

**Town of Boone
Town Council/Planning Commission Public Hearing
6:00 PM, May 18, 2026
Town Council Chambers
1500 Blowing Rock Rd.**

I. Call to Order of Town Council and Planning Commission

II. Moment of Silence

III. Approval of Meeting Minutes

1. April 27, 2026, Public Hearing/Planning Commission Meeting Minutes

IV. PUBLIC HEARING

1. Case A24-0077 Transportation Impact Analysis (TIA) - UDO Text Amendment

V. Adjournment of Town Council

PLANNING COMMISSION MEETING

VI. Discussion and Recommendation of Case(s) Presented at the Public Hearing

VII. Other Matters

1. Recommendation for Planning Commission Vice-Chair

VIII. Adjournment

**TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES
MONDAY, APRIL 27, 2026, 6:00 PM
1500 BLOWING ROCK ROAD AND WEBEX**

COUNCIL MEMBERS PRESENT: Mayor Dalton George, Mayor Pro Tem Todd Carter (via WebEx), Anne Pruitt, Virginia Roseman, and Adrian Tait

PLANNING COMMISSION MEMBERS PRESENT: Chair Frank Venio, Declan King, and Frida Paz-Miranda

PLANNING COMMISSION MEMBERS ABSENT: Garrett Kight, and Michael Mileski

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, Jessica Mitchell-Advanced Planning Specialist, and Brenda Henson-Board Clerk

OTHER TOWN STAFF OR REPRESENTATIVES PRESENT: Dale Presnell-Interim Town Manager, and Allison Meade-Town Attorney (via WebEx)

Call to Order

Mayor George called the Town Council to order at 6:08 p.m. Chair Venio called the Planning Commission to order at the same time. The meeting was held at the Town Council Chambers, located at 1500 Blowing Rock Road, Boone, and via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Roseman made a motion, seconded by Council Member Tait, to approve the March 16, March 23, and April 8, 2026, Public Hearing/Planning Commission meeting minutes.

VOTE: Aye – 4
Nay – 0

The motion passed.

Commission Member King wished to change the word “access” to “axis” in condition #3, page 9 of the March 16, 2026, Planning Commission meeting minutes. He then made a motion to approve the March 16, 2026, meeting minutes as amended, and the March 23 and April 8, 2026, meeting minutes as presented. The motion was seconded by Commission Member Paz-Miranda.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

PUBLIC HEARING

Case A26-0127 Public Art in Local Historic District – UDO Text Amendment

A text amendment to UDO Articles 26, 34, and Appendix D to modify and clarify the standards for public art, including murals, in the Downtown Boone local historic district.

Jessica Mitchell, Advanced Planning Specialist, presented the request. She noted that the topic was initially discussed with the Town Council in November 2025, and the text had since been presented to the Historic Preservation Commission and Town Council earlier this month. As a result of those presentations, additional clarifications were made and were reflected in the staff report.

Ms. Mitchell outlined the proposed changes to UDO Articles 26, 34, and Appendix D. She noted that ghost signs would be moved from the public art section of Appendix D to the sign section and that the section would include guidance on restoring and preserving them.

Ms. Mitchell referred to the table in Section 11.03.04 and stated that landmark properties were included as a property classification type. She noted that the table did not reference murals on panels and suggested adding language stating that murals may be installed on panels or similar materials, on painted or unpainted walls, and attached through the mortar joints, in accordance with the installation standards in Section 11.03 and applicable to all property types.

Ms. Mitchell referred to language in the table that murals should use vapor-permeable paints to allow the underlying facade material to breathe and avoid trapping moisture. She noted that the Certificate of Appropriateness (COA) application would be modified to include language to streamline the process for public art and mural COA applications.

Council Member Roseman stated that it was nice to see this text because it would add cultural and visual interest to the historic district and, hopefully, tell the community's story.

Council Member Tait asked how existing murals would fit within these standards, with respect to the surfaces on which they were painted and their elevations. Ms. Mitchell replied that existing murals would remain, and if repairs were needed, current standards would apply. Council Member Tait stated that, regarding the elevation definitions, the primary facade, the main entrance, and the front of the building could be challenging because the primary façade might not be where the main entrance or the front of the building is. Ms. Mitchell noted that the proposed text was specifically in Appendix D and applied only to the historic district. Jane Shook, Director of Planning & Inspections, added that the definitions of primary, secondary, and tertiary differed from those related to primary facades and building orientation in other areas of the UDO. She noted that issues related to building orientation were on the staff's work plan to be addressed sooner rather than later.

Mayor Pro Tem Carter wished to clarify that the requirement that murals be installed only on smooth surfaces also included brick. He asked about anti-graffiti coating. Ms. Mitchell stated that anti-graffiti coating would have to be vapor-permeable. She noted that she had contacted the State Historic Preservation Office (SHPO), which recommended two different products for graffiti cleaners, one for painted and one for unpainted masonry, that staff needed to research further. Ms. Mitchell explained that SHPO recommended cleaning, then monitoring the building before applying an anti-graffiti coating. If the building was retagged, it should be cleaned, then the vapor-permeable anti-graffiti coating should be applied. She noted that this type of coating would come off when cleaned, so the coating would have to be reapplied. Although the vapor-permeable coating would not adhere to the masonry, there was an expectation that graffiti would not penetrate the building's surface.

Chair Veno asked whether the Planning Commission needed to include language in their recommendation regarding murals on panels. Ms. Mitchell felt that would be appropriate.

Council Member Tait asked how the scale of art installations, such as sculptures, would be determined. Ms. Mitchell replied that the Historic Preservation Commission would determine the appropriateness of scale and whether the art would distract from the building or its surroundings. Council Member Tait asked

whether anyone was waiting for this text so that murals could be installed. Ms. Mitchell replied that at least one COA application was awaiting approval of the mural text.

Mayor George invited public comment.

Amber Bateman, on behalf of the Watauga Arts Council, expressed her gratitude for all of the work everyone had done to make this text amendment possible. She supported the planning principles and goals in Boone Next, specifically Goal 1.7, A Creative and Artistic Town; Goal 3.4, Innovation Through the Arts, Culture and Creativity; and Goal 4.1, The Local Governance that Implements the Community Vision. Ms. Bateman stated that the ordinance and the updates more clearly defined how public art could live and thrive in the historic district and the greater Boone area. She noted that they hoped to extend the Hellbender mural into a nearby blank area where graffiti was an issue. She added that she was also working with the Downtown Boone Development Association to potentially place more cameras downtown.

Mayor George closed the public comment portion of this hearing.

Council Member Tait asked what would happen if someone wanted to put up a mural in another part of town. Ms. Mitchell replied that they would have to apply for a zoning permit and comply with the UDO, including the language in Article 26 regarding murals.

With nothing further, Mayor George closed the public hearing for this case at 6:46 p.m.

Case A26-0125 Legislative Changes – UDO Text Amendment

A text amendment to UDO Articles 1, 4, 7, 9, and 34 to reflect recent legislative changes from the 2025 North Carolina General Assembly session.

Ms. Mitchell stated that this text amendment was necessary to make the UDO consistent with the legislative changes. Changes included the removal of waiting periods for resubmittals of zoning map or text amendments, development applications, or requests for development approval after withdrawn or denied applications; modifications to split jurisdictions; and the allowance of reconstruction of nonconforming residential structures until June 2030.

There was no public comment.

With nothing further, Mayor George closed the public hearing for this case at 6:49 p.m.

Case A24-0077 Transportation Impact Analysis – UDO Text Amendment

A text amendment to UDO Article 4 and Appendix C to modify transportation impact analysis (TIA) provisions. Modifications include changes to process, content, and mitigation.

Ms. Shook explained that she placed this item on the agenda to allow for questions that might have arisen from a meeting she, Todd Moody, Public Works Director, and Allison Meade had regarding the proposed TIA text language. However, no questions arose, and she anticipated bringing this text amendment before the Council and Planning Commission at the May public hearing. Town Council and Planning Commission members agreed to table this case until the May public hearing.

Reschedule May 25, 2026, Public Hearing/Planning Commission Meeting

Ms. Shook stated that the regular May Public Hearing/Planning Commission meeting fell on Memorial Day and would need to be rescheduled. She suggested rescheduling to May 18, 2026. Council members indicated they could attend on May 18, with Council Member Tait needing to attend via WebEx. Planning Commission members indicated they could attend on that date.

Adjournment of Town Council

Mayor George adjourned the Town Council at 6:53 p.m.

Dalton George, Mayor

Brenda Henson, Board Clerk

Frank Venio, Planning Commission Chair

PLANNING COMMISSION MEETING

Chair Venio called a break in the meeting from 6:53 p.m. until 6:59 p.m.

Discussion and Recommendation on Case(s) Heard at the Public Hearing

Case A26-0127 Public Art in Local Historic District – UDO Text Amendment

A text amendment to UDO Articles 26, 34, and Appendix D to modify and clarify the standards for public art, including murals, in the Downtown Boone local historic district.

