

**PUBLIC HEARING MINUTES
MONDAY, NOVEMBER 22, 2021, 6:00 PM
VIA WEBEX SOFTWARE**

COUNCIL MEMBERS: Mayor Rennie Brantz (joined at 6:11 p.m.), Mayor Pro-Tem Connie Ulmer, Sam Furguele, Dalton George, Nancy LaPlaca, and Virginia Roseman

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chair, Eric Plaag-Vice-Chair, Chris Behrend (joined at 6:47 p.m.), Amanda Halbert, John Tippet, Frank Ven, and Smith Warren

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections, Stacey Miller-Deputy Director of Planning & Inspections/Chief Building Inspector, Jessica Mitchell-Long Range/Special Projects Planner, and Brenda Henson-Board Secretary

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: John Ward-Town Manager, George Santucci-Sustainability & Special Projects Manager, Rick Miller-Public Works Director (joined at 6:12 p.m.), and Allison Meade-Town Attorney

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: Todd Carter, Tim Futtrelle, and Edie Tugman (joined at 6:08 p.m.), and Becca Nenow (briefly joined at 6:55 p.m.)

Call to Order

Mayor Pro-Tem Ulmer called the Town Council to order at 6:04 p.m. Chair Shay called the Planning Commission to order at 6:04 p.m. for the Public Hearing/Planning Commission meeting held via WebEx.

Approval of Meeting Minutes

Council Member LaPlaca made a motion to approve the October 25, 2021 Public Hearing minutes. The motion was seconded by Council Member Roseman.

Vote: Aye – All
Nay – None

The motion passed.

Vice-Chair Plaag made a motion to approve the October 25, 2021 Public Hearing minutes. The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

General Guidelines

Ms. Shook reviewed the general guidelines for each case presented at the Public Hearing.

Case PL05268-110121 Minimum Housing – Town Code Amendment

Modify Town Code Chapter 151 Minimum Housing Code, revise language, and bring the code into compliance with North Carolina General Statute 160D and Session Law 2021-138, Part XIII, section 13(b).

Ms. Meade explained that under NC Chapter 160D, this amendment to the Town Code had to follow the same procedure as an amendment to the Unified Development Ordinance. She noted that some clarifying language changes were proposed for consistency of use. Ms. Meade referred to Section 151.32 that addressed issues related to mold & mildew.

Council Member Furgiuele referred to Section 151.46, second to last sentence, and suggested that the wording “any premises within its jurisdiction” be changed to “any premises within the Town’s jurisdiction.”

Ms. Meade stated that Section 151.49(B) referenced that Town Council had the authority to adopt a separate ordinance that would require periodic inspections of multi-family dwellings to address particular blighted sections of Town.

Mayor Brantz joined the meeting at 6:11 p.m.

Ms. Meade referred to Section 151.48(A) and noted that the current code included a requirement that the owner is to repair issues with a structure within 90 days. She suggested striking the 90-day requirement and allowing the housing inspector to impose a period of time that they see fit. Ms. Meade stated that a housing inspector had the power to cause a structure to be vacated if it was occupied but deemed unsafe. She added that repairs to the structure could take longer than 90 days, depending on the nature of the repairs.

Council Member Furgiuele felt that was a fair point. He asked if a minimum time period for repairs should be established. Ms. Meade replied that some repairs could be done very quickly while others could not. She felt it would be best to leave the timeframe up to the housing inspector. Council Member Furgiuele expressed concern that, with no parameters, a housing inspector could do things just to punish people or be inconsistent when setting timeframes. Ms. Meade stated that Ms. Shook was aware of the potential for abuse and inconsistency but felt that the Town tried to be consistent.

Council Member Furgiuele referred to Section 151.49(A) that read “The duties of the housing inspector set forth in this subdivision shall not be exercised until the Town Council shall have by ordinance, etc.” He felt the phrasing was odd. Ms. Meade replied that the phrasing came directly from the Statute.

