the CAC meetings. She asked which format the CAC might want to hold their future meetings. She reminded the CAC that the meeting format needs to be consistent because the Planning Staff has to manage meeting calendars and meeting notices each month. Chair Knight and Member Sheehan said they liked in-person meetings. Member Warren said he liked in person meetings, but he wanted an option for other members or staff to join virtually in the case of sickness or other extenuating circumstances. Ms. Mitchell said the meetings could be held virtually for a CAC member in case of an extenuating circumstance. She told the CAC that if they wanted to have their future meetings in the hybrid format, there would need to be consensus from all of the members. Ms. Shook clarified that the CAC would need to limit the times they change the meeting format because the Planning Staff has to advertise the meeting times a certain number of days before the meeting date. She pointed out that the Planning Staff would need notice from the CAC to set up the recording system for a hybrid or virtual meeting.

Communication: October 25, 2022 Meeting Minutes (Approval of Minutes)

Discussion ensued on the CAC meeting schedule during the holidays. Ms. Shook asked the CAC if they knew their holiday schedule and if they could attend the CAC meetings in November and December. Some of the CAC said they could attend the November meeting in person. Ms. Shook stated that the CAC in years past had canceled their November and December meetings due to the holidays. Chair Knight suggested that the November CAC meeting be held virtually. It was the consensus of the CAC to hold the November CAC meeting in a virtual format. Ms. Shook suggested that the Planning Staff poll the CAC in January to see if they wanted future meetings to be held virtually or not.

PLANNING AND INSPECTIONS PRIMER

Ms. Mitchell reviewed pages 26 through 44 of the presentation (permanently on file). In the presentation, she covered the following topics: Article 25 Community Appearance Standards, specifically sections Article 25 Section 2 (25.02) Building Design, Article 25.03 Parking Structures, Article 25.04 Site Walls, Article 25.05 Lighting, Article 25.06 & Article 25.07 Flexibility in Administration and Alternatives. She reviewed with the CAC that within Article 25, it pertains to publicly visible portions of building elements. Ms. Mitchell noted that while working on the Comprehensive Plan update, Article 25 might be amended. She said the Planning Staff would update the CAC with each step of the process of the updating of the plan.

Ms. Mitchell pointed out in Article 25 that the CAC could be looking for features, referencing Article 25.02, that will help develop the character of a commercial building. Ms. Shook pointed out that the CAC and the Planning Staff will look at this section to see how the standards apply to new development and how they trigger certain improvements. Ms. Mitchell, continuing to reference Article 25.02, noted that the Planning Staff often sees proposed plans where the roof pitches are too low, which can cause issues, and examples are given in the Unified Development Ordinance (UDO) to show developers the types of roof pitches that are allowed in the Downtown area.

Council Liaison Tugman asked if the Town does allow vinyl siding only in wood. Ms. Shook replied that the Town does allow it as the type of vinyl siding that has a wood grain texture to it. She also stated that it is not allowed in the Downtown area. Vice-Chair Smith asked about the standard in Article 25.02 that discussed vinyl siding, and if there would be restrictions for insulated vinyl siding. Ms. Shook replied that it would require special approval and would not be within the Downtown area.

Discussion ensued on Article 25.02 and the Light Reflection Value (LRV). Ms. Mitchell pointed out that the example used in the meeting packet for the color chart was specifically for the Wellness District. She explained that the Senior Planners evaluate the proposed color values submitted for a particular percentage. Council Liaison Tugman asked Ms. Mitchell to explain the Light Reflection Value (LRV) of less than 60 percent. Ms. Mitchell explained that if you have a proposed color palette from black to white and black is zero percent and white is 100 percent, 60 percent would be almost a grayish color. She said the Planning Staff is looking for a percentage less than 60 for paint colors that would have the light reflection value in the lower range.

Discussion ensued on incentivizing to get the look we want for commercial buildings. Ms. Mitchell said the Planning Staff is seeing features proposed on their development plans that are not as creative. She talked about finding ways to help incentivize with the current standards, revising the standards, or looking at other jurisdictions to see how they regulate such standards. She continued that something such as a point system could be used, and to see if other jurisdictions use that in standards. Mr. Brandon Wise, Environmental Planner, added that the Planning Staff wants to encourage a developer to be creative and, at the same time, support the look that we want to see on our commercial buildings. Council Liaison George added to the discussion that a point system would add architectural diversity.

Council Liaison Tugman said that several years ago, a lot of construction was done with a chalet design. She asked if this type of design is what the Town was trying to prevent from happening because in twenty years, the look could significantly not be what they wanted. Ms. Mitchell explained that Planning Staff has seen proposed commercial building designs with heavier building material on the bottom of the building, which creates almost a block pattern for the building. She said that developers are finding it more cost-effective to put these heavier materials on the bottom of the building, rather than throughout the building design. She said Staff would like to see measures to encourage designs where you can add more features onto a building. Member Warren pointed out that from a building contractor perspective, you have to put heavier materials below lighter materials on the building. Ms. Mitchell added to the discussion that discussions among Planning Staff has been to try to see more materials used throughout a design.

Council Liaison Tugman said it would be great, if we had photos of the Watauga Savings and Loan building prior to the recent exterior renovation that shows the fenestration work. She pointed out that now it is a solid brick building, and before the exterior renovation, that building had several big picture windows, flat vinyl, highly reflective panels that were of a turquoise and cream color, and a glass entrance with an aluminum curved stair case. Council Liaison Tugman talked about an affordable housing residential development that she saw in San Antonio, Texas. She noted that the developer of these homes used different kinds of roof lines. She said that she believed these are the types of things the CAC could be looking for when they travel to different areas.

Vice-Chair Smith asked how the Town would incentivize and not be subjective; she further asked how the Town goes about getting the look they want in the Downtown area, which is not subject to what only the CAC thinks the Town should be. Ms. Shook responded that we begin, based on receiving community input, during the Comprehensive Plan process, on what the community wants their built environment to be. She said the Planning Staff and the CAC would be the stewards that help to create that vision. She said discussion is needed on how to create the tools to best get us to that vision through each project or modification of a project. She stated that is a matter of evaluating the relationship to the community rather than what someone personally wants to see. She said the past direction had been to take elements from the Downtown to the other parts of the Town to try to create a cohesive look. She explained how evaluating another method to the standards, such as the point system, would incentivize materials and features the community selects. She said we would use these standards to develop a sense of place and purpose for the community. She encouraged the CAC to look at buildings around Town, such as the newer vet clinic on Hwy 105, to see how the architect used the building materials to make a more contemporary look for the building. Council Liaison George pointed out that getting the private developers to be more willing to make a greater effort to do more than the minimum features on a building is the most challenging. He mentioned the Blue Ridge Tourist Court property on Old U.S. Highway 421 that is applying these standards.

Chair Knight asked about comparative measures and what has been done. Ms. Shook replied that mass and scale has been compared, particularly in the Downtown area, where it is important to match mass and scale. She mentioned that there are goals, such as affordable housing, that might require a higher density. Council Liaison George added that there has to be harmony in the area.

Member Conner asked about how perforated brick would be allowed, and Ms. Shook replied that Article 25 has standards that allow flexibility in administration where these types of situations can be reviewed. She mentioned that in an ordinance not every material will be covered, so it would be reviewed how the material is being used and in-line with the other approved materials of a plan.

Ms. Mitchell discussed the requirements for parking structures, and Council Liaison Tugman asked about the requirement of windows being 42 inches above the finished floor. Ms. Shook replied that is correct.

Ms. Mitchell discussed site wall requirements within Article 25, and Mr. Wise added that retaining over four or five feet to be engineered and engineered certified. He added that site walls are used frequently as a screening method.

Ms. Mitchell pointed out that the Lighting Standards are currently being amended, and these revised standards will go to the January public hearing. She said all new commercial development uses these lighting standards. She said that currently, up lighting is allowed in Boone, but down lighting is preferred. Ms. Shook pointed out that it is a requirement for the developer to provide certifications for lighting at the end of a project.

Ms. Mitchell discussed Articles 25.06 and 25.07 in which Ms. Shook added that it is not often that the CAC is needed for recommendation on proposed alternative materials. In the past experiences of using the CAC in this capacity, Ms. Shook said that it happened for one particular project.

Ms. Mitchell continued the primer by discussing the next UDO article; in this portion of the presentation the following topics were discussed:

- Article 31 Landscape Standards as applicable to all commercially developed land and all land within multiple zoning districts listed on packet page 37;
- Article 31.02 regarding landscape sight triangle;
- Article 31.05 including requirements for screening by land use classifications, screening type, and required bufferyard width;
- Article 31.06 utilizing existing vegetation to count towards the requirements, required minimum heights of planting, bufferyard limitations, and visual impacts of certain facilities;
- Article 31.09 including street yard requirements, and B-1 zoning district requirements
- Article 31.10 as standards for including landscaping in large expanses of pavement, in areas such as parking lots;
- Article 31.11 regarding how flexibility in administration is required in certain circumstances where not all standards can be met to the same mathematical calculations described;
- Article 31.12 including standards for landscaping certification, plant material must be installed by a landscape contractor licensed before final certification, pruning should be followed by industry standards listed within the Article and Appendix C; and
- Article 31.13 additional requirements for historic and significant trees, defining the Tree Protection Area (TPA);

Further, Appendix C, Details and Specifications Manual, was discussed as it is the CI Landscape Guide for landscaping, stormwater control for certain residential development. It was also discussed how Appendix C also includes tree preservation, the approved Plant List, and tree pruning in connection with the Urban Forestry Master Management Plan.

In Article 31.06.04, Landscape Standards, Mr. Wise and Ms. Shook pointed out that a “Type C” Bufferyard can be reduced to a “Type B” with the use of a fence or a wall, and a “Type B” Bufferyard can be reduced to a “Type A” with the use of a fence or a wall. They clarified that a developer cannot reduce a “Type A” Bufferyard with the use of a fence or a wall.

Discussion ensued on Article 31, Landscape Standards. Council Liaison Tugman asked if there were standards for landscaping requirements to maintain overgrown or dead landscaping. Ms. Shook said that the Planning Staff would enforce the ordinance if a shrub or tree blocked the site distance because it grew beyond its average size. She noted that Mr. Wise has to look at the power lines on a property to ensure that the proper species are planted under the power lines. She said trees under power lines might have to be replaced occasionally if they grow more than the average size. Mr. Wise added that the most common thing he looks

at on a property is where the owner has not maintained the site triangles. He said usually it just takes contacting the property owner and asking them to trim their shrubs or bushes to handle this type of issue.

Ms. Shook pointed out that many developments are not built to the current Landscape Standards, and the Town does not have the retroactive-ability to go back and enforce the current standards.

Mr. Wise pointed out that the current Landscape Standards do not regulate residential landscaping in the R-1 zoning district. He said that the Town cannot force residential property owners to cut down dead trees, but the property owner could be told that they might want to cut a dead tree down. Ms. Shook pointed out that there are two exceptions. She explained that the exceptions are if a tree is located in the North Carolina Department of Transportation (NCDOT) right-of-way (ROW) or the tree is located in the Viewshed; she said the Town could limit tree removal in these areas.