Ms. Mitchell reminded Commission members that language needed to be included in the proposed table in Section 11.03.04, stating that murals on panels may be installed on painted or unpainted walls through the mortar joints on secondary or tertiary elevations, and that they must follow the standards in Section 11.03 for installation.

Vote 1

Commission Member King made a motion that the proposed amendment to the Town's Unified Development Ordinance is consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Planning Principle 11: Continue to preserve and enhance Boone's historic buildings and places.

Policy 1.3.1: Support Preservation of Historic Properties and Districts: Support identification, stewardship, and preservation of historic and culturally valuable properties and Boone's historic districts, including features of both the private and the public realm.

Policy 3.4.3: Incorporate Art into Public and Private Projects: Support public art in public infrastructure projects. Incorporate public art into new development projects of a certain size. Promote hiring of local artists for public art in public and private projects.

Commission Member King added that language still needed to be included in the text that murals on panels may be installed on painted or unpainted walls through the mortar joints on secondary or tertiary elevations, and must follow the standards in Section 11.03.

Chair Venio wished to add:

Goal 1.7: A Creative and Artistic Town: Boone leverages the arts and supports creative public places and spaces within its physical built environment.

Goal 4.1: Local Governance that Implements the Community's Vision: Local government is easy to understand, navigate, and engage with. Local policies and actions advance the long-term best interests of the community.

Commission Member Paz-Miranda wished to add:

Planning Principle 6: Continue supporting Downtown Boone's vibrant mix of businesses, residences, retail, restaurant, entertainment, and civic uses, while preserving its cherished distinctive human-scale character.

Commission Member King accepted the amendments. Commission Member Paz-Miranda seconded the motion.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

Vote 2

Commission Member King made a motion, seconded by Commission Member Paz-Miranda, that the Planning Commission recommends approval of Ordinance #A26-0127 within Exhibit A and approval is reasonable and in the public interest because this amendment clarifies legal standards around murals, which is productive for business and property owners within the historic district.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

Case A26-0125 Legislative Changes – UDO Text Amendment

A text amendment to UDO Articles 1, 4, 7, 9, and 34 to reflect recent legislative changes from the 2025 North Carolina General Assembly session.

Vote 1

Commission Member King made a motion that the proposed amendment to the Town's Unified Development Ordinance is consistent with the Town's current comprehensive plan and any other adopted plan(s) of the Town that are applicable because of the following from Boone Next:

Policy 4.1.1: Continued Excellence in Transparency: Continue to make governance and government decision-making accessible and transparent to all residents.

Policy 4.1.4: Accessible and Understandable Documentation: Seek to make key Town documents, such as the annual budget and the capital improvements program, user-friendly and accessible to the general public.

The motion was seconded by Commission Member Paz-Miranda.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

Vote 2

Commission Member King made a motion, seconded by Commission Member Paz-Miranda, that the Planning Commission recommends approval of Ordinance #A26-0125 within Exhibit A and approval is reasonable and in the public interest because this amendment brings town law into adherence to the state law.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

Case A24-0077 Transportation Impact Analysis – UDO Text Amendment

A text amendment to UDO Article 4 and Appendix C to modify transportation impact analysis provisions. Modifications include changes to process, content, and mitigation.

This case was tabled until the May 18, 2026, Public Hearing/Planning Commission meeting.

Other Matters

Planning Commission Vice-Chair

Ms. Mitchell stated that an application was included in the meeting packet and noted that the Planning Commission vice-chair position was open to any Planning Commission member who was interested. The completed application must be sent to the Board Clerk for inclusion in the May meeting packet. At the May 18 meeting, the Planning Commission would nominate a vice-chair, and that recommendation would be forwarded to the Town Council for their final selection.

Ms. Mitchell noted that there were currently two vacant positions on the Planning Commission.

Adjournment of Planning Commission

Commission Member King made a motion to adjourn the meeting at 7:10 p.m. Chair Veno seconded the motion.

VOTE: Aye – 3
Nay – 0
Absent – 2 (Kight, Mileski)

The motion passed.

Frank Veno, Planning Commission Chair

Brenda Henson, Board Clerk



Staff Report
Public Hearing
October 27, 2025

Case A24-0077 Transportation Impact Analysis – UDO Text Amendment

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Request

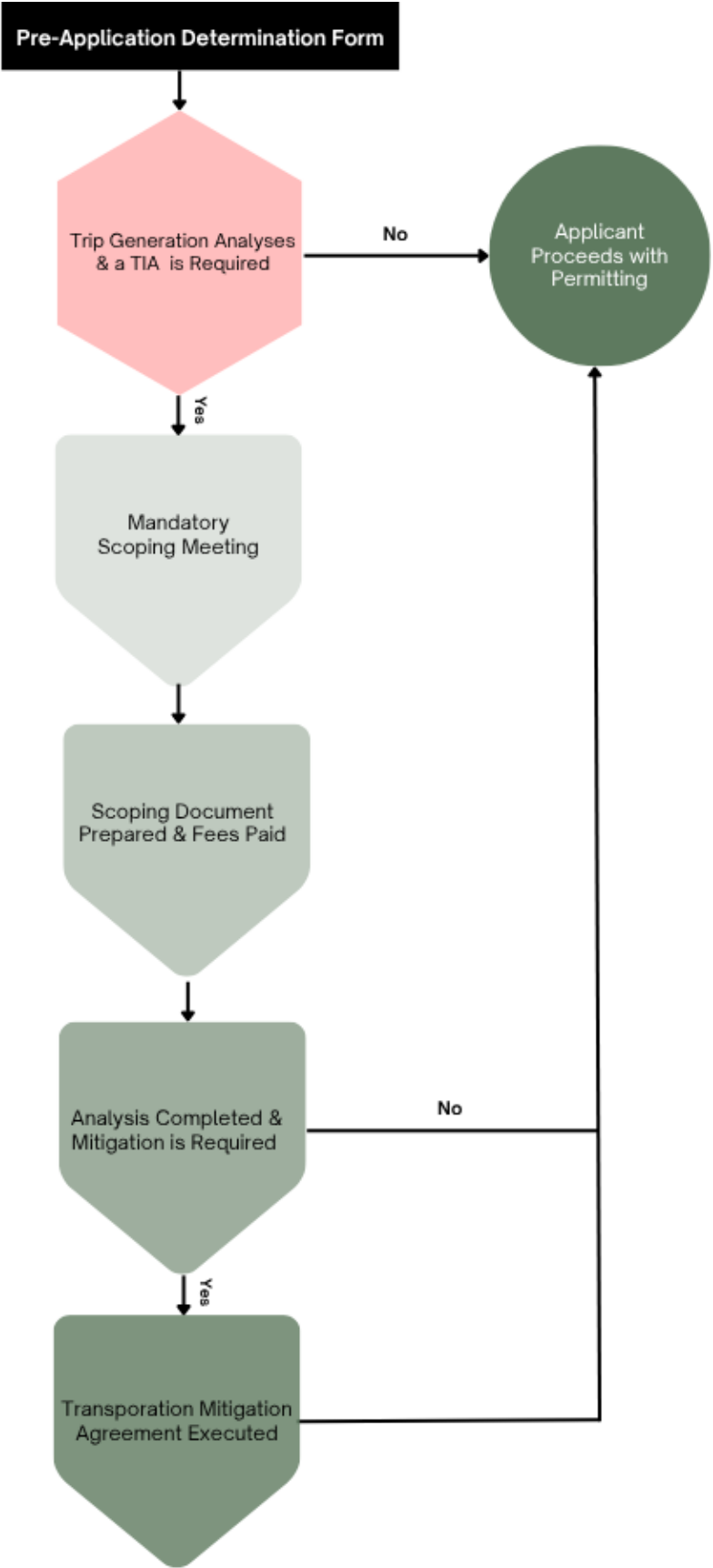
Staff requests Town Council and Planning Commission consideration of a text amendment to revise and expand the Town's current transportation impact analysis (TIA) standards. For clarification, a transportation impact analysis is a tool used to evaluate the incremental impacts of a proposed development on the surrounding transportation infrastructure with recommendations on how to mitigate those impacts to maintain safe traffic and transportation operations. "Transportation" for this purpose includes a multimodal perspective to evaluate bicycle, pedestrian, and vehicular transportation modes.

Staff, working with Kimley-Horn (engineering consultant for this project), are proposing a process in which a consultant selected by the Town will conduct the analysis with the applicant paying for all costs. Currently, applicants hire their own consultants and current language provides no guidance on analysis content or mitigation requirements. Staff believes this new process would ensure an unbiased report on impacts to the area transportation network plus ensure that any mitigation requirements are clearly outlined prior to any approval.

This case was originally presented to Town Council and the Planning Commission on October 27, 2025 for initial discussion (see Exhibit A: October 27, 2025 Meeting Minutes Excerpt). The text has been revised based on that discussion.

