

**Town of Boone
Planning Commission
Regular Meeting
6:00 PM, Jun. 13, 2016
Council Chambers, 1500 Blowing Rock Road**

Make recommendations on the following cases heard at the June 6, 2016 Special Public Hearing (pursuant to UDO 9.05.02 the public hearing may be reopened):

I. Adoption of Agenda

II. Approval of Minutes

May 2, 2016 Quarterly Public Hearing

May 2, 2016 Quarterly Public Hearing minutes

May 9, 2016 Planning Commission

May 9, 2016 Planning Commission minutes

III. Case 20160226 Landscape Contractor

Landscape Contractor - UDO Text Amendment Staff Report

Supplemental Report - Revised Text

IV. Case 20160275 Marketplace Planned Development - Zoning Map Amendment

Marketplace Zoning Application

Marketplace Neighborhood Meeting Information

Marketplace Deviation Request

Marketplace Traffic Impact Analysis

Marketplace Site Plans

Marketplace Building Elevations

Marketplace Color Building Elevations

Marketplace Floor Plans

Marketplace Staff Report

V. Case 20160295 Wellness District Standards

Wellness District Standards - UDO Text Amendment Staff Report

REVISED Wellness District Standards - UDO Text Amendment Staff Report: Staff Report contains modifications per Council's direction at public hearing.

VI. Case 20160299 State of North Carolina - General Use Zoning Map Amendment

State of North Carolina General Use Zoning Map Amendment Staff Report

VII. Other Matters by Board Members or Staff

VIII. Adjournment

DRAFT QUARTERLY PUBLIC HEARING MINUTES
MONDAY, MAY 2, 2016
5:30 P.M.

COUNCIL MEMBERS:	Mayor Rennie Brantz, Mayor Pro-Tem-Lynne Mason, Loretta Clawson, Jeannine Underdown, Jennifer Teague and Charlotte Mizelle
PLANNING COMMISSION MEMBERS:	Chairperson-Eric Woolridge, Vice-Chairperson Greg Simmons, Jeff Templeton, Connor Boyle, Charlie Myers, Matthew Vincent, Michelle Dineen and Cameron Lippard
STAFF PRESENT:	Bill Bailey-Director of Planning and Inspections, Jane Shook-Planning Supervisor, and Marlene Crosby-Board Secretary
OTHERS PRESENT:	John Ward-Town Manager and Allison Meade-Town Attorney

CALL TO ORDER

Mayor Rennie Brantz called the hearing to order at 5:38 p.m.

CASE 20160058 MODERN AUTOMOTIVE: Mr. Jerry Hollifield with Modern Automotive Network has filed a General Use Zoning Map Ament Petition to rezone the R3 Multi-Family Residential portion of 185 and 225 Modern Drive to B3 General Business.

Mr. Bill Bailey, Director of Planning and Inspections presented this case as outlined in the meeting packet.

Mayor Brantz asked about the development of the small portion of property that the applicant is asking to be rezoned. Mr. Bailey said the rezoning of the property will help unify the property by making it all in a B-3 zoning district. Mr. Bailey said it is his understanding that the dealership will use the property for car storage.

Mayor Pro-Tem Mason asked what the darker blue line on the map in the staff report for this case was referring to. Mr. Bailey said it is identifying the corporate limits.

Council Member Clawson asked for clarification on the difference in the R-3 and B-3 zoning districts. Mr. Bailey explained that in a proposed general map amendment, the Staff shows in the Table of Principal Uses what the available uses are and what the uses would be, if they are approved.

Mayor Brantz opened the floor for public comment.

Mr. Jerry Hollifield from Modern Automotive came to the podium and explained that the reason for the rezoning request is to help the dealership utilize the whole 12 acres of their property. He noted that a future use would be to expand their parking area and move their inventory to an area where it needs to be.

Mr. Bailey explained to the Council and Planning Commission members that they can only consider the uses that are in the Table.