Vice-Chair Plaag referred to Section 151.49(B) regarding demolition. He expressed concern about the potential for a situation where a housing inspector went to a Landmark property and decided that the structure needed to be demolished. Vice-Chair Plaag felt that the way this subsection was written, it skipped the COA process that would be required for Landmark properties or properties located within a Historic District. He suggested adding language that stated any demolition order for a property that was designated as a Local Historic Landmark or located within a Local Historic District shall be subject to the standards associated with that Landmark or District regarding demolition. Vice-Chair Plaag stated this would create the need for the request for demolition to go through the COA process. Ms. Meade agreed that the suggested language could be added.

Ms. Meade referred to Section 151.99 regarding penalties. She noted that State Law had been passed that decriminalized, as a default, local ordinances and almost all provisions that could be enacted under the Town’s planning and zoning jurisdiction. Ms. Meade stated that criminal appellate penalties had been removed from the Minimum Housing Code under this revision.

Council Member Furgiuele questioned why criminal penalties could not be imposed for structures that were deemed to be unsafe. Ms. Meade replied that the specific language of unsafe buildings was used in the legislation and that language was located in a single section of 160D called Unsafe Buildings. She noted that the Minimum Housing section referred to unsafe, abandoned structures. Ms. Meade stated she took a conservative approach to her suggested language regarding penalties because of the fact that there were distinctly different terms used in 160D for Unsafe Buildings and Minimum Housing.

Council Member George asked if the more conservative interpretation was adopted, would it be possible to seek clarification from the State regarding penalties and revise later, if needed. Ms. Meade responded

that if she were authorized to write an ordinance for unsafe buildings, she would look into this issue again at that time.

Vice-Chair Plaag asked if Ms. Meade was authorized to write an Unsafe Buildings ordinance, could that ordinance include a building that met particular conditions be determined by the inspector, by Council, or through some process to be an unsafe building. Ms. Meade agreed.

Vice-Chair Plaag stated that the preservation world was very specific about how they defined a building versus a structure. He noted that a building was defined as any dwelling that was intended for human habitation, whether for residential purposes or work purposes. Structures were objects that were not for habitation. Ms. Meade replied that State Law defined structure as a broad term that included dwellings, buildings, sheds, and retaining walls.

With no public comment, Mayor Brantz closed the public hearing for this case at 6:38 p.m.

Case PL05269-110121 Criminal Penalties – UDO Text Amendment

Modify the UDO to bring UDO Article 12 into compliance with Senate Bill 300/Session Law 2021-138 to decriminalize local government ordinances.

Ms. Meade referred to Subsection 12.03.02 regarding liability. She stated that the proposed language would expand responsibility for violations to not only owners or tenants but also potentially builders, contractors, and design professionals who were responsible for or assisted in violations. Ms. Meade noted that under Subsection 12.03.04 multiple people could be fined separately for the same violation.

Vice-Chair Plaag referred to Subsection 12.06.01(B) and asked if there was a State requirement involved in reducing fine for the knowing and willful violation of the ordinance more than once in any 24-month period from \$5,000 to \$2,000. Ms. Meade stated she would have to check on that and provide an answer later in the meeting.

With no public comment, Mayor Brantz closed the public hearing for this case at 6:45 p.m.

Case PL05270-110121 Miscellaneous Revisions – UDO Text Amendment

Amend UDO Article 2 to reduce membership of the Historic Preservation Commission from seven to five members; Amend UDO Article 25 to require that development applicants submit a final lighting plan compliance certification and; Amend UDO Articles 14 and 34 to clarify “livability space” requirements.

Ms. Mitchell presented the request as it was outlined in the meeting packet. She noted the proposed reduction in membership on the Historic Preservation Commission from 7 to 5 members, the requirement of a final lighting plan compliance certification by a professional engineer, and the relocation of text regarding livability space. Ms. Mitchell stated there were some typographical errors that staff was aware of, and those would be corrected. Ms. Shook added that requiring the final lighting certification would put the burden on the applicant to pay for that service versus staff having to go out at night to conduct a lighting inspection.