Before adoption, the Town will have to work out the logistics of having consultants on call to be able to provide the services outlined within the text. Additionally, it will be important to determine an effective date for the amendment. This will ensure fairness and transparency for future applicants, particularly those who may have already hired a consultant based on existing text.

The infographic on the next page outlines the new process.



Conformity to Adopted Plans

Boone Next: Our Town, Our Future

Community Vision

We will be a prosperous, livable, people-oriented mountain community modeling resilient growth that promotes and protects our natural resources with diverse housing options and dynamic economic opportunities. We will celebrate and build upon our community's historic foundation to leave a sustainable and equitable town for future generations.

- **Multiple Safe Travel Options:** Residents will have the freedom to safely and realistically travel in Town using a variety of connected, convenient, and comfortable transportation modes. We will focus on a walkable, bikeable, and transit friendly network for ensuring an accessible community.

Planning Principles: The Boone Next Planning Principles are intended, as a collective, to provide a core vision to guide planning, zoning, and development decisions. These principles should be carefully considered with respect to all zoning map amendments, ordinance text amendments, and other development decisions as well as other town planning and policy initiatives.

Staff Analysis: Several of the Boone Next Planning Principles are relevant to the proposed amendment, particularly in relation to transportation and its impacts on congestion, mobility, and public safety. Staff has included Principles 1, 3, and 8 because these principles highlight ideas such as encouraging walkability and transit, and addressing automobile dependency. While the amendment doesn't directly carry out these principles, it aligns with them by introducing a development related tool which adds a multi-modal thereby supporting the broader goals of the Boone Next framework.

Planning Principle 1

Prioritize thoughtfully designed development of underutilized land within the town's existing built-upon areas over development of undeveloped land on the town's outer limits.

It is preferable to accommodate growth in locations within the existing town limits that are appropriate for, can support, and would be enhanced by new development. Infill and redevelopment will occur in a strategic manner that considers community needs like provision of and access to goods, services, transit, and quality public space.

Planning Principle 3

Encourage compact, human scale development that integrates a vertical mix of uses (residential, commercial, office, institutional, civic, etc.) and connects with existing developed areas.

Places will be created with multiple uses in proximity to each other, perhaps on the same site and/or in the same structure. Close attention will be given to the compatibility of those uses and their surroundings. Uses will be arranged in a manner that maximizes pedestrian activity and create "communities within our community."

Planning Principle 8

Encourage development and connections that better balance the needs of pedestrians, drivers, cyclists, and transit users.

Opportunities will be sought to improve the street pattern and connectivity, thereby increasing travel options, potentially decreasing vehicle miles, reducing congestion, and improving safety.

- A connected street pattern will be the preferred network for future development and redevelopment unless prevented by streams, steep slopes, or other barriers.
- Well-connected streets will be designed with short blocks and alleys and include sidewalks and street trees to facilitate walking.
- Streets and trails will have high connectivity within and between neighborhoods and commercial districts.

- Bicycle and pedestrian trails with supporting amenities will be integrated into new development and areas undergoing redevelopment.
- Enhance connectivity to community amenities; add sidewalks, bike facilities, transit, and other pedestrian safety facilities where feasible

Goals & Policies

Staff Analysis: Below are selected Goals & Policies that related to the proposed amendment. Similar to the Planning Principles analysis, while the amendment does not implement these policies and goals, the amendment introduces a multi-modal perspective, clearer guidance on content, methodology, and mitigation. These changes are critical to sustaining and advancing the town's transportation goals, which prioritize safety, mobility, and reduced reliance on vehicular trips.

Staff encourages Town Council and the Planning Commission to focus on Chapter 2 Multiple Safe Travel Options to better understand the transportation priorities within Boone Next.

Goal 1.1 A SUSTAINABLE BUILT PATTERN

Boone's interwoven natural and built environments will promote social, environmental, and fiscal sustainability while aiming to reduce auto-dependence and the roots of traffic congestion. The town will be a leader of green building design and climate responsibility.

Policy 1.1.2 Use Best Design Practices in New Development

All new growth should move Boone toward creating a network of "communities within a community" - a polycentric pattern of walkable, human-scale activity centers located within short distances of residents across the town. This pattern is key to supporting sustainability by aiming to reduce vehicle trips and their associated emissions, improving human health by supporting active utilitarian modes of transportation, and guiding growth away from natural areas. Where feasible, new growth should establish short blocks and connected rights-of-way, prominent civic spaces, stream daylighting and protected natural resources, front-facing buildings with transparent and welcoming first floors and public spaces, a diversity of housing types, income-restricted housing units, neighborhood-serving and context-sensitive nonresidential uses, rear parking and alleys, front porches¹ (residential), and safe multimodal transportation infrastructure design.

Goal 1.2 DEVELOPMENT TRUE TO BOONE'S VISION

Boone's development and redevelopment will enhance the best of the town's existing built environment and reinforce the vision set forth in this plan.

Policy 1.2.3: Coordinate Land Use and Transportation Planning

Ensure transportation infrastructure supports walkable development and multimodal transportation options — including connections to activity centers. Important considerations include the width and design of sidewalks, street trees, physically protected bike lanes, tight curb radii at intersections, traffic calming devices, appropriate lane widths that create safer design speeds, and other features that enhance the safety and comfort of all travelers.

Goal 2.1 Increase Mobility Through a Safe System Approach

By fostering partnerships and focusing on data-driven solutions, the town will address roadway safety challenges, enhance intersection functionality, and manage traffic effectively.

Goal 2.2 Encourage Mobility Choice Through Walking & Biking

Bicycle and pedestrian infrastructure will be prioritized on high-activity streets and key connections, with designs reflecting community needs and exceeding minimum standards where appropriate.

Goal 2.4 Increase Mobility Through Capacity & Access Management

Ensure Boone's street network supports safe, reliable transportation for all modes by addressing growth-related challenges with strategic roadway improvements beyond traditional widening.

Planning Board Report/Recommendations

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

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

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

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance A24-0077 within Exhibit A and ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2: briefly explain why, factors may include the benefits and detriments to the landowners, the neighbors, and the surrounding community; why the action taken is in the public interest; and any changed conditions warranting the amendment.

Note 2

Town Council Action Required – May 18, 2026

No Council action is anticipated at this meeting. Final consideration would occur at a future Town Council meeting (anticipated to be May 27, 2026) upon receipt of the Planning Commission's recommendations.

Staff Report Exhibit A: Ordinance A24-0077

ORDINANCE # A24-0077

AN ORDINANCE TO REVISE the UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, the Boone Town Council desires to revise regulations related to transportation impact analyses; and

WHEREAS, the Boone Town Council held a duly-noticed public hearing on October 27, 2025 and May 18, 2026 with respect to this ordinance; and

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

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

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

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

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

SECTION 1. The Town of Boone Unified Development Ordinance ("UDO") is hereby revised as set forth in the attached Exhibit B to this Ordinance, which is incorporated by reference, with deletions and additions shown in red and blue respectively:

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

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

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

Adopted this the __ day of _____, 202__.

The Honorable Dalton George, Mayor

Attest:

Nicole Harmon-Church, Town Clerk

Staff Report Exhibit B: UDO Text Amendment

Article 4 Development Approvals

...

4.04 Applications

4.04.01 Application Submittals:

- A. Preliminary review for completeness of application. An application shall not be accepted for review and shall not trigger the permit choice provision of Subsection 4.05.03(B) unless it is complete. Within 10 days of submission, the Administrator shall review an application for completeness and the application shall be found to be complete if it meets all of the following requirements:
 1. An application form provided by the Administrator is fully completed with all plans and other documents and information required pursuant to Appendix A included or attached, except as otherwise directed by the Administrator pursuant to 4.05.02(A);
 2. The application includes such other plans, documents, or information as the Administrator may require following a pre-application conference regarding a site-specific plan;
 3. A ~~Traffic~~-Transportation Impact Analysis is submitted if such is required or requested pursuant to ~~this section~~ [UDO Appendix C3 Transportation Impact Analysis](#);
 4. The application is signed by a person with lawful and documented authority to submit the application;
 5. All required fees are paid; and
 6. The application, supporting documentation, and fees are delivered to the Administrator in the medium (e.g., electronic and/or paper) required by the Administrator.
- B. A non-refundable fee may be assessed by the Administrator for preliminary review of the completeness of an application.
- C. If an application is incomplete, it shall be rejected with comments, as appropriate, by the Administrator. Any resubmittal of the application shall be reviewed and processed as a new application. Accordingly, any such application shall be considered submitted on the date of the resubmittal and considered for completeness pursuant to Subsection 4.05.01(A) above.

4.04.02 The Administrator shall require the submission of all information necessary for the permit issuing authority to decide whether the development, if completed as proposed, will comply with all of the requirements of this Ordinance and all other duly adopted requirements of the Town.

