

**Town of Boone
Public Hearing
6:00 PM, Jul. 25, 2022
Town Council Chambers
1500 Blowing Rock Road**

Public Comment: (Remote): Individuals who wish to address Council remotely can do so through WebEx either online or by phone. If you wish to provide public comment remotely, please email Interim Town Manager, Amy Davis at meetings@townofboone.net or call in at 828-268-6200 and you will be provided with an invite to the meeting. All registrations must be completed by 12:30 PM the day prior to the meeting. Staff will moderate the WebEx session to ensure all participants have an opportunity to address Council.

I. Call to Order of Town Council

II. Call to Order of Planning Commission

III. Moment of Silence

IV. Approval of Public Hearing Minutes by Town Council and Planning Commission

May 23, 2022 Public Hearing Minutes

V. PUBLIC HEARING

A. *General Guidelines for Each Case Presented at Public Hearing*

i. Presentation of Case

ii. Questions by Town Council & Planning Commission

iii. Public Comment

iv. Discussion/Questions by Town Council and Planning Commission

v. Public Hearing for Case is Closed

VI. Case PL05826-062722 Appendix D Modifications - UDO Text Amendment

Case PL05826-062722 Application

Case PL05826-062722 Staff Report

VII. Case PL05718-051822 Demolition Standards in the Downtown Boone Local Historic District - UDO Text Amendment

Case PL05718-051822 Application

Case PL05718-051822 Staff Report

Case PL05718-051822 Exhibit 1 HABS Guidelines

VIII. Case PL05671-042722 Public Art Standards in the Downtown Boone Local Historic District - UDO Text Amendment

Case PL05671-042722 Application

Case PL05671-072722 Staff Report

IX. Case PL05781-061322 Signs - UDO Text Amendment (Request to be tabled)

X. Case PL05729-052322 Templeton Properties - General Use Zoning Map Amendment

Case PL05729-052322 Applicant Information

Case PL05729-052322 Staff Report

XI. Case PL05774-060922 O'Reilly Auto Parts - General Use Zoning Map Amendment

Case PL05774-060922 Application

Case PL05774-060922 Staff Report

XII. Adjournment of Town Council

XIII. PLANNING COMMISSION MEETING

XIV. Public Comment

XV. Approval of Planning Commission Meeting Minutes

May 23, 2022 Planning Commission Meeting Minutes

XVI. Planning Commission Consideration of Cases Heard at Public Hearing

XVII. Other Matters

XVIII. Adjournment of Planning Commission

**PUBLIC HEARING MINUTES
MONDAY, MAY 23, 2022, 6:00 PM
VIA WEBEX SOFTWARE**

COUNCIL MEMBERS: Mayor Tim Futrelle, Mayor Pro-Tem Edie Tugman (joined at 6:12 p.m.), Todd Carter (joined at 6:06 p.m.), Dalton George, Becca Nenow, and Virginia Roseman

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chair, Eric Plaag-Vice-Chair, Chris Behrend, John Tippet, Frank Venno, and Smith Warren

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Mike James-Senior Planner, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner (joined at 6:15 p.m.), and Brenda Henson-Board Secretary

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: Amy Davis-Interim Town Manager, and Allison Meade-Town Attorney

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: Michael Hartnett, Alan Crees, and JC Fiemster

Call to Order

Mayor Futrelle called the Town Council to order at 6:02 p.m. Chair Shay called the Planning Commission to order at 6:02 p.m. for the Public Hearing/Planning Commission meeting held via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Vice-Chair Plaag suggested the following correction to the third sentence in the second full paragraph on page 2 of the March 28, 2022 Public Hearing minutes:

- Vice-Chair Plaag asked what happened if there was a non-conformities on the property should read, Vice-Chair Plaag asked what happened if there were any non-conformities on the property.

Council Member Roseman made a motion to approve the March 28, 2022 Public Hearing minutes as amended. The motion was seconded by Council Member George.

Vote: Aye – All
Nay – None

The motion passed.

Vice-Chair Plaag made a motion to approve the March 28, 2022 Public Hearing minutes as amended. The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

Council Member Carter joined the meeting at 6:06 p.m.

Case PL05689-050322 & PL05690-050322 Modern Real Estate Investors – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of a portion of 185/225 Modern Drive (Tract 1) to B3 General Business and Corridor District overlay as well as a portion of Watauga County PIN: 2911-71-6673-000 (Tract 2) to R1 Single-Family Residential, R3 Multiple-Family Residential and Viewshed Protection overlay.

Both parcels are owned by Modern Real Estate Investors LLC. Zoning is to coincide with the property owner's voluntary annexation of the properties. This request includes portions of two separate parcels. Both parcels are currently bifurcated by the Town of Boone corporate limits, where a portion of each parcel is within corporate limits and a portion of each parcel is located outside of the Town's corporate limits within Watauga County's jurisdiction.

Mr. Mike James, Senior Planner with the Town of Boone Planning & Inspections, presented the request as it was outlined in the meeting packet. He noted that a large portion of Tract 1 was zoned B3. This request was to zone the remaining portion of the parcel as B3 with a portion corridor district overlay. Tract 2 currently had a portion of the property zoned R3. The request was to zone portion of the parcel outside of corporate limits as R3 and R1 (as shown on the Exhibit in the board packet) with a majority of the area also zoned with viewshed protection overlay.

Council Member George noted that Rick Miller, Director of Public Works, indicated during a Town Council meeting that the proposed R1 property would not be able to be served by Town water because the property was too steep. Mr. James replied that was correct. Mr. Mike Hartnett, speaking on behalf of Modern Real Estate Investors, stated they were aware of that situation and were okay with it because they had no plans or intentions to develop the upper portion of the property.

Vice-Chair Plaag asked if the upper triangle of Tract 2 would be included in the Viewshed Protection Overlay. Mr. James replied that he assumed it would, but did not have all of the topography yet.

Vice-Chair Plaag asked if there were any known non-conformities on the subject parcels. Mr. James stated there were none that he was aware of. He noted that a variance was granted for the dealership for their signage.

Ms. Shook noted that no one had signed up to speak regarding this case.

Council Member Tugman joined the meeting at 6:12 p.m.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:12 p.m.

Case PL05504-021822 Minor and Major Work for COA's – UDO Text Amendment

The Town proposes to amend UDO Article 8 and Appendix D with respect to the Downtown Boone Historic District to clarify and elaborate on what repair and construction activities will be considered "minor work," which may be approved administratively, and what activities are considered "major work," which require a hearing and approval by the Historic Preservation Commission (HPC).

Ms. Jessica Mitchell, Long-Range/Special Projects Planner, presented the case as it was outlined in the meeting packet. She stated that this amendment would better clarify minor and major works. Ms. Mitchell noted that minor work and routine maintenance required staff approval and permits. She stated that the proposed amended language would be in Article 8 and Appendix D. Ms. Mitchell noted that the revision process started by presenting the idea to Town Council earlier this year, then Planning staff modified the text and presented it to the HPC. HPC reviewed the text at their May 3, 2022 advisory meeting and proposed changes that staff presented tonight.

Vice-Chair Plaag felt that since he played a role in drafting the amendment in his role as Chair of the HPC he should be recused from this case.

Ms. Christy Turner joined the meeting at 6:15 p.m.

Ms. Meade replied that Vice-Chair Plaag should be allowed to recuse himself if no one objected. She added that Vice-Chair Plaag, while recused from voting as a PC member, should be welcome to participate as an HPC member and speak to issues in an advisory role. Dr. Plaag stated he would be happy to answer any questions that the Commission or Council members might have.

Ms. Meade noted that the text contained a provision that even ordinary maintenance or repairs would need to get a building or zoning permit. She explained that the idea behind that language was to make sure staff had a way to give some level of review to virtually any work proposed in the historic district, and to make sure it was what had been classified as ordinary maintenance, minor work, or major work. Ms. Meade noted that she and Ms. Shook spoke about the possibility of having a more preliminary sort of review for the most minor types of maintenance and repair as a customer service, so that customers were not paying a permit fee to confirm that nailing back up a gutter did not require a permit. She stated that they may adjust the language slightly to ensure staff had a common sense way to make sure the right thing was happening.

Mayor Futrelle stated he would like to change people's perspective that even the simplest things were really scrutinized in a difficult way. He added that he did not want to make things more difficult for people, even in the historic district, but he did want to preserve the historic district. Mayor Futrelle felt it was important to craft text in a way that was easy to understand.

Chair Shay asked Dr. Plaag if he saw the range of repairs and actions that needed to be done was falling neatly into a binary minor and major category, or if there was a continuum where there may be a substantial gray area where staff had to decide which way to go. Dr. Plaag replied that the HPC spent a lot of time reviewing this language and tried to anticipate as many kinds of situations as they could. He stated they were careful to try to land on something that staff, Ms. Meade, and HPC felt reasonably comfortable with. Dr. Plaag stated this text would not address every gray area, but he hoped it would help streamline the process as much as possible for applicants so as to avoid making things harder than they needed to be.

Mayor Futrelle stated he thought it was really important that we help people understand how thoughtful the Town, the Planning Department, and the Historic Preservation Commission were and that they were not just trying to make things difficult for the public.

Ms. Meade stated that she and staff did not think HPC was looking to add any burdens at all. She felt they were trying to fulfill the purposes and principles that were to be served in the historic district and trying to do it in the most customer-friendly way possible. Ms. Meade stated that what was frustrating to both staff and property owners were the gray areas that left them unsure of how to proceed. She felt that if the rules were very clear about how to proceed, even if it did mean having a hearing with HPC, then customers and staff would be more comfortable. Ms. Meade stated that staff and HPC spent a good amount of time carefully going through and making this table as precise and clear as possible.

Council Member Roseman stated she knew what the list used to look like, and this revised list was nicely streamlined and much friendlier to anyone who would want to make any changes to a historic property.

Mayor Futrelle thanked everyone for their input.

Ms. Shook noted that no one had signed up to speak regarding this case.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:29 p.m.

Vice-Chair Plaag rejoined the meeting.

Case PL05688-050322 Miscellaneous Revisions – UDO Text Amendment

The Town proposes amendments to the UDO to correct formatting and other scrivener errors made in the course of recent approved text amendments. These includes correcting section references and confirming parking uses to be allowed in the B1 districts subject to conditional district approval.

Staff maintains an ongoing list of potential ordinance and code changes that are suggested by Council or Town staff. The proposed revisions for this case are intended to improve the clarity of regulations, to streamline regulations, and to correct errors that create difficulties for customers, boards and staff.

Ms. Shook outlined the request as it was presented in the meeting packet, and she noted there were Section reference corrections. Ms. Shook referred to packet page 81 containing a table where parking lots and parking structures were added as needing Conditional District approval in both the B1 Downtown Core and the B1 Downtown Interface. She noted that these items were inadvertently omitted from the original text approval in October 2021.

Vice-Chair Plaag referred to packet page 87 under Section 15.62.02(I). He noted that he did not think there was supposed to be an (I) that said “days” after it. Ms. Shook agreed that item (I) was a typo.

Ms. Shook noted that no one had signed up to speak regarding this case.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:34 p.m.

Adjournment of Town Council

Council Member Roseman made a motion to adjourn the Town Council at 6:34 p.m. The motion was seconded by Council Member George.

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

Tim Futrelle, Mayor

Brenda Henson, Board Secretary

Elizabeth Shay, Planning Commission Chair

Continuation of Planning Commission Meeting

Public Comment

Ms. Shook noted that no one had signed up to speak under public comment.

Approval of Meeting Minutes

Vice-Chair Plaag made a motion to approve the March 28, 2022 Planning Commission meeting minutes. The motion was seconded by Commission Member Behrend.

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

Case PL05689-050322 & PL05690-050322 Modern Real Estate Investors – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of a portion of 185/225 Modern Drive to B3 General Business and Corridor District overlay as well as a portion of Watauga County PIN: 2911-71-6673-000 to R1 Single-

Family Residential, R3 Multiple-Family Residential and Viewshed Protection overlay. Both parcels are owned by Modern Real Estate Investors LLC. Zoning is to coincide with the property owner's voluntary annexation of the properties. This request includes portions of two separate parcels. Both parcels are currently bifurcated by the Town of Boone corporate limits, where a portion of each parcel is within corporate limits and a portion of each parcel is located outside of the Town's corporate limits within Watauga County's jurisdiction.

Vice-Chair Plaag stated that he appreciated the applicant's thoughtfulness in the split zoning of Tract 2. He noted that the alignment of the R3 portion to the neighboring R3 parcels was reasonable. Vice-Chair Plaag stated that zoning the portion of the property above the R3 zoned portion as R1 would be more restrictive, and help to prevent some of the ridgetop development that has been seen in Boone in the past. He stated that he fully supported the proposed annexation and the recommended zoning.

Commission Member Tippettt concurred with Vice-Chair Plaag. He felt the request seemed to be compatible with the surrounding neighborhood, and the portion being zoned R1 would have a low development potential for the area.

First Motion and Vote: Vice-Chair Plaag made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

Comprehensive Plan Policy 2.3.2 Community Character

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

Comprehensive Plan Policy 2.3.3 Housing & Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.

The motion was seconded by Commission Member Tippettt.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Vice-Chair Plaag made a motion that the Planning Commission recommends approval of Ordinance PL05689-050322 and PL05690-050322 and believes approval is reasonable and in the public interest because the proposed annexation and zoning classifications attached to the proposed annexation not only help to protect, through the thoughtful planning for these two parcels that are not currently in town limits, for the foreseeable future, but also the zoning that was applied is very thoughtful

with respect to adjoining parcels, the terrain and various other matters that are of concern to the town. The motion was seconded by Commission Member Behrend.

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

Case PL05504-021822 Minor and Major Work for COA's – UDO Text Amendment

The Town proposes to amend UDO Article 8 and Appendix D with respect to the downtown Boone historic district to clarify and elaborate on what repair and construction activities will be considered "minor work," which may be approved administratively, and what activities are considered "major work," which require a hearing and approval by the Historic Preservation Commission.

Vice-Chair Plaag recused himself from this case, stating he would not be voting or participating in deliberation. He noted that he would be happy to answer questions in his capacity as an HPC person familiar with the discussions regarding this topic.

Chair Shay stated she was persuaded and comforted by Dr. Plaag describing the process and by Council Member Roseman's comments regarding what the list used to look like and what a nice job of streamlining it had been done. Chair Shay felt this amendment lowered the burden on staff time and effort and it also reduced confusion. She stated she was in favor of the changes.

Commission Member Behrend stated she was impressed with the graph and felt the revisions were much more understandable.

Ms. Shook thanked Ms. Mitchell for all of her hard work on the table.

First Motion and Vote: Commission Member Tippet made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- D.1 Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.

Comprehensive Plan Policy 2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High County small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- A.4 Establish specific architectural and design standards for downtown consistent with its location, setting, and various functions.

Comprehensive Plan Policy 2.3.2 Community Character

A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.

B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.

The motion was seconded by Commission Member Venio.

Vote: Aye – 5
Nay – None
Recused – 1 (Plaag)

The motion passed.

Second Motion and Vote: Commission Member Tippet made a motion that the Planning Commission recommends approval of Ordinance PL05504-021822 and believes approval is reasonable and in the public interest because the amendment with respect to Downtown Boone's Historic District does clarify and elaborate on what repair and construction activities will be considered minor work, which may be approved administratively, and what activities are considered major work, which require a hearing and approval by the Historic Preservation Commission. The motion was seconded by Commission Member Behrend. Chair Shay wished to amend the motion to add that the proposed amendment preserves Town resources and staff time by reducing the need for review on minor or routine activities while still preserving the review and approval process for larger-scale projects with a greater impact on historic assets. Commission Members Tippet and Behrend accepted the amendment.

Vote: Aye – 5
Nay – None
Recused – 1 (Plaag)

The motion passed.

Vice-Chair Plaag rejoined the meeting.

Case PL05688-050322 Miscellaneous Revisions – UDO Text Amendment

The Town proposes amendments to the UDO to correct formatting and other scrivener errors made in the course of recent approved text amendments. These includes correcting section references and confirming parking uses to be allowed in the B1 districts subject to conditional district approval.

Staff maintains an ongoing list of potential ordinance and code changes that are suggested by Council or Town staff. The proposed revisions for this case are intended to improve the clarity of regulations, to streamline regulations, and to correct errors that create difficulties for customers, boards and staff.

Vice-Chair Plaag noted that any motion should reference the minor change on packet page 87, Section 15.62.02(I), which was a typo.

Chair Shay stated she was always in favor of streamlining and cleaning up, and was amazed at how Town professionals and staff keep it all straight.

First Motion and Vote: Vice-Chair Plaag made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable with a minor correction noted during discussion on page 87 because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
- E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

The motion was seconded by Commission Member Warren.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Commission Member Behrend made a motion that the Planning Commission recommends approval of Ordinance PL05688-050322 and believes approval is reasonable and in the public interest because makes it makes the whole plan uniform and corrects any prior errors. The motion was seconded by Commission Member Warren.

Vote: Aye – All
Nay – None

The motion passed.

Other Matters

Ms. Shook noted that staff was trying to wrap up some text and would be requesting from Council the consideration of a Special Public Hearing in June, which was the normal Planning Commission meeting time. She stated that Council would consider this request at their meeting on Wednesday evening, and she would let everyone know what decision was made.

Vice-Chair Plaag stated he noticed on Town Council's agenda a discussion of a timeline for working on a Comprehensive Plan. He asked Ms. Shook when this item might be coming to Planning Commission for consideration. Ms. Shook replied that it would depend on a variety of factors. She explained that between now, if Council approved it, and August, Staff would be putting the pieces together. Ms. Shook stated that the goal would then be, in a best-case scenario, to utilize a variety of public input methods within a short period of time to get the most public input. She noted that she hoped to use the Planning Commission during that phase as part of the team for the Comprehensive Plan. Ms. Shook stated she would share any updates with all boards and commissions.

Adjournment of Planning Commission

Vice-Chair Plaag made a motion to adjourn the meeting at 6:58 p.m. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None

The motion passed.

Elizabeth Shay, Planning Commission Chair

Brenda Henson, Board Secretary

Planning Application - UDO Text Amendment

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ www.townofboone.net

Official Use Only

Case Number:
Case PL05826-062722
Case Name:
UDO Appendix D Modifications

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: 567 West King Street
Phone Number: 828-268-6200 Email Address: planning@townofboone.net

B. TEXT INFORMATION

Amendment is to:

Article(s): Appendix D

Section(s): _____

Brief Description of Amendment (Attach Proposed Text):

Modify UDO Appendix D (Downtown Boone Local Historic District Design Standards) to provide consistency with NC General Statutes and to correct references to the Town of Boone UDO.

C. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

Jane Shook
Applicant (Print)

/s/ Jane Shook
Applicant Signature

06/27/22
Date

Official Use Only

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
NA	NA	NA	NA	NA

Hearing/Decision Information

Public Hearing Meeting
Date: 07/25/22

PC Meeting Date: 07/25/22

TC Meeting Date: 07/27/22 or 08/10/2022

Text Approved: ☐ Yes ☐ No

Notes:

S:\FORMS\Current Forms\Planning\UDOTextAmendment_PlanningApplication_09252017.doc

Communication: Case PL05826-062722 Application (Case PL05826-062722 Appendix D Modifications - UDO Text Amendment)



STAFF REPORT
PUBLIC HEARING
JULY 25, 2022

Case PL05826-0627222 –Appendix D Modifications - UDO Text Amendment

Request

Modify UDO Appendix D (Downtown Boone Local Historic District Design Standards) to provide consistency with NC General Statutes and to correct references to the Town of Boone UDO.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
 - A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
 - E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

2.1 THE ECONOMY

2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
 - A.4 Establish specific architectural and design standards for downtown consistent with its location, setting, and various functions.

2.3 THE COMMUNITY

2.3.2 Community Character

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.

- A.1 Conduct on-going assessments of critical locations in community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise.
- A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
 - B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
 - C.1 Consider the placement of public art at appropriate locations in downtown, including murals.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
 - D.1 Carefully scrutinize proposed road widening to ensure that such actions do not destroy community and neighborhood character.
 - D.2 Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

PLANNING BOARD REPORT/RECOMMENDATIONS

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

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

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance # PL05826-062722 and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

TOWN COUNCIL ACTION – Adoption of Ordinance

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

ORDINANCE # PL05826-062722**AN ORDINANCE TO REVISE APPENDIX D OF THE TOWN OF BOONE UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, the Boone Town Council desires to modify, clarify and streamline the requirements for; 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. Appendix D of the Town of Boone Uniform Development Ordinance (“UDO”) is hereby revised as set forth in the attached **Exhibit A** to this Ordinance, which is incorporated by reference, with deletions and additions shown in ~~red~~ and blue respectively:

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

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

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

Adopted this the ____th day of _____, 2022.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon, Town Clerk

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

Note 1

Vote 2: The Town Council ☐approves OR ☐denies Ordinance # PL05826-062722 to the Town's zoning ordinance and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

EXHIBIT A

UDO Appendix D, Downtown Boone Local Historic District Design Standards

Page 33

Notice of Hearing

Planning and Inspections Staff shall give notice of any official hearing of the board as ~~follows~~required by UDO Subsection 6.01.04:.

- ~~1. Mailed notice, stating the date, time, and place of hearing, will reasonably identify the lot that is the subject of the application and give a brief description of the request. This notice shall be sent by depositing in the mail at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the hearing to:~~
 - ~~a. The person or entity whose application is the subject of the hearing; and~~
 - ~~b. The owner of the property that is the subject of the property if the owner did not initiate the hearing; and~~
 - ~~c. The owners of all parcels of land abutting or located within 150' of the parcel that is the subject of the hearing.~~
- ~~2. Posted Notice: At least ten (10) days, but not more than twenty-five (25) days prior to the date of the hearing, the Administrator shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The signs to be posted shall include the date, time and location of the hearing and shall direct the public to detailed information about the hearing.~~

(Ord. PL04402-0211822, 04-13-2022, Ord. PL05504-021822, 06-08-22)

Hearing

All hearings shall be conducted in a quasi-judicial manner as described in UDO Article 6 Quasi-Judicial Hearings, -Subsection 6.01 Provisions Applicable to All Quasi-Judicial Hearings and the Commission's adopted Rules of Procedures. Applicants must attend the hearing at which their application will be considered or send a representative to appear who can speak for and legally bind the applicant. During the hearing, the application will be reviewed for compliance with all applicable ordinances and codes. Applicants, their representatives, and any adjacent property owners will be given the opportunity at the hearing to make brief comments.

The Historic Preservation Commission must issue or deny within 180 days but typically takes action within 90 days or less after the filing of a completed application, except when the time limit has been extended by mutual agreement between the applicant and the Commission. Once an application has been approved, a formal mailed notice and a COA permit placard will be issued. The placard should be posted in a window or elsewhere on the property where it is visible from the street for the duration of the project.

Page 36

Residential Properties Within the District

Standards for Residential Properties Within the District

These Standards for residential properties are intended to address many of the most common issues to arise during renovations, additions, and new construction in the District. Where the Standards are silent on a particular issue or concern, the HPC will rely upon the Secretary of the Interior's Standards for Rehabilitation to guide their review of the proposed work under the COA process and any subsequent recommendations.

"Residential Property" Defined

A **residential property** within the District is any property whose purpose-built function at the time of construction was to serve solely as a residence for long-term (greater than 30 days) occupants. Such properties may include single-family homes, single-family residences with an accessory purpose, apartment homes, condominiums, or apartment complexes that were built strictly for apartment living without a mixed-use component in any other part of the building.

Buildings within the District that meet this definition include, but may not be limited to, the John Walter Jones House (WT0008), ~~the Oscar and Suma Hardin House (WT0056)~~, the Watauga County Jail (WT0067), the Frank A. Linney House (WT0582), the Stanley A. Harris Apartment House (WT0805), the Terrace Apartments (WT0809), the J. M. and Ida Moretz House (WT0810), the A. E. and Roberta Hodges House (WT0818), the Dr. H. B. Perry Building (WT0844), the Chapell Wilson/B. G. Teams House (WT0845), and the G. F. and Josie Critcher House (WT0876).

...

Page 62

Design Standards For Commercial Properties Within the District

...

14. New Construction of Commercial Buildings within the District

It is inevitable that new commercial buildings will be constructed within the District. The intention of these design standards is not to prevent such changes but to ensure that new construction is compatible with and complementary to the integrity and architectural character of the District. While new commercial buildings should not attempt to replicate existing historic properties, they should mesh with and support the historic design principles of the other commercial properties in the District. These standards are

intended to preserve the integrity of the District while also encouraging sensitive and appropriate new construction.

- 14.1 New commercial construction within the District should not seek to duplicate historic buildings in the District or mimic their appearance. That said, new construction should strive to be sensitive to and compatible with the character-defining features of the commercial properties in the District. Thus, new construction should employ architectural design that reflects its current time, place, use, and culture, provided that this design is compatible with the character of the District.
- 14.2 New construction should incorporate the predominant historic materials typical in surrounding historic buildings when possible—usually brick, native stone, structural glass, wooden trim, and similar historic materials. Synthetic, non-traditional materials, such as vinyl, synthetic stone, fiber cement board, aluminum, plywood, parging, and pre-formed concrete panels, are not permitted in new construction. It is NOT appropriate in new construction to use contemporary substitute materials in place of traditional materials. The use of the highest-quality, historically appropriate, exterior facing materials is encouraged.
- 14.3 Design, height, massing, and proportions of new buildings should complement and be compatible with the dimensions of neighboring buildings with similar character and style. New buildings should not overpower adjacent buildings or the District as a whole as a result of out-of-scale massing, footprint, height, or overhang. Roofs, fenestration, and materials should be compatible with surrounding buildings. Traditional separations between storefronts and upper facades should be maintained and consistent with those existing in adjacent or nearby buildings. Vertical divisions maintain the feeling of traditional building widths and should be maintained. New buildings generally should align with adjacent buildings facing on the same street and conform to existing setbacks from the street. The primary façade and main building entry shall face the primary public way.
- 14.4 ~~Combining lots for the purpose of building a single building across multiple lots is not permitted in the District, as it disrupts the historical town planning system and does not align with the massing and scale of the District's historic building patterns.~~ Reserved
- 14.5 The appropriateness of the site for a new commercial construction project will be evaluated based upon its compatibility with the district context in terms of setback, spacing, orientation, topography, height, and landscaping. New buildings should have setbacks, orientation, lot coverage, and spacing that align with existing historic properties and comply with the provisions of the Town UDO.