Ms. Shook pointed out that landscape projects over \$30,000 require a landscape contractor. She also pointed out that any property line not facing a street is an interior property line requiring some type of buffer or landscaping. She noted that parking spaces must be located within 60 feet of the trunk of an over-story tree.

Council Liaison Tugman left the meeting at approximately 7:05 p.m.

Ms. Shook pointed out in Article 31.13 that a historic tree is 24 inches in diameter, and it can be removed if it falls into the building footprint, and if it can be demonstrated that there is no alternative available where you cannot get the same density.

Ms. Shook pointed out in Article 31.13 that a significant tree which is eight inches, can be removed if it falls within the building footprint or the vehicular surface area. Mr. Wise added that a significant tree could be removed if it is in the drip line.

Mr. Wise encouraged the CAC to think about the best way to preserve trees and, more specifically, how to preserve the tree canopies. He said the Town currently preserves individual trees and he encouraged the CAC to think about ways to save a percentage of trees on a development. Ms. Shook added that from an Urban Forestry perspective, there had been a shift in the best management practices. She said Mr. Wise would talk with the CAC to see if they think we should be utilizing some of those changes in practices for tree canopy preservation.

Ms. Mitchell continued with the primer with Article 34 on page 42 of the meeting packet, which mentions that definitions of key terms and phrases used throughout the UDO can be found within this article.

Ms. Mitchell talked about the Downtown Appearance Standards, and she summarized the guiding documents used for the Downtown area. She explained that the Downtown area is part of the B-1 Zoning District, which is divided into the B-1 Downtown Interface (B1DI) and the B-1 Downtown Core (B1DC). She said that Article 14.19 details the specifications for both B-1 Downtown Districts. She said that UDO Appendix D, also titled the "Downtown Boone Design Guidelines and Handbook," guides the B1DC, as this is the location for the Town's local historic district (Downtown Boone Local Historic District). She said that Article 8 also sets standards for historic districts, landmarks, and landmark properties within the Town of Boone limits and the historic district. She also explained that Article 8 guides routine maintenance, Statement of Conformity, or Certificate of Appropriateness projects. She noted that work within the Downtown Districts must follow the standards set in Article 14.19 and then if within the B1DC, must follow Appendix D and Article 8, Article 8 if it is also a landmark property.

Ms. Mitchell said that since she did not finish presenting the Planning and Inspections Primer at this meeting, she said at the next CAC meeting in November, she would begin the presentation on page 45 of the meeting packet and conclude the presentation. She said it might be helpful to hold only one meeting before the end of the year, and the Planning Staff would discuss the next steps with the Comprehensive Plan updates. She said the discussion would likely involve the Google Document where the previous CAC started evaluating commercial and multi-family construction.

Discussion resumed on the meeting format for the next CAC meeting. Chair Knight confirmed that the November CAC meeting will be held virtually. Ms. Mitchell said in November the Planning Staff would send out WebEx invitations for the CAC to accept to join the virtual meeting.

OTHER DISCUSSION

There was no other discussion at this meeting

ADJOURNMENT

Member Sheehan made a motion, seconded by Vice-Chair Smith, to adjourn the meeting at 7:15 p.m.

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

Caroline Knight, Chair

Marlene Crosby, Board Secretary

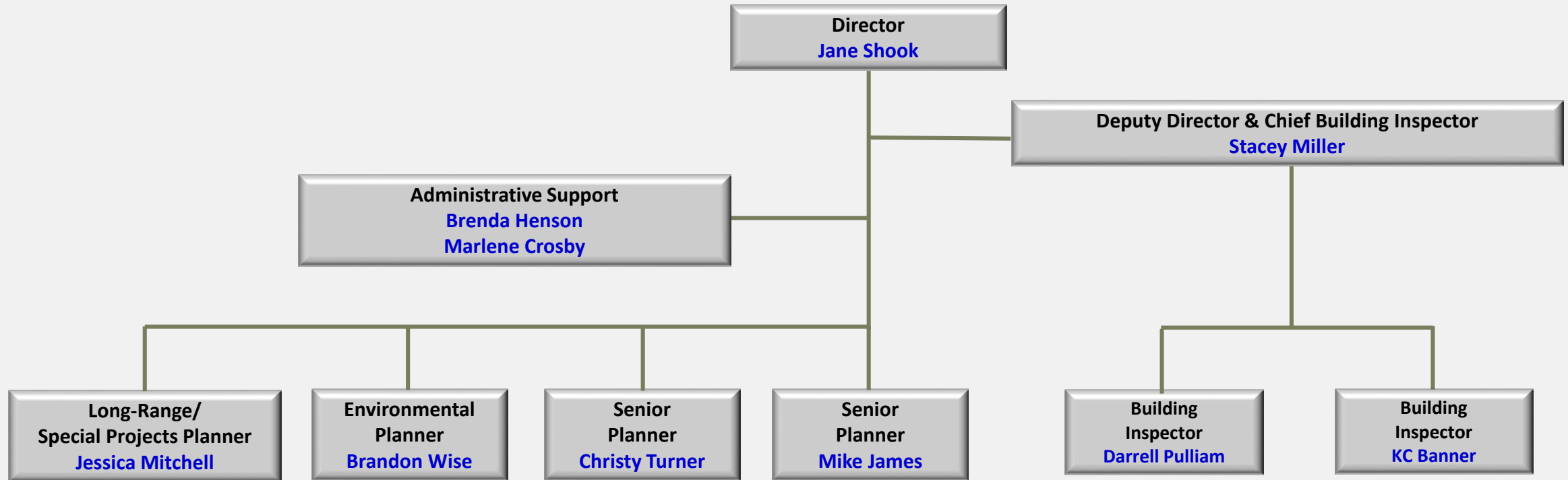
TOWN OF BOONE COMMUNITY APPEARANCE COMMISSION

Getting to Know Planning & Inspections Operations

September 2022

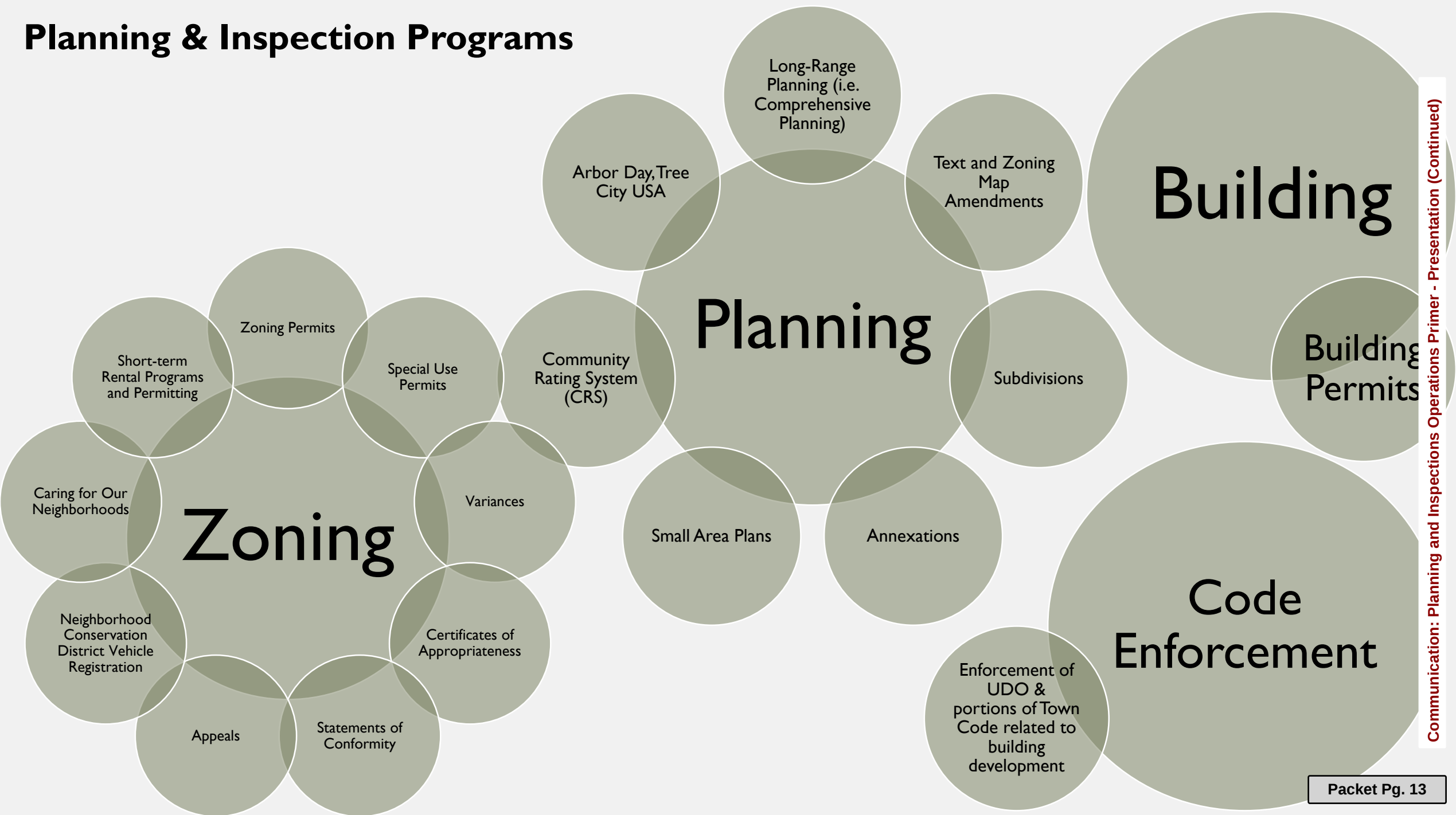
PLANNING & INSPECTIONS OPERATIONS

DEPARTMENT ORGANIZATION





Planning & Inspection Programs



LEGAL AUTHORITY

- The CAC's legal authority is based on NC General Statute **160D** and UDO **Article 2**.
 - Chapter 160D of NC General Statutes – Local Planning and Development Regulation
 - § 160D-304. Appearance commission. – allows for the CAC to operate and sets the standards for operation.
 - Town of Boone UDO Article 2 – Administrative Mechanisms
 - 2.03 Community Appearance Commission – details membership requirements, power and duties, and operations
- Regulatory language (Unified Development Ordinance) is governed by general statutes and case law.
 - For instance, when Planning Staff is tasked with modifying text code, in the UDO or Town Code, statutes and case laws are reviewed.