Commission Member Behrend joined the meeting at 6:47 p.m.

With no public comment, Mayor Brantz closed the public hearing for this case at 6:51 p.m.

Case PL05271-110121 Townhouse Clarifications – UDO Text Amendment

Modify UDO Articles 1, 5, 15, 25, and Appendix B to revise language to clarify requirements for Townhouse developments and to revise how livability space is applied to multi-family developments overall.

Ms. Meade noted that she had not had time to review the proposed Townhouse text carefully and asked that this case be tabled and considered at the next public hearing.

Council Member Furgiuele agreed that the case should be tabled. He felt some things were confusing and some things were awkwardly written. Council Member Furgiuele stated he had several comments regarding the proposed text and would email those comments to Ms. Meade for consideration.

Council Member Furgiuele made a motion to table Case PL05271-110121 Townhouse Clarifications – UDO Text Amendment. The motion was seconded by Mayor Pro-Tem Ulmer.

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

Case PL05272-110121 Solar Energy Systems and Electric Vehicle Charging – UDO Text Amendment

Modify the UDO to create regulations for accessory solar energy systems and accessory and principal use electric vehicle charging stations.

Ms. Shook presented the case as it was outlined in the meeting packet. She referred to Subsection 14.02.03(A)(4) regarding electric vehicle charging stations. Ms. Shook stated the proposed text would allow EV charging stations installed on Town property or the public right of way to be exempt from obtaining a zoning permit.

Ms. Shook referred to the Table of Principal Uses and noted that EV charging stations were proposed to be allowed in the B1 Downtown Interface, B2, B3, and M1 zoning districts. EV charging stations were proposed to be allowed as an Accessory Use in all zoning districts, subject to the standards in Subsection 15.64 and 15.65. Council Member Furgiuele asked why EV charging stations were not allowed in the University or Education district either as principal or accessory uses. Ms. Shook replied that the table has not traditionally worked that way, and noted that the table had not been populated in any other category for something similar. She stated she was not opposed to populating the table, but it would be a deviation from how the table was traditionally handled for the university zoning districts.

Ms. Shook stated that the proposed standards were reviewed to make sure that they were in compliance with Solsmart. She noted that this was just a first step towards the Solsmart designation. Ms. Shook stated that staff would also have to take steps in the office regarding permitting, turnaround times, and fees.

Council Member Furgiuele referred to Subsection 15.65(A)(1) and suggested the addition of the word “a” in front of standard-size parking space. He asked if the mentioning of a standard-size parking space should be included in 15.65(A)(2) and not just the EV charging station. Ms. Shook replied that both the parking space and the charging station should be included.

Council Member Furgiuele suggested under Subsection 15.65(A)(4)(b) that there be a cross-reference to cite the signage required under the Town Code for towing and booting. Ms. Shook stated that a reference could be added. In Subsection 15.65(A)(5), Council Member Furgiuele suggested removing the word “associated” as it appeared to be an unnecessary word.

Council Member Furgiuele noted there was no provision for the removal of charging stations that were no longer in use. Ms. Shook replied that provisions could be added.

Vice-Chair Plaag referred to Subsection 15.64(B)(1) regarding rooftop solar energy systems and asked if he read it correctly that a rooftop solar energy system in a Historic District would be permitted up to 15 feet above the rooftop to which it was attached, but otherwise would have to comply with the Historic District standards. Ms. Shook stated that the intent was that solar energy systems would be allowed up to 15 feet as long as they were approved under the Historic District or Historic Landmark COA process. Vice-Chair Plaag stated he thought the language that was adopted for rooftop accessory uses had a lower limit than 15 ft. He provided a scenario of a rooftop bar that added 10 feet in height to the building. Then

add 15 feet of solar energy system, and there would be 25 feet added to the top of a building in a Historic District.