- 14.6 New construction should respect the existing topography and vegetation on the site. Large-scale grading to level or otherwise dramatically alter the natural slope of a lot is destructive to the historic landscape and is not appropriate. Whenever possible, existing trees and historic landscape features should be incorporated into the design for a new property. If large trees must be removed, they should be replaced with trees similar in type and species. During construction, any mature tree that will not be removed should be protected with appropriate fencing around the tree's canopy area that will eliminate construction parking, material storage, and concrete washout that could harm the mature tree.
- 14.7 The appropriateness of a proposed new commercial building will be evaluated based on compatibility in terms of scale, height, form, massing, materials, openings, roof pitch, roof type, and other details with the District context.
- 14.8 New commercial construction should incorporate architectural elements and details into new construction that provide human scale. Do not add fanciful decorative elements and colors that are out of place or not in keeping with the historic context of the District and/or adjacent historic properties.
- 14.9 Oversized and monumental scale architecture is not appropriate, and the overall height and width of the new buildings should be compatible with neighboring structures and Town UDO requirements.
- 14.10 Historically, most of Boone's downtown commercial buildings had flat roofs. Residential roof types are not permitted in new commercial buildings. Roof planes should be hidden from view on the façade, and rooflines should be decorated using historic decorative details, using historic photographs and/or neighboring buildings as a guide. Walls should not appear to terminate at flat roofs, except along the tertiary elevation. Instead, flat roofs should be concealed from view by using historically appropriate pitched roof features, parapets, or a mixture thereof. Where only one elevation has this condition, the parapet or other feature will continue four feet along the adjacent elevation. The minimum slope for pitched roofs is four feet vertically to every twelve feet horizontally. Where a parapet intersects with a pitched roof element, there shall be no apparent breaks in the parapet wall.

15. Height, Width, Spacing, and Setback Requirements

For details on building height, width, spacing, and setback requirements for commercial buildings in the Town of Boone, please consult the Town of Boone UDO. Generally speaking, building spacing, height, and width in the District shall maintain consistency

with the spacing, height, and width of surrounding buildings to the greatest degree possible.

...

Page 102

Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District

Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District

...

Streetscapes

In contrast to the natural elements around which communities are often organized, historic streetscapes instead represent the built environment that defines the character, context, and components around which a community grows and evolves. Typically, buildings are the most obvious and dominant streetscape features, but this type of landscape includes other elements, including the spaces between buildings, private yards, alleyways and streets, sidewalks and other pedestrian elements, lighting, fences, public benches, retaining walls, monuments, public art, and street signage.

With regard to all streetscapes in the District, the following standards should be observed:

- 1.1 The form, scale, and massing of building facades located along public ways should be preserved.
- 1.2 The width, alignment, and configuration of streets, alleys, sidewalks, and walkways within the District should be retained and preserved.
- 1.3 The intended sightlines and views of historic public monuments and public art should be maintained.
- 1.4 Historic streetscape features, including lighting, fences, benches, and signage, should be preserved.
- 1.5 When installing new street and building lighting, select fixtures that complement the height and character of existing streetscape features and surrounding architecture, and that align with the historic context of the properties in question. Employ the minimal street lighting levels required for public safety while striving to eliminate light pollution. Whenever possible, lighting should be directed toward the ground, away from surrounding properties, and be shielded from direct view.

- 1.6 All historic streetscape elements between buildings—most particularly road width, grade, crown, swale, curbing, sidewalks, lawns, tree plantings, and setbacks—should be preserved and maintained.
- 1.7 Shared and public open spaces visible from public ways created by private yards, natural settings, and building setbacks should be preserved and maintained.
- 1.8 Historic traffic circulation patterns along sidewalks and roadways, including dual or one-way designations, should be preserved and maintained whenever possible.
- 1.9 Existing historic ~~property lines~~, block patterns, setbacks, and other land divisions—both natural and created—should be maintained.
- 1.10 When necessary, prune or remove and replace trees that threaten public safety, utilities, or property. When considering new plantings near existing utilities, select historically appropriate, native species that will not interfere with the utility when they reach mature height.
- 1.11 Historic street paving and sidewalk materials, as well as historic curbing, should be retained and preserved, using salvaged or historically compatible materials when repairs are necessary. If historic materials cannot be found, substitute materials may be used, provided they replicate the durability, color, texture, and appearance of the original historic materials.
- 1.12 To prevent damage to historic street paving and sidewalk materials, the Town of Boone and property owners should avoid the application of de-icing salts, relying instead on less intrusive materials such as sand or non-salt chemical de-icers (including calcium magnesium acetate).
- 1.13 New paving and sidewalk materials, especially new accessibility features, should be designed to be consistent with the character and appearance of historic paving materials.
- 1.14 Because historic streetscapes often did not account for the high volume of automobile traffic found today in Boone, parking areas are often a challenge. New parking areas should be as unobtrusive as possible, located behind buildings with access from alleyways and secondary streets rather than along main thoroughfares, and screened with historically appropriate natural plantings and/or fences. Parking decks should be built to complement and blend with the existing historic architecture. Generally speaking, new parking areas should be built on the periphery of the District so as not to impede historic traffic patterns or conflict with historic landscapes and streetscapes.

- 1.15 Materials, architectural features, and entrance orientations of all historic buildings associated with historic streetscapes should be preserved and maintained. Non-historic architectural features, including promenades, porches, and other additions to buildings intended to create an imagined “mountain village” appearance that is not an accurate reflection of the District’s historic buildings and streetscapes, should be removed and/or altered to more accurately reflect the context and history of Boone’s streetscapes. When possible, public-private partnerships, including programs like the Main Street Façade Grant program, should be utilized to restore historic streetscape features.
- 1.16 Historic accessory structures, such as garages, sheds, and other outbuildings, should be preserved and maintained in situ. Deteriorating buildings should be repaired using salvaged materials that match existing ones. When repair of accessory structures is not possible, only those accessory structures for which there is sufficient historic documentation should be reconstructed using materials and configurations similar to the original structure.
- 1.17 New accessory structures should be complementary to the scale, form, materials, and details of surrounding historic buildings, but built in such a way that they do not convey a false sense of historic association. New structures should be located at the rear of historic properties so that they do not intrude upon the historic streetscape.
- 1.18 Property owners and the Town of Boone should protect, encourage, and replace as necessary all street plantings that are in keeping with the historic context of the streetscape and for which there are historic precedents.

Lots and Street Frontages

- ~~2.1~~ For details on minimum lot size, minimum lot width and minimum street frontage, please consult the Town of Boone UDO. ~~No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impractical to construct on it a building that could satisfy applicable setback requirements for the District.~~
- ~~2.2~~ ~~Where a lot fronts two (2) or more streets, the minimum lot width requirement shall be considered met if the lot width at the building line from any one of such streets meets the minimum lot width requirement.~~
- ~~2.4~~ ~~The minimum width of the frontage of a lot on a street shall be eighty (80) percent of the minimum lot width required for the lot. Easement areas shall be excluded from this requirement.~~

~~2.5 Where a lot fronts two (2) or more streets, the minimum street frontage width requirements shall be considered met if the frontage along any one of such streets meets the minimum street frontage width requirements.~~

...

Page 108

4. Fences and Garden Walls

4.1 ~~To ensure that landscape materials to do not constitute a traffic hazard, a sight triangle ten (10) feet by seventy (70) feet will be observed at all intersections of driveways/streets with adjacent streets.~~ Required street trees shall be planted outside of the sight triangle area, as regulated by UDO Subsection 31.02.02. ~~Shrubs planted within sight distance triangles shall be of a type with a maximum mature height of twenty-four (24) inches.~~ For detailed descriptions of screening regulations, see the Town of Boone UDO.

Planning Application - UDO Text Amendment

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ www.townofboone.net

Official Use Only

Case Number:
Case PL05718-051822
Case Name:
Demolition Standards in the Historic District

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: 567 West King Street
Phone Number: 828-268-6200 Email Address: planning@townofboone.net

B. TEXT INFORMATION

Amendment is to:

Article(s): Article 8. Historic Preservation Procedures, Appendix D

Section(s): 8.08, Standards for Relocation and Demolition

Brief Description of Amendment (Attach Proposed Text):

Modify UDO Article 8 and Appendix D to revise and clarify standards for relocation and demolition of structures in the historic district.

C. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

Jessica Mitchell

Applicant (Print)

/s/ Jessica Mitchell

Applicant Signature

05/18/22

Date

Official Use Only

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
NA	NA	NA	NA	NA

Hearing/Decision Information

Public Hearing Meeting

Date: 07/25/22

PC Meeting Date: 07/25/22

TC Meeting Date: 08/10/22

Text Approved: ☐ Yes ☐ No

Notes:

S:\FORMS\Current Forms\Planning\UDOTextAmendment_PlanningApplication_09252017.doc



STAFF REPORT
PUBLIC HEARING
JULY 25, 2022

Case PL05718-051822 – Demolition Standards - Historic District – UDO Text Amendment

Request

To modify UDO Article 8 Subsection 8, and Appendix D, Downtown Boone Design Guidelines and Handbook, Subsection “Standards For Relocation and Demolition” to revise and elaborate upon standards for relocation and demolition of structures in the historic district, provide guidance to applicants with respect to preservation processes, and clarify the role of the Historic Preservation Commission.

History

07-05-2022 Planning Staff presented revised text to the Historic Preservation Commission (HPC) for their final review following HPC review of an initial draft on June 7, 2022. The HPC unanimously approved a motion to recommend approval by the Planning Commission and Town Council.

Motion and Vote: Member Watkins made a motion, seconded by Vice-Chair Bond that the Historic Preservation Commission recommend adoption of the proposed changes to the draft Demolition Standards – Historic District – UDO Text Amendment.

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

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

- A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.

...

- A.4 Balance the benefits of economic development projects with special concern for environmental quality issues.

2.1 THE ECONOMY

2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.

- A.1 Prepare an overall landscape strategy for the public right-of-way in coordination with private sector landscape treatments, e.g. street trees, planter boxes, planting beds.

...

- A.4 Establish specific architectural and design standards for downtown consistent with its location, setting, and various functions.

...

- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.

- C.1 Examine zoning ordinances and revise as necessary to encourage construction of buildings with residences over ground-floor businesses.

- C.2 Develop strategies that will assist in providing a diversity of commercial and service businesses more reflective of the town's economic and demographic profile.

...

2.3 THE COMMUNITY

2.3.2 Community Character

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
 - A.1 Conduct on-going assessments of critical locations in community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise.
 - A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
 - B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
 - C.1 Consider the placement of public art at appropriate locations in downtown, including murals.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
 - D.1 Carefully scrutinize proposed road widening to ensure that such actions do not destroy community and neighborhood character.
 - D.2 Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

PLANNING BOARD REPORT/RECOMMENDATIONS

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

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

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance PL05718-051822 and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

TOWN COUNCIL ACTION – Adoption of Ordinance

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

ORDINANCE # PL05718-051822

AN ORDINANCE TO REVISE ARTICLE 8 AND APPENDIX D OF THE TOWN OF BOONE UNIFIED DEVELOPMENT ORDINANCE RELATING TO RELOCATION AND DEMOLITION STANDARDS IN THE HISTORIC DISTRICT

WHEREAS, the Boone Town Council desires to modify, clarify and streamline standards relating to relocation and demolition in the historic district, clarifying the requirements, standards, and expectations of the applicant; and

WHEREAS, the Boone Town Council held a duly-noticed public hearing on July 25, 2022 with respect to this ordinance; and

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

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

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

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

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

SECTION 1. Article 8 and Appendix D of the Town of Boone Unified Development Ordinance (“UDO”) is hereby revised as set forth in the attached **Exhibit A** to this Ordinance, which is incorporated by reference, with deletions and additions shown in **red** and **blue** respectively:

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

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

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

Adopted this the ____th day of _____, 2022.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon, Town Clerk

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

Note 1

Vote 2: The Town Council ☐approves OR ☐denies Ordinance PL05718-051822 to the Town’s zoning ordinance and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

EXHIBIT A**Article 8 Historic Preservation Procedures**

...

8.08 Delay in Demolition of Landmarks and Buildings Within Historic District.

8.08.01 An application for a Certificate of Appropriateness ([COA](#)) authorizing the relocation, demolition or destruction of a designated landmark or a building, structure or site within the district may not be denied except as provided in Subsection 8.08.03.

A. However, the effective date of such a Certificate may be delayed for a period of up to 365 days from the date of approval.

1. The period of delay authorized by this Section shall be reduced by the Historic Preservation Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay.
2. If the Historic Preservation Commission finds that a building or site within a district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.
3. The Historic Preservation Commission may consider waiving or reducing the delay period on such conditions as it deems appropriate and reasonable.
4. The Historic Preservation Commission may require that the applicant or owner, at their cost, document the structure thoroughly through photographic, narrative, and other appropriate documentation.
 - a. Documentation should include photographs, site and/or floor plan, and descriptions of exterior and interior features of the structure, design, special architectural features, materials, layout, conditions of the building, important landscape features, streetscapes, other structure(s) on site, and archeological significance of the site. Documentation shall be provided by a historic preservation consultant or professional listed by the North Carolina State Historic Preservation Office in compliance with Historic American Buildings Survey (HABS) guidelines.
 - b. Planning Staff will provide the owner, the applicant, or the legal representative a list of consultants provided by the North Carolina State Historic Preservation Office (SHPO) or preservation affiliates.
 - ~~a.~~c. Documentation, including a complete set of photographs and all other documentary materials, shall be submitted to Planning and Inspections Staff for

preservation by the Town. The adequacy of the report will be considered by the HPC during its next available quasi-judicial hearing; the report must be considered satisfactory by the HPC prior to issuance of a COA.

B. During ~~such any delay~~ period, the Historic Preservation Commission shall negotiate with the applicant and/or owner ~~and with any other parties in an effort~~ to find a means of preserving the building or site.

1. When considering demolition of a historic building, the property owner is encouraged to seek all reasonable alternatives. Alternatives may include (but are not limited to):

a. Adapting or renovating the property to suit the owner's needs including pursuit of federal and state rehabilitation tax credits to offset the cost of such renovation.

b. Selling the property to someone willing to preserve the building.

c. Consulting a historic preservation professional or the North Carolina State Historic Preservation Office for suggestions of alternative possibilities.

~~— In the COA application, t~~Statewide significance is determined, under General Statute 160D-949, as an approved application to the State Historic Preservation Office, or by a property's (or properties') listing in the National Register of Historic Places.

2. ~~The applicant shall document all alternatives that are investigated and/or attempted.~~

~~1.~~ If the applicant contends that a historic structure lacks structural integrity and cannot reasonably be repaired or reconstructed, the applicant should submit competent evidence of the same, which may require the analysis and testimony of one or more experts in the relevant fields.

8.08.02 If the Historic Preservation Commission has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not yet been made by the Council, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the Historic Preservation Commission for a period of up to 180 days or until the Council takes final action on the designation, whichever occurs first.

8.08.03 An application for a ~~Certificate of Appropriateness~~COA authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office~~r~~ as having statewide significance as defined in the criteria of the National Register of Historic Places shall be denied except where the Historic Preservation Commission finds

that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

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

8.08.04 In reviewing a request to demolish a building in the district, the HPC also considers whether demolition will adversely affect other buildings in the district or the overall character of the district.

8.08.05 **Relocation within the Historic District:** Relocation is considered to be a “last resort” to demolition. Most historic buildings are strongly associated with the original site; therefore, relocation could threaten the historic integrity of a property. Relocation requires the HPC’s consideration.

Appendix D Downtown Boone Design Guidelines and Handbook

...

Note: The section included below references “demolition” but does not have any standards associated to it. This section is included for reference as to materials existing in Appendix D that include “demolition.”

Design Review Process

Except for minor work eligible for a Statement of Conformity, the Town of Boone Historic Preservation Commission (HPC) is responsible for the design review of all proposed changes to the exterior of structures, demolition of structures, moving of structures, new construction, and signage in the District. The design review process for changes in the District requires application for a **Certificate of Appropriateness (COA)**. This process is designed to ensure proposed work is compatible with the nature of the property and the character of the surrounding properties in the historic district. The HPC is assisted by Town of Boone Planning and Inspections Staff, who prepare HPC agendas and minutes and perform other administrative and design review duties as required.

The District overlay requires an applicant to meet design standards set forth herein, in addition to all other codes and laws. Applicants in the District are first required to obtain a COA as a preliminary step before obtaining zoning and building permits, if such permits are required for the proposed work. The issuance of a COA indicates that, in the opinion of the HPC, the proposed alterations, improvements, new construction, or demolition is consistent with the Standards and reflects the historic character of the District. Any repair or replacement that involves a change in exterior design, materials, or general appearance is defined as an alteration and requires an approved COA before work can begin. In addition, properties that are subject to interior review (either publicly owned properties or those whose owners have requested interior review) must have an approved COA for alterations affecting historically significant interior features. Some landscaping, streetscaping, and archaeological projects also require a COA.

...

Standards For Relocation and Demolition

Standards applicable to ~~any relocation or~~ demolition of a structure in a historic district are set forth ~~at~~ in UDO Section 8.08. Additional guidance for any relocation of a structure within the historic district is included below.

1. Relocation of Buildings

As described in UDO Subsection 8.08.05, relocation considered to be a “last resort” to demolition. Most historic buildings are strongly associated with the original site; therefore, relocation could threaten the historic integrity of a property. Relocation requires the HPC’s consideration.

- ~~1.1 Choose relocation only as a “last resort” to demolition.~~
- ~~1.2 In consultation with the Planning Department, the Cultural Resources Department, and the SHPO, identifying and recording the interior and building or including any of the building(s) document the original site through drawings and photographs prior to relocating the historic resource.~~
- ~~1.3~~1 Work with reputable and experienced contractors to accomplish the relocation.¹ Assess the structural condition of the building prior to relocation. The North Carolina SHPO should be contacted as the office maintains a list of qualified preservation consultants and building movers with experience working on North Carolina historic properties.
- ~~1.4~~2 Plan the relocation route thoroughly. Contact Town Staff, local utility providers, and building officials to secure necessary permits and discuss a work plan for the move. Coordinate efforts to ensure minimum delays en route.
- ~~1.5~~3 Secure the structure to be moved to protect from weather damage and water infiltration, to minimize damage during the move, and to deter vandalism.
- ~~1.6~~4 ~~Choose a site for a relocated building that corresponds proportionally to the size of the structure.~~ Review the compatibility of the proposed relocation site with respect to building spacing, setback, orientation, height, scale, massing, the new site’s topography, and distance from other buildings. Consider if the new site is compatible in character with the original site location. Choose a site within the historic district when possible. The new foundation of the building or structure should match the original in height, design, and materials.
- ~~1.7 Position the building on the new site in such a manner that its orientation to the street, setback, and lot coverage is compatible to and harmonious with the existing structures on the block to which it is moved.~~

¹ ~~The North Carolina SHPO maintains a list of qualified preservation consultants and building movers with experience working on North Carolina historic properties.~~

~~1.8 — Ensure that the shape, mass, and scale of the building to be moved conforms to the existing structures on the block to which it is moved.~~

1.95 Move a building as a single unit in order to prevent the unnecessary loss of historic building fabric or any important architectural features. Partial or complete disassembly is only acceptable when absolutely necessary. Protect original and significant site features, features of the new site, and of the route during the relocation.

- Preserve important site features within the historic district, or employ measures to keep important features on current site, such as large or historic trees.
- If disassembly must be undertaken, measured drawings and photographic documentation of the structure shall be completed with written plan detailing the disassembly as part of the COA application for HPC approval.
- Elements that are removed should be reassembled accurately. To do so, any parts of the building or structure should be marked with a non-destructive method that can be removed after reassembly.

1.6 In the circumstance that the approved relocated building is disassembled for moving and the physical condition is different than reported during the COA case, any change of physical condition should be documented. Documentation of changed physical conditions includes on-site photographs, written notes of the structure including dimensions, finish quality, texture, or color. The applicant, owner, or the one documenting the physical appearance, should report any change to Planning and Inspections staff.

1.7 In the circumstance a structure is being relocated to the historic district, the HPC is to consider if the relocated building or structure is congruous to the historic district in the following areas. This list is not intended to be comprehensive and cannot cover every circumstance that could be encountered in the project.

- Architectural style, scale, height, and massing.
- Siting orientation, building spacing, setbacks, distance from other buildings.
- Landscaping and other site features as included in guidelines for new construction. Other considerations in guidelines for new construction include the structure to be harmonious with the adjacent buildings.
- Relocation within the historic district shall not diminish the overall character of the historic district or damage existing historic buildings.

2. Demolition

~~2.1 — In reviewing a request to demolish a building in the district, the HPC also considers whether the proposed demolition will adversely affect other buildings in the district or the overall character of the district.~~

~~2.2 — When considering demolition of a historic building, the property owner is encouraged to work closely with the HPC in reviewing all alternatives prior to this course of action.~~

~~2.3 An application for a Certificate of Appropriateness (COA) authorizing the relocation, demolition, or destruction of a designated landmark or a building, structure, or site within the District may not be denied except if the State Historic Preservation Officer determines that the structure has statewide significance as defined in the criteria of the National Register of Historic Places. This decision may be overturned in instances where the HPC finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.~~

~~2.4 — The effective date of such a certificate for relocation, demolition, or destruction of a resource within the District may be delayed up to 365 days from the date of approval. This period shall be reduced by the HPC where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay.~~

~~2.5 — If the HPC has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not yet been made by the Town Council, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the HPC for a period of up to 180 days or until the Town Council takes final action on the designation, whichever occurs first.~~

...

Appendix B: Federal Historic Preservation Information

National Park Service

<http://www.cr.nps.gov>

National Register of Historic Places (National Park Service)

<http://www.cr.nps.gov/places.htm>

Certified Local Government Program (National Program)

<http://www.cr.nps.gov/hps/tps/tax/rehabstandards.htm>

Advisory Council for Historic Preservation (Federal Liaison for Programs)

<http://www.achp.gov/>

Federal Preservation Tax Incentives Program

<http://www.cr.nps.gov/hps/tps/tax/index.htm>

The Secretary of Interior's Standards for Rehabilitation

<http://www.cr.nps.gov/hps/tps/tax/rehabstandards.htm>

Illustrated Guidelines for Rehabilitating Historic Buildings

<http://www.cr.nps.gov/hps/tps/tax/rhblindex.htm>

Historic American Buildings Survey

<https://www.nps.gov/hdp/standards/habsguidelines.htm>

Preservation Briefs-A Series of Informative Pamphlets (Listed Below)

<http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm>

...

Heritage Documentation Programs

HABS/HAER/HALS



[Find a Park](#)

[Discover History](#)

[Explore Nature](#)

[Working with Communities](#)

[Get Involved](#)

[Teachers](#)

[Kids](#)

[About Us](#)

HDP HOME

[About Us](#)

[Collections](#)

[Sample Projects](#)

Standards & Guidelines

[Standards](#)

[Guidelines](#)

[HABS Guidelines](#)

[HAER Guidelines](#)

[HALS Guidelines](#)

[Laser Scanning](#)

[Copyright](#)

[Jobs](#)

[Competitions](#)

[Mitigation](#)

[Exhibits](#)

[Contact](#)

Find us on:



Search

GO»

[Advanced Search](#)

Text Sizes

HABS Guidelines

HABS recording combines drawings, history, and photography to produce a comprehensive, interdisciplinary record. The documentation ranges in scope depending largely upon the level of significance and complexity. It should first and foremost convey what is most important about that particular structure. The drawings component generally includes floor plans, elevations, architectural details, and construction elements, sometimes expanded to include sectional or axonometric drawings to convey the interrelationship of the building parts. In the case of relatively simple vernacular structures, however, it may be enough to undertake only a first floor plan and significant architectural and structural details. The written history follows an outline format that begins with a statement of significance supported by the development of the architectural and historical context in which the structure was built and subsequently evolved. The report also includes architectural description and bibliographic information. Again, in the case of a structure of limited complexity, the HABS short-format historical report may suffice. The large-format, black-and-white photographs record the environmental setting, elevations, and significant details, both inside and out. The number of photographs should be weighted against the other components (and vice versa); it may be more appropriate to photograph rather than draw or describe elements such as secondary elevations and architectural details. In any case, each component of the documentation conveys an important piece; together they create a comprehensive understanding of the site.

Please note: To obtain a Title Block for drawings produced with CAD, contact HABS directly.