GUIDING DOCUMENTS

Town of Boone, Planning & Inspections Department

[Ordinances, Plans & Studies](https://townofboone.net/485/Ordinances-Plans-Studies)

(<https://townofboone.net/485/Ordinances-Plans-Studies>)

- Unified Development Ordinance
- Comprehensive Plan
- Urban Forestry Master Management Plan

UNIFIED DEVELOPMENT ORDINANCE (UDO)

UDO Articles Relevant to the
Development Process and to the
CAC

- Article I
- Article 4
- Article 9
- Article 25
- Article 31
- Article 34
- Appendix C

ARTICLE I GENERAL PROVISIONS

- Sets the authority, structure, and scope of the UDO
- For the CAC –

I.08 Relation to Comprehensive Plan and Other Officially Adopted Plans

- The UDO is to be administered in accordance to the adopted comprehensive plan and other officially adopted plans
- Comprehensive plan sets goals and policies as the policy guide for development
- Amendments to the UDO is to be in conformity to any adopted plans

I.10 Relationship to Fire Code, Water and Sewer Use Code and Other Pertinent Town Code Provisions

- Development must comply with and be pursuant to all applicable Town Codes
 - NC State Building Code: Fire Prevention Code
 - Town's Water and Sewer Code
- Advised for applicants to confer with Town departments for development

I.15 Rules of Language and Construction

- Words are defined in the UDO and should be interpreted by the definition provided (see Article 34)
- Words can be singular/plural
- Words can be in the present/future tense
- “Must”, “will”, “shall”, and “may not” are mandatory
- The value of “x” is included in the phrases, “up to x”, “not more than x”, and “maximum of x”

I.28 Building Design Elements

- Define what is and what is not considered building design elements
- Relates to Article 25 – Community Appearance Standards – as it sets what exterior elements are pertinent
- Applies to residential projects including single-family, two-family, townhouses

ARTICLE 4 DEVELOPMENT APPROVALS

- Approval is required for any **use of property**, which includes **intensity of use** (density, i.e., the number of units, size of development, number of buildings or structures) and **land disturbing** activities. (4.01.01)
 - Further, approval is needed before **any** signs, buildings, structures be **constructed, erected, moved, demolished, or substantially repaired, altered or renovated except with the issuance of a valid development approval.** (4.01.01)
- Development approval includes a review of the **application** and **submitted plans**.
 - Development is defined to include:
 - construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
 - excavation, grading, filling, clearing, or alteration of land.
 - subdivision of land as defined in NC General Statute G.S. 160D-802.
 - initiation of or substantial change in the use of land or the intensity of use of land. (4.01.02 Subsection 1.)

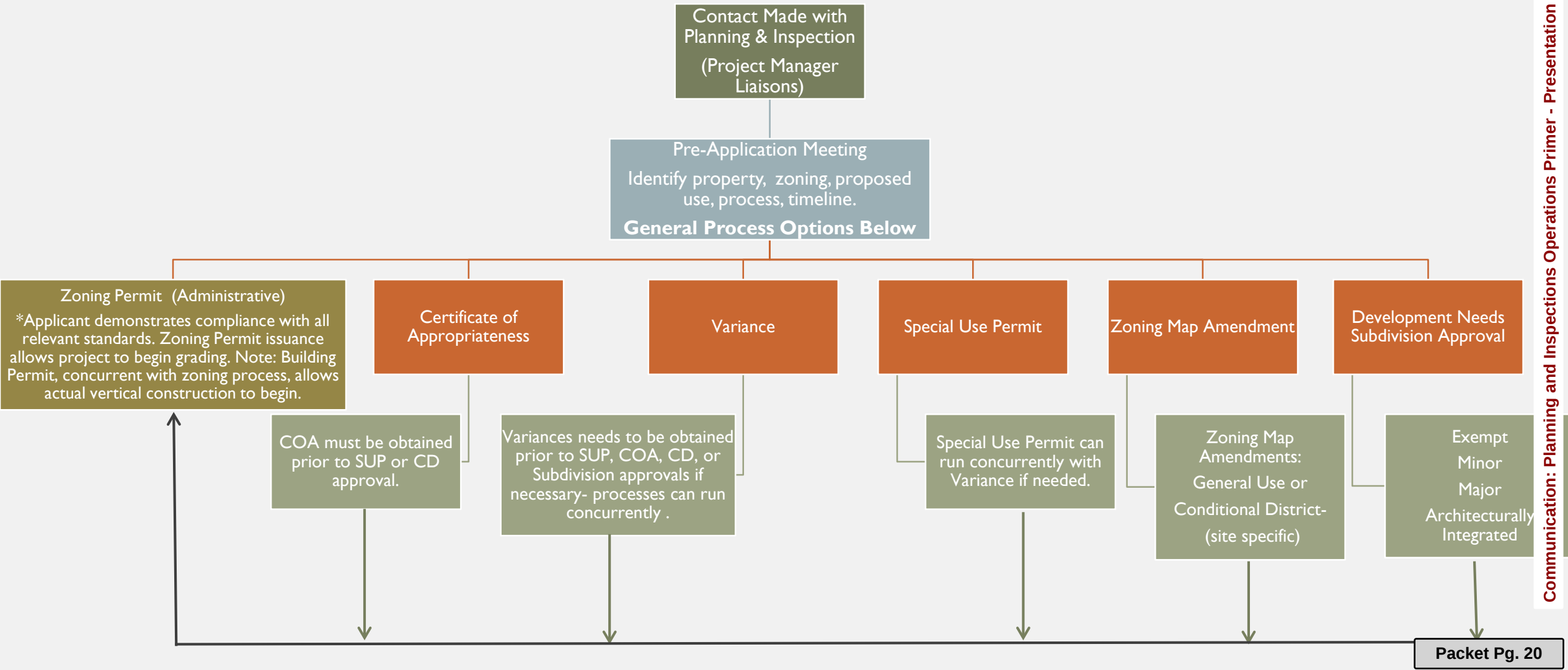
ARTICLE 4 DEVELOPMENT APPROVALS

- Depending on the proposed project, there may be other permits required before final permit approval (zoning or building permit)
- Senior Planners and other Town Departments review the submitted application and applicants are expected to follow the requirements of Appendix A
 - Depending on the proposed development more information may need to be submitted following more than one appendices or articles
 - Other information includes a Traffic Impact Analysis (TIA) which is dependent on a number of factors that the project must trigger (size, location, access points)

Development permit [4.05.02 (C)] is the administrative or quasi-judicial approval that is written and required before commencing development or any a specific activity, project, or development proposal and includes the following:

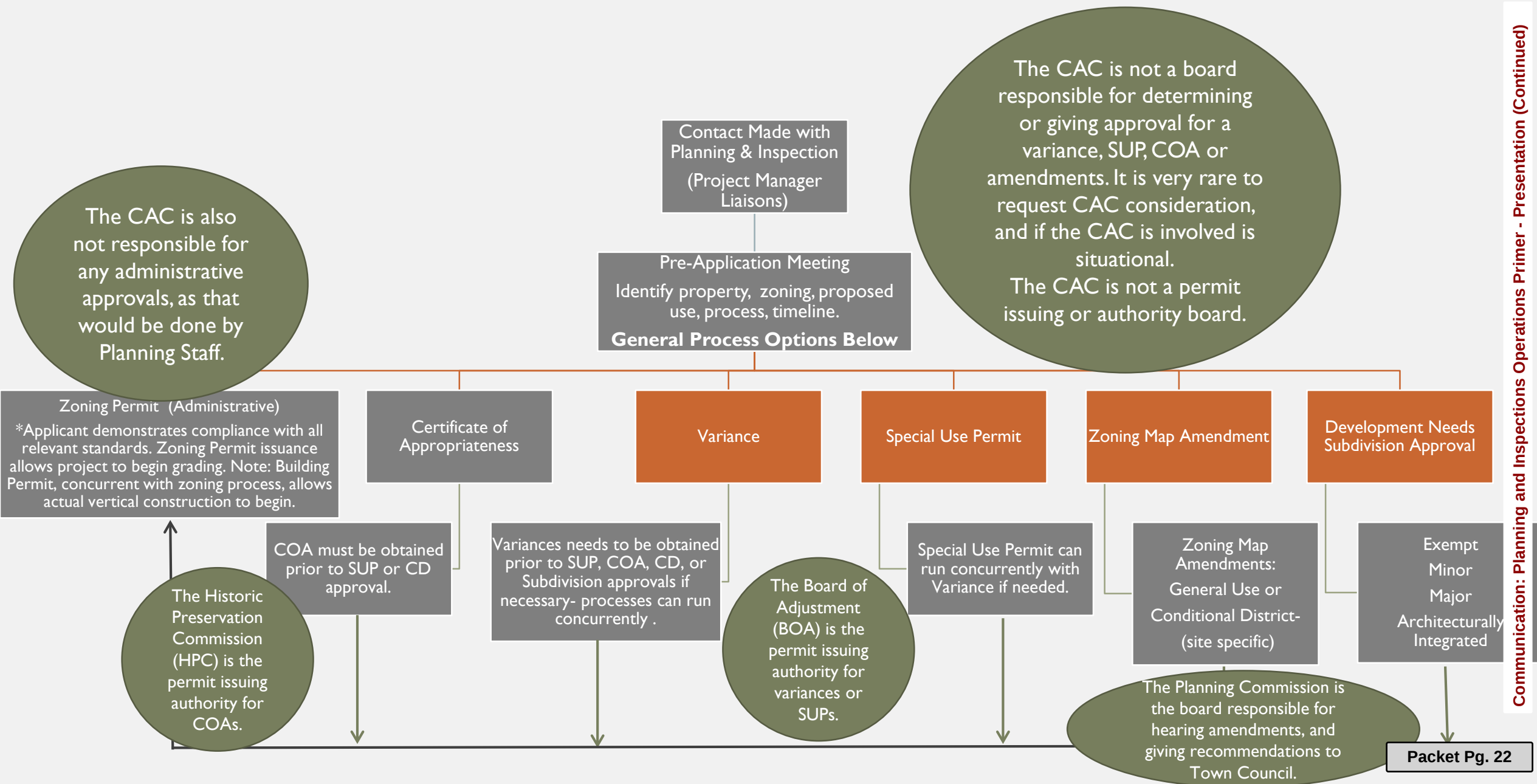
- o Zoning permits 4.09
- o Site plan approvals
- o Special use permits – require approval by the Board of Adjustment (Art. 6)
- o Variances – require approval by the Board of Adjustment (Art. 6) 4.10
- o Certificates of appropriateness
- o Plat approvals
- o Development agreements
- o Building permits
- o Subdivision of land – (Major Subdivision Plat approval) require approval by the Board of Adjustment (Art. 6) 4.09
- o State agency permits for development
- o Driveway permits
- o Erosion and sedimentation control permits
- o Sign permit.

DEVELOPMENT PROCESS



WHERE IS THE CAC INVOLVED IN THE
DEVELOPMENT PROCESS?