Ms. Meade stated the intent was that the stricter standard would apply, so if the Historic District standards were stricter that would overrule the 15 feet allowance. Chair Plaag felt the proposed language could still allow for a 25 feet height extension. Ms. Meade suggested changing the wording in 15.64(A)(2) to “Notwithstanding the requirements set forth in this section, solar energy systems located within a Historic District or Historic Landmark shall adhere to the requirements set forth in the design standards adopted for the District or Landmark, as applied through the COA process.” Vice-Chair Plaag felt that would address the issue.

Ms. Shook referred to 15.65(A)(4)(g) and stated that Mr. Santucci had requested that the signage requirements of Part a. and Parts c. – f. be waived if all the information required in this part was contained in the required user app of the EV charging station. Council Member Furgiuele agreed with this suggestion.

Ms. Shook added that she felt solar energy systems should be excluded from counting towards the cost of improvements that could trigger a property to have to come into compliance with current UDO standards. She suggested the language be added to both 15.64 and 15.65 to address this exclusion. Council Member Furgiuele asked if there were ways to incentivize solar energy system installations. Ms. Shook replied that it was a good idea and felt it warranted further discussion at a later date.

Mr. Ward explained that Solsmart was trying to bring on 16 new communities in the next few months. Due to the timing in which Ms. Shook was able to develop the proposed text, it would allow the Town of Boone to potentially be recognized as one of those 16 communities.

With no public comment, Mayor Brantz closed the public hearing for this case at 7:19 p.m.

Additional discussion - Case PL05269-110121 Criminal Penalties – UDO Text Amendment

Ms. Meade then addressed the question posed previously by Vice-Chair Plaag regarding penalties for violations of the UDO. She noted that upon further review, revised General Statute Section 14-4 stated the maximum penalty that could be implemented for a violation of a local ordinance was a Class 3 misdemeanor and a \$500 fine. Ms. Meade stated that the final sentence of UDO Subsection 12.06.01(B) would need to be struck entirely. Vice-Chair Plaag suggested adding “for each such violation’ after the \$500 fine for a Class 3 misdemeanor.”

Adjournment of Town Council

Council Member Roseman made a motion to adjourn the Town Council at 7:22 p.m. The motion was seconded by Council Member LaPlaca.

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

Rennie Brantz, Mayor

Brenda Henson, Board Secretary

Elizabeth Shay, Planning Commission Chair

Continuation of Planning Commission Meeting

Approval of Meeting Minutes

Vice-Chair Plaag made a motion to approve the October 25, 2021 and the November 1, 2021 Planning Commission meeting minutes. The motion was seconded by Commission Member Halbert. Chair Shay wished to amend the November 1, 2021 meeting minutes on page 12, first paragraph, third sentence for it would read, "She stated that there might be families next to whom she would not want to live." Vice-Chair Plaag and Commission Member Halbert accepted the amendment.

Vote: Aye – All
Nay – None

The motion passed.

Case PL05268-110121 Minimum Housing – Town Code Amendment

Modify Town Code Chapter 151 Minimum Housing Code to revise language and bring the code into compliance with North Carolina General Statute 160D and Session Law 2021-138, Part XIII, section 13(b).

Ms. Shook noted the suggested changes from the public hearing as changing the word "it's" to "within the Town's jurisdiction", and language regarding demolition for historic properties.

Vice-Chair Plaag stated that he would like to see a sentence added that any demolition ordinance, passed by Town Council, under this description of possible actions for any property designated as a Local Historic Landmark or located within a Local Historic District shall be subject to the standards associated with that Landmark or District regarding demolition, and including any such delays in demolition that may be advocated by the HPC as part of the COA process. Vice-Chair Plaag stated that what this would be to allow a provision that if a property owner wanted to demolish a designated property, there could be a delay of up to a year under the Statute. That delay would give time to discuss with the property owner about relocating the structure or perhaps being more creative with the intended plans for the historic site. Vice-Chair Plaag stated that the language as proposed could potentially allow a landmark building to be demolished without any opportunity for the Historic Preservation Commission to provide input. He stated that the last sentence of Section 151.48(B) could be revised to incorporate the language he suggested regarding demolition of Local Historic Landmarks or structures located within a Local Historic District.