Guidelines

[HABS History Guidelines \(pdf\)](#) - updated January 2020

[HABS Drawing Guidelines \(pdf\)](#) - Section 5.9.3 updated June 2020

[Photography Guidelines \(pdf\)](#)

[Preparing HABS/HAER/HALS Documentation for Transmittal \(pdf\)](#) - updated November 2021

[HABS Guide to Field Documentation](#)

[CAD Guidelines \(pdf\)](#)



nps.gov

[Site Index](#) [Frequently Asked Questions](#) [Contact Us](#) [Disclaimer](#) [Accessibility](#)

EXPERIENCE YOUR AMERICA™

Heritage Documentation Programs

HABS/HAER/HALS



[Find a Park](#)

[Discover History](#)

[Explore Nature](#)

[Working with Communities](#)

[Get Involved](#)

[Teachers](#)

[Kids](#)

[About Us](#)

HDP HOME

[About Us](#)

[Collections](#)

[Sample Projects](#)

[Standards & Guidelines](#)

[Standards](#)

[Guidelines](#)

[HABS Guidelines](#)

[HAER Guidelines](#)

[HALS Guidelines](#)

[Laser Scanning](#)

[Copyright](#)

[Jobs](#)

[Competitions](#)

[Mitigation](#)

[Exhibits](#)

[Contact](#)

Find us on:



Search

GO»

[Advanced Search](#)

Text Sizes

HABS Guide to Field Documentation

This Field Guide offers step-by-step instructions about how to observe, take field measurements, and create field notes and a short-form report about a historic site or structure to HABS standards. These guidelines are intended for use by those without professional experience and/or training in the production of drawings and the undertaking of field work. They address floor plans, elevations, and details to help develop basic note taking and delineation skills. Once these skills are mastered, recorders can refer to the HABS Guidelines for Measured Drawings to learn about site plans, sections, axonometric, and other more complex types of drawings. The Secondary House at Best Farm was selected as the case study because its relative simplicity encourages the development of basic skills and the establishment of realistic goals, while still offering thought-provoking interpretation. This guide is supplemented with a Field Observations (Appendix B) and Short-format Report (Appendix A) sections, as applied to the Secondary House, to assist the recorder with learning to "read" a building and to report on their findings. The Field Observations are applicable to both the preparation of informed drawings and to the analysis put forth in the accompanying historical report. The field analysis should be combined with preliminary research into primary and secondary sources for a concise report of a few pages in length. As with the drawings component, further investigations of the historical and architectural context of a site or structure can be expanded to produce a full outline report according to HABS Guidelines for Historical Reports.

[HABS Guide to Field Documentation \(pdf, 13.5 MB\)](#)

[Appendix A - Short Format History \(pdf, 70 KB\)](#)

[Appendix B - Field Notes \(pdf, 6 MB\)](#)



nps.gov

[Site Index](#) [Frequently Asked Questions](#) [Contact Us](#) [Disclaimer](#) [Accessibility](#)

EXPERIENCE YOUR AMERICA™

Historic American Buildings Survey

Guidelines for Historical Reports

Introduction

The Historic American Buildings Survey (HABS) was established in 1933 to create a public archive of America's architectural heritage, consisting of measured drawings, historical reports, and large-format black & white photographs. The idea of "securing records of structures of historic interest" was first endorsed by the American Institute of Architects (AIA) in 1918. However, it took the onset of the Great Depression to provide the opportunity in the form of a federal program initiated during President Franklin D. Roosevelt's "New Deal" administration. Anticipating the 1935 Historic Sites Act by well over a year, HABS was the first significant boon to historic preservation at the national level. The program field tested many of the preservation strategies still in use today such as the surveying, listing, and compiling of documentation on historic properties; the development of comprehensive, contextual information; and the establishment of national standards for documentation.

HABS was part of a ground-swell of interest in collecting and preserving information, artifacts, and buildings related to our early history, recognized as the Colonial Revival movement. Like HABS, the movement was motivated in part by the perceived need to mitigate the effects of rapidly vanishing historic resources upon America's history and culture. Path-breaking organizations such as the Society for the Preservation of New England Antiquities and Colonial Williamsburg presented models for the collection of historical artifacts and the interpretation of our architectural heritage. And architects trained in the Ecole des Beaux Arts prepared drawings of colonial-era buildings in folio volumes as a means of promoting and understanding historic architecture. While important, these activities occurred only on a limited, local or regional basis. The HABS surveys implemented for the first time the comprehensive examination of historic architecture on a national scale and to uniform standards.

Just prior to the establishment of HABS, Executive Order 6133 transferred stewardship of historic battlefields and other associated sites from the War Department to the National Park Service. At the same time, Director Horace Albright broadened the traditional NPS focus on preserving naturalistic western landscapes to include the cultural heritage of the east. Chief landscape architect Thomas C. Vint was moved from the San Francisco regional office to Washington, D.C. to oversee the development of new historical parks such as Colonial Parkway in Virginia, Salem Maritime in Massachusetts, and Hopewell Village in Pennsylvania; he also provided general management of the new HABS program. HABS recording, and its rich archive of period-specific architectural details, aided in the restoration and interpretation of these and many other historic properties, while also creating a lasting record for future generations.

The significance of the HABS program then as today resides in the scope of the collection and its public accessibility, as well as in the establishment of national standards for recording historic architecture. As was intended, the HABS collection represents "a complete resume of the builder's art," ranging "from the smallest utilitarian structures to the largest and most monumental." The materials are available to the public copyright-free and on-line through the Prints and Photographs Division of the Library of Congress. As a resource for architectural historians, restoration architects, preservationists, scholars, and those of all ages interested in American history and architecture, HABS is one of the most widely used of the Library's collections.

HABS is also responsible for the development of standards for the production of drawings, histories, and photographs, as well as the criteria for preparing the documentation for inclusion in the Collection currently recognized as the *Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation*. The resulting documentation comes from three sources today. The HABS Washington Office produces documentation in-house and fields teams (made up primarily of students) all over the country. HABS also receives documentation from the mitigation program satisfying Sections 106/110 of the National Historic Preservation Act. Historians preparing mitigation documentation should contact the appropriate regional National Park Service office or HABS Washington staff with any questions and for a review of the reports. HABS also accepts donated documentation from interested members of the public, such as student-work in university programs or consultants in the cultural resources field.

Formats

HABS has developed a short format and an outline format to guide historians in researching and writing reports. Determining whether to use the short form or longer outline format depends on the complexity of the building or site, the amount of information available, and the allocated time to work on the project. **At a minimum, each building or site should have a short format report accompanying the graphical (measured drawings, photographs) documentation.**

The **short form** report is several pages in length and has prescribed entries. It should be used in cases wherein research time is limited or research yields little information on the building.

The short form can also be the basis for a **field survey** form, wherein large numbers of historic buildings need a concise and consistent assessment, either as part of documentation for a complex of buildings such as military base, college campus, or farmstead, for an historic district or region, or as part of an initial study of a category of buildings wherein one or two representative examples will be extensively recorded. The short form categories would then be adapted to include not only the name of building, surveyor (historian), and sponsoring organization, and the location, but also prevailing structural types, repetitive features or the unusual ones, materials, condition, plan and site layout, buildings uses and so on, making for a field survey form that anticipates shared characteristics and notes the material evidence that will later influence a determination of historical, architectural, and technological importance. Recent examples of field surveys include the Quaker Meeting House study (1997-99) and the Philadelphia Carnegie Library study (2007-08). A sample survey form from the Quaker Meeting House survey and one from the Philadelphia Carnegie Library project are in Appendix E.

The **outline format** prescribes the historical information and physical aspects of the building, complex of buildings, or site to be discussed, *although topics within the sections can be expanded or omitted as appropriate*. The first section of the outline addresses the physical history of the building, including significant dates in the initial planning and construction as well as in later alterations, plus names of the designers and suppliers. The historical context of the building is also addressed here. The second section concerns the architectural information, with categories intended to produce an analysis and description of the building form as it exists at the time of the site visit. Also in this section is a component for some discussion of the landscape including designed elements and plan, as well as reference to outbuildings and supporting structures on site. The final section of the outline is

bibliographic in nature, including all sources of information as well as other potential resources not investigated, as appropriate.

For groups of buildings, such as those in a complex or those surveyed for a historic district or as representative types from a particular region, different questions must be asked than for an individual structure. Try to include the following information: 1) Physical context, that is how it relates to the surrounding environment; 2) Historical context, primarily concerning the buildings' relationship to the historical development of the surrounding area and to trends in local and national histories; 3) Specific historical data, including the dates of initial planning and development, any changes in plan and evolution, individuals such as architects, city planners, and developers, associated with the site studied, and associated historical events; 4) Physical description of the site according to the original plan, as it has changed over time, and as it is at the present. For individual buildings or structures identified as part of a complex, these broader questions frame the overall narrative but information on the specific buildings within the complex must also be included in the supporting reports submitted for those individual buildings and structures. The HABS Washington Office or the NPS regional offices can offer guidance on a case-by-case basis.

Regardless of the format selected, the historical report should be written in simple language, without excessively specialized terminology. HABS follows the *Chicago Manual of Style* guidelines, which are simplified in Kate L. Turabian, *A Manual for Writers of Term Papers, Theses, and Dissertations*. For architectural terms, Cyril L. Harris, *Historic Architecture Sourcebook*, or the *Getty Art History Information Program's Art & Architecture Thesaurus* can serve as guides. Grammar and punctuation conventions observed by HABS are found within these guidelines. Indicate sources for all information in footnotes following the *Chicago Manual of Style*, and cross-reference relevant measured drawings, photographs and other historical reports in the HABS/HAER/HALS collection. All historical reports are to be prepared on a computer using Microsoft Word software and submitted in hard copy and electronic forms. The reports are single-spaced. Keep formatting simple, adding images, tables or charts as appendices at the end of the report. If historic images are used, a copyright release form must be obtained from the repository or owner of the image in advance of submission. The copy right release form is included as an appendix to this document and pdf versions of the form can be obtained from the HABS Washington Office.

Short Format

The short form HABS report uses the following headings and is generally only a few pages in length. Page length varies from one to two pages up to around ten pages, depending on the resource, access to materials, and time available for research.

Name: The name section is essentially a heading, centered at the top of the page. It includes the full name of the program, HABS, the name of the structure, and the HABS number. See the Appendices for information on the HABS number and assigning the historic name.

Location: This includes the address, city or town, county, and state. In the second paragraph a coordinate should be provided that locates the building or site. See the Appendices for information on assigning coordinates.

Significance: This succinct statement presents the rationale for recording the building or site, emphasizing its significance in the local, regional, or national context. It should highlight both historical and architectural aspects of the building and its relationship to its environment.

Description: The description should cover the physical characteristics of the building, past and present.

History: Include in this section the date of construction, the name(s) of the architect(s) or builder(s), ownership information, and various uses of the building or site over time.

Sources: Citations of sources used.

Historian(s): In addition to the name(s) of the author(s), include the author affiliation(s) and the general completion date of the report.

Project

Information: This is a summary of those involved in preparing the documentation, including the measured drawings, photographs, and historical report. Sponsor and cooperating organizations should also be named here.

Examples of the short form historical report are available at the HABS website,
www.nps.gov/hdp/habs/index.htm

Outline Format

The headings used in the outline may be deleted or expanded as necessary depending on available research. Formatting of the report as an outline and with proper headings and indentations is expected.

Name: The name section is essentially a heading, centered at the top of the page. It includes the full name of the program, HABS, the name of the structure, and the HABS number. See the Appendices for information on the HABS number and assigning the historic name.

Location: This includes the address, city or town, county, and state. In the second paragraph a coordinate should be provided that locates the building or site. See the Appendices for information on assigning coordinates.

Present Owner/

Occupant: This refers to the current owner(s), who may or may not be the occupant, so both need to be addressed here.

Present Use: This is a brief statement explaining how or for what the building or site is used.

Significance: This succinct statement presents the rationale for recording the building or site, emphasizing its significance in the local, regional, or national context. It should highlight both historical and architectural aspects of the building and its relationship to its environment. This statement will be expanded in following sections.

Historian(s): In addition to the name(s) of the author(s), include the author affiliation(s) and the completion date of the report.

Project

Information: This is a summary of those involved in preparing the documentation, including the measured drawings, photographs, and historical report. Sponsor and cooperating organizations should also be named here.

[On subsequent pages:]

Part I. Historical Information

A. Physical History

1. Date of erection: This refers to the initial date(s) of construction. If the date is unknown, state “Not known.” If no exact date can be determined, but an estimate is possible, indicate by using “ca.” and suggest reason for the estimate, such as local tradition or stylistic evidence, or a change in tax assessments. Include sources for all dates cited.

2. Architect: A brief biographic entry is appropriate here, especially if the architect is not well known or is a local figure. The heading can be changed from “architect” to reflect the appropriate title of the designer of the building. State “Not known” or “None,” as necessary.

3. Original and subsequent owners, occupants, uses: The owners, occupants and uses have a varying degree of importance, depending on the kind of structure being documented. For some buildings, such as churches, this section is less important. For houses that are owner-occupied, only the owners need be charted. But for rental houses or commercial buildings, knowing the occupants or uses as well as the owners can be informative. Change the category as needed.

A chain of title is the best way to establish the owners, especially for rural buildings. The owners of urban buildings are often better documented through tax books, but the utility of either depends on the locality. A legal description of the property (lot and square number) should precede the list of owners. The property need only be researched to the time of construction. If the tenants changed frequently during a particular time period, and these changes have not affected the structure, a brief summary of the occupants can be offered, such as “1915-35, numerous commercial enterprises.”

4. Builder, contractor, suppliers: This section can include items such as the construction firm or the source of the building materials. The heading can be changed to reflect the

appropriate title of those involved. If the responsible parties are not known, indicate this by writing "Not Known."

5. Original plans and construction: Include a capsule description of the structure's original appearance. Original drawings, perspectives, and early views should be described. Contemporary descriptions from newspapers, contracts, and letters can be quoted or summarized. Material from past residents or from physical examination of the structure may contribute to the narrative on its original appearance.

6. Alterations and additions: Dates of alterations and additions are included here, along with a description of the changes and the person(s) responsible. Deal with this material chronologically and devote a separate paragraph to each major change. Not all evidence comes from documents; the physical structure can provide valuable information. Note if an alteration is based on physical evidence and estimate the date, if possible, noting that it is an estimation. Use graphic sources as well; old photographs and drawings can be a valuable tool.

B. Historical Context

The context of a building can vary tremendously and is essentially what you make it. This section expands the brief significance statement given at the beginning of the report by examining the building's place in the larger context of national, regional, and local history as well as in architectural history. Consider not only the general history of the building, but also its relationship to its environs and the persons and events associated with its establishment and development.

Part II. Architectural Information

The purpose of the written architectural information is to supplement the information provided by measured drawings and photographs, so the descriptions need not be exacting in detail if graphics are available. The descriptions should be clear and concise and touch on all significant features of the building.

A. General statement

1. Architectural character: This is a statement on the architectural interest or merit of the building, with particular emphasis on unusual or rare features. Information included in this section should help answer the questions of what distinguishes the building in terms of design? and how does it reflect broader architectural trends and patterns?

2. Condition of fabric: An assessment of the condition of the fabric and structural and mechanical systems, such as those found in Historic Structures Reports, is not necessary. Rather, this section calls for a general appraisal of the overall condition of the building at the time of research. Information on specific features can be enumerated under the appropriate heading.

B. Description of Exterior

1. Overall dimensions: The dimensions are expressed either in numbers (rounded to the nearest inch; front dimension given first) or in general terms, such as bays and stories

(fenestrated attics count as a half story). Include layout and shape. Both the main section and wings are included here.

2. Foundations: Include material, thickness, water table.

3. Walls: Include overall finish materials and ornamental features on elevations, such as quoins, pilasters, and belt courses. When a building is stuccoed, also note the material underneath. Mention details such as the bond of a brick wall, whether the stone is laid randomly or in courses, the color and texture of the materials, the type and source of stone if known.

4. Structural system, framing: A thorough description of the structural system is important, since this information is often not readily apparent. Note wall type, such as load-bearing or curtain wall, floor systems, and roof framing.

5. Porches, stoops, balconies, porticoes, bulkheads: Describe materials, form including roof, details, and location. Include a paragraph on each major porch; others can be described briefly.

6. Chimneys: Mention materials, number, form, and location.

7. Openings

a. Doorways and doors: Include location, description, and trim.

b. Windows and shutters: Include fenestration, type (such as casement, two-over-two-light double-hung sash), sills, lintels, trim, and shutters. If there are a variety of windows, characterize them generally.

8. Roof

a. Shape, covering: Include shape, such as gable, hip, or gambrel, and materials.

b. Cornice, eaves: Include materials, form, notable features, and gutter system.

c. Dormers, cupolas, towers: Include number, location, and individual descriptions.

C. Description of Interior

1. Floor plans: If there are measured drawings or sketch plans, describe the general layout. If there are no drawings, be more specific. Start with the lowest floor and proceed to the top. If two or more floors are identical, combine the descriptions. A sketch drawing of the plan is recommended, particularly if no measured drawings accompany the report.

2. Stairways: Include location (if not mentioned above) and describe type, railing, balusters, and ornamental features.

3. Flooring: Include material, finish, and color. Describe width of boards and direction they run.

4. Wall and ceiling finish: Include finish materials, paneling, color, wallpaper, and decorative details of note. Mention location of specific features being discussed.

5. Openings

a. Doorways and doors: Include a description of the characteristic type found and individual descriptions of notable ones, including paneling, color, finish, and trim. Mention location of specific doors being discussed.

b. Windows: Include any notable interior window trim. Discuss natural lighting features and provisions for borrowing light from other interior spaces.

6. Decorative features and trim: Include woodwork not described above, cabinets, built-in features, fireplace treatments, and notable ornamental features. Mention materials and location of specific features being discussed.

7. Hardware: Describe original or notable hinges, knobs, locks, latches, window hardware, and fireplace hardware. Mention location of specific features being discussed.

8. Mechanical equipment

a. Heating, air conditioning, ventilation: Describe original and present systems, and any remaining devices of interest.

b. Lighting: Describe original lighting fixtures and those of interest. Mention location of each being discussed.

c. Plumbing: Describe original systems and any systems of interest.

d. Use any appropriate heading: Include any feature appropriate for the structure, such as elevators and call-bell systems.

9. Original furnishings: Describe and locate any pieces of historical interest, such as furniture, draperies, and carpets, original to the structure.

D. Site

1. Historic landscape design: Include layout, character, plantings, and walks of original or historic landscape treatments. Historical information, such as dates of certain features, may be

appropriate here. In general, this section is the venue for analysis of the relationship of a building or structure to its environs, and for discussion of any special accommodations made with regard to that setting.

2. Outbuildings: Include a separate description of each outbuilding, including the location and function of each structure, and historical information if it has not been included above.

Part III. Sources of Information

This is an essential section of the historical report that directs subsequent researchers to all pertinent sources. Be sure to include complete bibliographic information on every source located. For primary sources, it is helpful to include the institution or archives at which the document is housed or some annotation.

A. Architectural drawings: Include the date and location of the drawings and note anything significant, such as features not built as originally planned. Not only are original drawings useful, but alteration drawings should be noted too.

B. Early Views: Include photographs, engravings, and other images. If known, specify medium, artist, date, publisher, and plate size. Give the location of the item and include information such as a negative number needed for ordering a copy. A note on the importance of the view is useful, such as “north front of church before tower was removed.”

C. Interviews: Include the name of the person interviewed, the date and place of the interview, and the person’s association with the structure or site.

D. Selected Sources: If the written sources are extensive, divide them into primary and secondary, or unpublished and published. Unpublished materials should always be accompanied by their archival location. Include items such as deed books, inventories, censuses, tax records, insurance records, manuscripts, letters, and historical society files.

E. Likely Sources Not Yet Investigated: List here anything not referred to for this report, but known or thought to contain further or related information.

F. Supplemental Material: Supplemental material can be graphic or written, and it is usually put at the very end of the report (copyright permitting) or in the field notes.

Examples of historical report in the outline format are available at the HABS website, www.nps.gov/hdp/habs/index.htm and a synopsis of the categories for the outline format, providing the headings “at a glance,” is included as Appendix D.

Appendix A. General Guidelines for HABS Documentation

HABS Number

Every building is assigned a HABS number, which becomes its identifying number within the HABS collection. The number consists of a two-letter state abbreviation, hyphen, and number. Contact the HABS Washington Office or NPS regional office to receive a HABS number and for additional guidance. The HABS number must appear on every item of documentation sent to the Library of Congress, including all those sent as part of the field records. The HABS number goes in the header of every page of the historical report, right justified. In the first page of the HABS report, the program name and building name are centered at the top of the page, using the following format:

HISTORIC AMERICAN BUILDINGS SURVEY
BUILDING NAME

and on each successive page of the report, the building name and HABS number are included in a header, right justified, as shown in the following:

BUILDING NAME
HABS No. XX-#
(page #)

The name of the building or site is written using all capital letters. The HABS number is always preceded by the words “HABS No.” to differentiate it from items in the HAER and HALS collections.

If a complex is being documented, the site as a whole will receive a HABS number, such as: Fort Tejon, HABS No. CA-39. Each building that is part of the complex will receive a subsidiary number, such as: Fort Tejon Barracks No. 1, HABS No. CA-39-A.

Assigning Names to Structures and Sites

For the HABS collection, the *historic* name is the primary name of the building, structure or site as this will not change with each new owner or use. Often determining the historic name requires research, though generally it corresponds to the original owner of a house, or designated use of a public or commercial building. Occasionally, the recognized historic name of a house is not the personal name of the owner, but a designated name like George Washington’s Mount Vernon. For groups of buildings, use the traditional name as the primary name, such as that of the neighborhood, rather than historic district or other administrative designations. Always note the origin or source of the historic name in the text of the report.

Occasionally the historic name is not well known, and researchers using the HABS records may not be able to identify a structure by that designation. Secondary names, which are common or current names, are included to aid in the use of HABS records. More than one secondary name can be included, such as for the WILLIAM PENN TAVERN which has two: Gruber House and Obolds Hotel. Secondary names are demarcated by parenthesis in the HABS document headings, as shown below:

WILLIAM PENN TAVERN
(Gruber House, Obolds Hotel)

If a later owner was particularly prominent or was responsible for a substantial alteration or addition, that name is linked to the original owner's name by a hyphen, such as: BROWN-GARRISON HOUSE. Avoid excessive use of hyphenated names. If the building is a church, include the denomination in the name, such as: ST. MARK'S EPISCOPAL CHURCH.

Do not use qualifiers such as "Now the ..." or "Currently" as part of the name since such notations eventually will be outdated. Also avoid using words such as "Old" in the name, unless it is part of the recognized name.

If the historic name cannot be determined, the address, augmented by a general designation, is used as the name. Examples include the following:

549 ELM Street (House)
201 MAIN Street (Commercial Building)

When appropriate, the current name will suffice as the secondary name.

201 MAIN Street (Joe's Bar)

In the case of complexes containing several buildings, the overall complex name is used in the first part of the name, followed by the individual structure.

Fort Tejon, Barracks No. 1

Determining Location

The location includes the number and street, the city or town, county, and state. Locations are handled somewhat differently for urban and rural areas.

For urban areas, use the number and street, such as: 512 Main Street, followed by the corner or intersection in parentheses if appropriate, such as: 500 Main Street (northwest corner of Oak). If the street name is a number, use the local convention to determine whether to write it in digits or words: 54 E. 42nd Street, 301 Seventh Avenue. If the property is large, indicate streets bounding it, such as:

West side of Main Street, between Oak Avenue and Elm Street
West side of Main Street, bounded by Court, Oak, and Elm streets.

In small towns or rural areas, a more descriptive address is required. In towns, relate the structure to the nearest named street or local landmark, and for more remote places, place the building in relation to a nearby roadway or natural landmark. Examples include:

South side of Main Street, 0.5 mile west of Oak Avenue

East side of Main Street, 0.7 mile north of Ridge Creek
0.1 mile south of Parker Creek
0.5 mile north of State Route 662
2.5 miles east of intersection with County Road 4

or locate them within one-tenth of a mile from the nearest intersection, such as: South side of U.S. Route 13, 0.3 mile east of State Route 605.

If the building or site is not located within the boundaries of a city or town, it is located in reference to the nearest city or town. Always include the word “vicinity” with the town name to clarify the location, such as: Millville vicinity. Generally, the vicinity is the nearest city or town that has a zip code. Consider local usage and custom here, but keep the vicinity in the same county as the property.

The locational data must also include a coordinate that pinpoints the structure geospatially. The coordinate should be expressed in decimal degrees using North American Datum 1983 (NAD83) or World Geodetic System 1984 (WGS84). If your data is not in decimal degree format, visit the FCC’s DDD MM SS and Decimal Degrees Conversions website: <https://www.fcc.gov/media/radio/dms-decimal>. Alternatively, if your data is in UTM format, visit Montana State University’s Lat/Lon and UTM converter: <http://www.rcn.montana.edu/resources/converter.aspx>.

Additionally, information about the source of the coordinate should be provided: 1) identify the location of the coordinate relative to the structure; 2) indicate the date the coordinate was obtained; 3) identify the method by which the coordinate was obtained; 4) provide an estimate of the coordinates accuracy expressed in +/- meters (if applicable); 5) specify the coordinates datum; and 6) indicate any restrictions on releasing the structure’s location to the public. Examples are provided below:

Examples with Google Earth (make sure the program is set to decimal degrees):

The building is located at latitude: 39.185876, longitude: -94.682148. This point was obtained on March 24, 2016 using Google Earth (WGS84). There is no restriction on its release to the public.

The ranch is located at latitude: 39.185876, longitude: -94.682148. This point represents the main gate and was obtained on March 24, 2016, using Google Earth (WGS84). There is no restriction on its release to the public.

The canal is located between latitude: 39.185876, longitude: -94.682148 (west end) and latitude: 39.185876, longitude: -94.682148 (east end). The points were obtained on March 24, 2016, using Google Earth (WGS84). There is no restriction on their release to the public.

Examples with a GPS unit:

The Shelton House known as Rural Plains is located at latitude: 37.66055756696, longitude: -77.3472625971. The coordinate was taken near the front door, in 2004, using a GPS mapping grade unit accurate to +/- 1 meter after differential correction. The coordinate’s datum is North American NAD 1927. Rural Plains’s location has no restriction on its release to the public.