DEVELOPMENT PROCESS



ARTICLE 4 DEVELOPMENT APPROVALS

- Zoning and/or Building permits are the final permit of the development process

ZONING/BUILDING PERMIT (ADMINISTRATIVE)



Pre-Application Meetings

- Meet with Staff (Technical Review Team which includes Planning & Inspections, Public Works-Utilities, Public Works-Services, Fire Department, NCDOT)
- May meet more than 1 time as needed
- Required for: Special Use Permit, Variance, Major Subdivision Preliminary Plat Approval, Zoning Map Amendment, Certificate of Appropriateness



Application Submittal

- Applicant submits application, fees, plans and all detailed specifications
- Application is processed by administrative staff and all information is uploaded (scanned or direct upload) into the permitting software (GovQA)
- Project Manager is assigned
- Hard copy file with case number is created and routed to Project Manager
- Consider detailed or technical design requirements and construction specifications



Review

- Completeness review occurs
- Project Manager routes plans and information to technical review team (other Town departments) as appropriate
- Technical review team members send comments to the Project Manager who then evaluates the status and either issues a review letter or zoning permit;
- If review comments are issued then the applicant has 6 months to respond
- The process typically repeats until all concerns are addressed



Permit Issued

- Permit is issued once all comments from the technical review team have been addressed
- Permits can only be issued after determining that it has met the requirements of the UDO



Inspections/ Finals

- Inspections conducted as required by permit for compliance with Building Code or UDO
- Finals requested by applicant
- Applicant submits all final documents
- Final inspections conducted by all Town Staff who reviewed project
- Final certificates are issued

Before occupancy or use of any new construction, the following certificates may be issued:

- Certificate of Compliance: **compliance** with applicable building, mechanical, plumbing, electrical, fire protection, or gas codes.
- Certificate of Occupancy: generally issued after Certificate of Compliance; **compliance** with building and all applicable requirements of the UDO, State, and local laws
- Certificate of Zoning Completion: generally issued after Certificate of Compliance; **compliance** with development

Who can submit an application? (4.02.01)

Landowner, lessee or who has the option/contract to purchase or lease, or authorized agent.

What if it is someone other than the property owner?

The application must be accompanied with written approval of the property owner or other source of authority.

ARTICLE 9 AMENDMENTS

- Amendments to the Unified Development Ordinance (UDO) are to follow the guidelines of this Article.
- Amendments include a text amendment (any of the Articles or Appendices), or a map amendment (Town's zoning map – i.e., change of a parcel to a different zoning district)
 - If a zoning map amendment is initiated, it is not to down-zone property. Down-zoning is defined in the UDO as affecting an area of land that (1) decreases the development density to be less dense than previously allowed, or (2) reducing the number of permitted uses than previously allowed. A zoning map amendment is not to decrease the use of land.
- A property can be placed in a Conditional District (CD) map amendment by the property owner.
 - Requires specific documentation by the property owner (9.02.02, 9.09)

What is a Conditional District (CD)?

A specific type of zoning district which requires a **site-specific development plan** for the use and development of a property. It has to follow the procedures of Article 9. If a CD is approved, it will be governed by the uses and limits of development for that district, guided by the site-specific plan and approval by the Planning Commission and Town Council.

(14.0

Packet Pg. 25

UDO TEXT AMENDMENT (PC/TC), UDO ARTICLE 9 AMENDMENTS



Application

- Almost all text amendments are initiated by Staff, the Town Attorney or Town Council
 - Public request by a citizen or landowner can make a request that would be directed for Town Council approval.
- Draft text; depending on text-send to Town Council to review or other board as requested (i.e., HPC, CAC, Planning Commission)
- Send ad to newspaper
- Create Staff Report & Exhibits
- Create Board Packet
- Post Board Packet online



Public Hearing

- Legislative hearing with Planning Commission and Town Council
- Mayor calls
- Staff introduces case
- Applicant presents request
 - If it is text by Staff – Staff presents
 - By a public request – applicant presents
- Questions from Council/Planning Commission
- Public Comment
- Additional questions from Council/Planning Commission
- Public Hearing closed



PC Action

- Planning Commission meets immediately following Public Hearing where they can either move forward with recommendations or they can table the request to their next regularly scheduled meeting or to another date & time specific meeting
- Additional public comment may be heard upon majority vote of the Commission
- Recommendations are to deny or approve
- Recommendations are sent to the next regularly scheduled Town Council meeting



Town Council Decision

- Council receives recommendations along with draft minutes from the Planning Commission meeting within their board packet
- Council may deny, approve or approve with conditions



After Meeting Actions

- Minutes prepared
- P&I Staff updates UDO, website
- Possible creation of forms, fees, etc. either created after or during text amendment process
- Educate Staff on changes
- File is closed when minutes are approved and UDO has been updated

UDO
References:
9.02,
9.03,
9.04,
9.05,
9.06

ZONING MAP AMENDMENT (PC/TC), UDO ARTICLE 9 AMENDMENTS

 Pre-Application Meeting(s)	 Application Submittal	 Public Hearing	 PC Action	 Town Council Decision	 After Meeting Actions
- Meet with Staff - Any person can submit a zoning map amendment - The exception is for a CD map amendment - May meet more than once, case dependent	- Submit Application by published deadline - Completeness review - Once complete, Staff performs technical review of plans & information-application may need modification based upon initial review. - Mail adjoining property owner letters (APO) - Notified for minimum 150', up to 300' for protected residential districts if triggered by transitional zone - Post property - Send ad to newspaper - Create Staff Report & Exhibits - Create Board Packet - Post Board Packet online	- Legislative hearing with Planning Commission and Town Council - Mayor calls - Staff introduces case - Applicant presents request - Questions from Council/Planning Commission - Public Comment - Additional questions from Council/Planning Commission - Public Hearing closed	- Planning Commission meets immediately following Public Hearing where they can either move forward with recommendations or they can table the request to their next regularly scheduled meeting or to another date & time specific meeting - Additional public comment may be heard upon majority vote of the Commission - Recommendations are to deny or approve - Recommendations are sent to the next regularly scheduled Town Council meeting	- Council receives recommendations along with draft minutes from the Planning Commission meeting within their board packet - Council may deny, approve or approve with conditions	- Minutes prepared - P&I Staff coordinates with GIS Coordinator to modify the official zoning map - File is closed when minutes are approved and all documents have been filed

UDO
References:
9.02,
9.03,
9.04,
9.05,
9.06

CONDITIONAL DISTRICT ZONING MAP AMENDMENT (PC/TC), UDO ARTICLE 9 AMENDMENTS

 Pre-Application Meeting(s)	 Application Submittal	 Public Hearing	 PC Action	 Town Council Decision	 After Meeting Actions
• Meet with Staff (Technical Review Team which includes Planning & Inspections, Public Works-Utilities, Public Works-Services, Fire Department, NCDOT) • May meet more than once, as needed	• Submit Application by published deadline • Completeness review • Once complete, Staff performs technical review of plans & information-application may need modification based upon initial review. • Mail adjoining property owner letters (APO) • Notified for minimum 150', up to 300' for protected residential districts if triggered by transitional zone • Post property • Send ad to newspaper • Create Staff Report & Exhibits • Create Board Packet • Post Board Packet online	• Legislative hearing with Planning Commission and Town Council • Mayor calls • Staff introduces case • Applicant presents request • Questions from Council/Planning Commission • Additional questions from Council/Planning Commission • Public Hearing closed	• Planning Commission meets immediately following Public Hearing where they can either move forward with recommendations or they can table the request to their next regularly scheduled meeting or to another date & time specific meeting • Additional public comment may be heard upon majority vote of the Commission • Recommendations are to deny, approve, or approve with conditions • Applicant must agree to all conditions • Recommendations are sent to the next regularly scheduled Town Council meeting	• Council receives recommendations along with draft minutes from the Planning Commission meeting within their board packet • Council may deny, approve or approve with conditions • Applicant must agree to all conditions	• Order and minutes prepared • Written order signed by applicant, board chair, board secretary – all signatures notarized; then recorded in Watauga County Registry • P&I Staff coordinates with GIS Coordinator to modify the official zoning map • File is closed when minutes are approved and all documents have been filed

ARTICLE 25

COMMUNITY APPEARANCE STANDARDS

- Defines community appearance standards for **publicly visible portions of building elements**
 - Including the **building façade** (if more than 30% is visible from any street or residentially zoned property)
 - If a building element(s) are not visible at the time of construction because of other existing site features, those site features hidden are to remain indefinitely.
 - Exemptions are:
 - Single Family Dwelling
 - Manufactured Homes
 - Secondary Suite
 - Accessory Dwelling Unit
 - Residential Building Code
 - Duplex
 - Family Care Home
 - Home Occupation
 - All Temporary Uses

25.02 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

Building Design

- Should be pedestrian oriented
 - Primary façade and building entry should face public way
 - Windows are required along at least 10% of the building's ground floor, street-facing elevation
- Exterior walls, walls running the length of the structure, are to be interrupted with architectural features
 - **25.02.02. Subsection A** – Features (see insert)
 - Screening may be required for plumbing, mechanical, electrical service components
 - **25.02.02 Subsection D** – Feature Schedule (based on dimensions on elevations – see insert)

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.

25.02.02(A)

25.02.02(D)

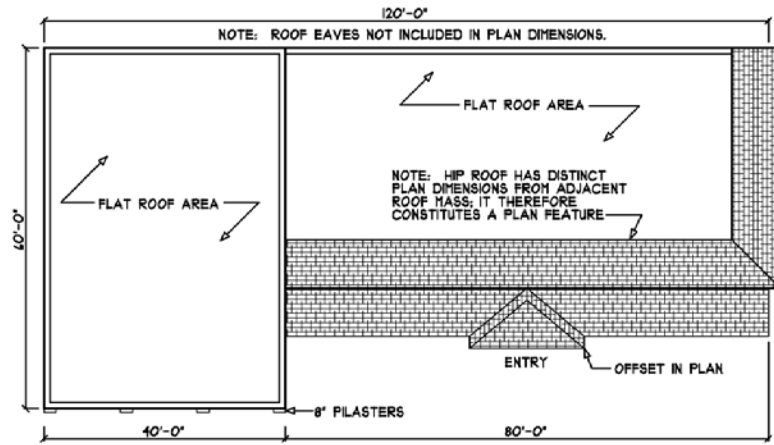
Table A
Feature Schedule – Plan

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

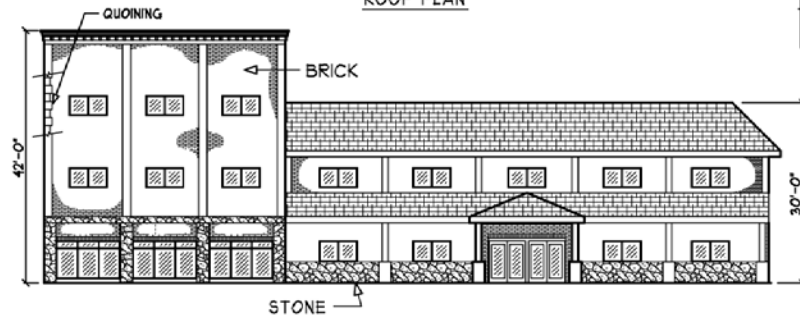
Table B
Feature Schedule – Elevation

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

25.02 (ART. 25 COMMUNITY APPEARANCE STANDARDS)



ROOF PLAN



FRONT ELEVATION

FIG. 3. BUILDING DESIGN EXAMPLE 1

FEATURE TYPE	# PER
1. PILASTERS	9
2. OFFSET WALL	1
3. CHANGE OF MATERIALS	2
4. COVERED ENTRY	1
5. ARCADE W/ COLUMNS	1
6. QUOINING	1
7. CORNICE	1
8. WINDOWS	17 FIRST FL. 22 ADDITIONAL
TOTAL FEATURES	31 PLAN 1ST FL., 55 TOTAL