Vice-Chair Plaag also recommended that Town Council instruct the Town attorney to draft an unsafe buildings statute so that the application of criminal penalties for certain types of actions could be reinstated. Commission members agreed with this suggestion.

First Motion and Vote: Commission Member Veno made a motion that the proposed amendment to the Town Code, with the revisions discussed, 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.
- 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 the objective.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

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.

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.

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.

D. The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged.

The motion was seconded by Commission Member Warren.

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 the proposed amendment and believes approval is reasonable and in the public interest because the proposed changes bring the present Ordinance into compliance with changes necessitated by 160D. It smooths out some inconsistencies within the language of the existing Ordinance, and creates uniformity in the use of certain terms. It clarifies various safety standards and the methods by which they shall be judged by the building inspector, and addresses gaps in the existing Ordinance related to mold and mildew and multi-family dwellings. It brings the Ordinance language into alliance with the Town's stated goals of historic preservation with respect to buildings that are either Local Historic Landmarks or are located within Local Historic Districts that have been designated.

The motion was seconded by Commission Member Venio.

Vote: Aye – All
Nay – None

The motion passed.

Case PL05269-110121 Criminal Penalties – UDO Text Amendment

Modify the UDO to bring UDO Article 12 into compliance with Senate Bill 300/Session Law 2021-138 to decriminalize local government ordinances.

Ms. Shook reminded Commission members of the recommended change to Subsection 12.06.01(B) to strike the last sentence and add the wording "for each such violation" after the \$500 fine.

First Motion and Vote: Commission Member Tippet made a motion that the proposed amendment to the Town's zoning ordinance, with the revisions as discussed, 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

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.

Comprehensive Plan Policy 2.3.4 Public Involvement

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.

The motion was seconded by Commission Member Venio.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Commission Member Venio made a motion that the Planning Commission recommends approval of the proposed amendment and believes approval is reasonable and in the public interest because this will make the UDO consistent with the State Legislator's adoption of Session Law 2021-138.

The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None

The motion passed.

Case PL05270-110121 Miscellaneous Revisions – UDO Text Amendment

Amend UDO Article 2 to reduce membership of the Historic Preservation Commission from seven to five members; Amend UDO Article 25 to require that development applicants submit a final lighting plan compliance certification and; Amend UDO Articles 14 and 34 to clarify "livability space" requirements.

Ms. Shook noted there were some typographical errors that would need to be corrected.

Commission Member Venio asked why the Historic Preservation Commission would be decreased from 7 members to 5 members. Vice-Chair Plaag noted that, in the past, Town Council liaisons were counted as 2 of the voting members of the HPC. After a state law change, Town Council liaisons were no longer able to vote so this left 5 voting members. Vice-Chair Plaag stated the reduction from 7 to 5 members did not change the number of voting members; it just corrected the number to account for the removal of the 2 Town Council liaisons.

First Motion and Vote: Chair Shay 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

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 Halbert.

Vice-Chair Plaaq wished to amend the motion to include:

Comprehensive Plan Policy 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.

Chair Shay and Commission Member Halbert accepted the amendment.

Vote: Aye – All
Nay – None

The motion passed.

Second Motion and Vote: Chair Shay made a motion that the Planning Commission recommends approval of the proposed amendment and believes approval is reasonable and in the public interest because it adds predictability and rigor to the inspection process, and adds accountability and transparency.

The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

Case PL05271-110121 Townhouse Clarifications – UDO Text Amendment

Modify UDO Articles 1, 5, 15, 25, and Appendix B to revise language to clarify requirements for Townhouse developments and to revise how livability space is applied to multi-family developments overall.

This case was tabled until the next public hearing.

Case PL05272-110121 Solar Energy Systems and Electric Vehicle Charging – UDO Text Amendment

Modify the UDO to create regulations for accessory solar energy systems and accessory and principal use electric vehicle charging stations.