Bennett's Mill Bridge is located at latitude: 34.60251, longitude: -50.69997. The coordinate represents the structure's northeast corner. This coordinate was obtained on February 10, 2003, using a GPS mapping grade unit accurate to +/- 3 meters after differential correction. The coordinate's datum is North American Datum 1983. The Bennett's Mill Bridge's location has no restriction on its release to the public.

Example from a Quad Map:

Mascot Roller Mills is located at latitude: 40.06281, longitude: -76.1573. The coordinate represents the main entrance point of the mill house. This coordinate was obtained on April 2, 1996 by plotting its location on the 1:24000 Leola, PA USGS Topographic Quadrangle Map. The accuracy of the coordinate is +/- 12 meters. The coordinate's datum is North American Datum 1983. Mascot Roller Mills's location is restricted pending concurrence of the owner to release its location to the public.

(Note the accuracy of the 1:24 quad map will always be +/- 12 meters).

Example from UTM Conversion:

The Badin Roque House is located at latitude: 31.5999961, longitude: -92.9728556. The coordinate was obtained in 1979 and the datum is North American Datum 1983. The Badin Roque House's location has no restriction on its release to the public.

(Note the date the UTM reference was obtained, rather than the date of the conversion).

If the release of the locational data is restricted, submit the coordinate information for entry into the HABS database along with the documentation, however, it must not appear in the final report for the Library of Congress's website.

Appendix B. Spelling, Grammar and Punctuation Notes

Spelling, Single word

beehive (oven)	Neoclassical, <i>not</i> neoclassical, Neo-classical
beltcourse, stringcourse	powerhouse, BUT power plant
courthouse	sidelights
gristmill, sawmill	whitewash
hoodmolds	wraparound porch
jerkinhead (roof)	
latticework	

Spelling, two words

row house	concrete block, concrete-block base
meeting house	main line
bell tower	water table

Spelling, clarifications

facade vs. elevation

a facade is the wall of a building, usually the front; an elevation is a drawing of a wall

interior vs. inside; exterior vs. outside

interior and exterior connote defined boundaries, while the others are nonspecific

storefront

the first-floor of a commercial structure, *not* the entire front facade

cinder block vs. concrete block

cinder block is made with a lightweight cinder aggregate and is widely used for interior partitions;

concrete block is heavier, stronger and used in structural walls

concrete vs. cement

cement is the dry mix to which water et al. are added to in the making of concrete

lath vs. lathe

lath is a strip of wood used as the groundwork for plaster, as applied to walls (plural: laths); a

lathe is a machine tool for shaping circular pieces of wood or metal

wood vs. wooden

wood is wood; *wooden* may be hard, durable, and stiff like wood, but it is not necessarily wood (this principle also applies to oak vs. oaken, etc.)

glazing, lights, panes, sash, windows, fenestration

windows can be described in general as glazing; units of windows glass before installation are panes, once installed, glazing unit are lights, *not* panes; lights grouped into a frame are called sash; fenestration indicates a number and arrangement of window openings in a facade

L-plan vs. ell

buildings take the form of T-plans, H-plans, and L-plans for their resemblance to those letters; an "ell" is the wing or block, usually a rear add-on, that is the three dimensional version of the wing indicated on the L-plan

mantel vs. mantle

a *mantel* is the structural support above and the finish around a fireplace; a mantle is an outer wall or casing composed of a separate material than the core apparatus, as in a blast furnace, **and** it is the feature on a gaslight from which the flame emerges

molding vs. moulding

in England, carved mouldings are commonplace, but in America, they are moldings

historic vs. historical

historic is the adjective used to denote something that is old and presumably important, i.e., historic preservation, historic building fabric; *historical* is the adjective used when the subject relates to history, such as historical society, historically significant house

Grammar and Punctuation Notes

While the standard reference guide used by HABS is the *Chicago Manual of Style*, there are some exceptions that are particular to architectural and engineering history. Listed below are established HABS conventions.

Years

1930s, '30s

not Thirties, and *never* 1930's using an apostrophe

1850-60, 1850-1940

do *not* repeat the century unless it changes; always include the decade, i.e., 1850-57, rather than 1850-7.

first quarter of the nineteenth century

not first quarter of the 1800s

spring 1888, December 1900

do *not* use a comma before the year, as in "spring, 1888" or "December, 1900"; do not capitalize the season, or state as "summer of 1969"

Dates

July 4, 1776, was a great day, or 4 July 1776

either is acceptable; note comma after the year

ca. 1850

not c. or circa written out

Numbers and numerals

All numbers from one to ninety-nine are written out, while 100 and above are cited as numerals, *except* in the case of ages, street numbers, dimensions, and millions.

For example:

“In 1850-60, an estimated forty-seven miners traveled more than 650 miles across the western states. Many did not live past the age of 40, although one 89-year-old man lived into the twentieth century. He lived at 37 Gold Rush Ave. The frame dwelling was a 10'-4" x 12'-0" space and cost only \$577.00 when the old man bought it in December 1898, yet legend says he was worth \$2 million.”

centuries

the nineteenth century, but nineteenth-century dogma

not 19th century or 18th-c

percent

0.7 percent, 50 percent

always use numerals, and spell out “percent” unless in a chart or graph when % may be used

money

\$5.87, \$24.00, \$24.25, \$234.98, 1 cent, 10 cents, 99 cents.

do not write out dollars; use numerals, except in the case of millions or larger (\$5.87 million)

dimensions

measurements and dimensions are *never* written out; they always appear as numerals, and feet or inches are always indicated using technical symbols, with two types of exceptions.

For example: "Two families live at 333 Third St., which is the historic town lot No. 146. The Byrnes live on the first floor, where the bedroom is 12'-6" x 9'-0", the bathroom is 5'-0" x 4'-0"-3/4", and the kitchen is only about 8' square. The second-story space has been remodeled into two equal-sized 12'-0"-wide rooms with four large windows that measure nearly 5' tall."

20'-6" x 18'-0", 6'-3-1/2", 2" x 4", 9'3/4"

use a lowercase x, *not* “by”

use apostrophes and quotation marks for feet and inches respectively

hyphenate all feet and inches numerals, and any fractions

indicate an even measurement with -0" if known to be exact

Note: When punctuating dimensions, commas fall outside the inches/feet marks as in “the planks measured . . . 10'-6", 5'-2-1/3", and 2'-0".”

Exceptions

1. 10 cubic feet and 10 square feet, *not* 10 cubic'
2. approximate measurements do not require the -0", i.e., "The three commercial buildings are about 20' wide and 40' deep."

Streets and addresses

222 Packard St.

capitalize and abbreviate street, avenue, boulevard, etc., but *not* short items such as road or lane, when the number prefaces the street name

Sam lived on Packard Street.

write out and capitalize street when no number is given

It is at the intersection of Packard and Mills streets.

when two proper names (also true of companies, rivers, etc.) are listed, do *not* capitalize street

The houses surveyed are No. 15 and No. 27 Mill Street.

The deed cites lot No. 146.

"number(s)" is always capitalized and abbreviated as "No." or "Nos."

Interstate 66 , U.S. 30 or Route 30

write out and capitalize "interstate" on first reference; subsequent references are abbreviated, such as: I-66

Towns

Omaha, Nebraska, is a lovely town.

note comma after the state

Abbreviations and Acronyms

U.S. government, U.S. Department of the Interior, U.S. exports.

write out "United States" when it is the noun, but *not* when it is an adjective; *do not* place a space between U. and S.

Technical abbreviations and acronyms

do not abbreviate technical terms unless spelled out at the first reference, such as revolutions per minute (rpm) or horsepower (hp); similarly for acronyms, write out the complete name on first reference, putting the proper name's acronym in parentheses afterward; thereafter use the acronym only

For example: The U.S. Department of Agriculture (USDA) and Society of Architectural Historians (SAH) have an agreement to study historic barns in the United States, but the SAH is unsure of the USDA's commitment.

Hyphenations

many phrases are clarified when augmented by a hyphen; the following architectural terminology is clarified by employing the general rules of hyphenation:

1. in general, hyphenate an adjectival construction, one that which precedes the subject
2. in general, do *not* hyphenate an "ly" word, including "federally"
3. do *not* hyphenate "late" or "early" before a century

one-over-one-light double-hung sash
write out the numbers, *not* 1/1 double-hung sash

bird's-eye view, bull's-eye window

load-bearing brick wall; but the brick wall is load bearing

stained-glass windows; but the windows contain stained glass

side-hall and center-hall plans; but the house has a center hall

third-floor window, but the window is on the third floor

rough-cut stone

five- and seven-course bond; but American bond is laid in five or seven courses

single-family and multi-family dwelling

gable-end chimney; but the chimney is on the gable end

side-gable roof

canal-era, Civil War-era structure
not Civil-War-era

bead-and-reel molding; the molding motif is bead and reel

standing-seam (metal roof)

nineteenth-century lighthouse

Palladian-style, . . . a Mission-style roofline
append "-style" to an established architectural term if your subject is reminiscent of the original but not an example of the actual model; this is not to be confused with proper names such as International Style, which take capital letters and would *not* be hyphenated

RELEASE AND ASSIGNMENT

Packet Pg. 61

Appendix D. HABS Outline Format “*at a glance*”

HISTORIC AMERICAN BUILDINGS SURVEY
NAME OF STRUCTURE
(Secondary Name) HABS No.

Location:

Present Owner/Occupant:

Present Use:

Significance:

Historian(s):

Project Information:

PART I. HISTORICAL INFORMATION

A. Physical History:

1. Date of erection:
2. Architect:
3. Original and subsequent owners, occupants, uses:
4. Builder, contractor, suppliers:
5. Original plans and construction:
6. Alterations and additions:

B. Historical Context:

PART II. ARCHITECTURAL INFORMATION

A. General Statement:

1. Architectural character:
2. Condition of fabric:

B. Description of Exterior:

1. Overall dimensions:
2. Foundations:
3. Walls:
4. Structural system, framing:
5. Porches, stoops, balconies, bulkheads:
6. Chimneys:
7. Openings:
 - a. Doorways and doors:

- b. Windows and shutters:
8. Roof:
 - a. Shape, covering:
 - b. Cornice, eaves:
 - c. Dormers, cupolas, towers:

C. Description of Interior:

1. Floor plans:
2. Stairways:
3. Flooring:
4. Wall and ceiling finish:
5. Openings:
 - a. Doorways and doors:
 - b. Windows:
6. Decorative features and trim:
7. Hardware:
8. Mechanical equipment:
 - a. Heating, air conditioning, ventilation:
 - b. Lighting:
 - c. Plumbing:
 - d. Use any appropriate heading:

D. Site:

1. Historic landscape design:
2. Outbuildings:

PART III. SOURCES OF INFORMATION

- A. Architectural drawings:
- B. Early Views:
- C. Interviews:
- D. Selected Sources:
- E. Likely Sources Not Yet Investigated:
- F. Supplemental Material:

Formatting Note:

Include a heading (right justified) at the top of every page after the first:

NAME OF STRUCTURE
HABS No. XX-### (Page #)

Appendix E. Sample (Completed) Survey Forms

Quaker Meeting House Survey Form

FRIENDS MEETING HOUSE SURVEY

Name: Merion Friends Meeting House

Location: 615 Montgomery Avenue, Merion Station, Montgomery County, PA; faces south.

Construction date: ca. 1695-1714.

Building plan/configuration: unusual T-Plan.

Building materials: stuccoed stone; Wissahickon schist.

Architectural Description: one-and-a-half story, T-plan structure with the base of the T (entry front) being three bays (east to west) by one (north to south) bay (east bay in-filled), and the top of the T being two (east to west) bays by two (north to south) bays; cross gable roof with pent in gable ends; front entry at base of T, with entries at east and west ends; windowless stone privies project from northeast and northwest corners.

*Windows: 8/12 set in slightly recessed arch, with the exception of the north rear wall (where they are set higher); paneled shutters.

*Doorway/doors: central, double door with gabled entry porch at south end; doorways with unsupported hoods at east and west ends toward south.

*Roof: cross gable, shake with pents in gable ends (broken at south to accommodate gable window).

*Dimensions: south (front) section: 26' 3 1/4" (east to west) x 20' (north to south); north section, to rear: 40'8" (east to west) x 26' 7 1/2" (north to south).

Interior plan/significant features: wainscoting; historically, a school room was located in second story of south wing; mostly unfinished interior.

*Partition: runs east-west, paneled partitions come up from floor and down from ceiling to meet, with double doorway to center.

*Balcony/gallery: runs east-west over rear half of main meeting room; partitions, hinged from top, close off gallery; cantilevers at an angle and is supported by two columns; gallery is stepped - four tiers; stairways at southeast and southwest corners; entrance to school room along back wall toward east; boxed winder stairway at either end of gallery.

*Facing bench/stand: along north wall, one tier, two rows of facing benches.

Structural systems/framing: load-bearing masonry walls; main block's roof structure employs heavy, bent principal rafters supporting butt purlins and joined by collar beams; roof structure visible from first floor until 1829.

Outbuildings/cemetery/school: two wood-frame carriage/horse sheds, one L-plan at the southeast entry gate, another to the west near gate; cemetery to the southeast (and receiving tomb against building at southeast crux of the T); the opposing corner was formerly the site of a privy; school building located east of meeting house along Montgomery Avenue.

Hicksite/Orthodox counterpart:

Historical Notes: Set up in 1683 by the Philadelphia Monthly Meeting after serving as an indulged meeting since 1682. The first meetings were held in the homes of members. The current structure was begun ca. 1695 and completed in 1714. The oldest meeting house in the Delaware Valley, the unusual T-plan reflects the lack of prescribed standards for meeting house design indicative of the earliest meeting houses.

Historian/date: A. Wunsch & C. Lavoie, Spring 1997

Philadelphia Carnegie Library Survey Form

PHILADELPHIA CARNEGIE LIBRARY SURVEY

Name: Thomas Holmes Branch of the Free Library of Philadelphia

Location/orientation: 7810 Frankford Avenue; faces south

Construction date/source: 1906, date stone & plaques in entry vestibule

Architect: Sterns & Castor; H.W. Castor

Contractor/builder: William R. Dougherty

Building configuration/plan type: T-plan

Building materials: Brick in a running bond with belt course; stone cap on water table, stone sills and cornice.

Architectural Style: Beaux Arts

Architectural Description: Single story on raised basement, three bays across by two bays deep, perpendicular rear wing, four-bay-by-one-bay, to create T-shaped configuration; entry pavilion/vestibule with a classically inspired frontispiece columns support a stone entablature inscribed with "Thomas Holmes Branch." Tripartite windows with brick spandrels; dentiled stone cornice, stone frieze below corbelled brick beltcourse. The wall terminates in a parapet roof line; rear T has a gabled roof with a parapet and flanking interior chimneys.

Windows: The typical window is tripartite, one-over-one-light sash, brick jack arch with stone keystone, coved stone sill supported by brackets; decorative spandrels. Basement windows have round-arched brick lintels.

Doorway/doors: Front entry, paired (modern) glass doors, fixed light above; side entry in the crux of the main block and rear T, with "Lecture Room" inscribed.

Roof: Flat roof, with skylight, behind a brick parapet; rear wing has a gable roof with parapet.

Dimensions: 62' x 42' main block with a 45' x 36 rear ell.

Interior features/description: Entry vestibule with dedication plaques; open T-shaped plan with low shelving to divide the space; coffered ceiling and skylight in main reading room; exposed trusses in the rear section. Entryway from ell into side vestibule and stairway to the basement.

Partitions/corridors: low shelving served to create divisions within the library; ell forms a separate section, but open to main reading room; area to front partitioned to create staff work space.

Circulation/Librarian's desk: circulation desk to center of main block at entry; moveable librarian's desks in the various locations.

Children's reading room/location: located in the rear T' section.

Adult reading room/location: adult and reference sections in the main block

Stairway/location: stairway to basement in the T' section at main block; two run open stair with side entry at landing; tuned balusters and a heavy newel post.

Basement level: large meeting room, boiler room, staff lounge and adjoining kitchen and bathroom, work room and public restrooms.

Historical Notes: Rear section originally served as lecture hall, with an elevated stage area at the back; platform removed but the arched opening remains. Began in 1867 as public subscription library, known as Holmesburg Library Company; transferred in 1880 by the Lower Dublin Academy; opened in Frankford Athenaeum (8000 Frankford Avenue) on September 18, 1880; established as a branch of the Free Library of Philadelphia in 1899. In 1905, the academy gave site to the city so that a Carnegie-funded branch library could be erected. The cornerstone for the current building was laid on May 23, 1906. In June 1907 academy trustees purchased adjoining 50' x 159' lot to provide buffer ("Celebrate 100 Years of Making a Difference," available at the Holmes Branch Library).

Photograph by William Rau upon completion of library shows shelving and wood work unpainted, low shelving divided sections; lighting fixtures—sconces mounted on shelving; chandeliers with glass globes; mission style square tables and chairs, and round tables with Windsor chairs (Annual Report of the Library Board, 1907). 1959 renovation—new shelving, floor covering, furniture, lighting, removal of the stage, dropped ceiling in rear; 1962 renovations—removal of dropped ceiling and restoration of wood trusses. Library is named for William Penn's surveyor general, given this land as payment for his services in laying out the town of Philadelphia; area once referred to as Washington, but named Holmesburg by Thomas Holmes descendents.

Historian/date: Catherine C. Lavoie, July 2007.

Planning Application - UDO Text Amendment

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607
Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ www.townofboone.net

Official Use Only

Case Number:
Case PL05671-042722
Case Name:
Public Art Standards in the Historic District

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____

Address: 567 West King Street

Phone Number: 828-268-6200 Email Address: planning@townofboone.net

B. TEXT INFORMATION

Amendment is to:

Article(s): Appendix D

Section(s): Design Standards for the Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District

Brief Description of Amendment (Attach Proposed Text):

Modify UDO Appendix D to revise and clarify standards for public art within the local historic district.

C. APPLICANT SIGNATURE: By signing this form you are certifying that this application and any attached information is accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

Jessica Mitchell

Applicant (Print)

/s/ Jessica Mitchell

Applicant Signature

04/27/22

Date

Official Use Only

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
NA	NA	NA	NA	NA

Hearing/Decision Information

Public Hearing Meeting
Date: 07/25/22

PC Meeting Date: 07/25/22

TC Meeting Date: 08/10/22

Text Approved: ☐ Yes ☐ No

Notes:

S:\FORMS\Current Forms\Planning\UDOTextAmendment_PlanningApplication_09252017.doc

Communication: Case PL 05671-042722 Application (Case PL05671-042722 Public Art Standards in the Downtown Boone Local Historic District



**STAFF REPORT
PUBLIC HEARING
JULY 25, 2022**

Case PL05671-042722 Public Art Standards in the Historic District - UDO Text Amendment

Request

To modify the UDO Appendix D, Downtown Boone Design Guidelines and Handbook, Section “Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District” to develop public art standards within the local historic district addressing concerns of public art, provide direction for future public art projects, and fill gaps currently written in the historic standards.

These standards were written following initial (1) the Historic Preservation Commission beginning to hear Certificate of Appropriateness cases, (2) conversations with local art advocates, and (3) Town Council creating a Public Arts commission.

History

07-05-2022 Planning Staff presented revised text to the Historic Preservation Commission (HPC) for their final review; Planning Staff presented previous draft iterations at the May 3, 2022, and June 7, 2022 HPC Advisory meetings. The HPC made a motion to recommend approval as amended and to be adopted by the Planning Commission and Town Council. The motion was approved unanimously.

Motion and Vote: Vice-Chair Bond made a motion, seconded by Member Watkins that the Council and Planning Commission adopt the amended Public Art Standards in the Historic District UDO Text Amendment

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

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

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

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

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

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

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

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

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

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

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

COMPREHENSIVE PLAN POLICIES

2.1 THE ECONOMY

2.1.1 Economic Development

A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.

...

A.3 Support the Arts Council, Jones House, ASU and others in attracting quality cultural events to Boone.

E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.

E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

2.1 THE ECONOMY

2.1.5 Downtown

A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.

...

A.4 Establish specific architectural and design standards for downtown consistent with its location, setting, and various functions.

D. Public and private developments shall be encouraged to incorporate local artistry into public and semi-public spaces downtown.

D.1 Consider the placement of public art (including murals and statuary) at appropriate locations in the downtown area.

D.2 Support the development and enhancement of cultural facilities, e.g. art and antique galleries.

E. Public and private development decisions in the downtown area shall exhibit a special concern for maintaining the intensive, pedestrian oriented character of the district.

E.1 Evaluate the need for additional sidewalks and crosswalks and make physical improvements to existing sidewalks and crosswalks in the downtown area.

- E.2 Evaluate the needs of bicyclists and take appropriate action regarding bicycle travel and storage needs in the downtown area.
- E.3 Incorporate transit stops into the downtown area for the convenience of the bus riders.
- E.4 Planned improvements shall emphasize needs of the pedestrian.
- F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services.
 - F.1 Support events throughout the year that promote the downtown area as the cultural center of Boone.
 - F.2 Continue to support the efforts of the Downtown Boone Development Association, the North Carolina Main Street Program and the Boone Area Chamber of Commerce.
 - F.3 Encourage private investment and see public funding opportunities for downtown revitalization projects.
 - F.4 Given the proximity of Appalachian State University to downtown, engage the University in both planning and implementation actions.

2.3 THE COMMUNITY

2.3.2 Community Character

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
 - ...
 - A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
 - B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
 - C.1 Consider the placement of public art at appropriate locations in downtown, including murals.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.

2.3 THE COMMUNITY

2.3.4 Public Involvement

- A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public.
 - ...
- D. Special committees, advisory panels, educational forums, public workshops, leadership seminars, town meetings and media contacts shall be encouraged and fostered to enhance the effectiveness of citizen involvement in community planning and action.

PLANNING BOARD REPORT/RECOMMENDATIONS

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

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

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance # PL05671-042722 and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

TOWN COUNCIL ACTION – Adoption of Ordinance

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

ORDINANCE # PL05671-042722

**AN ORDINANCE TO REVISE APPENDIX D OF THE TOWN OF BOONE UNIFIED DEVELOPMENT
ORDINANCE RELATING TO PUBLIC ART STANDARDS IN THE DOWNTOWN BOONE LOCAL HISTORIC
DISTRICT**

WHEREAS, the Boone Town Council desires to modify, clarify and include public art standards within the local historic district; and

WHEREAS, the Boone Town Council held a duly-noticed public hearing on May 23, 2022 with respect to this ordinance; and

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

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

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

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

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

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

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

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

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

Adopted this the ____th day of _____, 2022.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon, Town Clerk

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

Note 1

Vote 2: The Town Council ☐approves OR ☐denies PL05671-042722 to the Town's zoning ordinance and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

PLEASE NOTE: This text is a draft version that Planning Staff and the Town Attorney are still reviewing. The language may undergo additional revisions by Planning Staff. This draft will show changes to existing language in Appendix D of the Town of Boone Unified Development Ordinance with deletions and additions shown in ~~red~~ and blue, respectively.

EXHIBIT A

UDO Appendix D Downtown Boone Design Guidelines and Handbook

...

Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District

Staff Note: Areas of text that are not in track changes, i.e., shown in blue or red, are areas originating from Appendix D that address public art. Specifically, the areas of text are from Subsections 9 and 11 from the subheading listed above.

Throughout the staff report is proposed deletion of a subsection of Appendix D that is now included in this proposed language. Due to removing a section, renumbering of subsections is necessary as shown below.

...

910. Archaeology

...

- 910.1 Landowners should leave known archaeological resources intact and undisturbed whenever possible, and when disturbance is not avoidable, prepare a mitigation plan for the documentation, preservation, and protection of those resources using professional archaeologists who follow accepted standards, methods, and practices for resource mitigation and/or recovery.
- 910.2 Notify the Planning Department, the Boone Cultural Resources Department, the SHPO, and the OSA in the early planning stages of the project to assess the potential for presence of archaeological resources on site. In cases where such potential is identified, owners are required to prepare an archaeological assessment report, including an inspection of the proposed area where subsurface disturbance will occur, as well as a site map showing areas of archaeological sensitivity. In addition, landowners may be required to submit to an archaeological survey of their project area by a professional archaeologist whose qualifications meet the Standards of the Secretary of the Interior for archaeology.
- 910.3 Minimize ground-disturbing activity to reduce the possibility of destroying unknown archaeological resources.
- 910.4 Avoid the use of heavy machinery or equipment on site that may damage archaeological resources. When new archaeological resources are discovered, owners should cease the use of such equipment and stop work on the site immediately until such time that these resources can be documented, preserved, and protected. To begin this documentation, notify the Planning Department, the Cultural Resources Department, the SHPO, and the OSA.

...

1011.1 Parks and Public Spaces

...

- 1011.1 Preserve historic landscape features that are critical to site identity and form, including landforms, topography, roadways, pathways, trails, trees and other plantings (both natural and planned), fences, and other resources.
- 1011.2 Preserve and protect significant views into, out of, and within parks and public spaces. Carefully weigh the impact on both visitors and nearby residents and businesses when adding or removing landscape features, trails, walkways, and roadways.
- 1011.3 When considering the introduction of public art to any park or streetscape, ensure that the art will not permanently or irreversibly alter the historic character of nearby historically significant buildings or landscapes.
- 1011.4 Regularly inspect public art for signs of vandalism and deterioration, and maintain protective coatings. When repairs are necessary, use industry best practices and the gentlest available treatments. If necessary, consult with a conservator to determine the best treatment practices.
- 1011.5 Preserve, protect, and maintain significant primary and accessory structures, including pavilions and fountains, that are essential to the identity of the cultural landscape. When planning new accessory structures, including monuments, public art, interpretive signage, memorials, and similar features, weigh their potential impact on historic views associated with the park and the general character and aesthetics of the public space in its historic context. Necessary accessory structures used for service purposes (maintenance sheds, restrooms) should be as unobtrusive as possible and designed to blend into the park's historic landscape.