WINDOW CALCULATIONS
138 S.F. FIRST FLOOR (OMITTING DOORS) = 114 S.F. REQUIRED WINDOWS; 5 * 22 S.F. + 3 * 41 S.F. = 311 S.F. OF WINDOWS

25.02.02(E)

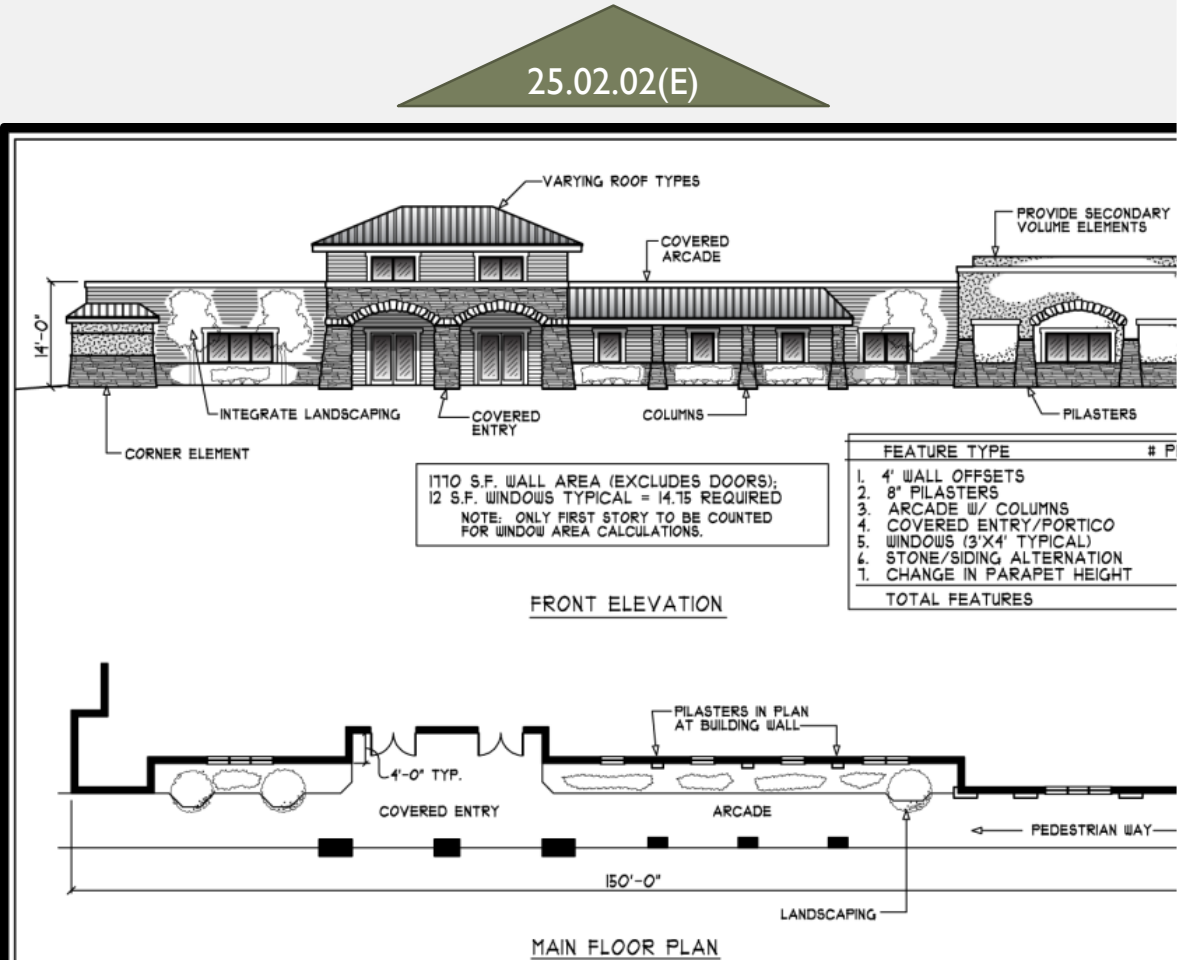
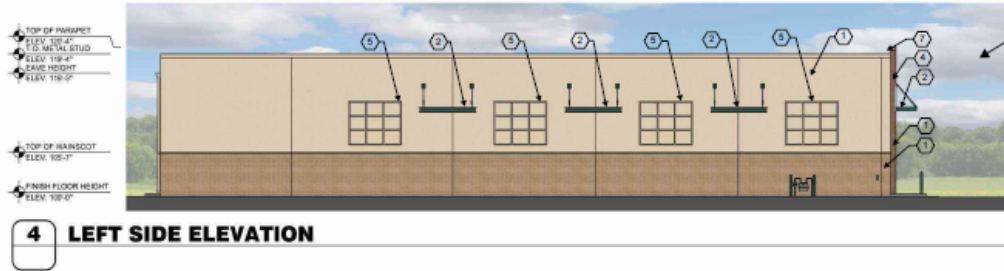
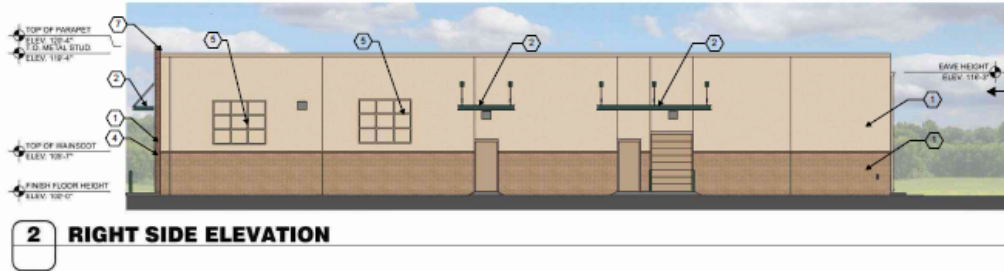


FIG. 4. BUILDING DESIGN EXAMPLE 2



DESIGN ELEMENTS LEGEND

FEATURE TYPE	#PER
PRIMARY FACADE FACES PRIMARY PUBLIC WAY	
1 MATERIAL CHANGE BRICK WAINSCOT- OXFORD BROWN EIFS - EQUAL TO SW6141 "SOFTER TAN" BRICK PILASTER - EQUAL TO SW6102 "PORTABELLO" EIFS - EQUAL TO SW6871 "POSITIVE RED"	4
2 AWNINGS	1
3 COVERED ENTRY/EXIT	1
4 1' ENTRY PILASTERS - BRICK - PORTABELLO	2
6 GLAZING - STOREFRONT ENTRY	1
7 CHANGE IN PARAPET HEIGHT	1
TOTAL FEATURES	10

DESIGN ELEMENTS LEGEND

FEATURE TYPE	#PER
PRIMARY FACADE FACES PRIMARY PUBLIC WAY	
1 MATERIAL CHANGE BRICK WAINSCOT- OXFORD BROWN EIFS - EQUAL TO SW6141 "SOFTER TAN" BRICK PILASTER - EQUAL TO SW6102 "PORTABELLO"	3
2 AWNINGS	2
3 COVERED ENTRY/EXIT	3
4 1' ENTRY PILASTERS - BRICK - PORTABELLO	1
5 TRELLISES	2
7 CHANGE IN PARAPET HEIGHT	1
TOTAL FEATURES	12

DESIGN ELEMENTS LEGEND

FEATURE TYPE	#PER
PRIMARY FACADE FACES PRIMARY PUBLIC WAY	
1 MATERIAL CHANGE BRICK WAINSCOT- OXFORD BROWN EIFS - EQUAL TO SW6141 "SOFTER TAN" BRICK PILASTER - EQUAL TO SW6102 "PORTABELLO"	3
2 AWNINGS	3
4 1' ENTRY PILASTERS - BRICK - PORTABELLO	1
5 TRELLISES	4
7 CHANGE IN PARAPET HEIGHT	1
TOTAL FEATURES	12

GLAZING CALCULATIONS

10% GLAZING REQUIREMENT:
1438 S.F. FIRST FLOOR (OMITTING DOOR)
144 S.F. REQUIRED GLAZING = 10%
340 S.F. GLAZING = 23%

Exterior Finish Legend

Stud Base

- EIFS (Exterior Insulation and Finish System) Sherwin Williams "Positive Red" SW6871
- EIFS (Exterior Insulation and Finish System) Sherwin Williams "Softer Tan" SW6141
- Clay Masonry Unit (Brick) - Accent Acme Brick "Blend 600 Oxford Brown Velour"
- Clay Masonry Unit (Brick) - Accent Color Equal to Sherwin Williams "Portabello" SW6102
- Awnings Sherwin Williams "Hunt Club" SW6468
- Trellis Sherwin Williams "Softer Tan" SW6141
- Standing Seam Metal Roof System Galvalume
- Egress Doors, Overhead Door, and Frames Sherwin Williams "Lattice" SW6108
- Sheet Metal Cap Flashing, Trim, Gutters, and Downspouts Sherwin Williams "Softer Tan" SW6141
- Bollards Sherwin Williams "Hunt Club" SW6468
- 1014 Aluminum and Glass Storefront System Elco "Ivy", Kawneer "Dark Ivy", or Vista Wall Sherwin Williams "Tidewater Green" SW6468 (if Address Number - White)

25.02 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

Building Design

- Roof variations are necessary, including to interrupt expanses of pitched roofs and minimize the visibility of flat roofs
 - Walls should not appear to end with a flat roof. Flat roofs are to be concealed with pitched roof features or parapets.
 - Slope for pitched roofs is regulated
 - Visible plumbing vent stacks should match the color of roofing material
 - Parapets, when intersecting a pitched roof element should not break the parapet wall
 - Lighted awnings/canopies should be covered
 - Pitched roofs are required to have a certain number of features based on the roof area
 - These regulations are not to prohibit solar panels or other renewable energy sources.