- A. The presumption established by this Ordinance is that all of the information set forth in Appendix A is necessary to satisfy the requirements of this Section.
 1. However, it is recognized that each development is unique, and therefore the permit issuing authority may allow less information or require more information to be submitted according to the needs of the particular case.

2. For applications submitted to the Town Council or Board of Adjustment, the applicant may rely in the first instance on the recommendations of the Administrator as to whether more or less information than that set forth in Appendix A should be submitted.
- B. In this Ordinance, detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in one or more appendices to this Ordinance. It is not always necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with these appendices, so long as the plans provide sufficient information, in the judgment of the Administrator, to allow the permit issuing authority to evaluate the application in the light of the substantive requirements set forth in the text of this Ordinance and all other duly adopted requirements of the Town.
1. However, whenever this Ordinance requires a certain element of a development to be constructed in accordance with the detailed requirements set forth in one or more of these appendices, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the Administrator. Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty as provided in Article 12.
- ~~C. Traffic Impact Analysis: In addition to the information included in Appendix A, certain developments may by, virtue of size, location or configuration of access points to the public road system, be required to have a traffic impact analysis performed. In those instances, where a traffic impact analysis is required by the Administrator, the study must be completed and submitted in order for the application to be considered complete. A traffic impact analysis may be required when any of the following conditions exist:~~
- ~~a. The development proposes to have an access to the public road system within 100' of the STOP bar of any traffic control signal; or~~
 - ~~b. The development proposes to have an access to the public road system within 200' of the STOP bar of any traffic control signal and based upon Institute of Transportation Engineers (ITE) trip generation rates is projected to generate eighty (80) or more exiting trips during any one (1) hour period of any day; or~~
 - ~~c. The development proposes to have access to any public road at a location where sight distance in any direction along the road is less than 500'; or~~
 - ~~d. The development proposes access onto a public road that does not have a paved width of at least eighteen feet (18'); or~~
 - ~~e. The development proposes access to a public road that currently operates at a level of service of D or less and based upon ITE trip generation rates is projected to generate 1,500 weekday trips; or~~
 - ~~f. The Administrator or Public Works Director determines that the proposed project will have a potential negative impact on the public road system due to the size of the project or existing transportation system; or determines that there are safety concerns with the driveway location and design.~~

~~— If a traffic impact analysis is performed and that analysis concludes that improvements are required to the transportation system; the applicant may be required to complete those improvements in connection with the project as a condition of the development approval. Unless an agreement is executed by the Town in which the time for the improvement is specified the improvement shall be completed prior to issuance of a certificate of occupancy. The fact that the obligation to construct lies with the applicant does not preclude the Town from entering into an agreement to participate if that will be in the interest of the Town.~~

...

C3.01 Transportation Impact Analysis

C3.01.01 A transportation impact analysis (TIA), as detailed herein, is a tool used to evaluate the incremental impacts of a proposed development on the surrounding transportation infrastructure and how to mitigate those impacts to maintain safe traffic and transportation operations. “Transportation” includes a multimodal perspective to evaluate bicycle, pedestrian, and vehicular transportation modes (including transit).

C3.01.02 The standards herein set forth the circumstances in which a transportation impact analysis will be required and what information must be included in each analysis.

C3.01.03 A transportation impact analysis must be of sufficient scope and detail to allow the Administrator to evaluate the impact of the proposed development on roadway capacity, operation, and safety. An applicant will be required to mitigate projected transportation deficiencies caused by their proposed development as identified in the analysis per subsection C3.04(R).

C3.02 Applicability

C3.02.01 The need for a transportation impact analysis should be determined as early in the application process as possible. As noted in UDO Section 4.03, even if a transportation impact analysis is not expected to be required, a pre-application consultation between the applicant and Staff is strongly encouraged in order to minimize development planning costs, avoid misunderstandings or misinterpretations, and ensure compliance with the requirements of this Ordinance. If required, a completed TIA must be approved prior to submittal of a development application. Accordingly, an assessment of the development’s transportation impacts should be performed well in advance of the submission of any application to allow time for the required analysis to be completed.

C3.02.02 **Transportation Impact Analysis (TIA):** A TIA, using data from the latest ITE trip generation handbook or approved methodology per Section C3.04 (J), will be required to accompany a development plan in any of the following cases:

A. When expected gross trip generation (defined as the sum of entering and exiting trips to the site) is **500 or more total trips in a 24-hour period or 50 or more total trips during either the AM or PM peak hour** (prior to any trip reductions applied- see Section C3.04(J)). The gross trip generation will be calculated by the Administrator based on

proposed project summary and development plan information provided by the applicant and such additional information as may be requested by the Administrator.

By way of illustration only, under current ITE guidelines the following types of development would likely require a TIA on the basis of total and/or peak hour trip generation:

<u>Examples of Land Use Densities to Meet TIA Threshold</u>	
<u>Land Use</u>	<u>500 Daily and/or 50 Peak Hour Trips</u>
<u>Residential: Single Family</u>	<u>47 units</u>
<u>Low-Rise Apartments/Condos</u>	<u>67 units</u>
<u>Townhouses/Duplexes</u>	<u>73 units</u>
<u>Strip Retail</u>	<u>7,600 SF</u>
<u>Fast Food Restaurant (GFA)</u>	<u>1,100 SF</u>
<u>Gas Station w/Conv. Store</u>	<u>2 Fueling Positions (FPs)</u>
<u>Gas Station w/o Conv. Store</u>	<u>4 FPs</u>
<u>Drive-in Bank</u>	<u>2,400 SF</u>
<u>Hotel</u>	<u>86 rooms</u>
<u>General Office</u>	<u>23,800 SF</u>
<u>Medical/Dental Office</u>	<u>13,000 SF</u>
<u>Light Industrial</u>	<u>67,300 SF</u>
<u>Manufacturing</u>	<u>34,800 SF</u>

*** NOTE: These examples are based on Trip Generation Manual (Institute of Transportation Engineers (ITE), Eleventh Edition, 2021), are provided for illustrative purposes only, and are not binding on the town. Trip generation calculations will be based on most current ITE guidelines and up-to-date traffic counts, and will vary based upon the particulars of specific development proposals.

- B. In any proposed development in which the Administrator has reason to believe that traffic at the site will result in stacking or queuing of motor vehicles into an access road on more than a very occasional basis. By way of example only and without limitation, such may include the following:
 - 1. Proposed development that includes a drive-through facility.
 - 2. A use, such as a school, that requires significant on-site circulation that may have an off-site impact to adjoining roads and/or intersections.
- C. The development proposes an access point at a location on any public road where the sight distance is not expected to meet local, state, and federal standards.
- D. The site is creating a fourth leg to a signalized intersection.
- ~~A.~~E. In addition, a TIA may be required by the Public Works Director or the Administrator when town staff identify potential safety concerns related to traffic at the development.

Without limiting the foregoing, such may include instances where proposed vehicular access does not meet current minimum standards.

F. Use of Prior TIA: In lieu of requiring a new TIA, the Administrator may accept an approved TIA completed within the past two (2) years if the Administrator is persuaded that the amount, behavior, and/or assignment of traffic has not changed significantly since the prior TIA was compiled. To use a prior TIA, the Administrator must find that there have not been trip generation increases of 10% or more or access changes resulting in a 10% or more increase in site traffic at any relevant intersection.

C3.03 Process

C3.03.01 Pre-application Determination Form: Based upon the criteria set forth in Subsection C3.02.02 above, the applicant will be required to submit for review a completed “Pre-Application Transportation Impact Analysis Determination Form” providing such details as to the proposed development as the Administrator may request. Based on this form, the transportation consultant assigned by the Administrator will perform a trip generation analysis to determine if a TIA is required based on the criteria set forth at C3.02.02 above, and present the results of the trip generation analysis to the Administrator.

3.03.02 Mandatory Scoping Meeting: Once it has been determined that a TIA is required and payment is provided to the Town for the scoping, the Administrator will schedule a mandatory scoping meeting to discuss analysis requirements specific to the site and the proposed development. Such additional information as may be requested by the Administrator shall be submitted by the applicant five (5) or more business days prior to the scoping meeting and shall include a conceptual site plan showing the following:

- A. proposed access point(s),
- B. proposed land use(s) and densities,
- C. structure(s) and parking envelope(s).

The Administrator, the assigned transportation consultant, and the applicant(s) are required to attend the mandatory scoping meeting. The NCDOT district staff will be asked to attend if access to a state road is involved.

3.03.03 Scoping Document: A scoping document shall be prepared by the transportation consultant to memorialize the agreed scope of the TIA. The scoping document shall be signed by the applicant, the Administrator, the transportation consultant, and, if access to a state road is involved, the NCDOT District Engineer. The scoping document must be signed before the consultant can begin work on the analysis. Failure by the applicant to provide accurate information or failure by the assigned transportation consultant to follow the scoping document shall result in disapproval of the TIA. If significant changes are made to the scoping parameters documented in the scoping document, a revised document will be required.