11. Public Art Standards in the Downtown Boone Local Historic District

In the historic district, public art refers to works of art that are placed or created outside and intended for public appreciation. Such artworks include, but are not limited to, sculptures, monuments, murals, and mosaics. Functional aspects of streetscapes and landscapes, such as bridges, benches, and fencing may provide opportunities for artistic expressions and in certain situations will be evaluated as public art.

11.1 Public art installed in the Downtown Boone Local Historic District is to be reviewed by the Historic Preservation Commission for a Certificate of Appropriateness (COA). The HPC does not consider the content, subject matter, or style of any public art. The COA review is concerned with the mass, height, scale, durability, materials, method of installation, and placement of artwork. Artwork is reviewed with respect to these factors to determine if the artwork is congruous with the character of the historic district and the values of historic preservation served by the historic district.

11.2 The HPC will be focused on the following factors:

- The proposed artwork's relationship to character-defining façades or features (such as doors and windows) of a historic building or other structure.
- The proposed artwork's placement within a historic streetscape or landscape
- The proposed artwork's physical impact on historic materials
- The proposed artwork's height, scale, and massing as it relates to the historic setting.

11.3 The following standards shall generally apply to proposed public artwork:

- Artwork should be placed only in locations that do not compromise or detract from the architectural integrity or historic character, design, or materials of the building, site, or district.
- Artwork should be placed only in locations that do not materially obstruct or otherwise interfere with the view of historic structures or vistas.
- Artwork should ~~will~~ not permanently or irreversibly alter the historic character of nearby historically significant buildings or landscapes.
- Wall-mounted artwork, including murals, mosaics, or metal installations, should be placed only in locations that do not compromise or diminish the overall design, architectural features, or pattern of the building, site, or district. Wall-mounted artwork may be placed on previously unpainted surfaces by methods of attaching the art to the surface without causing harm to the structure.
- Murals may not be placed around or on windows, doors, pilasters, cornices, building trim, roof lines, and other recessed or projecting features. Murals are appropriate for expanses of wall surfaces otherwise without significant

architectural detail. The top of the mural shall not be higher than the roofline of any building.

- Murals are permitted only on flat walls where a reasonable amount of open space is available to accommodate an appropriately-sized mural.
- Previously unpainted surfaces should not be painted. Murals may be painted directly onto a wall surface only if the surface was previously painted. Consideration of the type of paint material that may be required will be location- and district-specific and considered on a case-by-case basis.
- It is preferred that wall-mounted artwork be installed on non-historically significant structures. Non-historically significant structures are those that were constructed after the local historic district period of significance from 1918 to 1964.
- Artwork should be installed so that it does not conceal, result in damage to, or remove historical details or features.
- Artwork should have an appropriate massing in relation to the building, site, or district, and be scaled appropriately for the intended space.
- The colors and color palette of artwork is not regulated, except that neon colors are not allowed.
- Artwork should consist of traditional materials including wood, stone, masonry, or metal that are durable for exterior installation and compatible with the character of the building, site, or district. It is not appropriate to introduce artwork in contemporary materials including plastic or resin.
- Installation of artwork should include methods of stabilization or attachment that are fully reversible and do not cause damage to historic buildings, sites, or materials.
- Installation of artwork that includes additional features such as signage, mounting hardware, or lighting should be of compatible materials and should, as appropriate, be installed to be unobtrusive and screened from view as much as possible.
 - Historic signs, such as ghost ads or those painted on side walls, should be preserved in the historic district.
- Artwork should be maintained and repaired as required by the nature of the materials to preserve the appropriate appearance and safety of the artwork. Artwork should be regularly inspected ~~public art~~ for signs of vandalism and deterioration, ~~and maintain protective coatings.~~ When repairs are necessary, use industry best practices and the gentlest available treatments. ~~If necessary, consult with a conservator to determine the best treatment practices.~~
- Previously-approved and installed artwork may be replaced with another piece of similar artwork (e.g., a statue replacing a statue, or one mural design replacing another) without need for further approval, so long as general features including mass, scale, durability, method of installation, and placement of the art are not

significantly altered and the replacement artwork does not include any new feature that is inconsistent with the standards set forth in this section.

- Any removal of artwork will be evaluated to determine if such removal will damage any historic features artwork is directly placed on, or historic features in close proximity.

11.4 Historical markers, interpretive signage, and public art that is either (i) located on public property or in the public right-of-way within a historic district or within the boundaries of a publicly-owned landmark or (ii) funded in whole or in part by the Town must be approved by Town Council and shall be exempt from the COA process.

- However, at least 30 days prior to consideration for approval by the Town Council, the proposed historical marker, interpretive signage, and/or public art shall have been considered by the HPC in its advisory capacity with respect to (i) applicable district or landmark standards regarding size, form, massing, materials, and placement, (ii) historical accuracy and appropriateness of the content, and (iii) any other factors, including but not limited to aesthetic considerations, that the HPC deems relevant. The HPC shall forward the results of its review to Town Council. Town Council may consider approval of such historical marker, interpretive signage, or public art within 45 days of consideration by the HPC, regardless of whether or not HPC has submitted the results of its review by that date.
- For purposes of this section, (1) “public property and public right-of-way” refer to any interest in real property held by the Town and/or dedicated for general use of the public; and (2) “public art” means any installation of art viewable from a public place such as a public street or sidewalk.

Staff Note: The language below is existing language from Section 9 regarding monuments. In revising Appendix D for Public Art standards, staff is suggesting to move those standards and incorporate them into these proposed public art standards.

11.5 In order to protect, preserve, and maintain existing monuments ~~these often overlooked but important cultural resources~~ located on both public and private property, both the Town of Boone and private property owners should:

- Preserve, protect, and maintain the existing historic landforms, topography, and landscape features—including fences, walkways, gates, trees and other plantings, memorials, monuments, and markers—associated with these resources.
- Avoid the use of chemical treatments, landscape equipment, fertilizers, and earth-moving devices that are known or likely to result in damage to the historic fabric of these monuments.
- Stabilize leaning or loose monuments and prioritize the appropriate restoration of damaged or missing elements of these resources using standards developed by the Secretary of the Interior for the preservation of such resources.
- Before treating any type of masonry, correctly identify the materials and document their condition. During treatment, avoid the use of hard mortars on weathered

masonry, and treat corroding metal anchors and fences to avoid further damage to masonry elements.

- When vandalism occurs, store broken or damaged elements on site or in a secure location nearby until restoration can occur. Take care to label the broken or damaged elements (without further damaging them) to ensure that they are not misplaced or forgotten.
- If cleaning of monuments is pursued, use the gentlest procedures available and consult a masonry conservator before using any chemical cleaners. Household products, including bleach, lye, ammonia, and similar items, should never be used.
- ~~Over the arc of Boone's history, several monuments have been erected to the memory of significant residents or events in the community. Responsibility for ownership and maintenance of these resources has not always been clear, resulting in unfortunate and often problematic disagreements about the best practices for handling these resources. One such example is the Daniel Boone Monument, presently located on Town property at the west end and on the south side of Rivers Street, just outside the District. While this monument remains significant to the Town's history and is presently stabilized, past practices have resulted in the loss of many of the materials and some of the integrity of the original monument. Other monuments exist along the public ways of the District, including the Ned Austin monument and a recently installed war memorial.~~

General Use Zoning Map Amendment Application

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

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: planning@townofboone.net ♦ www.townofboone.net



A. Required to be Submitted at Time of Application

Notes: It is recommended that applicants schedule a meeting with Planning & Inspections Staff prior to application submittal.

Failure to provide the info required on this application may delay the review and scheduling of the requested hearing.

- ☐ Property Owner Authorization for all property included in the request. See [Section D](#).
- ☐ Deed(s) of all property to be included in the request,
- ☐ Both a digital and a hard copy of a written metes and bound legal description with accompanying survey map for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts.
- ☐ Permit Fee (See Planning & Inspections Fee Schedule)

Each application is allowed two (2) reviews. The 1st review of the submitted information and a 2nd review if revisions or supplemental information is required based upon the 1st review. Each subsequent review after the 2nd review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal.

B. Property Information

Street Address:

315 State Farm Rd.

Watauga County Parcel Identification Number:

2910452250000

Existing Zoning District(s):

BOR3 (RI)

Proposed Zoning District(s):

OI Office/Institute

Adjacent Land Uses:

N: RI - VFW

E: RI - Residence

S: RI - Residence

W: RI - VACANT

Are there any existing variances or special use permits granted to the property?

☐ Yes ☐ No ☒ Unknown

If yes, describe:

Total Land Area:

2.91 Acres

C. Property Owner Information

Name:

Jeff Templeton Rentals LLC

Complete Mailing Address (Street, City, Zip):

170 Meadowview DR. Suite A P.O. Box 2630 Boone NC

Phone Number:

828 265-7101

Email Address:

jeff@templetonrentals.com

Preferred Method of Contact for Written/Response Documents (select one): ☐ Mail or ☒ Email

D. Applicant Signature and Property Owner Authorization

By signing this form you are certifying that this application and any attached information are accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

Jeff Templeton
Property Owner (Print)

[Signature]
Property Owner (Signature)

5/23/2022
Date

Official Use Only				
Permit Name: <u>Templeton Properties - General Use Zoning Map Amendment</u>				
Permit Number: <u>PL05729-052322</u>				
Date: <u>05-23-22</u>	Fee: <u>\$374.00</u>	Receipt Number: <u>521854</u>	Method of Payment: ☐ Cash ☒ Check Number: <u>2464</u>	Paid By: <u>Jeff Templeton</u> <u>Rentals, LLC</u>

Official Use Only - Hearing/Decision Information

Public Hearing Meeting Date: _____

PC Meeting Date: _____

TC Meeting Date: _____

Date of APO Mailed Notification: _____

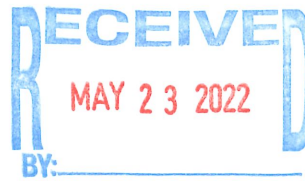
Date of Posted Notification: _____

Request Approved: ☐ Yes ☐ No If yes, date request sent to GIS: _____

S:\FORMS\PI_Forms_Current\Planning Forms\GenUseZMapAmend_07012019.docx

FILED Amy J. Shook
Register of Deeds, Watauga Co, NC
Fee Amt: \$26.00
NC Excise Tax: \$1,100.00

Bk 2272 Pg 100 (4)
Recorded: 05/06/2022 at 12:32:55 PM
Doc No: 719897 Kind: DEED



Excise Tax: \$1,100.00 ✓

Mail after recording to: DEAL, MOSELEY & SMITH, LLP, ATTORNEYS AT LAW
P. O. BOX 311
BOONE, NC 28607

PREPARED BY: Allen C. Moseley - DEAL, MOSELEY & SMITH, LLP, ATTORNEYS AT LAW (JH)
P. O. BOX 311
BOONE, NC 28607 Tel (828) 264-4734

Brief Description for the Index:

Tax Parcel ID#: 2910-45-2250-000

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED, made this 6 day of May, 2022, by and between,

TEMPLETON PROPERTIES, LP,

a Georgia Limited Partnership

GRANTOR;

and,

JEFF TEMPLETON RENTALS, LLC,

a North Carolina Limited Liability Company

of P. O. Box 2630, Boone, NC 28607

GRANTEE.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple all that certain lot or parcel of land situated in the NEW RIVER TOWNSHIP, WATAUGA COUNTY, NORTH CAROLINA, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor in Book of Records 1202, Page 788, Watauga County, North Carolina, Public Registry.

All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

This conveyance is made subject to any easements, rights of way and utility easements of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing the day and year first above written.

* SIGNATURE PAGE ATTACHED *

TEMPLETON PROPERTIES, LP, a Georgia Limited Partnership

By: TONY'S, INC., a North Carolina corporation,
General Partner

By: Philip A. Templeton (SEAL)
Philip A. Templeton, President

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Watauga

I, Jessica W. Harris, a Notary Public of the County and State aforesaid, certify that Philip A. Templeton, President of TONY'S, INC., a North Carolina corporation, General Partner of TEMPLETON PROPERTIES, LP, a Georgia Limited Partnership, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 6 day of May, 2022.

{affix legible notarial stamp or seal *within the margins* below}

Jessica W. Harris

NOTARY PUBLIC

My Commission expires: July 24, 2023

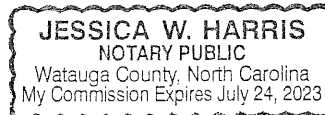


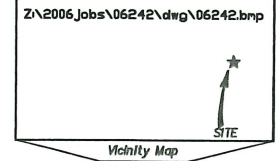
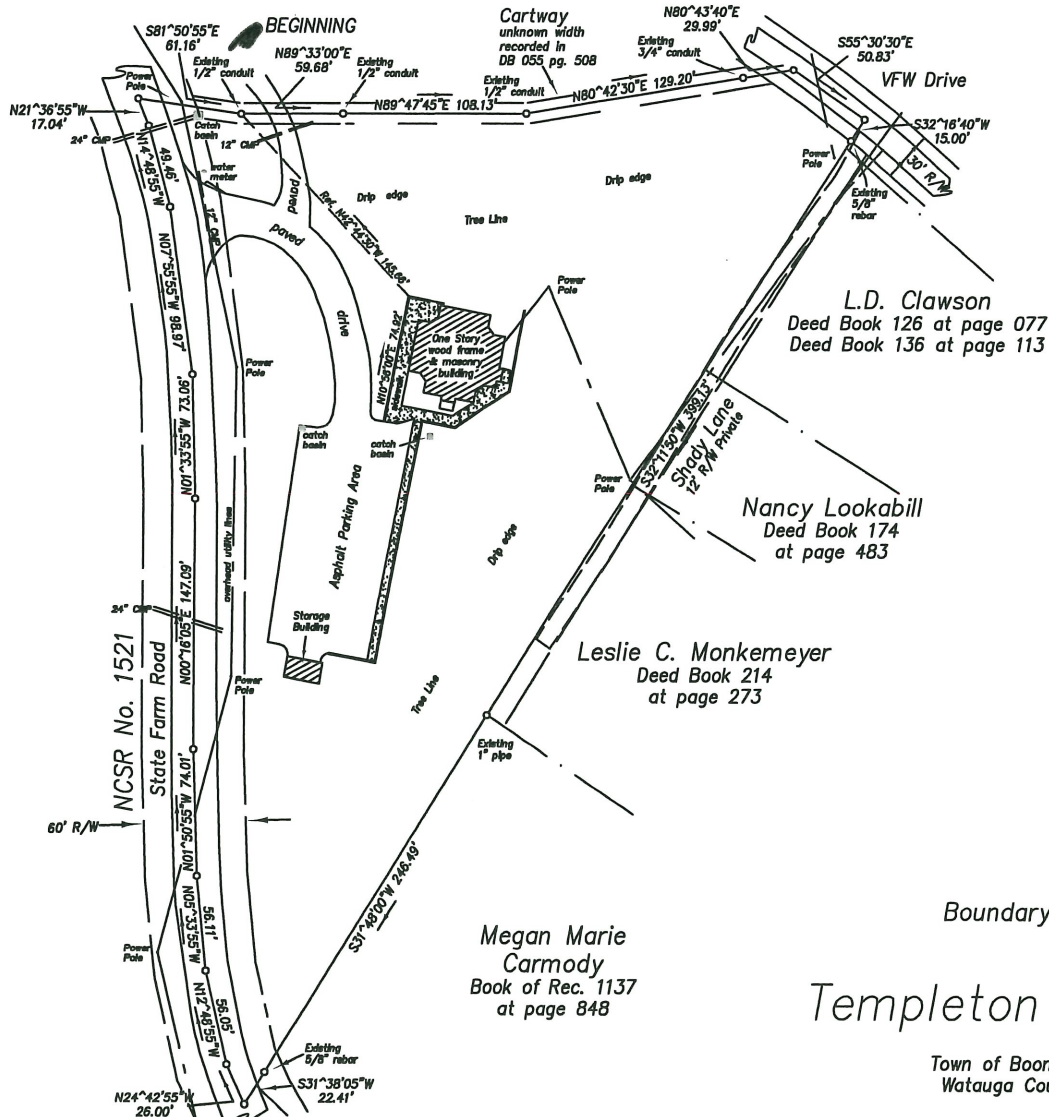
Exhibit A

Being a 2.906 acre parcel located on the east side of State Farm Road (NCSR 1521) in the Town of Boone, New River Township, Watauga County, North Carolina; bounded on the west by said road and M. Randolph Phillips (Deed Book 216, Page 458), on the north by the VFW (Deed Book 71, Page 282), VFW Drive and George William Durför (Book of Records 846, Page 87), on the east by Shady Lane in part, L.D. Clawson (Deed Book 126, Page 77 and Deed Book 136, Page 113), Nancy Lookabill (Deed Book 174, Page 483), Leslie Monkemeyer (Deed Book 214, Page 272) and J. Fulton Lovin (Book of Records 691, Page 643); and being more particularly described as follows:

Beginning at a point in State Farm Road (said point having coordinates of N: 905,455.866, E: 1,214,157.179 and being located S 66°26'30" E 1,994.44' (horizontal measurement) from NCGS "Horn" (NAD 83) with coordinates of N: 906,253.043, E: 1,212,328.970); thence from the beginning, leaving State Farm Road and with the VFW line and the center of a cartway reserved in Deed Book 55, Page 508, S 81°52'42" E 61.18' to a ½" conduit found; thence N 89°46'18" E 60.00' (crossing and old road bed of old State Farm Road) to a ½" conduit found; thence N 89°46'18" E 108.00' to a ½" conduit found; thence N 80°43'18" E 129.30' to a ¾" conduit found; thence N 80°43'18" E 30.00' to the center of VFW Drive; thence leaving the VFW line and the cartway and with the center of VFW Drive S 55°30'54" E 50.84'; thence leaving said drive and with the western edge of Shady Lane and the line of Clawson S 32°16'18" W 15.00' to a 5/8" rebar set; thence S 32°16'18" W 118.82' to a ¾" conduit found (buried), a corner to Lookabill; thence leaving the Clawson line and with the Lookabill line S 32°16'18" W 40.22' to a ¾" conduit found (buried); thence continuing with the Lookabill line in part and the Monkemeyer line in part S 32°16'18" W 240.49' to a 1" iron pipe found at a fence corner, a corner to Lovin; thence leaving the Monkemeyer line and with a fence and the Lovin line S 31°40'54" W 245.09' to a 5/8" rebar found at a fence corner and the corner of a block retaining wall; thence leaving the fence S 31°36'18" W 22.42' to the center of State Farm Road, said point being in the Phillips line; thence leaving the Lovin line and with said road and Phillips line N 24°44'42" W 26.01'; thence N 12°50'42" W 56.07'; thence N 05°35'42" W 56.13'; thence N 01°52'42" W 74.04'; thence N 00°14'18" E 147.14'; thence N 01°35'42" W 73.09'; thence N 07°57'42" W 99.01'; thence N 14°50'42" W 49.48'; thence N 21°38'42" W 17.05' to the beginning. Containing 2.906 acres as surveyed by Mitchell D. Willard, PLS L-3684 on March 24, 2004 (plat no. 0403011).

The above described parcel is subject to the certain exceptions 1-5 stated in Deed Book 168, Page 777.

Veterans of Foreign Wars Post 7031
Deed Book 071 at page 281



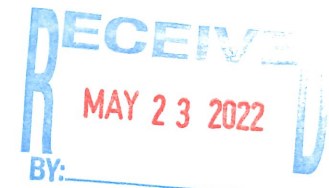
Total Area
2.907 Acres

L.D. Clawson
Deed Book 126 at page 077
Deed Book 136 at page 113

Nancy Lookabill
Deed Book 174
at page 483

Leslie C. Monkemeyer
Deed Book 214
at page 273

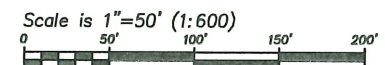
Megan Marie
Carmody
Book of Rec. 1137
at page 848



Boundary and Tree Survey
For
Templeton Properties, LP

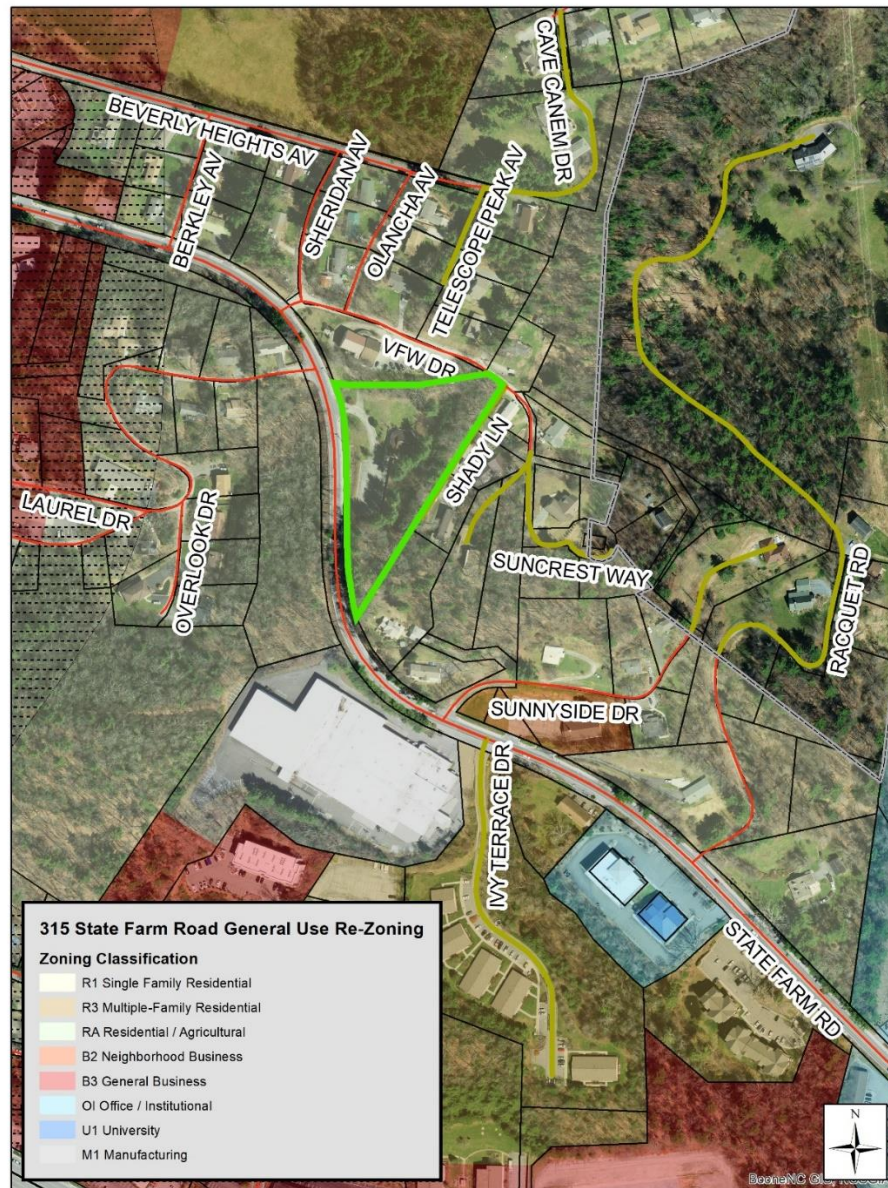
Town of Boone — New River Township
Watauga County — North Carolina

August 02, 2006



STAFF REPORT
PUBLIC HEARING
JULY 25, 2022

CASE PL05729-052322 -- 315 STATE FARM ROAD GENERAL USE ZONING MAP AMENDMENT



Requests

Jeff Templeton Rentals LLC has submitted a General Use Zoning Map Amendment Application to re-zone a 2.91 acre parcel located at 315 State Farm Road from R-1 Single Family Residential to OI Office/Institutional. The parcel fronts State Farm Road and backs up to VFW Drive. The Watauga County Parcel ID is 2910-45-2250-000.

Zoning Analysis

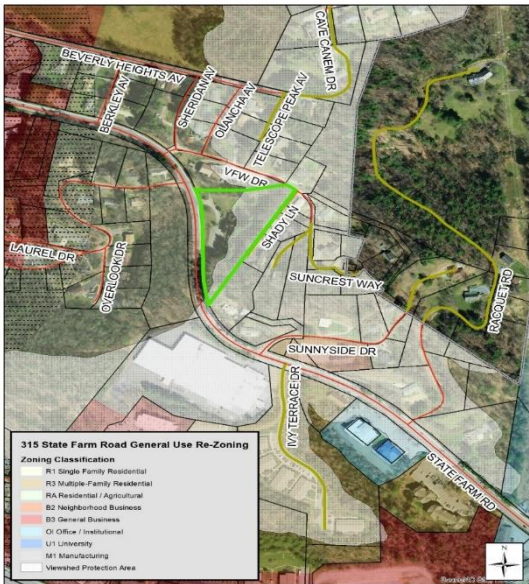
Property Owner: Jeff Templeton Properties LLC
Address: 315 State Farm Road
Watauga County PIN: 2910-45-2250-000
Use: Vacant (Formerly Religious Assembly Category 1)
Size: 2.91 acres
Jurisdiction: Town of Boone
Access: State Farm Road
Viewshed: Yes (Eastern portion of the parcel)
Watershed: No
Corridor District: No
Special Flood Hazard: No
Steep Slope: Yes
Existing Zoning: R1 Single-Family Residential
Proposed Zoning: OI Office/Institutional

Adjacent Zoning/Land Use

	Adjacent Zoning	Adjacent Land Use (Watauga Co. Tax Data)
North	R1 Single-Family Residential	Club/Lodge Category 1 (VFW Lodge) Single-Family
East	R1 Single-Family Residential	Single-Family
South	R1 Single-Family Residential	Vacant and Single-Family
West	R1 Single-Family Residential	Vacant

Note: The VFW Lodge immediately to the North is a non-conforming use. Club/Lodge Category 1 is not a permissible use in R1; it is not a permissible use in OI either.