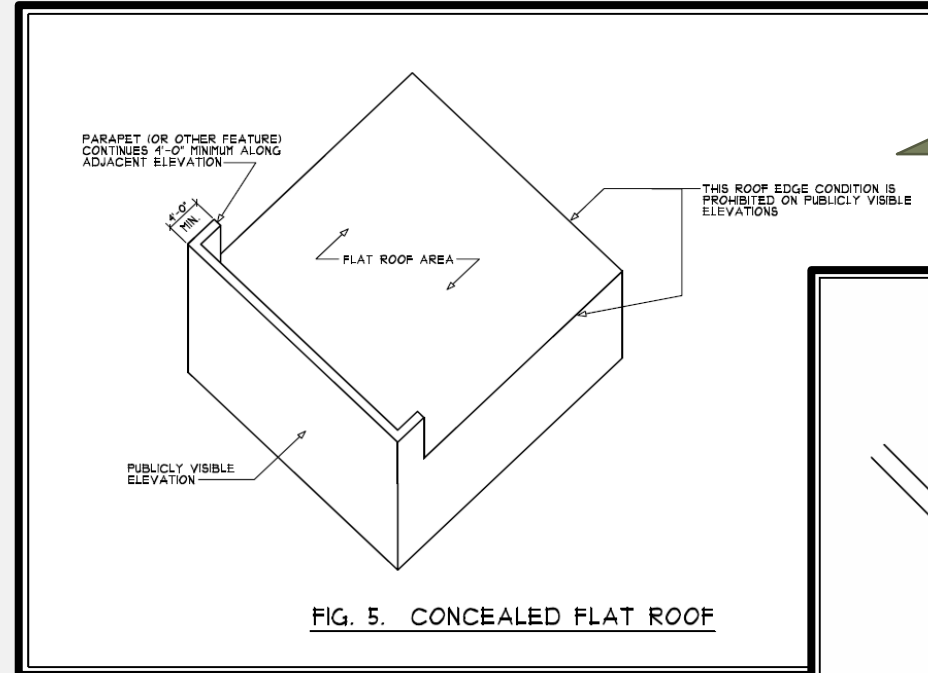


FIG. 5. CONCEALED FLAT ROOF

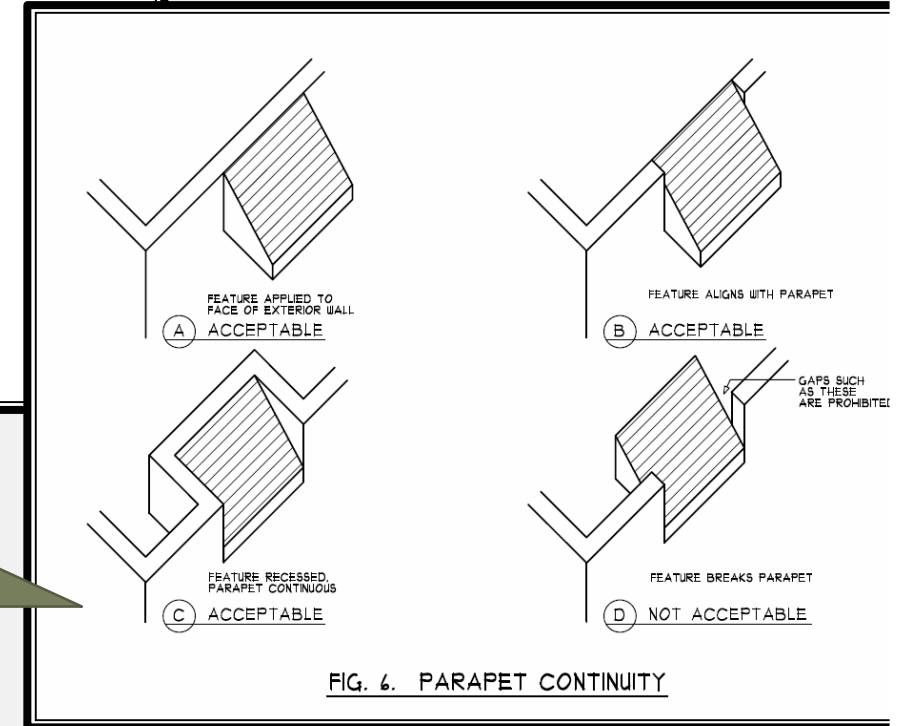


FIG. 6. PARAPET CONTINUITY



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

25.02 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

Building Design

- Materials are to be representative of the area for a native, natural appearance
 - 25% of the material has to be stone or concrete-simulated stone, wood or simulated wood in concrete board, or brick or concrete-simulated brick
 - No mirrored glass allowed
 - Reflective, tinted glass with 30% tint
 - Architectural concrete masonry, stucco, synthetic stone, architectural concrete are acceptable as finished materials
 - Vinyl siding requires Staff review and approval
 - Portions of publicly visible roof materials include standing seam metal, asphalt shingles, tile, manufactured shingles
 - Any material less than 10% of a visible exterior wall are allowed
- Colors are to follow the Light Reflection Value (LRV) of the color palette referenced in the UDO or their equivalent
 - Senior Planners evaluate the information given and looks for values similar



Figure 17-2 Permissible Field Colors
Select Benjamin Moore - America's Colors Palette

AC-1	AC-8	AC-15	AC-22	AC-29	AC-36
AC-2	AC-9	AC-16	AC-23	AC-30	AC-37
AC-3	AC-10	AC-17	AC-24	AC-31	AC-38
AC-4	AC-11	AC-18	AC-25	AC-32	AC-39
AC-5	AC-12	AC-19	AC-26	AC-33	AC-40
AC-6	AC-13	AC-20	AC-27	AC-34	AC-41
AC-7	AC-14	AC-21	AC-28	AC-35	AC-42

Permissible Accent Colors
Select Benjamin Moore - Color Preview Palette

Benjamin Moore Color Pre-View Series 2049-10 through 2174-70.



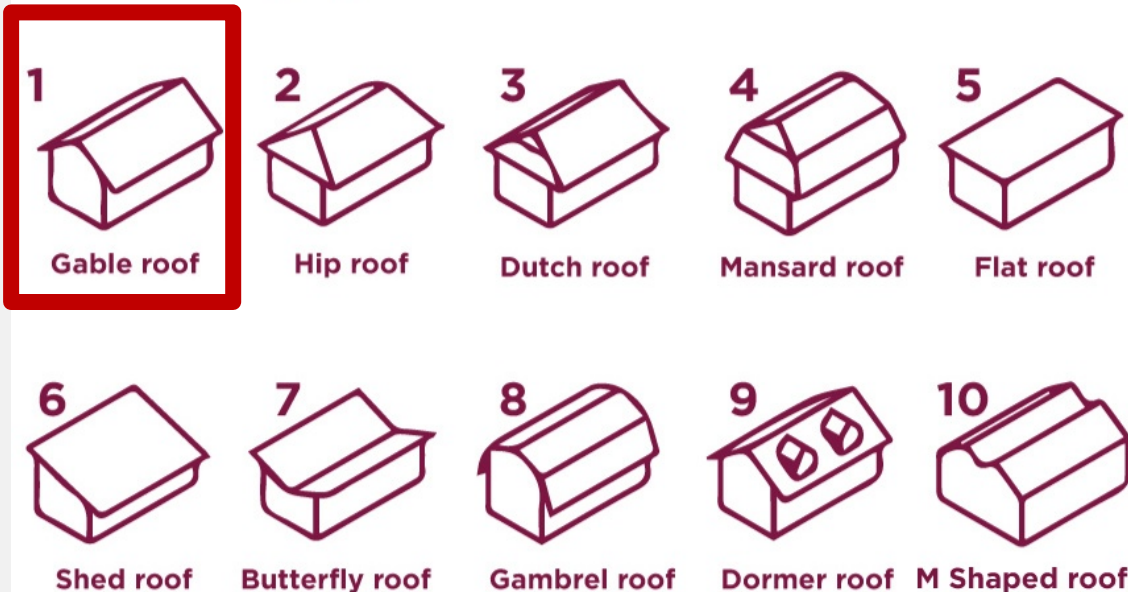
Note: the above color chart is for the Wellness District (14.23)

25.03 (ART. 25 COMMUNITY APPEARANCE STANDARDS)



Source: <https://www.houstonroofingonline.com/blog/hip-vs-gable-roof-whats-the-difference/>

Types of roofs



Source: <https://www.cupapizarra.com/int/news/10-types-of-roofs/>

Parking Structures

- Publicly visible facades – specifically exterior walls, materials, and colors – must comply with Article 25
- Above-ground floors should have a continuous façade and use window-like openings
 - Windows are to be 42” above the finished floor
- Elevator and stair shafts are to have gabled roofs or other architectural features
 - Should be orientated so that lobbies of these elevators/stair shafts are visible from the street at each level of the parking garage
- Lighting is to be uniform throughout and confirm to **Illuminating Engineering Society (IESNA) standards**
 - This would be determined by an engineer.

25.04 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

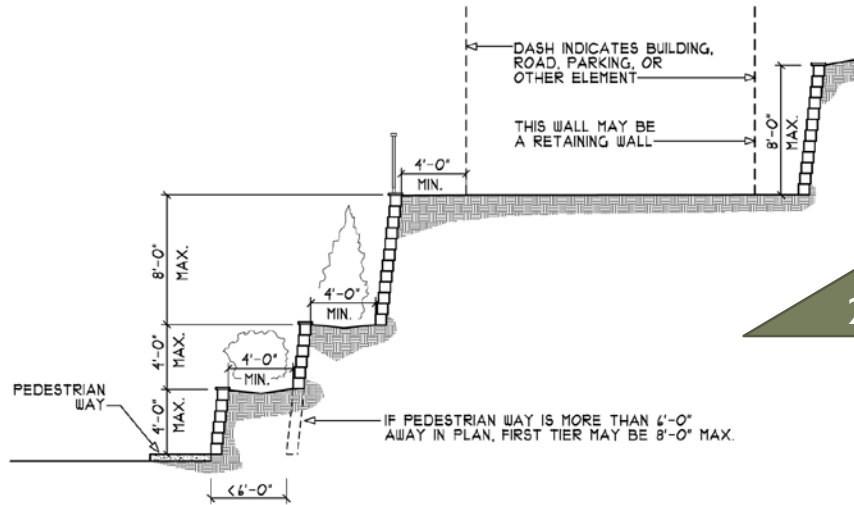


FIG. 1. RETAINING WALL CONSTRAINTS

25.04.04

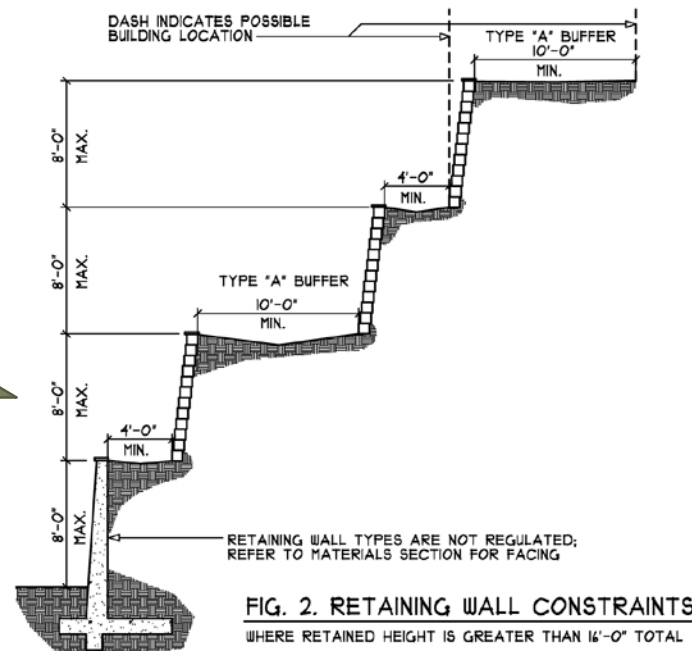


FIG. 2. RETAINING WALL CONSTRAINTS

WHERE RETAINED HEIGHT IS GREATER THAN 16'-0" TOTAL

Site Walls

Site walls: Retaining walls, screen walls or other vertical or nearly- vertical planes which occur on a property, but are not part of the exterior envelope of a building (Article 34)

- To equalize cut/fill or majority cut slope methods of grading
- Limits retaining wall heights to 8' or less, not including decorative caps less than 8" in height
- Screen walls are to conceal items such as a dumpster or HVAC unit
- Retaining walls are to be set out from a sidewalk or pedestrian way
- Space between retaining walls should be landscaped according to Appendix C and maintained according to Article 31
- Visible site wall material and color must be architecturally compatible with the building on site.