The study area will be determined as provided at subsection C3.04(G) below. The assigned transportation consultant is generally expected to complete the scoping document within

the later of five (5) business days following the scoping meeting or five business days from the date that all information required to finalize the scoping document is received by the transportation consultant. All parties must then approve and execute the scoping document.

3.03.04 Fees: Within five (5) business days of receiving the fully executed scoping document, the transportation consultant shall submit a summary of consultant fees for preparing the analysis. The estimated fees must be paid by the applicant to the Town prior to commencement of the transportation consultant's work. Any additional services incurred by the transportation consultant in addition to the scope defined in the scoping document must be approved by the Administrator and agreed to and paid for by the applicant prior to performance of the additional work. This includes additional meetings that may require attendance from the transportation consultant (i.e., community, Board of Adjustment, Planning Commission, and/or Town Council meetings). Depending on the complexity of the analysis and availability to collect traffic counts, the transportation consultant is generally expected to submit the draft TIA to the Administrator within 6-10 weeks from notice to proceed.

3.03.05 Review and Approval: The completed TIA analysis will be reviewed by the Administrator, and when applicable, NCDOT. The transportation consultant and applicant shall address all review comments. Once all comments have been addressed, the Administrator shall notify the applicant that the analysis has been accepted. Acceptance of the analysis by the Administrator is required prior to (1) the setting of a hearing date for a site-specific development approval, or (2) the issuance of a zoning permit for any use allowed by right.

3.03.06 Transportation Mitigation Agreement (TMA):

A. Upon completion of the TIA, certain on- or off-site transportation mitigation measures may be required as recommended in the analysis. If mitigation is required, the Administrator or transportation consultant shall prepare a Town of Boone Transportation Mitigation Agreement (TMA) which will summarize the following: the development plan; the phasing and timing of development (if applicable); the site access and points of ingress/egress; any on- and/or off-site improvements required to adequately mitigate the development's impacts on the Town's transportation system, including vehicular, pedestrian, bicycle and transit improvements; any trigger points and deadlines for construction of any improvements; and any other matters deemed by the Administrator to be material to the agreement.

The TMA must be signed by the applicant, the Administrator, and, if the mitigation involves a state roadway, the NCDOT District or Division Engineer. All off-site right-of-way shall be acquired and dedicated prior to approval of a zoning permit and required mitigation measures must be implemented prior to final inspections for the applicable phase of development.

B. Payment-In-Lieu of Transportation Improvements – A developer may request consideration of payment in lieu of required transportation improvements at the time of

schematic plan approval if funded transportation projects overlap with the improvements associated with the development's recommended mitigation.

1. For multi-phase projects, requests for payment-in-lieu consideration at the time of schematic plan approval shall be limited to the phase of development being permitted.
2. If payment-in-lieu of transportation improvements for a development is accepted, the payment amount shall be verified at the time of construction plan review and shall meet the following standards:
 - a. All cost estimate calculations must be updated by a professional engineer.
 - b. Cost estimates shall be based on a minimum of 15% engineered roadway design plans per NCDOT Roadway Design Guidelines.
 - i. The calculation shall include costs associated with remaining design needed, right-of-way (ROW) acquisition, utilities, construction of the improvements, and contingency.
 - ii. All calculated cost estimates shall not be more than two years old at the time of submission. Any cost estimates greater than 6 months old shall be increased by a COLA adjustment, prorated as appropriate for partial years. Payment must be received prior to issuance of a certificate of occupancy.

C3.04 **Required Analysis Content:** A TIA report compiled by a consultant pursuant to this section must be an objective, technical analysis. All conclusions and recommendations shall be based on the information contained or referenced within the report, and all findings shall be clearly documented.

- A.** Cover/Signature Page: Includes the project name, location, name of the applicant, contact information for the applicant, and date of the study. The name, contact information, registration number, signature, and seal of a duly qualified and North Carolina registered professional engineer are also required to appear on this page.
- B.** Table of Contents: Includes a list of all section headings, figures, tables, and appendices included in the TIA report. Page numbers shall denote the location of all information, excluding appendices.
- C.** Executive Summary: Includes a description of the study findings, a general description of the project scope, study horizon years, expected transportation impacts of the project, mitigation measure recommendations, and a figure denoting any required developer improvements. Technical publications, calculations, documentation, data reporting, and detailed design shall not be included in this section.
- D.** Project Description: Includes a detailed description of the development, including the size of the parcel, development size, existing and proposed uses for the site, and anticipated completion dates (including phasing). It shall also include the square footage of each use and/or the number and size of dwelling units proposed, and a map and copy of the site plan provided by the applicant.
- E.** Site Description: Includes a description of the project location within the Town and region, existing zoning and use, and key physical characteristics of the site, including general terrain and environmentally sensitive or protected areas.

- F. Site Access:** A complete description of each site access shall be explained and depicted. It shall include the number of driveways, their locations, distances between driveways and intersections, access control (full-movement, leftover, right-in/right-out, etc.) types of driveways (two-way, one-way, etc.), traffic controls, etc. Internal streets (lanes, flow, and queuing), sidewalks, bicycle lanes, and designated loading/unloading areas shall also be described. Similar information for adjacent properties, including topographic grade relationship, shall be provided to evaluate opportunities for internal connections. The design, number, and location of access points to collector and arterial roadways immediately adjacent to the site must be fully analyzed. Driveways shall be designed in accordance with the NCDOT's Policy on Street and Driveway Access. Sight distance and internal protected stem (IPS) at all new access locations should be provided in the TIA to ensure a safe (ie: internal roads and driveways do not queue into the public roadway, etc.) connection is provided to the public street network.
- G. Study Area –** The limits of the study area shall be based on the location, size and extent of the proposed project, and an understanding of existing and future land uses and traffic conditions surrounding the site. The study area shall include all site access points and all signalized intersections within up to (1) mile of the site. Unsignalized intersections located between required signalized intersections shall be added to the scope as directed by the Administrator. Town Staff and NCDOT (if applicable) will determine the appropriate study limits including whether the full one (1) mile is necessary, based upon the scale and context of the proposed development. To initially determine the impacts, the Administrator will maintain a database of recent peak-hour intersection turning movement counts. The applicable intersection counts will be equated to current year baseline volumes. Based on the proposed development program submitted by the applicant, a preliminary trip generation analysis, distribution and assignment will be performed within the area surrounding the site and compared to the current year base volumes. Related impacts or current operational problems may dictate that other intersections be included in the study area as determined by the Administrator and/or NCDOT staff. A narrative describing the study area shall identify the location of the proposed project in relation to the existing transportation system and list the specific study intersections and/or segments. Any unique transportation plans or policies applicable to the area (e.g., AppalCART bus service and future plans) shall be mentioned. A site location map shall be provided and shall identify natural features, major and minor roadways within the study area, study intersections, and a boundary of the site under consideration.
- H. Existing Conditions –** This shall include a narrative and map that represents AM, and PM peak-hour turning-movement volumes for all intersections within the study area. Traffic volumes shall represent 15-minute interval weekday turning-movement counts (Tuesday through Thursday), include heavy-vehicle, pedestrian and bicycle counts, no more two years old, and shall be collected during periods of the year when local schools (including elementary, middle, high schools, and universities) are in session and during weeks that have no observed federal, state, or local holidays. Traffic counts collected on days when inclement weather is deemed to significantly impact traffic patterns will not be accepted for use. The required count timeframes are from 7:00-9:00AM, and 4:00-6:00PM, unless:

1. The proposed development has access within ½ mile of any school or educational institution or the proposed use itself is for a school or educational institution, in which case 6:00AM-9:00AM and 2:00PM-6:00 PM count timeframes shall be used.
2. The Administrator determines that the site will have a significant impact on study area traffic during a different peak hour than those stated above.
 - a. A mid-day (11:00AM-1:00PM) traffic analysis will be required when a site is expected to produce greater than 50 trips during the mid-day peak hour. Daily Distribution factors provided in the latest Institute of Transportation Engineers (ITE) Trip Generation Manual should be utilized to determine midday peak traffic unless alternate methods are approved during the mandatory scoping meeting.

The source of the traffic volume information shall be explicitly stated (e.g., counts from the Town's database, new counts collected by the transportation consultant assigned by the Administrator, NCDOT counts, etc.). If previous counts were obtained, only counts collected within two years of the scoping meeting will be deemed acceptable. Summary sheets for existing turning movement counts shall be included in the appendix of the report. A separate narrative and map shall be prepared to describe the characteristics of surrounding major roadways, including functional classification, number of lanes, posted speed limit, existing average daily traffic volumes, typical cross-section, intersection control, and lineal distance between major roadways. Field notes for the existing conditions investigation may be included in the appendix of the report.

- I. Future Year Conditions – Unless otherwise approved by the Administrator, future year conditions for a single-phase development shall be analyzed for the year the development is expected to be at full occupancy (build-out year). For multiple-phased developments, the scenarios shall be completed in order, with any improvements specified by development included in the subsequent build scenarios.