To the right is a map showing the viewshed overlay.



Excerpt of ARTICLE 14 ZONING DISTRICT REGULATIONS

...

14.05 R1 Single-Family Residential District

- 14.05.01** The R1 Single Family Residential District is established to provide a low-density living area consisting only of single-family dwelling units and other related uses necessary for a sound neighborhood. The regulations for this district are designed to stabilize and encourage a comfortable, healthy, safe, aesthetically pleasing and pleasant living environment for family life that promotes peaceful quiet enjoyment sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

...

- 14.22.01** The OI Office/Institutional District is established to provide a zoning district which promotes the development of moderately intensive office and institutional uses which are oriented toward the provision of services versus the sale of products. Appropriate small-scale residential uses are allowed in this district to the point they support allowable office and institutional uses. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses...

B1.01 Complete Table of Principal Uses

Use #	Specific Use	R1	OI	Reference
1.0 Household Living				
1.01	Single-Family Dwelling	P		
1.02	Manufactured Home "Class A"			15.01
1.03	Manufactured Home "Class B"			15.01
1.04	Manufactured Home "Class C"			
1.05	Manufactured Home Park			15.02
1.06	Duplex (one duplex building per lot)			
1.07	Duplex (more than one duplex building per lot)			15.03
1.08	Townhouse (up to 30 bedrooms)			15.03
1.09	Townhouse (31-100 bedrooms)			15.03
1.10	Townhouse (> 100 bedrooms)			15.03
1.11	Multi-Family Dwelling (up to 30 bedrooms)			15.03
1.12	Multi-Family Dwelling (31-100 bedrooms)			15.03
1.13	Multi-Family Dwelling (> 100 bedrooms)			15.03

Use #	Specific Use	R1	OI	Reference
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)			15.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)			15.04
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)			15.04
1.17	Adult Living Community			
2.0 Group Living				
2.01	Family Care Home	L		15.06
2.02	Family Care Institutions		L ^{T125}	15.07
2.03	Halfway House, Category 1		L	15.07
2.04	Halfway House, Category 2		L ^{T125}	15.07
2.05	Residential Care Facility		p ^{T300}	
2.06	Fraternity or Sorority Dwelling			15.09
2.07	Boarding House			15.10
3.0 Transient Living				
3.01	Home for Survivors of Domestic Violence	L	L	15.11
3.02	Shelter for Homeless, Category 1		L ^{T50}	15.12
3.03	Shelter for Homeless, Category 2		L ^{T300}	15.12
3.04	Bed and Breakfast, Category 1	S ^{T50}		15.13
3.05	Bed and Breakfast, Category 2			15.13
3.06	Vacation Rental			15.14
3.07	Homestay Rental	L	L	15.05
3.08	Motel			
3.09	Hotel, Small			
3.10	Hotel, Large			
3.11	Hotel, extended stay			
4.0 Institutional				
4.01	Airport/Landing Strip			15.15
4.02	Heliport			

Use #	Specific Use	R1	OI	Reference
4.03	Funeral Home Establishment		P	
4.04	Cemetery	P	P	
4.05	Post Office		P	
4.06	Post Office, Distribution			
4.07	Animal Sanctuary			
5.0 Government Uses				
5.01	Government Cultural Facility		P	
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	S	P	
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity		P	
5.04	Recreation Facility, Category 1		P	
5.05	Recreation Facility, Category 2	P	P	
5.06	Recreation Facility, Category 3	S	pT50	
5.07	Event Venue, Category 1		P	
5.08	Event Venue, Category 2		P	
5.09	Event Venue, Category 3		pT50	
5.10	Landfill			
5.11	Solid Waste Processing			
5.12	Police Substation	P	P	
5.13	Utility Facility, Town	L	L	15.16
5.14	Utility Facility, Government, Neighborhood	L	L	15.16
5.15	Utility Facility, Government, Regional		L ^{T300}	15.16
5.16	Government Facility		P	
6.0 Non-Government Utility Facility				
6.01	Utility Facility, Neighborhood	L	L	15.16
6.02	Utility Facility, Regional		L ^{T300}	15.16
7.0 Wireless Communication				
7.01	Small Wireless Collocation	L	L	15.18

Use #	Specific Use	R1	OI	Reference
7.02	Wireless Facility Collocation on Existing Wireless Support Structure or Utility Pole	L	L	15.17
7.03	Stealth Wireless Facility Attached to Existing Building or Structure	L	L	15.17
7.04	Non-stealth Wireless Facility Attached to Existing Building or Structure			15.17
7.05	Non-stealth Wireless Facility Collocation on Electrical Transmission Towers	L	L	15.17
7.06	Stealth Wireless Support Structure	S/L	L	15.17
7.07	Non-stealth Wireless Support Structure		L	15.17
7.08	Emergency Response Communication Antenna	P	P	
8.0 Assembly				
8.01	Religious Assembly, Category 1	P	P	
8.02	Religious Assembly, Category 2	pT125	pT75	
8.03	Religious Assembly, Category 3			
8.04	Club/Lodge, Category 1			
8.05	Club/Lodge Which Does Not Serve Alcohol			
9.0 Education				
9.01	Public colleges and universities			
9.02	Private colleges and universities			
9.03	Trade school			
9.04	High school			
9.05	Elementary school			
9.06	Boarding school			
9.07	College- or university-operated community enterprise			15.63
9.08	College- or university-operated child daycare center			15.19
10.0 Daycare				
10.01	Child Daycare, Large			15.19
10.02	Child Daycare Center		L	15.19
10.03	Adult Daycare, Large			15.19
10.04	Adult Daycare Center		L	15.19

Use #	Specific Use	R1	OI	Reference
10.05	All Other Daycare		CD	
11.0 General Sales and Service				
11.01	Kennel			15.20
11.02	Veterinary Office/Hospital with Outdoor Kennels		L ^{T125}	15.20
11.03	Veterinary Office/Hospital without Outdoor Kennels		P	
11.04	Financial Institution ≤ 5,000 ft ²		P	
11.05	Financial Institution > 5,000 ft ²		P	
11.06	Restaurant ≤ 2,500 ft ² open to the public during 10 pm – 6 am		p ^{T75}	
11.07	Other Restaurants ≤ 2,500 ft ²		P	
11.08	Restaurant > 2,500 ft ² open to the public during 10 pm – 6 am		p ^{T200}	
11.09	Other Restaurants > 2,500 ft ²		p ^{T125}	
11.10	Restaurant ≤ 3,500 ft ² open to the public during 10 pm-6 am			
11.11	Other Restaurants ≤ 3,500 ft ²			
11.12	Bar			
11.13	ABC Store			
11.14	Personal Service Establishment open to the public during 10 pm-6 am		p ^{T75}	
11.15	Other Personal Service Establishments		P	
11.16	Retail Store up to 5,000 ft ²		P	
11.17	Retail Store more than 5,000 but less than 25,000 ft ²			
11.18	Retail Store 25,000 ft ² and greater			15.21
11.19	Reserved			
11.20	Business or Professional Office open to the public during 10 pm - am		p ^{T75}	
11.21	Other Business or Professional Office		P	
11.22	Medical Office, Category 1		p ^{T300}	
11.23	Medical Office, Category 2		p ^{T125}	
11.24	Medical Office, Category 3		p ^{T125}	
11.25	Medical Office, Category 4		P	

Use #	Specific Use	R1	OI	Reference
11.26	Hospital		pT300	
11.27	Medical Emergency Response		pT300	
11.28	Open Air Market, Recurring		L T50	15.22
11.29	Vehicle Sales and Service			15.23
11.30	Equipment Sales and Service			15.24
11.31	Moped Sales and Service			
11.32	Boat or Marine Craft Sales and Service			15.25
11.33	Impound Lot/Towing Service			15.26
11.34	Gas Station			
11.35	Car Wash			
11.36	Seasonal Retail Activities and Amusements		P	
11.37	Electric-Vehicle Charging Station			15.65
12.0 Recreation & Entertainment Uses				
12.01	Indoor Shooting Range			15.27
12.02	Outdoor Shooting Range			
12.03	Indoor Theater			
12.04	Outdoor Theater			
12.05	Event Venue, Category 1			
12.06	Event Venue, Category 2			
12.07	Event Venue, Category 3			
12.08	Campground and Recreational Vehicle Park			15.28
12.09	Coliseum			
12.10	Recreation Facility, Category 1		P	
12.11	Recreation Facility, Category 2		p T50	
12.12	Recreation Facility, Category 3			
12.13	Racetrack			
13.0 Agriculture				

Use #	Specific Use	R1	OI	Reference
13.01	Garden, Community	L	L	15.29
13.02	Garden, Residential	L	L	15.30
13.03	Agricultural Operation Excluding Livestock			
13.04	Agricultural Operation Including Livestock			
13.05	Swine Farm			
13.06	Confined Animal Feeding Operation (CAFO)			
13.07	Custom Slaughterhouse			
13.08	Other Slaughterhouse			
13.09	Forestry	L	L	15.31
14.0 Manufacturing				
14.01	Microbrewery			15.32
14.02	Brewpub			15.32
14.03	Brewery/Distillery			15.33
14.04	Brewery/Distillery, Other			15.34
14.05	Winery Associated with a Vineyard			15.35
14.06	Winery			15.35
14.07	Winery, Other			
14.08	Extraction of Earth Materials			
14.09	Machine/Welding Shop			15.37
14.10	Manufacturing, Other			15.38
15.0 Parking				
15.01	Parking Lot		L	15.39
15.02	Parking Structure		L	15.40
15.03	Park and Ride Lots		L	15.39
16.0 Storage				
16.01	Self-Storage Facilities			15.41
16.02	Outdoor Storage			15.42

Use #	Specific Use	R1	OI	Reference
16.03	Warehouse			
16.04	Fuel Storage Facility			
16.05	Chemical Storage Facility			
17.0 Transportation				
17.01	Passenger Terminals			
17.02	Trucking or freight terminal ≤ 10,000 ft ²			
17.03	Trucking or freight terminal > 10,000 ft ²			
18.0 Waste Related Uses				
18.01	Recycling Drop-off Station			15.42
18.02	Recycling and Salvage			15.42
18.03	Junkyard			
18.04	Private Landfill			
19.0 Particular Activities Which Pose Particular Concern About Public Health				
19.01	Electronic and Internet Gaming			15.43
19.02	Adult Establishments			15.44

B1.02 Complete Table of Accessory Uses

Use#	Accessory Use	R1	OI	Reference
A-1	Secondary suite	L	L	15.45
A-2	Home occupation	L	L	15.46
A-3	Accessory dwelling unit		L	15.47
A-4	Drive-through		L	15.48
A-5	Outdoor display		L	15.49
A-6	Outdoor storage			15.50
A-7	Outdoor dining		L	15.51
A-8	Automated teller machine (ATM)		P	
A-9	Automated teller machine (ATM), freestanding		L	15.52
A-10	Produce stand			15.53
A-11	Poultry	L	L	15.54
A-12	Livestock, small	L	L	15.55

Use#	Accessory Use	R1	OI	Reference
A-13	Livestock, large			15.56
A-14	Bees	L	L	15.57
A-15	Garden, residential	L	L	15.58
A-16	Satellite receiving antennas less than 1 meter in diameter	P	P	
A-17	Satellite receiving antennas less than 2 meters in diameter		P	
A-18	Satellite receiving antennas 2 meters and greater in diameter		S	
A-19	Helistop		S ^{T300}	
A-20	Swimming pools, spas, and hot tubs	L	L	15.59
A-21	Caretaker's residence		L	15.60
A-22	Vehicular gate	L	L	15.61
A-23	Vehicle washing station		P	
A-24	Chemical storage facility			
A-25	Open air market, accessory	L	L	15.22
A-26	Daycare, small	P	P	
A-27	Limited structure to enable recreational use of open rooftops			14.03.07(G) 14.19.06(H) (8)(d)
A-28	Solar Energy System	L	L	15.64
A-29	Electric-Vehicle Charging Station	L	L	15.65

B1.03 Complete Table of Temporary Uses

Use #	Temporary Use	R1	OI	
T-1	Temporary family care structure	L	L	15.62
T-2	Temporary construction or repair dwelling	L	L	15.62
T-3	Temporary construction trailer	L	L	15.62
T-4	Temporary mobile medical unit		L	15.62
T-5	Temporary classroom		L	15.62
T-6	Temporary portable storage containers	L	L	15.62
T-7	Temporary staging		L	15.62
T-8	Temporary non-fixed site event venue		L	15.62
T-9	Carrier on wheels (cow)	L	L	15.62
T-10	Yard sales	L	L	15.62
T-11	Itinerant merchant/peddler	L	L	15.62
T-12	Open air market, temporary		L	15.62
T-13	Temporary Use 9.01 Public Colleges and Universities		L	15.62

B1.04 Intensity Table

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Minimum Livability Space Ratio* (LSR)	Minimum Setbacks	
					Street	Interior
R1	8,000 sq. ft.	70 ft.	56 ft.	.53	20 ft.	14 ft.
OI	10,000 sq. ft.	100 ft.	80 ft.	.27	20 ft.	17 ft.

...

Building Height

Zone	Height Limitation
R1	3 stories/40'; accessory structures may not exceed 25'
OI	4 stories/67'

...

14.03.07 Building Height

- A.** The height of a building shall be the vertical distance measured from the average elevation of the finished grade at the primary façade of the building to the highest point of the building except as provided herein.
- B.** "Stories" as used herein refers to the number of heated, habitable floors above grade at the primary facade. Where both stories and heights are listed, the building can have no more than the listed number of stories, and also may not exceed the specified height in feet.
- C.** Secondary Height: If expressly allowed, the height limitation may range between the primary height limitation to the secondary height limitation (which is the maximum for the district), subject to the provisions below:
1. For each foot the height of the structure exceeds the primary height limitation, the boundary lot setback applicable to the entire structure shall increase by one foot (1').
 2. For each story which exceeds the primary height limitation, the boundary lot setback applicable to the entire structure shall increase by 11 feet (11').
 3. In no case shall the height of a structure exceed the secondary height limitation established for the district.

Occupancy

Zone	Height Limitation
R1	One (1) family or up to two (2) unrelated persons (see Section 14.04). A dwelling occupied by a family (but not by unrelated persons) may also have one (1) roomer.
OI	One (1) family or up to four (4) unrelated persons (see Section 14.04). A dwelling occupied by a family (but not by unrelated persons) may also have two (2) roomers.

Note: Most residential uses are not allowed in the OI district.

...

2006 Comprehensive Plan Analysis**1.1 OVERALL OBJECTIVES FOR THE BOONE COMPREHENSIVE PLAN (p. 15):**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

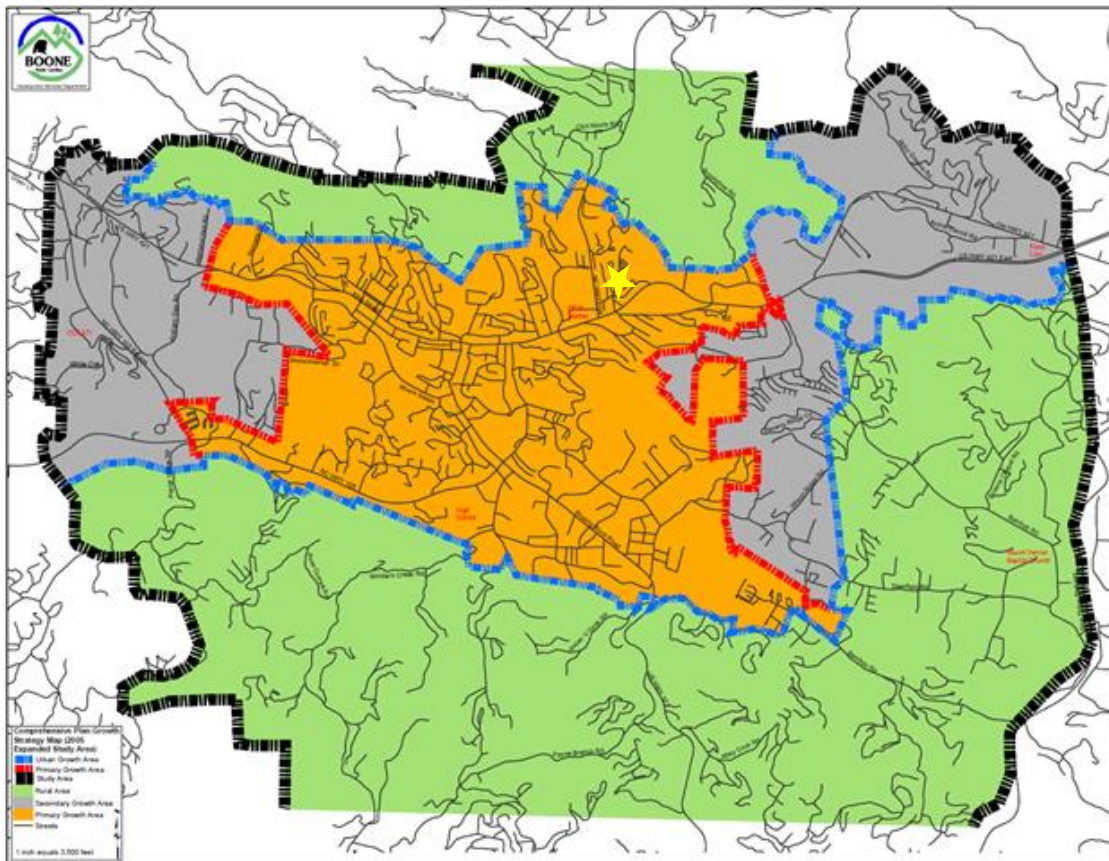
Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

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

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

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

1.2 GROWTH STRATEGY MAP (p. 17):



The portion of the property within the corporate limits is located within the Primary Growth area.

The Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

The Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies and actions which in staff's opinion have a bearing on the request. Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight.

2.1 Economy (page 21)

2.1.1 Economic Development

- A.** The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
 - A.1** Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
 - A.2** Adopt analytically sound, technically based hillside development regulations to preserve natural beauty.
 - A.3** Support the Arts Council, Jones House, ASU and others in attracting quality cultural events to Boone.
 - A.4** Balance the benefits of economic development projects with special concern for environmental quality issues.
- B.** New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- C.** The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.
- D.** Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
 - D.1** Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.
 - D.2** Urge the resolution of the clean-up process of the 482 State Farm Road site so as to render the building suitable for use as soon as possible.
 - D.3** Pursue annually at least one joint public-private venture that will benefit the community at large.
- E.** The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
 - E.1** Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance

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

- F.** New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.
- G.** The Town shall support the development of new business parks.
 - G.1** Identify suitable property for possible business park development.
- H.** The Town shall promote coordination of economic development resources with the appropriate institutions and agencies. Regional coordination and interaction among areas with a shared economic interest shall be encouraged.
 - H.1** Assist business recruitment and expansion efforts by providing demographic and market data and development information to potential developers and business prospects. Direct such interested parties, by referral through the Economic Development Director, to identified locations in the community.
 - H.2** Include economic development as a specific point of discussion by the recently created Community Council.
 - H.3** Continue to support the Economic Development Commission as the lead economic development agency in the county. Continue to support and work with the Committee of 100, Chamber of Commerce, Tourism Development Authority, High Country Host, Broyhill Institute for Business Development, High Country Council of Governments, Caldwell Community College and Technical Institute, JobLink and others on issues of economic benefit to the whole community.
- I.** Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.
- J.** Appropriate educational and training programs shall be encouraged to help local residents, especially those unemployed and underemployed, take advantage of business expansion and to develop new skills.
 - J.1** Encourage the growth of a student internship program between area businesses, ASU and Caldwell Community College and Technical Institute as a means of providing training for Boone area citizens.
 - J.2** Actively pursue workforce training through ASU and Caldwell Community College and Technical Institute to meet existing needs of current employers and make efforts to develop the skills necessary for higher paying jobs.
 - J.3** Support careers education programs in the public schools.
- K.** Boone shall identify and provide services consistent with the needs of the area's growing retiree population.
 - K.1** Support local agencies and institutions efforts in the development of programs and services providing for the needs of the growing retiree population.

...

2.2 Infrastructure**2.2.2 Utilities (page 49)**

- A. Extensions of water and/or sewer services that could result in scattered, non-directed development and costly provision of other urban services shall be prohibited.
- B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.
 - B.1 Continue to monitor water consumption at the Boone Water Treatment Plan with an eye toward planning for expansion of the facility when appropriate.
- C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.
- D. Water and sewer services shall not be extended to properties in the Rural Area (outside the Urban Growth Area). Exceptions to this policy may include the provision of services to other local governments, cooperative agreements on major economic development initiatives, and extensions needed to address imminent public health problems or related environmental hazards.
 - D.1 Establish revised written water and sewer service extension policies consistent with the designated growth area on the Growth Strategy Map of this plan. Coordinate with the County in assessing water and sewer needs in the areas of the county that are already facing significant development pressures, and that are supportive of an organized, planned growth strategy.
- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.
 - E.1 Establish an incentive program to encourage development within the Urban Growth Area.
- F. Area-wide cooperation and support shall be sought in bringing in alternative utility services to the Boone Area.
 - F.1 Consider the establishment of an "Alternate Energy Commission" to address this and other energy issues on an on-going basis.
- G. Long range planning for a possible stormwater collection and treatment system shall be supported, including the development of financial and regulatory strategies.
 - G.1 Prepare a community-wide stormwater management strategy to address the future implementation of NPDES Phase II program requirements.

...

2.3 Community**2.3.2 Community Character (page 75)**

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
 - A.1 Conduct on-going assessments of critical locations in community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise.
 - A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
 - B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
 - C.1 Consider the placement of public art at appropriate locations in downtown, including murals.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
 - D.1 Carefully scrutinize proposed road widening to ensure that such actions do not destroy community and neighborhood character.
 - D.2 Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

2.3.3 Housing & Neighborhoods (page 79)

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
 - A.1 As road widenings are proposed, carefully evaluate their potential impact on the integrity of residential areas, pedestrian-oriented commercial districts, and the ability of bicyclists and pedestrians to function in the affected area.
 - A.2 Prepare at least two neighborhood plans, working closely with neighborhood residents, and incorporating the full range of neighborhood issues to include: land use, traffic, housing, neighborhood business services, infrastructure improvements, parks and recreation needs, crime and safety.
 - A.3 Prepare a document readily accessible to the public that details residential zoning areas and the date on which each was implemented.

- A.4** Establish a planning and development policy that protects older established residential neighborhoods from the negative effects of adjacent commercial development.
- A.5** Establish a task force to determine how like communities successfully enforce their existing residential codes. Items requiring focused attention: Detailed analysis of implementation and enforcement. For example, penalties, personnel requirements, budget implications, long-term effect on town character and economic development.
- A.6** Implement a residential zoning enforcement policy based on the task force analysis above.
- B.** Street system designs which discourage through traffic on purely local streets while allowing for free circulation within the neighborhood shall be encouraged.
 - B.1** Update the Town's standards for subdivision street layouts, emphasizing circulation between neighborhoods and the ability of pedestrians and bicyclists to travel on back streets throughout the town.
 - B.2** To the extent federal and state funding programs will allow, seek and apply for at least one grant to provide for bicycle paths to connect residential areas with commercial and university districts.
- C.** Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
 - C.1** Amend the zoning map and development regulations to prevent residential uses from locating adjacent to existing developments and other uses which may have characteristics which cannot be effectively mitigated.
- D.** Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
 - D.1** Continue to evaluate opportunities in the zoning ordinance for flexibly designed and located single-family and multi-family residential developments.
 - D.2** Establish ongoing relationships with ASU's departments of Geography and Planning, Appropriate Technology, and Sustainable Development to develop, enhance, and implement efforts toward creating affordable housing, appropriate infill development, neighborhood livability standards, and design standards for multi-family development. This should include attention to lighting, bike and pedestrian pathways, and federal, state, and local funding sources.
- E.** Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.
 - E.1** Review the zoning ordinance for the appropriate placement of high density housing near urban activity centers that are coordinated with transit system stops.
- F.** The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.
 - F.1** To the extent the federal and state funding programs will allow, seek and apply for at least one grant to provide for low to moderate income housing.

- G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

...

Certificate of Mailing

I, Brenda Henson, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on July 5, 2022.

/s/ Brenda Henson

Brenda Henson, Administrative Support Specialist

Certification of Posting

I, Brandon Wise, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on July 5, 2022.

/s/ Brandon Wise

Brandon Wise, Environmental Planner

General Use Zoning Map Amendment Guidance

Pursuant to UDO Subsection 9.07.01, in deciding whether to adopt a proposed amendment to the UDO, the central issue before the Council is whether the proposed amendment advances the public health, safety, or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and be excluded. In particular, when considering proposed general use map amendments, the Council shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification. The Council shall only consider the impact of the proposed change on the public at large.