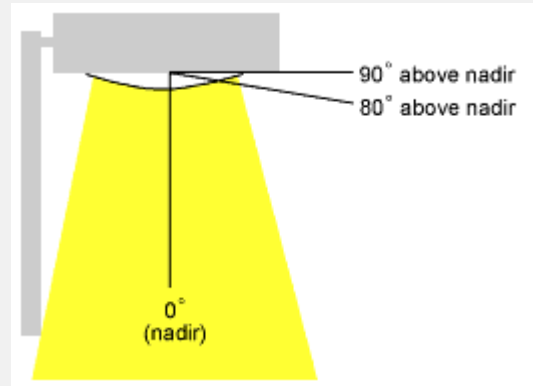
25.04.07

25.05 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

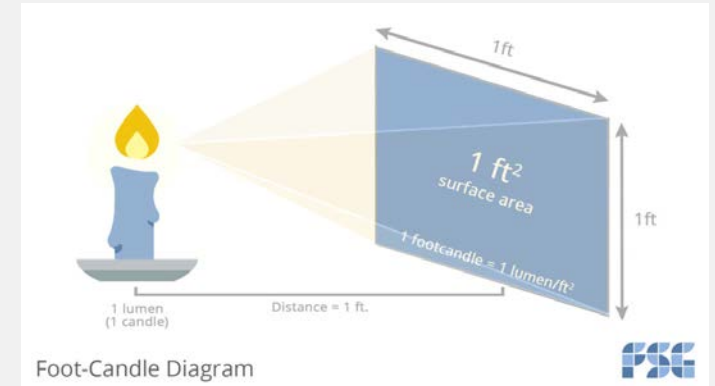
Lighting (current standards)

Scope – limit light from commercial developments from excessively illuminating neighboring properties or the night sky.

- Requiring **full cut-off (FCO) fixtures**
- Regulating by type of activity and the allowable foot-candles
- Sports fields or outdoor court lighting should have glare control fixtures, aimed directly at the field, and use IESNA standards
- Standards for canopies, such as gas station canopies have a maximum illuminance of 30 fc and flush mounted
- Up-lighting can be used to illuminate a building, landscaping elements, or architectural feature. Down lighting is preferred.
- Parking decks are to follow IESNA standards.



Source: <https://www.lrc.rpi.edu/programs/nlpip/lightinganswers/lightpollution/cutoffclassifications.asp>,
<https://fsg.com/what-is-a-foot-candle/>



Source: <https://www.ies.org/>



Source: <https://www.ncqlp.org/>

NCQLP Handbook used by Staff as a reference to the amendment:

https://www.ncqlp.org/NCQLP_Handbook.pdf

Amended to the ordinance last year is the inclusion of a post installation inspection conducted by a **professional engineer with expertise in lighting design or mitigation strategies, or a lighting specialist certified by the National Council on Qualifications for the Lighting Professions (NCQLP).**

25.05 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

Lighting Standards Update

As explained during the Community Appearance Commission New Member Orientation, Planning Staff is working on text amendment to revise and modernize the lighting standards. It is Staff's intention to provide more specific standards to make the development process more clear for applicants.

The draft standards previously presented to CAC members are available in previous meeting packets from 2022. The meeting packet links are included here in this slide:

- May 24, 2022 CAC Meeting Agenda: https://boonenc.iqm2.com/Citizens/D-etail_Meeting.aspx?ID=3451
- Drafted Lighting Standards presented by Planning Staff (packet pages 8-24):
https://boonenc.iqm2.com/Citizens/Detail_Communication.aspx?Frame=&MeetingID=3451&MediaPosition=&ID=2948&CssClass=

25.06, 25.07 (ART. 25 COMMUNITY APPEARANCE STANDARDS)

Flexibility in Administration and Alternatives Sections

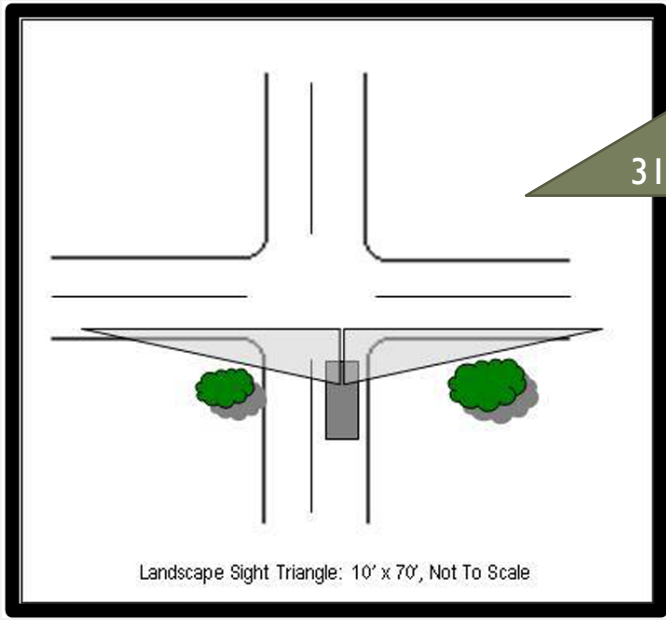
These two sections of Article 25 provide that

- (1) Flexibility based on UDO provisions – if another section of the UDO is challenged by a provision in Article 25, the other section takes precedence
- (2) Alternatives to Article 25 can be approved by the Administrator (Planning Staff) with Staff's written review and approval. The applicant would need to detail to Staff the alternative(s).
 - There can be a difference of +/- 25% of the standard (i.e. difference of measured standards, such as footcandles or retaining wall height).
 - Planning Staff is to explain how the alternative still meets the requirements of Article 25.
 - Planning Staff can also **seek recommendation by the CAC for any proposed alternative**. For example, for features such as material choices in developments; however, the CAC is not reviewing the site plans.

ARTICLE 31 LANDSCAPE STANDARDS

- Article 31 is applicable to **all commercially developed land** and **all land within the**
 - R3 (Multiple-Family Residential District)
 - MH (Manufactured Home Park District)
 - OI (Office Institutional District)
 - BI (Central Business District)
 - B2 (Neighborhood Business District)
 - B3 (General Business District)
 - EI, E2, E3 (Education District)
 - MI (Manufacturing District)
 - UI (University) [14.29.05]
- Requires screening with landscape materials to shield neighboring properties from the development, and the development from negative impacts of adjacent uses (i.e., parking lots)

ARTICLE 31 LANDSCAPE STANDARDS



31.02.02

Landscape materials cannot create a traffic hazard by limiting a field of view at intersections.

- A sight triangle of 10 feet by 70 feet will be observed at all intersections of driveways/streets with adjacent streets.
- Street trees must be outside of this sight triangle.
- If shrubs are within, the maximum height is limited to 24 inches.

Requirements for screening are separated into Land Use Classifications – depending on what the parcel of land will be used for/allowed to be used for determines the screening requirements.

Proposed Land Use Classification	Adjacent Permitted Land Use Classification				Adjacent Zone with Nonconforming Use		Adjacent Public or Private Street
	I	II	III	IV	Residential	Non-Residential	
II	C	A	A	A	B	A	10' Street Yard See Section 31.09
III	C	B	A	A	B	A	10' Street Yard See Section 31.09
IV	C	C	C	A	C	C	25' Street Yard See Section 31.09

31.05.01

Bufferyard can be reduced with the use of a fence or a wall. In doing so, the applicant follows different buffer classifications. (31.06.04)

Screening Type	Required Width of Bufferyard
Type "A" Standard	10 ft.
Type "B" Semi-Opaque	15 ft.
Type "C" Opaque	25 ft.

31.05.02

ARTICLE 31 LANDSCAPE STANDARDS

- Development is to utilize existing vegetation to count towards the requirements, if it meets the same level of obscurity described in **31.06**.
- Requirements also include a **mix of large deciduous trees, evergreens, small trees, large shrubs, and smaller shrubs**.
- **31.06.02 Subsection B** lists the required minimum heights at the time of planting to reach the intended height within 3 to 5 years.
- Bufferyards have limitations on when they can be disturbed and are created to **not** be disturbed unless under certain conditions (**31.06.03**).
- For visual impacts of certain facilities and for them to not be in view from adjacent properties and public streets, **loading docks, solid waster and recycling containers, outdoor storage areas, utility structures, and rainwater harvesting systems** are to be screened. (**31.06.05**).

Buffer Type	"A" Buffer	"B" Buffer	"C" Buffer
Minimum Bufferyard Width	10 feet	15 feet	25 feet
Total Number of Plants per 100 Linear Feet	20	30	40
Number of Evergreen Trees	3	10	15
Number of Large Deciduous Trees	1	3	5
Number of Small Deciduous Trees	2	2	5
Number of Shrubs (at least 75% must be evergreen)	14	15	15

31.06.02

ARTICLE 31 LANDSCAPE STANDARDS

- Development is required to have a **street yard** with requirements on the size of this buffer area and the size of trees within it (**31.09.01**). It is intended to see innovative design in tree arrangement and allotted space for street trees to grow. There are requirements for the **BI zoning district (31.09.04, 31.09.05)**.
- **31.10** provides standards for including landscaping in large expanses of pavement, for areas such as parking lots.
- In effort to meet these standards, there is **Flexibility in Administration Required (31.11)** in certain circumstances where not all standards can be met to the same mathematical calculations described.
- Landscaping **must be installed** to the specifications of the **approved site plan and inspected before final certification** (final certifications as described in Article 4). (**31.12**)
 - Further, plant material **must be installed by a landscape contractor licensed in NC**, with some exceptions (31.12.01. Subsection C.)
 - **Maintenance** of landscaping is **required** and is the responsibility of the **property owner** or owner's designee. In the event landscaping is dead, unhealthy, or missing, it should be replaced following the standards of Article 31. Significant replacement would require the owner to submit new landscaping plans (**31.12.03**).
 - **Pruning** should follow industry standards as listed in **Subsection 31.12.04** and **Appendix C**.

31.13 – ARTICLE 31 LANDSCAPE STANDARDS

- Article 31 allows existing vegetation to count towards the landscape requirements for new development. In doing so, existing vegetation must be criteria to have **credits** counted as a **specific number of trees**.
- In development review, Staff considers existing landscaping as the **first step** to determine credits and what other landscaping requirements are necessary.
- Tree credit requires the certification of a horticulturist, arborist, forester, landscape architect, NC landscape contractor, or NC certified plant professional.
- It is **required** to preserve **historic trees** (as defined in Article 34 Definitions).
- It is **required for applicants** to submit a **tree survey** (every tree of 8” or greater in diameter) for any land disturbing activity. Applicants are **required** to **retain** all existing healthy **significant trees** (as defined in Article 34).
- There are measures that if a landowner believes a tree is unhealthy, they may submit an evaluation to determine that the existing tree(s) can be removed.
- This section also details protections for existing vegetation, in which **no land disturbing activity can occur** until there are protective barriers installed by the applicant.
- A **Tree Protection Area** (TPA) is defined where it is the circular region measured outward from the tree trunk to the edge of the drip line of the canopy (31.13.10 Subsection B., and Article 34 Tree Protection Area). There are **fines** for damages to this TPA.
- Protection fences should be installed on site.