Mr. Bailey noted that what Mr. Hollifield is describing is an approved use. Mr. Bailey noted that this is a split-zoned parcel.

Mr. Alan Crees from Municipal Engineering came to the podium to introduce himself and said he was present to answer any questions on this case.

Vice-Chairperson Simmons asked if the dotted line on the map represented the corridor district. He clarified that the location of the line does go behind the property. Mr. Bailey said yes and it basically controls access.

Mayor Brantz closed this public hearing at 5:45 p.m.

CASE 20160027 PROTEST PETITION REMOVAL: Amend UDO Articles 1 and 9 to remove references to “Protest Petitions”.

Mr. Bailey presented this case as outlined in the meeting packet. Mr. Bailey explained that the proposed UDO text amendment change is due to a change in the state legislature which eliminated a municipality’s ability to allow protest petitions.

Mr. Bailey referred to the revised process found on page one of the staff report under Citizen Comment 9.04.01.

Discussion ensued on the time-frames for citizen comment.

Vice-Chairperson Simmons asked if this proposed text amendment change would take the protest petition process away from the Board of Adjustment. Mr. Bailey said no because the change is only for rezoning and map amendment changes.

Mr. Bailey explained that there is an intervener process for the Board of Adjustment.

Mayor Brantz opened the floor for public speakers. There were no speakers for this case.

Mayor Brantz closed this public hearing at 5:47 p.m.

CASE 20160028 FIRE CODE COORDINATION: Amend UDO Article 23 to bring street and driveway standards into compliance with the NC Fire Code.

Mr. Bailey presented this case as outlined in the meeting packet. Mr. Bailey noted the proposed change was made to help the language more line-up with elements state law. Mr. Bailey noted that the fire marshal has approved the proposed language.

Mayor Brantz opened the floor for public speakers. There were no speakers for this case.

Mayor Brantz closed this public hearing at 5:48 p.m.

CASE 20160178 PLANNED DEVELOPMENT MODIFICATION: Amend UDO Article 9 to modify who the applicant must invite to the neighborhood meeting and the place of the meeting.

Mr. Bailey presented this case as outlined in the meeting packet. Mr. Bailey talked about the way that neighborhood meetings are handled. Mr. Bailey noted the use of charrette-style meetings to be held in the Council Chambers and note corresponding changes in other articles.

Council Member Clawson asked if notification distance should be increased.

Mr. Bailey talked about the cons of increasing the distance. Mr. Bailey said that state law requires notification of 150 feet. Mr. Bailey said it is up to the Council to decide.

Council Member Teague asked if there is an increased Staff work load, when increasing the distance.

Mr. John Ward, Town Manager asked if there is an increase in cost. Mr. Bailey said that there would be an increase in the postage costs.

Council Member Teague noted her concerns about the neighborhood meeting, in that she was afraid that if the neighborhood meeting became too much like a public hearing then the community may not come to the actual public hearing to voice any concerns.

Mayor Pro-Tem Mason asked if signage is put up for the neighborhood meetings. Mr. Bailey said that posting on the property would not occur for the community meetings but will for the public hearing.

Mayor Pro-Tem Mason said it is important for everyone to know that the intent of the neighborhood meetings was for the developer and the neighbors to talk about the project early on in the process.

Council Member Mizelle asked how the notification distance was measured. Mr. Bailey noted that it was from the edge of the property [property line].

Council Member Clawson noted that she did not think that 150' was enough and noted that neighborhoods further out should be made aware of the proposed project. Council Member Mizelle said she is leaning toward 300' for the notification distance.

Discussion ensued on whether the applicant should have to handle the notification for the project. Mr. Bailey talked about the developer having to go to the county to get the mailing information. Mr. Bailey said yes this would save the Town money and the Staff time.

Council Member Teague said she is struggling that the neighborhood meetings becoming a public hearing. Mr. Bailey said that Staff has never been involved with neighborhood meetings due to the appearance of fairness doctrine. Mr. Bailey talked about the developer taking minutes that become a matter of public record.