PLANNING BOARD REPORT

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council

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

Note 1

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

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of the proposed amendment to the Town's Zoning map and believes ☐approval OR ☐denial to rezone the portion of the property from R1 Single-Family to OI Office/Institutional is reasonable and in the public interest because:

Note 2

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

TOWN COUNCIL ACTION

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the Town Council statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

Ordinance PL05729-052322

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to rezone the parcel identified below to OI Office/Institutional:

Address: 315 State Farm Road
 Watauga County PIN: 2910-45-2250-000
 Property Owner: Jeff Templeton Rentals, LLC

WHEREAS, in accordance with the procedures set forth in the Town of Boone Unified Development Ordinance, the Commission and Council met to consider the proposed amendment on July 25, 2022; and

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

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Article 9 of the Town of Boone Unified Development Ordinance, the Town of Boone duly advertised and held a public hearing to consider the proposed amendment.

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

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

Note 1

Vote 2: The Town Council ☐approves OR ☐denies the proposed amendment to the Town's Zoning map and believes ☐approval OR ☐denial to rezone the portion of the property from R1 Single-Family to OI Office/Institutional is reasonable and in the public interest because:

Note 2

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

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

General Use Zoning Map Amendment Application

Town of Boone Planning & Inspections Department

680 W. King Street, Suite C ♦ Boone, North Carolina 28607

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: planning@townofboone.net ♦ www.townofboone.net



A. ARequired to be Submitted at Time of Application

Notes: It is recommended that applicants schedule a meeting with Planning & Inspections Staff prior to application submittal.

Failure to provide the info required on this application may delay the review and scheduling of the requested hearing.

- ☐ Property Owner Authorization for all property included in the request. See [Section D](#).
- ☐ Deed(s) of all property to be included in the request,
- ☐ Both a digital and a hard copy of a written metes and bound legal description with accompanying survey map for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts.
- ☐ Permit Fee (See Planning & Inspections Fee Schedule)

Each application is allowed two (2) reviews. The 1st review of the submitted information and a 2nd review if revisions or supplemental information is required based upon the 1st review. Each subsequent review after the 2nd review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal.

B. Property Information

Street Address: Hwy. 105 Watauga County Parcel Identification Number: 2900-44-8162-000

Existing Zoning District(s): N/A Proposed Zoning District(s): B3, General Business

Adjacent Land Uses: N: Single Family, Public E: Hotel, Large
S: Colleges/Universities-Leased Swing Space W: Vehicle Sales & Service
S: Vacant

Are there any existing variances or special use permits granted to the property? ☐Yes ☒No ☐Unknown

If yes, describe: _____

Total Land Area: .140 acres

C. Property Owner Information

Name: Norvell of Boone, LLC

Complete Mailing Address (Street, City, Zip): 103 North Sterling St., 2nd Floor/Morganton, NC 28759

Phone Number: 828-433-9125 Email Address: norvellj@bellsouth.net

Preferred Method of Contact for Written/Response Documents (select one): ☐ Mail or ☐ Email

D. Applicant Signature and Property Owner Authorization

By signing this form you are certifying that this application and any attached information are accurate. Failure to provide accurate information or failure to provide any requested information may result in delays to permit processing.

NA-Request processed in conjunction with property owner's request for annexation of property

Property Owner (Print)

Property Owner (Signature)

Date

Official Use Only				
Permit Name:				
Permit Number:				
Date:	Fee:	Receipt Number:	Method of Payment: ☐ Cash ☐ Check Number: _____	Paid By:

Official Use Only - Hearing/Decision Information

Public Hearing Meeting Date: 07/25/2022

PC Meeting Date: 07/25/2022

TC Meeting Date: _____

Date of APO Mailed Notification: 07/05/2022

Date of Posted Notification: 07/05/2022

Request Approved: ☐ Yes ☐ No If yes, date request sent to GIS: _____

S:\FORMS\PI_Forms_Current\Planning Forms\GenUseZMapAmend_07012019.docx

Communication: Case PL05774-060922 Application (Case PL05774-060922 O'Reilly Auto Parts - General Use Zoning Map Amendment)

Staff Report
Public Hearing
July 25, 2022
Case PL05774-060922 Norvell Boone, LLC (O'Reilly's Auto Parts)
General Use Zoning Map Amendment



Request

The Town of Boone has initiated the zoning of a portion of property on NC Hwy 105 and Snaggy Mountain Blvd to B3 General Business and Corridor District overlay. The remainder of the portion of Watauga County PIN: 2900-44-8162-000, already in the corporate limits is currently zoned B3 General Business and Corridor Overlay. This property is owned by Novell Boone, LLC which is proposed to be an O'Reilly Auto Parts. Zoning is to coincide with the property owner's voluntary annexation of the property.

HISTORY

1-10-2017: Town of Boone lost authority to exercise powers of extraterritorial jurisdiction. A portion of the subject property was previously located within the Boone ETJ.

O'Reilly Tract, highlighted borders in green: Watauga County PIN 2900-44-8162-000, contains the proposed O'Reilly Auto Parts building located on Highway 105. Though the majority of this tract is within the corporate limits, .140 acres (the southern corner of the



parcel) is located outside of the corporate limits. The .140 acres was previously part of the Boone ETJ and was zoned B-3 General Business with a portion of that area following into the Corridor District overlay (the same zoning as the remainder of the parcel within the corporate limits).

06-29-2021 Application submitted for construction of an O'Reilly Auto Parts (Use 11.29 Vehicle Sales or Service). Upon review, Public Works, Utilities Division approved the project pursuant to Town Code § 50.286 (B), which requires that in the event a property is not wholly within the corporate town limits, the town shall provide a connection upon the owner agreeing to pursue voluntary annexation of the part of the property not in the town limits, and executing a petition to annex or such agreement to annex in the future as the town may at its option require.

- 04-20-2022 A Zoning Permit was issued for construction of new Vehicle Sales and Service facility on parcel 2900-44-8162-000.
- 03-01-2022 O'Reilly Auto Parts filed a Voluntary Annexation Petition with the Town of Boone.

ZONING ANALYSIS

	Current Development Parcel
Petitioner	Norvell Boone, LLC
Address	No address assigned yet
Watauga County PIN	2900-44-8162-000
Use	11.29 Vehicle Sales and Service
Size	1.172 acres (total parcel) .140 acres to be annexed/zoned
Jurisdiction	Watauga County/Town of Boone
Access	NC Hwy 105 (fronts Snaggy Mountain Blvd but no access)
Viewshed	No
Watershed	No
SFHA	Yes (portion already within corporate limits)
Steep Slope	Yes
Very Steep Slope	Yes
Existing Zoning	B-3 General Business for portion of parcel currently in Town
Previous Zoning	B-3 General Business for the portion previously within the ETJ
Requested Zoning	B-3 General Business
Vesting	No

Analysis of Adjacent Zoning

	Adjacent Zoning	Adjacent Land Use
North	B-3 General Business	1.01, Single Family Residential, T-13, Temporary Use 9.01 Public Colleges and Universities-Leased "Swing Space"
East	B-3 General Business	3.10, Hotel Large
South	R-3 Multi-family Residential	Vacant
West	B-3 General Business	11.29, Vehicle Sales and Service

Below are excerpts from UDO Article 4 and Appendix B regarding the B3 General Business District and Corridor District.

Excerpt of ARTICLE 14 ZONING DISTRICTS

.....

14.21 B-3 General Business District

14.21.01 The B3 General Business District is primarily intended to accommodate a wide range of office, restaurant, retail, service, and multi-family residential uses in a mixed-use environment. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

...

14.40 Corridor Overlay Districts

14.40.01 The corridor districts are established overlay district intended to protect the main thoroughfares through Town.

14.40.02 The following corridor district(s) are hereby established, with the limits of each district being 550' on either side of the centerline of each of the following thoroughfares, and shall apply to all development other than single-family dwellings along the thoroughfare:

- A. US Hwy 421 East:** Beginning at the intersection with US Hwy 321 (Hardin Street) and extending east along the centerline of US Hwy 421 to the farthest extent of the Town's planning jurisdiction. This Corridor District includes both the old two-lane portion of US Hwy 421 and the new four lane portion of US Hwy 421 located in the Town's extraterritorial jurisdiction.
- B. US Hwy 421 West:** Beginning at the intersection with Poplar Grove Connector and extending west along the centerline of US Hwy 421 to the farthest extent of the Town's planning jurisdiction.
- C. US Hwy 321:** Beginning at the intersection with US Hwy 421 (East King Street) and extending south along the centerline of US Hwy 321 to the farthest extent of the Town's planning jurisdiction.
- D. NC Hwy 105:** Beginning at the intersection with US Hwy 321 (Blowing Rock Road) and extending west along the centerline with NC Hwy 105 to the intersection of NC Hwy 105 Bypass (SR 1107).
- E. NC Hwy 105 Extension:** Beginning at the intersection with US 321 (Blowing Rock Road) and extending north along the centerline with NC Hwy 105 Extension to the intersection of US Hwy 421.
- F. NC Hwy 105 Bypass (SR1107):** Beginning at the intersection with NC Hwy 105 and extending north along the centerline of NC Hwy 105 Bypass to the farthest extent of the Town's planning jurisdiction.
- G. NC Hwy 194:** Beginning at the intersection with US Hwy 421 (East King Street) and extending north along the centerline with NC Hwy 194 to the farthest extent of the Town's planning jurisdiction.

14.40.03 Site development requirements shall apply to all developments within the established corridor district with the exception of single-family residences.

14.40.04 The requirements for all properties are listed below.

- A. Allowed Access:** All lots recorded and shown on tax maps at the Watauga County Register of Deeds and Tax Office as of the effective date of this Ordinance shall be permitted one driveway access.
 - 1. A development that encompasses more than one parcel shall be permitted only one driveway access on the protected thoroughfare for the project.
 - 2. If any street(s) or road(s) other than the thoroughfare(s) protected by this Ordinance is (are) available for access to any parcel, tract or development, access must be taken from the alternate street(s).
 - a. If the alternate street access is not adequate to serve the parcel, tract or development, a single access point to the regulated thoroughfare may be allowed.
- B. Transition Tapers and Deceleration Lanes:** These may be required for any driveway or development if the size of the development and/or traffic volume warrants, and shall be constructed in accordance

with NCDOT standards. Transition tapers and deceleration lanes shall be required in accordance with standard engineering practices which analyze the results of the cumulative impacts of site distance, type of development and size of development.

- C. Corner Clearance: No driveway, except single-family residential access, shall be allowed within 150' of the centerline of an intersecting street.
- D. Driveway Spacing: The distance between any two [2] drives shall be 150' on the protected thoroughfare[s].
 - 1. The driveway spacing requirement shall be measured along the right-of-way line from the centerline of the driveway.
- E. Subdivision Frontage: Any tract proposed for subdivision which borders the protected thoroughfare(s) shall provide sufficient frontage on another street [either pre-existing or created as part of the subdivision] for all lots created out of such tract so that direct access to lots does not need to be provided on the protected thoroughfare[s].
- F. Access Driveways: All developments (greater than 50,000 square feet of gross floor area) and fronting the protected thoroughfare[s] shall provide landscaped medians within the access driveway.
- G. Access not Prohibited: Any parcel of record on the effective date of this Ordinance that has been prohibited all vehicular access based on the provisions herein shall be allowed one (1) access point to its street frontage while meeting the intent of the technical requirements as is practical.
- H. Coordination of Access: Access shall be coordinated between adjoining properties for vehicles, pedestrians and bicycles. Pedestrian linkages must be in an acceptable form such as sidewalks, maintained gravel paths and paved walks.
- I. Transit Shelters and Stops: All developments (having greater than 50,000 square feet of gross floor area) shall provide transit shelters and stops as needed after consultation with local transit officials.

14.40.05 No requirement of the corridor district shall repeal, modify or amend any federal or state law or regulation, but shall replace any specific regulation or Ordinance provision pertaining to the specific requirement within this Ordinance.

Excerpts from UDO Appendix B –Next pages

B1.01 Complete Table of Principal Uses

Use #	Specific Use	B3	Reference
1.0 Household Living			
1.01	Single-Family Dwelling		
1.02	Manufactured Home "Class A"		15.01
1.03	Manufactured Home "Class B"		15.01
1.04	Manufactured Home "Class C"		
1.05	Manufactured Home Park		15.02
1.06	Duplex (one duplex building per lot)		
1.07	Duplex (more than one duplex building per lot)		15.03

Use #	Specific Use	B3	Reference
1.08	Townhouse (up to 30 bedrooms)		15.03
1.09	Townhouse (31-100 bedrooms)		15.03
1.10	Townhouse (> 100 bedrooms)		15.03
1.11	Multi-Family Dwelling (up to 30 bedrooms)		15.03
1.12	Multi-Family Dwelling (31-100 bedrooms)		15.03
1.13	Multi-Family Dwelling (> 100 bedrooms)		15.03
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)	L	15.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)	L ^{T125}	15.04
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)	L ^{T200}	15.04
1.17	Adult Living Community		
2.0 Group Living			
2.01	Family Care Home		15.06
2.02	Family Care Institutions		15.07
2.03	Halfway House, Category 1		15.07
2.04	Halfway House, Category 2		15.07
2.05	Residential Care Facility	p ^{T300}	
2.06	Fraternity or Sorority Dwelling		15.09
2.07	Boarding House	L	15.10
3.0 Transient Living			
3.01	Home for Survivors of Domestic Violence		15.11
3.02	Shelter for Homeless, Category 1	L ^{T50}	15.12
3.03	Shelter for Homeless, Category 2	L ^{T300}	15.12
3.04	Bed and Breakfast, Category 1		15.13
3.05	Bed and Breakfast, Category 2	L ^{T125}	15.13
3.06	Vacation Rental	L ^{T75}	15.14
3.07	Homestay Rental	L	15.05
3.08	Motel	p ^{T300}	

Use #	Specific Use	B3	Reference
3.09	Hotel, Small	P	
3.10	Hotel, Large	pT200	
3.11	Hotel, extended stay	pT300	
4.0 Institutional			
4.01	Airport/Landing Strip		15.15
4.02	Heliport		
4.03	Funeral Home Establishment	P	
4.04	Cemetery	P	
4.05	Post Office	P	
4.06	Post Office, Distribution		
4.07	Animal Sanctuary		
5.0 Government Uses			
5.01	Government Cultural Facility	P	
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	P	
5.03	Government Neighborhood Cultural Facility, Includes Outdoor Activity	P	
5.04	Recreation Facility, Category 1	P	
5.05	Recreation Facility, Category 2	P	
5.06	Recreation Facility, Category 3	pT50	
5.07	Event Venue, Category 1	P	
5.08	Event Venue, Category 2	P	
5.09	Event Venue, Category 3	pT50	
5.10	Landfill		
5.11	Solid Waste Processing		
5.12	Police Substation	P	
5.13	Utility Facility, Town	L	15.16
5.14	Utility Facility, Government, Neighborhood	L	15.16
5.15	Utility Facility, Government, Regional	L ^{T300}	15.16

Use #	Specific Use	B3	Reference
5.16	Government Facility	P	
6.0 Non-Government Utility Facility			
6.01	Utility Facility, Neighborhood	L	15.16
6.02	Utility Facility, Regional	L ^{T300}	15.16
7.0 Wireless Communication			
7.01	Small Wireless Collocation	L	15.18
7.02	Wireless Facility Collocation on Existing Wireless Support Structure or Utility Pole	L	15.17
7.03	Stealth Wireless Facility Attached to Existing Building or Structure	L	15.17
7.04	Non-stealth Wireless Facility Attached to Existing Building or Structure		15.17
7.05	Non-stealth Wireless Facility Collocation on Electrical Transmission Towers	L	15.17
7.06	Stealth Wireless Support Structure	L	15.17
7.07	Non-stealth Wireless Support Structure	L	15.17
7.08	Emergency Response Communication Antenna	P	
8.0 Assembly			
8.01	Religious Assembly, Category 1	P	
8.02	Religious Assembly, Category 2	P	
8.03	Religious Assembly, Category 3	p ^{T200}	
8.04	Club/Lodge, Category 1	p ^{T75}	
8.05	Club/Lodge Which Does Not Serve Alcohol	P	
9.0 Education			
9.01	Public colleges and universities		
9.02	Private colleges and universities		
9.03	Trade school		
9.04	High school		
9.05	Elementary school		
9.06	Boarding school		
9.07	College- or university-operated community enterprise		15.63

Use #	Specific Use	B3	Reference
9.08	College- or university-operated child daycare center		15.19
10.0 Daycare			
10.01	Child Daycare, Large		15.19
10.02	Child Daycare Center	L	15.19
10.03	Adult Daycare, Large	L	15.19
10.04	Adult Daycare Center	L	15.19
10.05	All Other Daycare		
11.0 General Sales and Service			
11.01	Kennel	L ^{T125}	15.20
11.02	Veterinary Office/Hospital with Outdoor Kennels	L ^{T125}	15.20
11.03	Veterinary Office/Hospital without Outdoor Kennels	P	
11.04	Financial Institution ≤ 5,000 ft ²	P	
11.05	Financial Institution > 5,000 ft ²	P	
11.06	Restaurant ≤ 2,500 ft ² open to the public during 10 pm – 6 am	P ^{T75}	
11.07	Other Restaurants ≤ 2,500 ft ²	P	
11.08	Restaurant > 2,500 ft ² open to the public during 10 pm – 6 am	P ^{T200}	
11.09	Other Restaurants > 2,500 ft ²	P ^{T125}	
11.10	Restaurant ≤ 3,500 ft ² open to the public during 10 pm-6 am		
11.11	Other Restaurants ≤ 3,500 ft ²		
11.12	Bar		
11.13	ABC Store	P	
11.14	Personal Service Establishment open to the public during 10 pm-6 am	P ^{T75}	
11.15	Other Personal Service Establishments	P	
11.16	Retail Store up to 5,000 ft ²	P	
11.17	Retail Store more than 5,000 but less than 25,000 ft ²	P ^{T200}	
11.18	Retail Store 25,000 ft ² and greater	L ^{T300}	15.21
11.19	Reserved		

Use #	Specific Use	B3	Reference
11.20	Business or Professional Office open to the public during 10 pm - am	pT75	
11.21	Other Business or Professional Office	P	
11.22	Medical Office, Category 1	pT300	
11.23	Medical Office, Category 2	pT125	
11.24	Medical Office, Category 3	pT125	
11.25	Medical Office, Category 4	P	
11.26	Hospital		
11.27	Medical Emergency Response	pT300	
11.28	Open Air Market, Recurring	L ^{T75}	15.22
11.29	Vehicle Sales and Service	L ^{T75}	15.23
11.30	Equipment Sales and Service	L ^{T125}	15.24
11.31	Moped Sales and Service	P	
11.32	Boat or Marine Craft Sales and Service	L ^{T75}	15.25
11.33	Impound Lot/Towing Service	L ^{T125}	15.26
11.34	Gas Station	pT125	
11.35	Car Wash	pT125	
11.36	Seasonal Retail Activities and Amusements	P	
11.37	Electric-Vehicle Charging Station	L	15.65
12.0 Recreation & Entertainment Uses			
12.01	Indoor Shooting Range	L ^{T75}	15.27
12.02	Outdoor Shooting Range		
12.03	Indoor Theater	P	
12.04	Outdoor Theater	pT125	
12.05	Event Venue, Category 1	P	
12.06	Event Venue, Category 2	pT125	
12.07	Event Venue, Category 3	pT200	
12.08	Campground and Recreational Vehicle Park	L ^{T200}	15.28

Use #	Specific Use	B3	Reference
12.09	Coliseum	S ^{T300}	
12.10	Recreation Facility, Category 1	P	
12.11	Recreation Facility, Category 2	P ^{T50}	
12.12	Recreation Facility, Category 3	P ^{T200}	
12.13	Racetrack		
13.0 Agriculture			
13.01	Garden, Community	L	15.29
13.02	Garden, Residential	L	15.30
13.03	Agricultural Operation Excluding Livestock		
13.04	Agricultural Operation Including Livestock		
13.05	Swine Farm		
13.06	Confined Animal Feeding Operation (CAFO)		
13.07	Custom Slaughterhouse		
13.08	Other Slaughterhouse		
13.09	Forestry	L	15.31
14.0 Manufacturing			
14.01	Microbrewery	L ^{T125}	15.32
14.02	Brewpub	L ^{T125}	15.32
14.03	Brewery/Distillery	L ^{T125}	15.33
14.04	Brewery/Distillery, Other		15.34
14.05	Winery Associated with a Vineyard		15.35
14.06	Winery	L ^{T125}	15.35
14.07	Winery, Other		
14.08	Extraction of Earth Materials		
14.09	Machine/Welding Shop	L ^{T200}	15.37
14.10	Manufacturing, Other		15.38
15.0 Parking			

Use #	Specific Use	B3	Reference
15.01	Parking Lot	L	15.39
15.02	Parking Structure	L	15.40
15.03	Park and Ride Lots	L	15.39
16.0 Storage			
16.01	Self-Storage Facilities	L ^{T75}	15.41
16.02	Outdoor Storage		15.42
16.03	Warehouse		
16.04	Fuel Storage Facility	p ^{T300}	
16.05	Chemical Storage Facility		
17.0 Transportation			
17.01	Passenger Terminals	p ^{T200}	
17.02	Trucking or freight terminal ≤ 10,000 ft ²	p ^{T125}	
17.03	Trucking or freight terminal > 10,000 ft ²		
18.0 Waste Related Uses			
18.01	Recycling Drop-off Station		15.42
18.02	Recycling and Salvage		15.42
18.03	Junkyard		
18.04	Private Landfill		
19.0 Particular Activities Which Pose Particular Concern About Public Health			
19.01	Electronic and Internet Gaming	S	15.43
19.02	Adult Establishments	S	15.44

B1.02 Complete Table of Accessory Uses

Use #	Accessory Use	B3	Reference
A-1	Secondary suite	L	15.45
A-2	Home occupation	L	15.46
A-3	Accessory dwelling unit	L	15.47
A-4	Drive-through	L	15.48
A-5	Outdoor display	L	15.49

Use #	Accessory Use	B3	Reference
A-6	Outdoor storage	L	15.50
A-7	Outdoor dining	L	15.51
A-8	Automated teller machine (ATM)	P	
A-9	Automated teller machine (ATM), freestanding	L	15.52
A-10	Produce stand		15.53
A-11	Poultry	L	15.54
A-12	Livestock, small	L	15.55
A-13	Livestock, large		15.56
A-14	Bees	L	15.57
A-15	Garden, residential	L	15.58
A-16	Satellite receiving antennas less than 1 meter in diameter	P	
A-17	Satellite receiving antennas less than 2 meters in diameter	P	
A-18	Satellite receiving antennas 2 meters and greater in diameter	S	
A-19	Helistop	S ^{T300}	
A-20	Swimming pools, spas, and hot tubs	L	15.59
A-21	Caretaker's residence	L	15.60
A-22	Vehicular gate	L	15.61
A-23	Vehicle washing station	P	
A-24	Chemical storage facility	P ^{T125}	
A-25	Open air market, accessory	L	15.22
A-26	Daycare, small	P	
A-27	Limited structure to enable recreational use of open rooftops	L ^{T300}	14.03.07(G) 14.19.06(H)(8)(d)
A-28	Solar Energy System	L	15.64
A-29	Electric-Vehicle Charging Station	L	15.65

B1.03 Complete Table of Temporary Uses

Use #	Temporary Use	B3	Reference
T-1	Temporary family care structure	L	15.62
T-2	Temporary construction or repair dwelling	L	15.62
T-3	Temporary construction trailer	L	15.62
T-4	Temporary mobile medical unit	L	15.62
T-5	Temporary classroom	L	15.62
T-6	Temporary portable storage containers	L	15.62
T-7	Temporary staging	L	15.62
T-8	Temporary non-fixed site event venue	L	15.62

Use #	Temporary Use	B3	Reference
T-9	Carrier on wheels (cow)	L	15.62
T-10	Yard sales	L	15.62
T-11	Itinerant merchant/peddler	L	15.62
T-12	Open air market, temporary	L	15.62
T-13	Temporary Use 9.01 Public Colleges and Universities	L	15.62

B1.04 Intensity Table

Zoning District	Minimum Gross Land Area	Minimum Lot Width	Minimum Street Frontage	Minimum Livability Space Ratio* (LSR)	Street
B3	5,000 sq. ft.	50 ft.	40 ft.	.27	20

B1.05 Building Height Table

Zone	Height Limitation
B3	3 stories/45' (primary)-4 stories/56' (secondary)

ANNEXATION PROCESS EXPLANATION

Annexation is a three-step process. The zoning of the property being annexed into the Town corporate limits occurs in a separate but concurrent process. Both of the processes require separate public hearings. Staff has detailed the steps in which both of these processes would occur below.

Date	Annexation	Zoning
June 8, 2022	Step 1 Presentation of Petition: The first step of the annexation process occurred at the Jun 8, 2022 regular Town Council meeting, where the annexation petition and Certificate of Sufficiency was presented and Council approved a resolution scheduling a date for a public hearing on August 10, 2022.	
July 25, 2022		Step 1 Zoning (Public Hearing on Zoning): Case to zone property placed on the July 25, 2022 public hearing agenda for the zoning of the property. Step 2 Zoning (PC Meeting):

		Planning Commission makes recommendation of the zoning of the parcel to Town Council following the July 25, 2022 public hearing.
August 10, 2022	Step 2 Public Hearing on Annexation: The second step of the annexation process would be an annexation public hearing during the first part of the Council meeting on August 10, 2022. Step 3 Council Vote on Annexation: Subsequent to the public hearing on annexation (at the same meeting) be scheduled and after the decision on the zoning of the properties, Council will vote on the Annexation Ordinance. The annexation ordinance can be made effective immediately, June 30, 2023.	Step 3 Council Vote on Zoning: Planning Commission recommendations will be forwarded to the August 10, 2022 Town Council meeting for Council decision on zoning of the properties.