Future year conditions to include in the study shall depend upon the development, proposed project phasing plan, and significant improvements programmed for the surrounding transportation system. Approved offsite developments and transportation projects to be included in the base future-year background conditions for the transportation system within the study area shall be determined during the scoping meeting.

Transportation improvements assumed in the future-year background conditions analysis may include those with an expected completion date prior to or generally concurrent with that of the development and funded by the Town, NCDOT, or as a required condition of approval for another nearby development application. Only projects approved by the Administrator at the scoping meeting may be included in the analysis as future existing infrastructure. Those improvements committed to by other projects must be clearly identified in the report.

Adjacent development traffic information used in the development of the future year background traffic volumes shall be included in the appendix of the TIA report. Unfunded, planned infrastructure projects may be mentioned in the TIA, but the description shall specifically identify that these projects are not included in the background condition. Future year background traffic volumes shall be forecasted using historical growth rate information, regional models, and/or TIA reports for development approved by the Town but not yet built. A narrative and map shall be prepared that

presents turning movement volumes for each peak hour for all intersections identified within the study area. Future year base traffic volumes, other development volumes, and site traffic volumes shall be clearly separated and combined in the map.

- J. Trip Generation – Base trip generation for the proposed land use(s) shall be calculated using data published in the latest version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Local trip generation rates may be acceptable if appropriate validation is provided by the applicant as support. Any deviation from ITE trip generation rates shall be discussed during the scoping meeting, documented in the scoping document, and supported in the report. Multimodal reductions (for walking, biking, and/or transit) will be considered for sites in certain locations (near downtown/university) with appropriate data (census, similar site, etc) supporting such reductions. The NCDOT Municipal School Transportation Assistance (MSTA) calculator shall be used to calculate projected trip generations for school sites.
 - 1. Internal Capture – Base trip generation may be reduced by the rate of internal capture when two or more land uses are proposed using the methodology recommended in the most current Trip Generation Handbook published by the ITE, or research published by the National Cooperative Highway Research Program (NCHRP) Transportation Research Board. Reductions for internal capture shall be applied to multi- or mixed-use sites only. The internal capture reduction shall be applied before pass-by trips are calculated.
 - 2. Pass-by Trips – Pass-by trips are those made as intermediate trips between an origin and primary destination (i.e., home to work, home to shopping, etc.). However, pass-by trips are not diverted from another roadway. Base trip generation may be reduced by the rate of pass-by capture using the methodology recommended in the most current Trip Generation Handbook published by the ITE. Pass-by trips associated with the development program may not exceed 10% of the peak-hour volume reported for the adjacent public street network. This network shall include the streets that provide primary access to/from the site. For example, if a site access drive connects to local street, which its primary access is to a collector road, the traffic on the collector shall be used as the adjacent street for pass-by calculation purposes. Evaluation of diverted trips may apply depending on the specifics of each site. A trip generation table shall summarize all trip generation calculations for the project.
- K. Trip Distribution – External trip distribution shall be determined on a project-by-project basis using one of several sources of information available to transportation and land planning professionals. Potential sources for determining project trip distribution may include the regional travel demand model, market analysis, existing traffic patterns, or professional judgment. At the Administrator’s direction, multiple trip distributions may be required for differing land use types. Regardless of methodology, the procedures followed and logic for estimating trip distribution percentages must be well-documented in the TIA. A map showing the percentage of site traffic on each street included in the study area shall be included in the TIA.
- L. Trip Assignment – Project traffic shall be distributed to the surrounding transportation system based on the site’s trip generation estimates and trip distribution percentages. Future year build-out traffic forecasts (i.e., future year background traffic plus project traffic) shall be represented in graphic formats for AM and PM peak-hour conditions at

all intersections included in the study area. If the project will be built in phases, traffic assignments shall be reported for each phase. Pass-by traffic shall be included at the driveways and access points for evaluating driveway volumes. Multiple assignment analyses may be required if the traffic control at the access drives varies (i.e., right-in/right-out vs. stop controlled vs. signalized).

M. Operations Analysis – The TIA shall include multi-modal operations analyses including vehicular, pedestrian, and bicycle, to allow for safe and convenient travel for all modes. Level-of-Service (LOS) and delay are the primary measures of effectiveness for impacts to the transportation system, and are defined by the most current edition of the Highway Capacity Manual (HCM). Operations analyses shall be performed for the existing and all future year scenarios. Impacts from the proposed project shall be measured by comparing the future year background conditions to the future year build-out conditions.

1. Vehicular Capacity Analysis - Unless otherwise noted, Synchro LOS and delay shall be reported for all signalized intersections and approaches identified in the study area. Based on HCM, LOS for unsignalized intersections is not defined as a whole; instead, only the individual stop-controlled or yield approaches shall be reported based on the HCM reports determined through the Synchro analysis. Existing signalized intersections shall be modeled based on existing signal timing plans provided by either the Town or NCDOT. Existing signal timing plans shall be included in the appendix of the TIA report. If a traffic signal is part of a coordinated system it must be analyzed as such under all conditions. Other standard practices and default input values for evaluating signalized intersections shall be consistent with the most recent guidelines published by the NCDOT, Traffic Engineering and Safety Systems Branch, Congestion Management Unit (“Capacity Analysis Guidelines”). The Administrator may also require safety, traffic simulation, gap, and/or other analyses appropriate for evaluating a development application. Additional analyses and/or traffic capacity or simulation tools (such as VISSIM or TransModeler) required for the TIA shall be identified during the scoping meeting. Capacity calculations shall be included for the existing and all future year scenarios. Impacts caused by the proposed project shall be measured by comparing the future year background conditions to future year build-out conditions. Mitigation requirements are described in Section 17. All TIA reports submitted to the Administrator shall use Synchro, SimTraffic, VISSIM, and/or TransModeler analysis software for signalized and unsignalized intersections, or SIDRA Software for roundabouts, consistent with policies released by the NCDOT. A narrative, table, and map shall be prepared that summarizes the methodology and measured conditions at the intersections reported in LOS (LOS A – F), the intersection and approach signal delay for signalized intersections, the approach delay for unsignalized intersections, and 95th percentile queue lengths for all movements. Capacity analysis worksheets and auxiliary turn-lane warrants for unsignalized intersections shall be included in the appendix of the TIA report.
2. Pedestrian Operations Analysis - Unless otherwise noted, methodology provided in the latest edition of the Highway Capacity Manual shall be used to evaluate pedestrian LOS for the intersections identified in the study area.
3. Bicycle Operations Analysis – The bicycle LOS at intersections identified in the study area shall be evaluated using locally accepted methodology.

- N. Queuing Analysis** – 95th percentile and simulation analysis of future year queues shall be consistent with NCDOT’s Traffic Engineering and Safety Systems Branch, Congestion Management Unit current practices and published Capacity Analysis Guidelines. Turn lanes and storage lengths for the major street (uncontrolled) approaches at unsignalized driveways shall be identified using volume thresholds published in the NCDOT’s Policy on Street and Driveway Access to North Carolina Highways (see Warrant for Left- and Right-Turn Lanes Nomograph, pg. 80). Recommendations for left and right-turn lanes serving the site shall be designed to account for both the NCDOT warrants described above and to meet future year capacity needs identified through the capacity analyses. For projects that include drive-through facilities, pick-up/drop-off areas, or entrance gates, a queuing analysis will be required by the Administrator to ensure that vehicle stacking will not adversely impact the public transportation system. The queuing analysis must be performed using accepted transportation engineering procedures (ie: collection of local data and analysis using SimTraffic, use of NCDOT guidance, etc) approved by the Administrator and NCDOT (if necessary) during the scoping process. The internal circulation and ingress/egress of the site shall be modeled using a “dummy signal” in the Synchro software as prescribed by NCDOT Municipal School Transportation Assistance (MSTA) department. SimTraffic reports should be provided under background and build-out improved scenarios at a minimum.
- O. Crash Analysis** – A summary of crash data (type, number, and severity) for the most recent 3-year period at each study intersection within 1,000’ of any proposed site access may be required, dependent upon input from the Administrator /NCDOT and confirmed during the scoping meeting. Traffic Engineering Accident Analysis System reports will be provided by the Administrator and/or NCDOT and shall be included in the appendix of the TIA report. For locations with prevalent crash types and/or frequency, a discussion shall be included describing factors that may be contributing to the incidents. At a minimum, the proposed development features shall not contribute to factors potentially involved in the existing crash rates. If contributing factors are identified, recommendations to eliminate or mitigate these features shall be included.
- P. Traffic Signal Warrants** – The Administrator and/or NCDOT may consider potential signal locations at the scoping meeting. Installation of a traffic signal at a new location shall be based on the application of warrants criteria contained in the most current edition of the Manual on Uniform Traffic Control Devices (MUTCD) and engineering judgment. Traffic signal warrants shall be included in the appendix of the TIA report. Additionally, the installation of traffic signals within the Town must adhere to NCDOT requirements. Pedestrian movements must be considered in the evaluation and adequate pedestrian clearance provided in the signal cycle split assumptions.
- If a signal warrant analysis is recommended in the TIA, the Administrator and/or NCDOT may decide to defer a signal warrant analysis until after the development has opened to allow use of actual turning movement counts at an intersection. The TIA recommendations must clearly state that this analysis shall occur at a specified date following the opening of the development. The applicant must issue a bond or letter of credit in the name of the Town for the estimated cost of the signal warrant analysis and resulting signal prior to final approval of the TIA. The cost shall be established based on an engineer’s estimate provided by the consultant identified by the Administrator.