Ms. Meade talked about using the notification to educate the neighbors about the process. Mr. Bailey indicated that Staff could come up with a brochure to send out with the notification.

Discussion ensued on how the neighborhood meeting would be conducted.

Mr. Bailey said the meetings are designed solely for the applicant with more general concepts in mind. Mr. Bailey explained the process and noted that if Staff is involved then the process will need to be more streamlined. Mr. Bailey said the Staff is going to have a larger window or process to facilitate the process.

Ms. Meade said she is in favor of having more flexibility in the process.

Mr. Ward suggested waiting to see how the Council's prior approval works out.

Mayor Pro-tem Mason agreed with Mr. Ward. Mr. Bailey talked about the specific procedural requirements include A(2)(d).

Discussion ensued on waiting to see how the current language works out before making changes. Ms. Meade asked Council to consider leaving in the language in Subsection 9.10.10.

Council Member Teague indicated that she liked the idea of holding the neighborhood meeting in Council Chambers. Discussion ensued on how that could work. Mr. Ward indicated that he would look into solutions for Council Chambers.

Discussion ensued on the notification distance and it was the consensus of Council to change the notification distance from 150' to 300'.

CASE 20160222 UNLISTED USES: Amend UDO Articles 2 and 15 to add catch-all for uses not listed in the Table of Uses and provide for evaluation of unlisted uses; modify "Recreation" table title and add 12.13 Motor Vehicle Racing/Speedway to Table of Principal Uses as a prohibited use.

Mr. Bailey presented this case as outlined in the meeting packet. Mr. Bailey said that the Staff looked at other codes to create a formalized process.

Mr. Bailey added that the LBCS Land-Based Classification Standards were originally used to help with the revisions to the UDO adopted in 2014.

Discussion ensued on how the proposed changes would impact the situation with the racetrack on Roby Greene Road. Ms. Meade noted that this topic of conversation was not appropriate at this meeting. Ms. Meade noted there is not a permit to consider at this time.

Mayor Brantz opened the floor for public speakers. There were no speakers for this case.

Mr. Richard Butler voiced his support for the racetrack and noted his concerns with the proposed amendment.

Mr. Ernie Carpenter voiced his support for the racetrack and noted his concerns with the proposed amendment.

Mr. Terry Goss voiced his support for the racetrack and noted his concerns with the proposed amendment.

Mr. Luke Goss voiced his support for the racetrack and noted his concerns with the proposed amendment.

Mr. Kevin Sound voiced his support for the racetrack and noted his concern with the proposed amendment.

Mr. Richard Plogzaj voiced his support for the racetrack and noted his concern with the proposed amendment.

Mr. Paul Clark voiced his support for the racetrack and noted his concern with the proposed amendment. .

Dr. Brad Bachelor voiced his support for the racetrack and noted his concern with the proposed amendment.

Mr. Butler asked if Council had received a letter. Mr. Ward said the Council had received it and that he has a copy for the record.

Mayor Brantz closed this public hearing at 6:56 p.m.

CASE 20160224 TREE BOARD REMOVAL: Amend UDO Article 2 to remove the “Tree Board” from the UDO and modify the powers and duties of the “Community Appearance Commission”.

Mr. Bailey presented this case as outlined in the meeting packet.

Discussion ensued regarding the Mayor’s Tree Fund. Mr. Ward indicated that the tree fund was still in existence within the budget.

Discussion ensued regarding Arbor Day and Tree City program requirements. Mr. Bailey indicated that all Tree City requirements would be met under the proposed changes.

Mr. Bailey further explained tree cutting permit and identifying other sources of funds and other grants that will have a license associated with it.

Mayor Brantz closed this public hearing at 7:01 p.m.

CASE 20150149 PUBLIC HEARING PROCESS CHANGE: Modify UDO Article 9 with respect to the hearing, review and approval process for UDO text amendments and Zoning Map amendments (including PD and CD applications).