2006 COMPREHENSIVE PLAN ANALYSIS

1.1 OVERALL OBJECTIVES FOR THE BOONE COMPREHENSIVE PLAN (p. 15):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

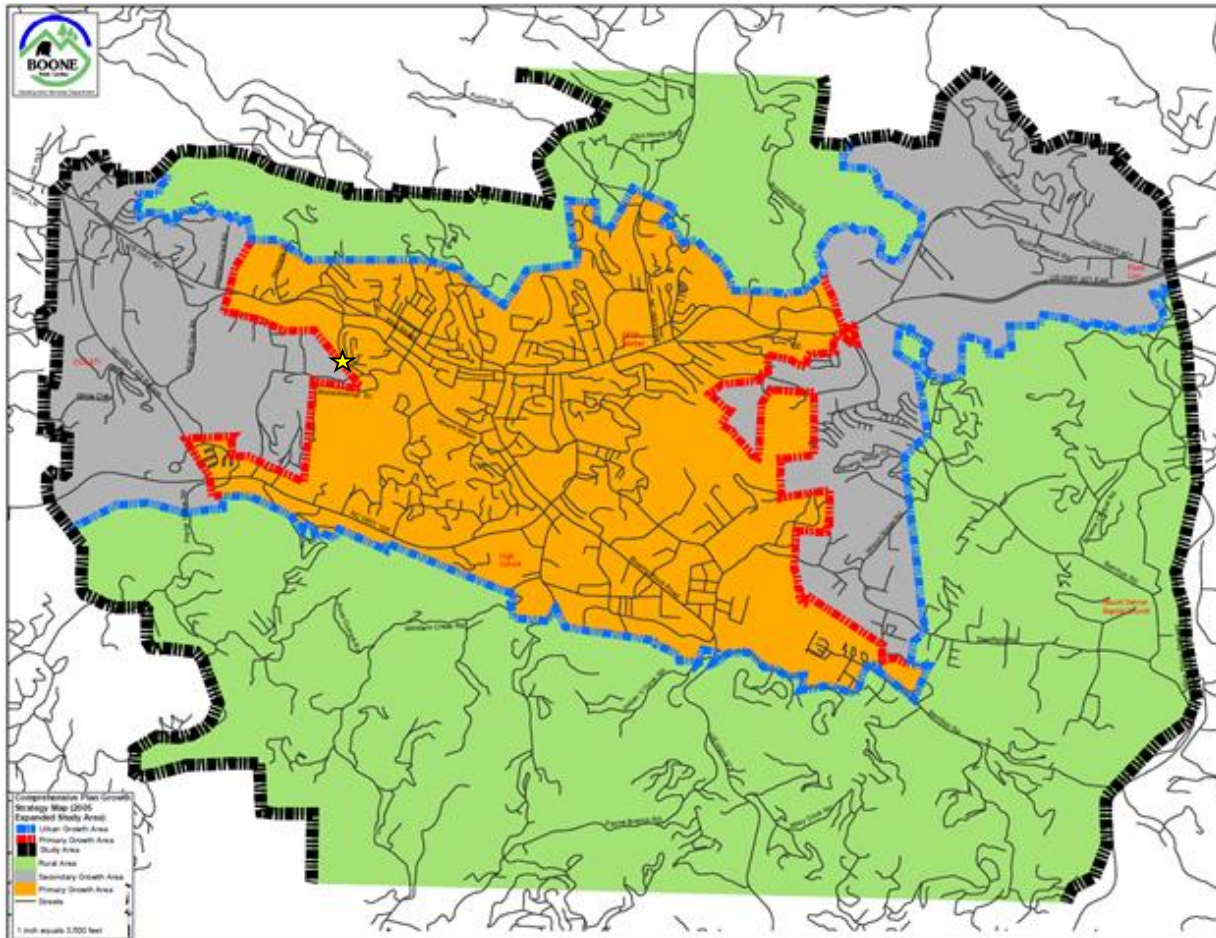
Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

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

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

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

1.2 GROWTH STRATEGY MAP (p. 17):



The portion of the property within the corporate limits is located within the Primary Growth area and the portion of the property located outside the corporate limits is located within the Secondary Growth Area.

The Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

Additionally, for comparison, the Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case-by-case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies and actions which in staff's opinion have a bearing on the request. Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight.

2.1 Economy (page 21)

2.1.1 Economic Development

- A.** The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long-term component of an economic development strategy.
 - A.1** Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
 - A.2** Adopt analytically sound, technically based hillside development regulations to preserve natural beauty.
 - A.3** Support the Arts Council, Jones House, ASU and others in attracting quality cultural events to Boone.
 - A.4** Balance the benefits of economic development projects with special concern for environmental quality issues.
- B.** New and expanding industries and businesses shall be encouraged which: 1) diversify the local economy, 2) train and use a skilled labor force and 3) increase area residents' incomes.
- C.** The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective.
- D.** Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
 - D.1** Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.

- D.2** Urge the resolution of the clean-up process of the 482 State Farm Road site so as to render the building suitable for use as soon as possible.
- D.3** Pursue annually at least one joint public-private venture that will benefit the community at large.
- E.** The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
 - E.1** Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.
- F.** New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.
- G.** The Town shall support the development of new business parks.
 - G.1** Identify suitable property for possible business park development.
- H.** The Town shall promote coordination of economic development resources with the appropriate institutions and agencies. Regional coordination and interaction among areas with a shared economic interest shall be encouraged.
 - H.1** Assist business recruitment and expansion efforts by providing demographic and market data and development information to potential developers and business prospects. Direct such interested parties, by referral through the Economic Development Director, to identified locations in the community.
 - H.2** Include economic development as a specific point of discussion by the recently created Community Council.
 - H.3** Continue to support the Economic Development Commission as the lead economic development agency in the county. Continue to support and work with the Committee of 100, Chamber of Commerce, Tourism Development Authority, High Country Host, Broyhill Institute for Business Development, High Country Council of Governments, Caldwell Community College and Technical Institute, JobLink and others on issues of economic benefit to the whole community.
- I.** Small business start-ups, expansions and spin-offs shall be encouraged. The presence of ASU and Caldwell Community College and Technical Institute shall be recognized as a necessary and important resource for area businesses.
- J.** Appropriate educational and training programs shall be encouraged to help local residents, especially those unemployed and underemployed, take advantage of business expansion and to develop new skills.
 - J.1** Encourage the growth of a student internship program between area businesses, ASU and Caldwell Community College and Technical Institute as a means of providing training for Boone area citizens.
 - J.2** Actively pursue workforce training through ASU and Caldwell Community College and Technical Institute to meet existing needs of current employers and make efforts to develop the skills necessary for higher paying jobs.
 - J.3** Support careers education programs in the public schools.

- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

- K.1 Support local agencies and institutions efforts in the development of programs and services providing for the needs of the growing retiree population.

2.2 Infrastructure

2.2.2 Utilities (page 49)

- A. Extensions of water and/or sewer services that could result in scattered, non-directed development and costly provision of other urban services shall be prohibited.

- B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.

- B.1 Continue to monitor water consumption at the Boone Water Treatment Plan with an eye toward planning for expansion of the facility when appropriate.

- C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.

- D. Water and sewer services shall not be extended to properties in the Rural Area (outside the Urban Growth Area). Exceptions to this policy may include the provision of services to other local governments, cooperative agreements on major economic development initiatives, and extensions needed to address imminent public health problems or related environmental hazards.

- D.1 Establish revised written water and sewer service extension policies consistent with the designated growth area on the Growth Strategy Map of this plan. Coordinate with the County in assessing water and sewer needs in the areas of the county that are already facing significant development pressures, and that are supportive of an organized, planned growth strategy.

- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

- E.1 Establish an incentive program to encourage development within the Urban Growth Area.

- F. Area-wide cooperation and support shall be sought in bringing in alternative utility services to the Boone Area.

- F.1 Consider the establishment of an "Alternate Energy Commission" to address this and other energy issues on an on-going basis.

- G. Long range planning for a possible stormwater collection and treatment system shall be supported, including the development of financial and regulatory strategies.

- G.1 Prepare a community-wide stormwater management strategy to address the future implementation of NPDES Phase II program requirements.

...

2.3 Community

2.3.2 Community Character (page 75)

- A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.
 - A.1 Conduct on-going assessments of critical locations in community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise.
 - A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary.
- B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged.
 - B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.
- C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged.
 - C.1 Consider the placement of public art at appropriate locations in downtown, including murals.
- D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.
 - D.1 Carefully scrutinize proposed road widening to ensure that such actions do not destroy community and neighborhood character.
 - D.2 Continue to support the Town's tree preservation standards. Evaluate the effectiveness of the tree regulations since their establishment and amend them as necessary.
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

PLANNING BOARD REPORT/RECOMMENDATIONS

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

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

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance # PL05774-060922 within Exhibit A and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

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

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

TOWN COUNCIL ACTION – Adoption of Ordinance

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

Ordinance PL05774-060922

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to zone portions of the parcel identified herein:

Address	Watauga Co. PIN	Property Owner	Proposed Zoning
Vacant	Portion of 2900-44-8162-000	Norvell Boone, LLC	B3 General Business and Corridor District Overlay

WHEREAS, in accordance with the procedures set forth in the Town of Boone Unified Development Ordinance, the Commission and Council met to consider the proposed amendment on June 25, 2022; and

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

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Article 9 of the Town of Boone Unified Development Ordinance, the Town of Boone duly advertised and held a public hearing to consider the proposed amendment.

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

SECTION 1. The Official Zoning Map of the Town of Boone is hereby revised as set forth herein.

SECTION 2. This change shall be effective immediately upon its adoption by Town Council.

Adopted this ____ day of August, 2022

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon, Town Clerk

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

Note 1

Vote 2: The Town Council ☐ approves OR ☐ denies Ordinance #
PL05774-060922 and believes ☐ approval OR ☐ denial is
reasonable and in the public interest because:

Note 2

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

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

**PUBLIC HEARING MINUTES
MONDAY, MAY 23, 2022, 6:00 PM
VIA WEBEX SOFTWARE**

COUNCIL MEMBERS: Mayor Tim Futrelle, Mayor Pro-Tem Edie Tugman (joined at 6:12 p.m.), Todd Carter (joined at 6:06 p.m.), Dalton George, Becca Nenow, and Virginia Roseman

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chair, Eric Plaag-Vice-Chair, Chris Behrend, John Tippet, Frank Venio, and Smith Warren

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Mike James-Senior Planner, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner (joined at 6:15 p.m.), and Brenda Henson-Board Secretary

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: Amy Davis-Interim Town Manager, and Allison Meade-Town Attorney

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: Michael Hartnett, Alan Crees, and JC Fiemster

Call to Order

Mayor Futrelle called the Town Council to order at 6:02 p.m. Chair Shay called the Planning Commission to order at 6:02 p.m. for the Public Hearing/Planning Commission meeting held via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Vice-Chair Plaag suggested the following correction to the third sentence in the second full paragraph on page 2 of the March 28, 2022 Public Hearing minutes:

- Vice-Chair Plaag asked what happened if there was a non-conformities on the property should read, Vice-Chair Plaag asked what happened if there were any non-conformities on the property.

Council Member Roseman made a motion to approve the March 28, 2022 Public Hearing minutes as amended. The motion was seconded by Council Member George.

Vote: Aye – All
Nay – None

The motion passed.

Vice-Chair Plaag made a motion to approve the March 28, 2022 Public Hearing minutes as amended. The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

Council Member Carter joined the meeting at 6:06 p.m.

Case PL05689-050322 & PL05690-050322 Modern Real Estate Investors – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of a portion of 185/225 Modern Drive (Tract 1) to B3 General Business and Corridor District overlay as well as a portion of Watauga County PIN: 2911-71-6673-000 (Tract 2) to R1 Single-Family Residential, R3 Multiple-Family Residential and Viewshed Protection overlay.

Both parcels are owned by Modern Real Estate Investors LLC. Zoning is to coincide with the property owner's voluntary annexation of the properties. This request includes portions of two separate parcels. Both parcels are currently bifurcated by the Town of Boone corporate limits, where a portion of each parcel is within corporate limits and a portion of each parcel is located outside of the Town's corporate limits within Watauga County's jurisdiction.

Mr. Mike James, Senior Planner with the Town of Boone Planning & Inspections, presented the request as it was outlined in the meeting packet. He noted that a large portion of Tract 1 was zoned B3. This request was to zone the remaining portion of the parcel as B3 with a portion corridor district overlay. Tract 2 currently had a portion of the property zoned R3. The request was to zone portion of the parcel outside of corporate limits as R3 and R1 (as shown on the Exhibit in the board packet) with a majority of the area also zoned with viewshed protection overlay.

Council Member George noted that Rick Miller, Director of Public Works, indicated during a Town Council meeting that the proposed R1 property would not be able to be served by Town water because the property was too steep. Mr. James replied that was correct. Mr. Mike Hartnett, speaking on behalf of Modern Real Estate Investors, stated they were aware of that situation and were okay with it because they had no plans or intentions to develop the upper portion of the property.

Vice-Chair Plaag asked if the upper triangle of Tract 2 would be included in the Viewshed Protection Overlay. Mr. James replied that he assumed it would, but did not have all of the topography yet.

Vice-Chair Plaag asked if there were any known non-conformities on the subject parcels. Mr. James stated there were none that he was aware of. He noted that a variance was granted for the dealership for their signage.

Ms. Shook noted that no one had signed up to speak regarding this case.

Council Member Tugman joined the meeting at 6:12 p.m.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:12 p.m.

Case PL05504-021822 Minor and Major Work for COA's – UDO Text Amendment

The Town proposes to amend UDO Article 8 and Appendix D with respect to the Downtown Boone Historic District to clarify and elaborate on what repair and construction activities will be considered "minor work," which may be approved administratively, and what activities are considered "major work," which require a hearing and approval by the Historic Preservation Commission (HPC).

Ms. Jessica Mitchell, Long-Range/Special Projects Planner, presented the case as it was outlined in the meeting packet. She stated that this amendment would better clarify minor and major works. Ms. Mitchell noted that minor work and routine maintenance required staff approval and permits. She stated that the proposed amended language would be in Article 8 and Appendix D. Ms. Mitchell noted that the revision process started by presenting the idea to Town Council earlier this year, then Planning staff modified the text and presented it to the HPC. HPC reviewed the text at their May 3, 2022 advisory meeting and proposed changes that staff presented tonight.

Vice-Chair Plaag felt that since he played a role in drafting the amendment in his role as Chair of the HPC he should be recused from this case.

Ms. Christy Turner joined the meeting at 6:15 p.m.

Ms. Meade replied that Vice-Chair Plaag should be allowed to recuse himself if no one objected. She added that Vice-Chair Plaag, while recused from voting as a PC member, should be welcome to participate as an HPC member and speak to issues in an advisory role. Dr. Plaag stated he would be happy to answer any questions that the Commission or Council members might have.

Ms. Meade noted that the text contained a provision that even ordinary maintenance or repairs would need to get a building or zoning permit. She explained that the idea behind that language was to make sure staff had a way to give some level of review to virtually any work proposed in the historic district, and to make sure it was what had been classified as ordinary maintenance, minor work, or major work. Ms. Meade noted that she and Ms. Shook spoke about the possibility of having a more preliminary sort of review for the most minor types of maintenance and repair as a customer service, so that customers were not paying a permit fee to confirm that nailing back up a gutter did not require a permit. She stated that they may adjust the language slightly to ensure staff had a common sense way to make sure the right thing was happening.

Mayor Futrelle stated he would like to change people's perspective that even the simplest things were really scrutinized in a difficult way. He added that he did not want to make things more difficult for people, even in the historic district, but he did want to preserve the historic district. Mayor Futrelle felt it was important to craft text in a way that was easy to understand.

Chair Shay asked Dr. Plaag if he saw the range of repairs and actions that needed to be done was falling neatly into a binary minor and major category, or if there was a continuum where there may be a substantial gray area where staff had to decide which way to go. Dr. Plaag replied that the HPC spent a lot of time reviewing this language and tried to anticipate as many kinds of situations as they could. He stated they were careful to try to land on something that staff, Ms. Meade, and HPC felt reasonably comfortable with. Dr. Plaag stated this text would not address every gray area, but he hoped it would help streamline the process as much as possible for applicants so as to avoid making things harder than they needed to be.

Mayor Futrelle stated he thought it was really important that we help people understand how thoughtful the Town, the Planning Department, and the Historic Preservation Commission were and that they were not just trying to make things difficult for the public.

Ms. Meade stated that she and staff did not think HPC was looking to add any burdens at all. She felt they were trying to fulfill the purposes and principles that were to be served in the historic district and trying to do it in the most customer-friendly way possible. Ms. Meade stated that what was frustrating to both staff and property owners were the gray areas that left them unsure of how to proceed. She felt that if the rules were very clear about how to proceed, even if it did mean having a hearing with HPC, then customers and staff would be more comfortable. Ms. Meade stated that staff and HPC spent a good amount of time carefully going through and making this table as precise and clear as possible.

Council Member Roseman stated she knew what the list used to look like, and this revised list was nicely streamlined and much friendlier to anyone who would want to make any changes to a historic property.

Mayor Futrelle thanked everyone for their input.

Ms. Shook noted that no one had signed up to speak regarding this case.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:29 p.m.

Vice-Chair Plaag rejoined the meeting.

Case PL05688-050322 Miscellaneous Revisions – UDO Text Amendment

The Town proposes amendments to the UDO to correct formatting and other scrivener errors made in the course of recent approved text amendments. These includes correcting section references and confirming parking uses to be allowed in the B1 districts subject to conditional district approval.

Staff maintains an ongoing list of potential ordinance and code changes that are suggested by Council or Town staff. The proposed revisions for this case are intended to improve the clarity of regulations, to streamline regulations, and to correct errors that create difficulties for customers, boards and staff.

Ms. Shook outlined the request as it was presented in the meeting packet, and she noted there were Section reference corrections. Ms. Shook referred to packet page 81 containing a table where parking lots and parking structures were added as needing Conditional District approval in both the B1 Downtown Core and the B1 Downtown Interface. She noted that these items were inadvertently omitted from the original text approval in October 2021.

Vice-Chair Plaag referred to packet page 87 under Section 15.62.02(I). He noted that he did not think there was supposed to be an (I) that said “days” after it. Ms. Shook agreed that item (I) was a typo.

Ms. Shook noted that no one had signed up to speak regarding this case.

With no public comment, Mayor Futrelle closed the public hearing for this case at 6:34 p.m.

Adjournment of Town Council

Council Member Roseman made a motion to adjourn the Town Council at 6:34 p.m. The motion was seconded by Council Member George.

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

Tim Futrelle, Mayor

Brenda Henson, Board Secretary

Elizabeth Shay, Planning Commission Chair

Continuation of Planning Commission Meeting

Public Comment

Ms. Shook noted that no one had signed up to speak under public comment.

Approval of Meeting Minutes

Vice-Chair Plaag made a motion to approve the March 28, 2022 Planning Commission meeting minutes. The motion was seconded by Commission Member Behrend.

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

Case PL05689-050322 & PL05690-050322 Modern Real Estate Investors – General Use Zoning Map Amendment

The Town of Boone has initiated the zoning of a portion of 185/225 Modern Drive to B3 General Business and Corridor District overlay as well as a portion of Watauga County PIN: 2911-71-6673-000 to R1 Single-

Family Residential, R3 Multiple-Family Residential and Viewshed Protection overlay. Both parcels are owned by Modern Real Estate Investors LLC. Zoning is to coincide with the property owner's voluntary annexation of the properties. This request includes portions of two separate parcels. Both parcels are currently bifurcated by the Town of Boone corporate limits, where a portion of each parcel is within corporate limits and a portion of each parcel is located outside of the Town's corporate limits within Watauga County's jurisdiction.

Vice-Chair Plaag stated that he appreciated the applicant's thoughtfulness in the split zoning of Tract 2. He noted that the alignment of the R3 portion to the neighboring R3 parcels was reasonable. Vice-Chair Plaag stated that zoning the portion of the property above the R3 zoned portion as R1 would be more restrictive, and help to prevent some of the ridgetop development that has been seen in Boone in the past. He stated that he fully supported the proposed annexation and the recommended zoning.

Commission Member Tippettt concurred with Vice-Chair Plaag. He felt the request seemed to be compatible with the surrounding neighborhood, and the portion being zoned R1 would have a low development potential for the area.

First Motion and Vote: Vice-Chair Plaag made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

Comprehensive Plan Policy 2.3.2 Community Character

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

Comprehensive Plan Policy 2.3.3 Housing & Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.

The motion was seconded by Commission Member Tippettt.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Vice-Chair Plaag made a motion that the Planning Commission recommends approval of Ordinance PL05689-050322 and PL05690-050322 and believes approval is reasonable and in the public interest because the proposed annexation and zoning classifications attached to the proposed annexation not only help to protect, through the thoughtful planning for these two parcels that are not currently in town limits, for the foreseeable future, but also the zoning that was applied is very thoughtful

with respect to adjoining parcels, the terrain and various other matters that are of concern to the town. The motion was seconded by Commission Member Behrend.

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

Case PL05504-021822 Minor and Major Work for COA's – UDO Text Amendment

The Town proposes to amend UDO Article 8 and Appendix D with respect to the downtown Boone historic district to clarify and elaborate on what repair and construction activities will be considered "minor work," which may be approved administratively, and what activities are considered "major work," which require a hearing and approval by the Historic Preservation Commission.

Vice-Chair Plaag recused himself from this case, stating he would not be voting or participating in deliberation. He noted that he would be happy to answer questions in his capacity as an HPC person familiar with the discussions regarding this topic.

Chair Shay stated she was persuaded and comforted by Dr. Plaag describing the process and by Council Member Roseman's comments regarding what the list used to look like and what a nice job of streamlining it had been done. Chair Shay felt this amendment lowered the burden on staff time and effort and it also reduced confusion. She stated she was in favor of the changes.

Commission Member Behrend stated she was impressed with the graph and felt the revisions were much more understandable.

Ms. Shook thanked Ms. Mitchell for all of her hard work on the table.

First Motion and Vote: Commission Member Tippet made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- D.1 Evaluate development regulations for amendments providing flexibility in the renovation and redevelopment of existing structures and sites.

Comprehensive Plan Policy 2.1.5 Downtown

- A. A compatible design character for the downtown area, drawing upon the locality's original High County small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.
- A.4 Establish specific architectural and design standards for downtown consistent with its location, setting, and various functions.

Comprehensive Plan Policy 2.3.2 Community Character

A. The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area.

B.1 Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources.

The motion was seconded by Commission Member Venio.

Vote: Aye – 5
Nay – None
Recused – 1 (Plaag)

The motion passed.

Second Motion and Vote: Commission Member Tippet made a motion that the Planning Commission recommends approval of Ordinance PL05504-021822 and believes approval is reasonable and in the public interest because the amendment with respect to Downtown Boone's Historic District does clarify and elaborate on what repair and construction activities will be considered minor work, which may be approved administratively, and what activities are considered major work, which require a hearing and approval by the Historic Preservation Commission. The motion was seconded by Commission Member Behrend. Chair Shay wished to amend the motion to add that the proposed amendment preserves Town resources and staff time by reducing the need for review on minor or routine activities while still preserving the review and approval process for larger-scale projects with a greater impact on historic assets. Commission Members Tippet and Behrend accepted the amendment.

Vote: Aye – 5
Nay – None
Recused – 1 (Plaag)

The motion passed.

Vice-Chair Plaag rejoined the meeting.

Case PL05688-050322 Miscellaneous Revisions – UDO Text Amendment

The Town proposes amendments to the UDO to correct formatting and other scrivener errors made in the course of recent approved text amendments. These includes correcting section references and confirming parking uses to be allowed in the B1 districts subject to conditional district approval.

Staff maintains an ongoing list of potential ordinance and code changes that are suggested by Council or Town staff. The proposed revisions for this case are intended to improve the clarity of regulations, to streamline regulations, and to correct errors that create difficulties for customers, boards and staff.

Vice-Chair Plaag noted that any motion should reference the minor change on packet page 87, Section 15.62.02(I), which was a typo.

Chair Shay stated she was always in favor of streamlining and cleaning up, and was amazed at how Town professionals and staff keep it all straight.

First Motion and Vote: Vice-Chair Plaag made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable with a minor correction noted during discussion on page 87 because the amendment is consistent with:

Comprehensive Plan Policy 2.1.1 Economic Development

- E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources.
- E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

The motion was seconded by Commission Member Warren.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Commission Member Behrend made a motion that the Planning Commission recommends approval of Ordinance PL05688-050322 and believes approval is reasonable and in the public interest because makes it makes the whole plan uniform and corrects any prior errors. The motion was seconded by Commission Member Warren.

Vote: Aye – All
Nay – None

The motion passed.

Other Matters

Ms. Shook noted that staff was trying to wrap up some text and would be requesting from Council the consideration of a Special Public Hearing in June, which was the normal Planning Commission meeting time. She stated that Council would consider this request at their meeting on Wednesday evening, and she would let everyone know what decision was made.

Vice-Chair Plaag stated he noticed on Town Council's agenda a discussion of a timeline for working on a Comprehensive Plan. He asked Ms. Shook when this item might be coming to Planning Commission for consideration. Ms. Shook replied that it would depend on a variety of factors. She explained that between now, if Council approved it, and August, Staff would be putting the pieces together. Ms. Shook stated that the goal would then be, in a best-case scenario, to utilize a variety of public input methods within a short period of time to get the most public input. She noted that she hoped to use the Planning Commission during that phase as part of the team for the Comprehensive Plan. Ms. Shook stated she would share any updates with all boards and commissions.

Adjournment of Planning Commission

Vice-Chair Plaag made a motion to adjourn the meeting at 6:58 p.m. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None

The motion passed.

Elizabeth Shay, Planning Commission Chair

Brenda Henson, Board Secretary