ARTICLE 34 - DEFINITIONS

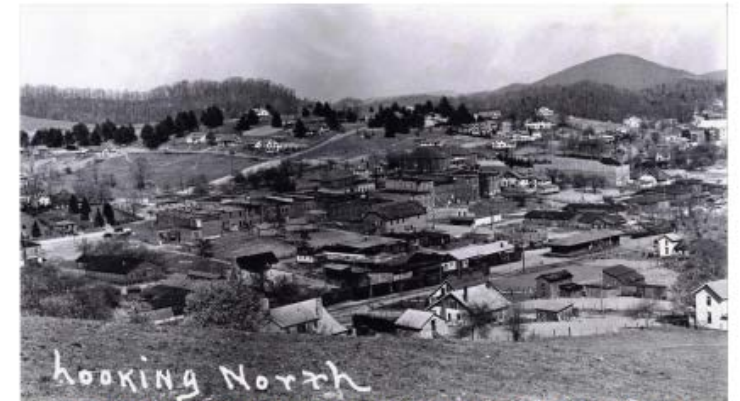
- For reference for other UDO articles, Article 34 lists definitions of key terms and phrases that are used throughout the Ordinance.

DOWNTOWN APPEARANCE STANDARDS

- In addition to Article 25 for appearance standards, the Downtown area is part of the **BI zoning district**, and more aptly, it is divided into the **BIDI (BI Downton Interface)** and **BIDC (BI Downtown Core)**.
 - Article 14 Section 19 (14.19) details all specifications for both BI Downtown Districts.
 - BIDI is the gateway into the downtown area and as the transition between the BIDC and adjacent zoning districts. BIDC is the center of the downtown area with the greatest concentration of historic commercial buildings.
 - The BIDC standards in 14.19 reinforce the historic nature of the existing built environment.
 - Within the BIDC area is the **Downtown Boone Local Historic District**, which is another set of standards for those buildings to follow. The guiding document is **Appendix D** of the UDO, also titled the **Downtown Boone Design Guidelines and Handbook**.
 - Another factor is that work within the historic district must be classified into one of three categories listed in **Article 8** (routine maintenance, Statement of Conformity, or Certificate of Appropriateness). Depending on which category the work is determines whether it requires staff approval or board approval by the Historic Preservation Commission (quasi-judicial board for COA cases).
 - **Article 8** also sets standards for historic districts, and landmarks and/or landmark properties within the Town of Boone limits and the historic district.
- Work within these Downtown Districts must follow the standards set in **14.19**, and then if within the BIDC, follow **Appendix D** and Article 8 (if a landmark property).

Town of Boone Unified Development Ordinance - Appendix D

Downtown Boone Local Historic District Design Standards And Handbook



The Town of Boone circa 1939, from the hill near the R. L. Clay House looking northeast. Photo courtesy of Jones House Collection, Digital Watauga Project.

Town of Boone Historic Preservation Commission

Adopted October 21, 2021

APPENDIX C

DETAILS AND SPECIFICATIONS MANUAL

CI Landscape Guide

- A guide of the latest accepted horticultural practices to be used by NC landscape contractors and Staff in the development process.
 - Includes **landscaping guides** and **stormwater control measures guidelines for certain residential development**.
- Elaborates on **tree preservation** (Tree Protection Area) and **care during construction**.
 - Standards for soil and plant material and planting instructions
- Approved **Plant List** specifying native and recommended species to use in development.
- Tree pruning guidelines in connection to the Urban Forestry Management Plan.

TOWN OF BOONE PLANS

Existing Approved Plans Relevant
to the CAC

- Comprehensive Plan
- Urban Forestry Management Plan

COMPREHENSIVE PLAN

SECTION 2.3 – THE COMMUNITY

POLICIES AND ACTIONS

- Urban type development is to meet Town Standards with minimum architecture design standards
- Properly planned mixed use developments is encouraged
- Coordinated efforts with inter-governmental and university-town planning is encouraged for urban area land use and development, transportation, utilities, recycling, environmental management, law enforcement, education, recreation, tourism and economic development
- Improve the effectiveness of grading, landscaping, and buffering standards for development
- Recognize the importance and effectiveness of the Town's street trees
- The Town, private property owners, and developers work jointly to improve the appearance and design of major street corridors
- Improving the appearance and function of at least one major highway corridor in Boone
- Sign policies and standards should be periodically updated to enhance community identity and create a high quality business image
- The Town should encourage efforts to place utility wires underground when feasible
- **All of the items listed under Community Appearance should be part of a single beautification plan for coordination and effectiveness of efforts and for policy consideration by Town Council. The Town Community Appearance Commission should coordinate all plan elements, and actively seek the input of the community at large. (2.3.1. Subsection C.4)**

COMPREHENSIVE PLAN

SECTION 2.3 – THE COMMUNITY

POLICIES AND ACTIONS

- Identify, restore, and actively use structures, buildings, monuments, neighborhoods of historic or architectural significance is encouraged for economical and cultural value
- Encourage wise development of the tourism potential of the identified architectural, historical, scenic, and natural resources
- Protect significant architectural, historical, scenic, natural, and archaeological resources from activities such as road widening.
- **Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary. (2.3.2. Subsection D. 2)**
- **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. (2.3.2. Subsection E.)**
- Encourage protection and rehabilitation of viable neighborhoods to ensure their continued existence as a major housing source, and the reflect the area as an attractive, highly livable community
- Evaluate road widenings for impact on the integrity of residential areas, pedestrian-oriented commercial districts, and the ability of bicyclists and pedestrians to function in the potentially affected are
- Encourage street system designs that discourage through-traffic on local streets while allowing free circulation within the neighborhood
- Ensure residential development does not expose residents to harmful effects of incompatible development or to environmental hazards
- **Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources. (2.3.3. Subsection D.)**
- **Continue to evaluate opportunities in the zoning ordinance for flexibly designed and located single-family and multi-family residential developments. (2.3.3. Subsection D.1.)**
- **Continue relationships with ASU's departments to develop, enhance, and implement efforts toward creating affordable housing, appropriate infill development, neighborhood livability standards, and design standards for multi-family development. This should include attention to lighting, bike and pedestrian pathways, and federal, state, and local funding sources (2.3.3. Subsection D.2.**

COMPREHENSIVE PLAN

SECTION 2.3 – THE COMMUNITY

POLICIES AND ACTIONS

- Determined factors for preferred locations of high density residential development should be used in the review of the zoning ordinance for the appropriate placement of housing near urban center coordinated with transit
- Town policies and actions should recognize affordable housing needs for elderly and low to moderate income residents
- Compact and full service neighborhoods (living, working, shopping, gathering) are encouraged in newly planned developments or redevelopments
- The housing unit density should be compatible with average density of existing areas
- **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. (2.3.4. Subsection A.)**
- Neighborhood and special area planning is encouraged to foster public involvement
- Specific functional plans and implementation tools are supported for comprehensive planning
- **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 (2.3.4. Subsection D.)**

Commercial Development (1.0 Executive Summary)

The CAC is tasked with the development of commercial appearance standards to aid in the protection of Boone's community character and sense of place.

COMPREHENSIVE PLAN

SECTIONS 2.1.1., 2.1.2., 2.1.3., 2.2.1., 2.2.3, 2.2.5, – ENVIRONMENT RELATED *POLICIES AND ACTIONS*

- **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. (2.1.1. Subsection A.)**
- Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area. (2.1.1. Subsection A.1.)
- Adopt analytically sound, technically based hillside development regulations to preserve natural beauty. (2.1.1. Subsection A.2.)
- Balance the benefits of economic development projects with special concern for environmental quality issues. (2.1.1. Subsection A.4.)
- Encouraged for new business to complement natural resources and the region
- Large scale commercial use adjoining a residential use is to have effective buffering and landscaping
- Future areas for park, recreation, and open space facilities are to consider natural area conservation and watershed and flood prone area protection
- Identify and appropriately develop a system of open space greenways for recreation and alternative transportation, using natural corridors such as streams, floodplains, man-made corridors (transportation rights-of-way and easements).
- **Development on ridgetops and excessive slopes shall be strongly discouraged. Where development is allowed, stringent performance standards shall be met. (2.2.5.A.)**
- Continue to work on hillside and ridge-top regulation text for Town Council.
- Supporting improvement to public sewage collection and treatment facilities.
- **Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred. (2.2.5.C.)**

COMPREHENSIVE PLAN

SECTIONS 2.1.1., 2.1.2., 2.1.3., 2.2.1., 2.2.3, 2.2.5, – ENVIRONMENT RELATED *POLICIES AND ACTIONS*

- **Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards. (2.2.5.E.)**
- **Consider the use of innovative zoning techniques such as density bonuses and transfer of development rights in exchange for preservation of significant environmental features. (2.2.5.E.1.)**
- Innovative stormwater management are encouraged, recognizing the costs of commercial and residential stormwater runoff
- Develop a comprehensive drainage and flood plain management plan for public and private actions
- Encourage water and energy conservation and reduction of waster generation, and develop reuse, recycling, and resource recovery programs.
- Evaluating industries and activities producing excessive noise, odor, air, water, and light pollution, and not permitting such uses unless the impacts can be overcome through mitigation.
- **Encourage use of low-impact habitat-friendly practices to achieve and maintain native species, including plants, wildlife and beneficial insects (such as pollinators) within private and public developments. (2.2.5.O.)**
- Enhance the diversity, quantity, and quality of native, rare, or declining habitats
- **Ensure that landscape and pesticide management practices minimize impacts to the environment including impacts to pollinators. (2.2.5. P.)**
- **Create a least toxic pesticide management plan for use by the Town which also can be distributed to the community as an educational tool. (2.2.5.P.1.)**
- **Create a landscape management plan for the Town using best management practices that preserves, maintains and enhances native plant material selections which are also pollinator friendly. (2.2.5.P.2.)**
- Revised the UDO to include pollinator-friendly plant material.
- Support consideration of new, environmentally friendly, light industries.
- Alternative transportation methods, through planned systems of pedestrian ways, bikeways, greenways, and similar facilities are encouraged

URBAN FORESTRY MANAGEMENT PLAN

Adopted in 2009

Note: Existing plan could undergo revisions during update to the Comprehensive Plan.

- Developed for preservation and expansion of the existing tree canopy in Boone.
- Operations of the Town indicate that urban forestry cover is the responsibility of the Town for publicly owned areas. Private land owners are responsible for their properties.
- Staff is to conduct a tree inventory analysis and assess tree canopy cover.
- Maintenance, care and management of trees is detailed for mature and young trees that are the Town's responsibility (routine pruning, fertilization, irrigation, insect and disease control, mulching).
- Methods provided for the Town to increase urban forestry canopy cover with amendments to guiding documents (UDO, Town Code), which is now dependent on legislation for tree preservation.