Mr. Bailey presented the outlined in the meeting packet. Mr. Bailey explained that Staff was directed to come up with a faster process to process UDO text and zoning map amendments.

Mr. Bailey explained the proposed changes were made to address the Planning Commission’s concern about having to hear make a decision on a complex case the same night as the hearing.

Mr. Bailey noted that Planning Commission meeting would move to the fourth Monday of the month.

Mr. Ward noted to Council that this could increase the possibility of Council’s attendance on every fourth Monday. Mr. Bailey said he did not see this happening every month but it will be a steady programmable thing that can be added in.

Mayor Brantz said the benefit would be to streamline the public hearing process.

Mr. Bailey explained with the public hearing being held first and the Planning Commission meeting to be held immediately after where the Commission could decide to make a decision, send it to the next Planning Commission meeting for further discussion or schedule a special meeting to discuss.

Discussion ensued on the confusion on how many meetings were actually occurring. Mr. Bailey noted that the Planning Commission would now only be meeting on the fourth Monday unless they called a special meeting. Council would be required to attend this meeting on the fourth Monday if there was a public hearing scheduled.

Discussion ensued on how the cases would be scheduled for public hearing.

Mayor Pro-tem Mason noted that it will be a shorter time period without delays. She said the hearing process is automatic and there does not need to be a request made to Council for a special meeting.

Mayor Brantz closed this public hearing at 7:26 p.m.

ADJOURNMENT

Mayor Brantz adjourned the hearing at 7:26 p.m.

VOTE: Aye-All

Nay-None

The vote was unanimous.

Rennie Brantz, Mayor

Marlene Crosby, Board Secretary

Eric Woolridge, Planning Commission Chairperson

DRAFT PLANNING COMMISSION MEETING
MINUTES
MONDAY, MAY 9, 2016
6:00 P.M.

**PLANNING COMMISSION
MEMBERS:**

Vice-Chairperson Greg Simmons, Jeff Templeton, Connor Boyle,
Charlie Myers, Jon Tate, Susan McCracken, Michelle Dineen
and Cameron Lippard

STAFF PRESENT:

Bill Bailey-Director of Planning and Inspections and Marlene
Crosby-Board Secretary

Vice-Chairperson Simmons called the meeting to order at 6:09 P.M.

ADOPTION OF AGENDA

Member Lippard made a motion to accept the agenda as written, seconded by Member Boyle.

Vote:

Aye – All

Nay – None

The vote was unanimous.

APPROVAL OF MINUTES

Member Lippard made a motion, seconded by Member Templeton to approve the April 4, 2016 special public hearing minutes as written.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Member Lippard made a motion, seconded by Member Tate to approve the April 11, 2016 Planning Commission minutes as written with one change made by Member Templeton to strike the following sentence on page four and in paragraph four, *“Member Templeton explained that the proposed building materials should be more in line with the B-1 zoning architectural standards”*.

Vote:

Aye – All

Nay – None

The vote was unanimous.

CASE 20160058 MODERN AUTOMOTIVE: Mr. Jerry Hollifield with Modern Automotive Network has filed a General Use Zoning Map Amend Petition to rezone the R3 Multi-Family Residential portion of 185 and 225 Modern Drive to B3 General Business.

Mr. Bailey gave a brief summary of the applicant's request to extend the B-3 zoning district throughout the back of their property.

There were no questions or discussion on this case.