Q. Compliance with Adopted Small Area/Transportation Plans – All TIA reports must include a statement of compliance with plans, programs, and policies, including small area plans, adopted by the Town of Boone for maintaining a safe and efficient multi-modal transportation system.

R. Mitigation Recommendations – This section of the TIA report shall provide a description of the study’s findings regarding impacts of the proposed project on the existing and future transportation system and describe the location, nature, and extent of all mitigation measures recommended to improve and/or maintain the future year background LOS conditions through phasing and ultimate build-out of the project.

Mitigation measures will be required to mitigate the impacts of the development (future build-out conditions) over and above future year background conditions. In other words, the applicant is required to mitigate transportation deficiencies caused by the projected impact of their proposed development, and not by background conditions or conditions caused by other development within the defined study area.

Mitigation measures may include, but are not limited to, changing signal timings, constructing additional lanes, restricting access, and signaling an intersection.

Mitigation measures shall be required if at least one of the following impacts will result from the development versus future year background conditions:

1. The total average delay at an intersection or individual approach increases by 25% or greater, while maintaining the same LOS.
2. The LOS degrades by at least one level.
3. The LOS is “E” or worse in background conditions and the proposed project shows a negative impact on the intersection or approach
4. The Synchro 95th percentile or SimTraffic Maximum queue increases 75 feet or more and exceeds storage for a turn lane.

If the background LOS (intersection or approach) is inadequate (i.e., at or below the threshold), the applicant will be expected to mitigate only the impact caused by the proposed project. For example, if the background LOS of an approach is LOS F with 85 seconds of delay, and the project traffic increases the delay to 95 seconds at LOS F, the applicant will be required to mitigate the added 10 seconds of delay on the approach, not required to mitigate the inadequate background delay. Administrator staff and NCDOT will review the recommendations in the final version of the TIA and will have the ultimate determination in the scope of the required mitigation measures.

For multi-phase developments, the capacity analyses scenarios shall address the phasing of improvements for each phase of development. A narrative and table shall be prepared that summarizes the methodology and measured conditions at the intersections reported in LOS (LOS A–F) and the average control delay for each intersection and approach.

A narrative and map shall also be prepared that describes and illustrates recommended improvements, by development phase, if necessary, for mitigating the projected impact of the proposed development.

Staff Report Exhibit C: October 27, 2025 Meeting Minutes Excerpt

**TOWN COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING AND PLANNING COMMISSION MEETING MINUTES EXCERPT
MONDAY, OCTOBER 27, 2025, 6:00 PM
604 WEST KING STREET**

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Mayor Pro Tem Dalton George, Todd Carter, and Virginia Roseman

COUNCIL MEMBERS ABSENT: Eric Plaag

PLANNING COMMISSION MEMBERS PRESENT: Frank Veno-Chair, Anne Pruitt-Vice-Chair, Garrett Kight, Declan King, Michael Mileski, Frida PazMiranda, and Adrian Tait

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, Jessica Mitchell-Advanced Planning Specialist (via WebEx), and Brenda Henson-Board Clerk

OTHER TOWN STAFF OR REPRESENTATIVES PRESENT: Todd Moody-Public Works Director, Justin Stines-Public Works Deputy Director, and Allison Meade-Town Attorney (via WebEx)

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Case A24-0077 Transportation Impact Analysis – UDO Text Amendment

Consideration of a text amendment to revise and expand the Town's current transportation impact analysis (TIA) standards.

Ms. Shook began by stating that her expectation for the evening was to present the material and answer questions. If Council and Commission members felt comfortable, they could move the text forward for potential adoption. However, if they were not comfortable with the proposed text, revisions could be made and returned for consideration at a later date.

Ms. Shook stated that the current UDO requirements provided very little guidance for what the town wanted to see in a TIA. She explained that if a development triggered a TIA, the applicant was required to hire a consultant to conduct a transportation impact analysis. When board approvals were necessary, board members were, at times, confused or unknowledgeable about the findings and possible mitigation. Ms. Shook stated that the proposed process was an attempt to rectify those issues.

Ms. Shook noted that representatives from Kimley-Horn were present and would be able to explain more about the TIA process. She referred to the flow chart located on page 29 of the packet and stated that applicants would be required to meet with staff before submitting a development application. A pre-application determination form would be completed and submitted to the consultant to determine whether the project would require a transportation impact analysis. If a TIA is not required, the applicant could proceed with permitting. If a TIA were required, a mandatory scoping meeting would be held with the town, the applicant, the consultant, and NCDOT, when necessary. The consultant would then prepare a scoping document, and fees would be assessed, which the applicant would be required to pay. Once the fees were paid, the analysis would be completed. If no mitigation was recommended, the applicant would proceed with the permitting process. However, if mitigation was recommended, a mitigation agreement would be created that the applicant would have to agree to. Ms. Shook stated that the development plans for the proposed project could then be drawn to reflect any mitigation agreed to in the transportation mitigation agreement (TMA). The TMA would be included in a meeting packet so board members could see what mitigation measures the applicant had agreed to. Ms. Shook noted that the new process would build transparency and trust into the process, where there was currently little.

Ms. Shook provided members with a handout showing examples of the proposed uses that would trigger a TIA based on the number of daily trips or trips during the a.m. and p.m. peak hours.

Todd Moody, Public Works Director, felt that the proposed change would be a significant adjustment compared to what people were used to. He believed it would be better for the town to hire a consultant to perform TIA's, because the Town would be more likely to receive an objective evaluation and develop effective mitigation strategies. Mr. Moody noted that this amendment would increase the current TIA standards from approximately six sentences to 14 or 15 pages, so it was a significant change.

Ms. Shook stated that, if the amendment were to move forward, an effective date would need to be determined. She added that there were projects currently planning to submit, and they may have already hired a consultant.

The Kimley-Horn representatives, Thomas Shirley, Steve Blakely, and Brady Finklea, introduced themselves. Mr. Finklea stated that a TIA had historically been referred to as a traffic impact analysis, but the town preferred to call it a transportation impact analysis because transportation encompassed not only vehicles but also bicycles, pedestrians, and other modes of transportation, such as transit. He explained that a TIA consisted of an evaluation of existing and projected data, accounting for regional growth, including upcoming developments. The proposed development's projected traffic numbers would be added to arrive at the development's proposed impacts. Mitigation would then be based on those impacts. Mr. Finklea emphasized that the proposed development was not responsible for mitigating all the traffic impacts already occurring at an impacted intersection but rather for the additional impacts that their development would cause.

Ms. Shook stated that payment in lieu of making the required transportation improvements could be requested from the Town Council if funded transportation projects overlapped with the development's recommended mitigation.

Mr. Shirley addressed Section C3.04 Required Analysis Content, briefly reviewing the subsections. It was noted that the level of service (LOS) was based on the time spent at an intersection, not the safety of the intersection.

Mayor Futrelle acknowledged the considerable effort that went into creating the proposed amendment.

Council Member Carter felt that the recommended changes to the TIA process were needed.

Mr. Blakely stated that it would take time for everyone to absorb the changes. Still, he felt they offered consistency, reliability, transparency, and provided a sense of trust that had been missing under the current guidelines.

Council Member Carter noted that the change in wording from "traffic" to "transportation impact analysis" was positive.

Council Member Roseman stated that she liked the limited payment-in-lieu requirements. She added that she never liked that a developer hired their own consultant to perform a TIA. Council Member Roseman noted that she was proud of the staff for working together and working with the consultants to develop the proposed amendment.

Ms. Shook noted that if the text amendment were to be sent to the Planning Commission for recommendation tonight, parameters for consultant selection would need to be established by Council. This discussion could be held at the next Town Council meeting, if possible. For example, who would be on call, how would they be on call, and what would the contract look like? Ms. Shook stated that she and Mr. Moody had a discussion and agreed that utilizing a single consultant would provide more consistency

and transparency regarding product and pricing. She added that applicants were not always large developers, but also included small business owners who would be impacted by these changes.

Mayor Pro Tem George asked Mr. Moody about the capacity of Public Works to handle the additional workload involved with the proposed TIA process. Mr. Moody replied that there would be some extra work for his department, but the consultant would be handling the major part of the work. Mayor Pro Tem George pointed out a typographical error in Section 3.03.02 Mandatory Scoping Meeting. The “comma or” in the first sentence should be removed.