Ms. Shook noted the following revisions that were suggested:

- Subsection 15.64(A)(2) change the wording to “Notwithstanding the requirements set forth in this section, solar energy systems located within a Historic District or designated as a Historic Landmark shall adhere to the requirements set forth in the design standards adopted for the District or Landmark, following the COA process set forth in those standards.”
- Include language for removal of solar energy systems that are no longer in use.
- Subsection 15.65(A)(2) change the wording to indicate that every electric vehicle charging station and standard-size parking space shall be installed outside of the public right-of-way.
- Subsection 15.65(A)(4)(b) include reference to towing and booting.
- Subsection 15.65(A)(4)(g) waive the signage requirements of Part a., and Parts c. – f. if all the information required in this part was contained in the required user app of the EV charging station.

- Subsection 15.65(A)(5) remove the word “associated.”
- Add language that the cost of adding solar energy systems shall not count towards tracking for non-conformities as regulated in Subsection 7.05 of the UDO.

Vice-Chair Plaag asked about populating the Education districts in the principal and accessory use tables. Ms. Shook felt it would be best to add the use to the E3 district because this was the district covering public or private elementary and secondary education.

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

Comprehensive Plan Policy 2.1.1 Economic Development

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

Comprehensive Plan Policy 2.2.1 Transportation

B. Planned systems of pedestrian ways, bikeways, greenways, and similar facilities shall be encouraged as energy efficient and environmentally sound transportation alternatives. Site planning that incorporates secure bicycle storage at places of living, working or schooling, shopping, and gathering shall be require, where appropriate.

B.1 Encourage and legitimize alternative transportation through the enhanced use of bikeways, pedestrian ways, and greenways throughout the Town. Link existing bike, pedestrian, and greenways where possible and continue efforts for expansion.

B.4 Explore funding options for alternative transportation projects throughout Town. Options could include a city-wide vehicle registration fee, earmarking property taxes for alternative transportation improvements, and seeking grant funding opportunities from federal, state and private organizations.

The motion was seconded by Commission Member Veno.

Chair Shay wished to amend the motion to include:

Comprehensive Plan Policy 2.2.5 Environmental Health

K. The Town shall encourage and set an example which promotes water and energy conservation, and the reduction of waste generation at the source.

Commission Members Tippettt and Veno accepted the amendment.

Vice-Chair Plaag wished to amend the motion to include:

Comprehensive Plan Policy 2.2.2 Infrastructure

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

Commission Members Tippettt and Veno accepted the amendment.

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

Second Motion and Vote: Commission Member Tippettt made a motion that the Planning Commission recommends approval of the proposed amendment, with the revisions that were discussed, and believes approval is reasonable and in the public interest because these amendments would create regulations for

accessory solar systems and electric vehicle charging stations that would allow the Town, more formally, to meet its climate neutrality goals and also clean, renewable energy goals.

The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None

The motion passed.

Other Matters

Ms. Shook stated that there was no business for the December Planning Commission meeting and it coincided with a Town holiday. For both of these reasons, the December 27, 2021 Planning Commission meeting was canceled.

Vice-Chair Plaag referred to previous discussions about the potential for creating incentives to encourage workforce housing and the possibility of creating a student housing zoning district. He asked if those were topics the Planning Commission could take up and how they would go about making that happen. Ms. Shook replied that she could bring these items to the Council's attention at the upcoming Planning Retreat and see if they would like to place them on the Work Plan. Planning Commission members agreed that there was a need for these items to be addressed.

Ms. Shook reminded Commission members of the Volunteer Appreciation Luncheon on December 3, 2021 with a pick-up meal from Dan'l Boone Inn. She asked that any Commission member who had not RSVP'd to Nicole Harmon do so as soon as possible.

Adjournment of Planning Commission

Vice-Chair Plaag made a motion to adjourn the meeting at 8:30 p.m.

The motion was seconded by Commission Member Tippet.

Vote: Aye – All
Nay – None

The motion passed.

Elizabeth Shay, Planning Commission Chair

Brenda Henson, Board Secretary