First Motion and Vote:

Member Lippard made the motion, seconded by Member Boyle that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because currently the combined parcel is split-zoned, and Staff recommends to unify general use zoning on existing split-zoned parcels where appropriate. On the parcel associated with this large project, B-3 uses are much more compatible with the existing use than those associated with the R-3 zone. The Corridor District reaches almost to the back of the area proposed for B-3 zoning.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Second Motion and Vote:

Member Lippard made a motion, seconded by Member Boyle to recommend approval to the Town's zoning map and believe the approval is reasonable and in the public interest because the parcel is located in the Primary Growth Area as mentioned in the Comprehensive Plan 1.2. The town shall encourage a public service and regulatory environment conducive to business recruitment and expansion as mention in the Comprehensive Plan 2.1.1 (E). The Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property as mentioned in the Comprehensive Plan 2.1.1 (F), only when such consolidation and expansion does not encroach upon a viable residential area.

Vote:

Aye – All

Nay – None

The vote was unanimous.

CASE 20160027 PROTEST PETITION REMOVAL: Amend UDO Articles 1 and 9 to remove references to “Protest Petitions”.

Mr. Bailey gave a brief summary of the reason for the change to this text amendment.

Vice-Chairperson Simmons talked about a question he asked at the quarterly public hearing regarding this case. He noted that the change in this proposed text amendment does not affect the Intervener status that is available at the Board of Adjustment meetings. Mr. Bailey said that is correct.

First Motion and Vote:

Member Lippard made a motion, seconded by Member Tate that the proposed amendment to the Town’s zoning ordinance is consistent with the Town’s Comprehensive plan and other applicable adopted plans of the town which relate to this application because as of August 1, 2015, the North Carolina General Assembly eliminated a municipality’s ability to allow protest petitions in zoning ordinance amendments. Therefore, the UDO must be in compliance with the modified North Carolina General Statutes.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Second Motion and Vote:

Member Lippard made a motion, seconded by Member Tate to recommend approval of the proposed amendment to the Town’s zoning ordinance and believe approval is reasonable and in the public interest because the Unified Development Ordinance must comply with North Carolina General Statutes.

Vote:

Aye – All

Nay – None

The vote was unanimous.

CASE 20160028 FIRE CODE COORDINATION: Amend UDO Article 23 to bring street and driveway standards into compliance with the NC Fire Code.

Mr. Bailey gave a brief summary of the reason for the change to this text amendment.

There were no questions or discussion on this case.

First Motion and Vote:

Vice-Chairperson Simmons made a motion, seconded by Member Lippard that the proposed amendment to the Town's zoning ordinance is consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because it will align the Unified Development Ordinance with the North Carolina Fire code and eliminate confusion of the different standards for applicants. It aligns the Unified Development Ordinance with other elements of state law, and the proposed amendment has been approved by the Fire Marshal. It is also supported by Comprehensive Plan 2.1.1 E 1 and will continue to look for ways to make development regulations and permit procedures more predictable and timely.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Second Motion and Vote:

Vice-Chairperson Simmons made a motion, seconded by Member Boyle that the Planning Commission recommend approval to the proposed amendment to the Town's zoning ordinance and believe that approval is reasonable and in the public interest because the existing language in the Unified Development Ordinance Subsections 23.03 and 23.04 are in conflict with the requirements of the North Carolina Fire Code regarding maximum grade for driveways and streets.

Vote:

Aye – All

Nay – None

The vote was unanimous.

CASE 20160178 PLANNED DEVELOPMENT MODIFICATION: Amend UDO Article 9 to modify who the applicant must invite to the neighborhood meeting and the place of the meeting.

Mr. Bailey went over the changes to this proposed text as it related to the feedback that he received from the public hearing on this case. Mr. Bailey said it was the consensus of the Council that they did not want Staff to attend the meetings, set up the meetings or take meeting minutes. Mr. Bailey said at the public hearing there was also a concern for the charrette-style meeting and he explained that this style of meeting is where the people come in and the applicant is available for questions and answers in the Council Chambers which is a centralized location. Mr. Bailey said the Staff created a window of time on a weekday to help the citizens be able to attend the meetings.

Mr. Bailey talked about any conditions on a case that are accepted by the petitioner are binding until there is a change which could be either state law or could be a rezoning.