Vice-Chair Pruitt asked how the engineering firms would be chosen. Mr. Moody explained that the town would put out a Request for Qualifications (RFQ) for on-call engineers. Currently, the town has 5-6 on-call engineers. He agreed that staying with one consultant created consistency. Mr. Moody stated that engineering firms were selected every three years, and every firm in the state had an opportunity to submit an RFQ.

Commission Member King questioned the cost difference for applicants. Mr. Shirley replied that there would not be a considerable cost difference. Mr. Finklea added that sometimes the cost was less because there was less back-and-forth in the process. He noted that the town had added more requirements that could increase the price, but he thought the trust and transparency that would be gained would be worth the cost.

Vice-Chair Pruitt asked Ms. Shook if she had spoken to other towns that had implemented something similar and what kind of feedback they had received. Ms. Shook stated that she had spoken with other towns, and they all liked the process. Implementation was somewhat challenging, as applicants were accustomed to a process where they selected their own consultant; however, with time and adjustment, things eventually smoothed out.

Chair Veno questioned the cons for developers. Ms. Shook replied that the applicant could feel a lack of control because they could no longer hire their own engineer to perform the TIA. Additionally, the timing of the new process might be considered a con for the developer.

Commission Member Kight stated that the town of Boone basically had two different population levels, depending on the season or month. He asked if that variation would be accounted for in the TIA's. Mr. Shirley replied that the intent was to collect data during times when school was in session and consider winter versus summer months. Ms. Shook added that systems were not designed based on the worst possible day of traffic, but on an average day.

Mayor Futrelle invited public comment. There was no public comment on this case.

Commission Member Tait inquired whether the town was currently utilizing the same type of consultant process. Mr. Moody replied that the town currently selects firms that they use multiple times over a three-year period.

Commission Member Tait felt the proposed amendment offered a proactive approach to making better development decisions. He asked how the TIA would integrate pedestrian and bicycle infrastructure. Mr. Finklea explained that they would conduct the pedestrian analysis using the Synchro program, an industry-standard system. Each study intersection would have the vehicular capacity studied and the delay created. This would also include pedestrian traffic, such as crossing distance and green time. He added that the consultant would review the town's adopted plans, such as greenway, bike, or sidewalk plans, which traditional TIA's would not typically consider.

Commission Member Tait asked how many TIA's were typically performed in a year. Ms. Shook did not know. She stated that conditional district projects, larger new development construction, and sometimes

smaller commercial projects would trigger a TIA. Commission Member Tait noted that the proposed process could benefit smaller developers, as they would not have to find their own consultant. He suggested that the town consider a similar process for stormwater.

Commission Member Mileski referred to the data collection that would be maintained by the town and asked how that information would help the town. Mr. Finklea explained that the NCDOT collected data from traffic incidents, and the TIA consultant gained access to that data to analyze it and determine if any issues could be mitigated. Commission Member Mileski asked if the collection of data could help mold the UDO. Mr. Finkley replied that as the data compiled and became more informative, it was possible that it could be used to create a more positive vision for public safety.

Mayor Futrelle stated that there seemed to be good direction to move the proposed amendment on to the Planning Commission for their recommendation.

Ms. Meade questioned the timeline for adoption of the amendment, stating that she still had some specific questions and comments. Ms. Shook noted that some of the language needed to be revised and some errors corrected before the Town Council could vote to adopt the amendment. She was unsure of an effective date, once approved. Ms. Shook asked Ms. Meade if her concerns were substantive or smaller items. Ms. Meade replied that there were smaller items, such as incorrect section callouts and grammatical errors, as well as some more substantive issues.

Ms. Meade referred to Section C3.02.02 and noted she felt the text contained redundancy that may confuse the user. After a brief discussion, Ms. Shook indicated she would work with the consultants to resolve this issue.

Ms. Meade asked if a TIA was required, with or without mitigation required, would further demands, requirements, or conditions be allowed to be placed on the development through board approval beyond what was found to be appropriate in the TIA. She also questioned projects that did not trigger a TIA and inquired if mitigation would be considered by the BOA or Town Council. Ms. Meade felt it was a difficult position to put applicants in, requiring them to obtain a TIA and undertake any mitigation the TIA required, only to have the decision-making board impose even more requirements on them. Ms. Shook noted that the idea was that the TMA should be the final decision on improvements, but that the text didn't specify that additional improvements couldn't be specified. Ms. Shook also noted that the UDO was silent about what the expectations were when no mitigation was required. Ms. Shook explained that mitigation was based on the report, so to an extent, it removed any politics from the decision because the mitigation was planned and discussed by the TIA experts and agreed upon by the applicant before board approval. This eliminated the burden on the board of trying to come up with transportation mitigation and created a certainty for the applicant that they did not currently have. Ms. Meade stated that this was a major selling point of the proposed amendment.

Ms. Shook felt that the examples shown in C3.02.02(1-6) provided more clarity for the applicant, but the language might need to be revised.

Based on Ms. Meade's concerns, Ms. Shook asked Council members if they would like to have the text revised before the Planning Commission made recommendations. Mayor Futrelle stated that he liked what was presented, but understood that there were areas that needed improvement. He suggested having further discussion during a work session of the Council. Ms. Shook suggested that the discussion take place at Town Council's November meeting, with the revised text going back to Public Hearing in January 2026.

With nothing further, Mayor Futrelle closed the public hearing for this case at 7:52 p.m.

Planning Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C Boone, North Carolina 28607

Phone (828) 268-6960 Email: planning@boonenc.gov www.townofboone.net



Board Member Information (Please see Board Secretary if needed for term information)

Name (Print):

Declan King

Date Appointed:

September 2025

Date Term Expires:

August 2028

Number of Terms Served:

1

Position

Sought:

Chair

Vice-Chair

Questions

1. Orientation & Training

A. Have you completed the Planning Commission orientation?

Yes

NO

B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?

Yes NO

2. Comprehensive Plan & Other Adopted Plans

A. Are you familiar with the Town's current Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "[Ordinances, Plans & Studies](#)" heading?

Yes NO

B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?

Yes NO

3. Unified Development Ordinance

A. Are you familiar with the Town of Boone's [Unified Development Ordinance](#), specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits, and Article 9 Amendments?

Yes NO

B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?

Yes NO

4. Robert's Rules of Order

A. Are you familiar with Robert's Rules of Order?

Yes

NO

B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?

Yes NO

5. Please explain why you wish to obtain this appointment:

Planning Commission serves an important role in shaping the conversation around local issues and advocating for the best interests of those who live in the Town of Boone. Effective administration of the Planning Commission is essential for the body to inhabit its greatest possible utility. Planning Commission is in a transitional phase, with the departure of Mrs. Pruitt and Mr. Tait (and the impending departure of Mr. Mileski), and I believe I have the experience and energy necessary to help incoming members understand board member duties: making motions, the CD process, and the "conversation shaping" role of a PC member. As Vice Chair, I would continue to encourage the board to focus on the goals and policies included in Boone Next, as the comp plan remains the most up-to-date record of our community's vision for itself. This focus on the comprehensive plan provides the basis for Planning Commission's legitimacy as a true community body. I will be present at all meetings in person this summer (pending illness or act of god) and plan on the same for fall 2026 and beyond as we add new members. As Vice Chair, I feel confident that I could discharge these duties myself as well as be an effective "mover" of the meeting alongside or in the absence of Mr. Veno when needed. I would love to continue the work PC has done in my time on the board in this role.

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Planning Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department

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Phone (828) 268-6960 ♦ Email: planning@boonenc.gov ♦ www.townofboone.net



Board Member Information (Please see Board Secretary if needed for term information)

Name (Print):

Frida Paz-Miranda

Date Appointed:

06/23/25

Date Term Expires:

06/26/28

Number of Terms Served:

1

Position

Sought: ☐ Chair ☒ Vice-Chair

Questions

1. Orientation & Training

A. Have you completed the Planning Commission orientation?

☒ Yes ☐ NO

B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

2. Comprehensive Plan & Other Adopted Plans

A. Are you familiar with the Town's current Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "[Ordinances, Plans & Studies](#)" heading?

☒ Yes ☐ NO

B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

3. Unified Development Ordinance

A. Are you familiar with the Town of Boone's [Unified Development Ordinance](#), specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits, and Article 9 Amendments?

☒ Yes ☐ NO

B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

4. Robert's Rules of Order

A. Are you familiar with Robert's Rules of Order?

☐ Yes ☒ NO

B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?

☒ Yes ☐ NO

5. Please explain why you wish to obtain this appointment:

I have years of experience as a grassroots organizer and activist where I was in positions where I had lead meetings, and moderated them to continue good faith conversation where every member has a chance to offer their insights, opinions, and values. I am reaching my first year term on the planning commission board and I have learned so much as well as expressed different perspectives on issues that face our community. I would like to continue serving my community and continue my journey in public service with all of the knowledge, care and experience that I have.