Discussion ensued on the change of 150 feet to 300 feet. Mr. Bailey said there was a consensus of the Council to change it to 300 feet for the notification period. Also, to put the burden of the notification process on the petitioner and the Staff would provide the materials needed and supervise it. The petitioner would provide a certification that the notifications were actually sent out along with the up-to-date mailing list from the county's database.

Member Boyle noted that the intent of the neighborhood meeting was created to allow the developer to get an understanding of the potential concerns for a proposed project and to answer any questions regarding it.

Discussion ensued on the regulatory requirement for a neighborhood meeting to take place for a proposed project.

Discussion ensued on the administrator at the neighborhood meeting developing the meeting minutes. Mr. Bailey said if there is anything in the meeting minutes does not add up, it may be caught at the public hearing by someone who was present at the neighborhood meeting.

Vice-Chairperson Simmons pointed out that at the neighborhood meetings the meeting minutes have been prepared by the attorney for the applicant. Mr. Bailey noted that the developer at the neighborhood meetings does not have to be represented by legal counsel.

Discussion ensued on the proposed projects going through the Planned Development process.

Mr. Bailey talked about the appearance of fairness that is utilized anytime you have a meeting driven by regulation to keep topics open or above board. Mr. Bailey said that Staff has always suggested that Staff not be present at these types of meeting so not to sway the decisions of the people present.

Discussion ensued on possibly needing a secondary location to hold the neighborhood meetings, if the Council Chambers is not available.

Member McCracken joined the meeting at 6:26 p.m.

Chairperson Simmons talked about making recommendations and conditions and tying in the four findings for a case.

Mr. Bailey went over the changes outlined in red and blue in the staff report.

Chairperson Simmons pointed out a correction in A2.01, 5 B on page five of the Staff report to change to "the petition is not relying".

Member Boyle asked about 9.10.11 as it related to Subsection 14.05.01 (B). Mr. Bailey read about the four findings found in 14.05.01 (B), 1 (a-d). Mr. Bailey noted that Staff wanted to add extra focus on these findings for discussions on proposed projects.

Member Dineen asked about the neighborhood meeting minutes would be included in the Staff report for the Planning Commission be able to see them. Mr. Bailey said the Staff would incorporate the minutes as an attachment to the Staff report. Mr. Bailey talked about the check and balance for the meeting minutes taken at the neighborhood meeting. Mr. Bailey said that Staff has reviewed the minutes and there has not been a conflict with them that Staff is aware of. Chairperson Simmons noted that he was at two of the three meetings and he has read the minutes and they seemed to be accurate to him.

Member Templeton he said he liked the idea of addressing neighborhood concerns early in the process of a proposed project. He also said it is a problem if a proposed project gets kicked out because of only a couple of neighbor's concerns. He also noted that you cannot please everybody. Mr. Bailey noted that a developer would take a good set of meeting minutes that would include the concerns. Mr. Bailey said the developer would come prepared to explain what they believe they can do for a proposed project to address concerns.

Member Boyle said he would like to think that any developer would gage their likelihood of success and they usually have legal counsel to help them make decisions.

Vice-chairperson Simmons talked about what Chairperson Woolridge had said at the quarterly public hearing which was the challenge the Planning Commission has at public hearings is there is no room in the process for negotiation and we need to come back to the original intent of the Planned Development process. He noted that the neighborhood meeting is an informational process for the neighborhood and the developer.

Mr. Bailey explained that the Staff is working with the Town Attorney to alter the way the advertising is done: to have clear language regarding the public hearing stays open until the Council decided. Mr. Bailey said the Planning Commission and the Council will have the ability to defer a complex case to the next meeting. Mr. Bailey further explained the proposed public hearing process.

Vice-Chairperson Simmons asked if Council approves the 300 feet property owner notification is this the only notification. Mr. Bailey said it is posted under public meetings and the Staff posts it as well.

Mr. Bailey noted that the neighborhood meetings will be attended by the developer and the people that are directly affected by the proposed project.

Mr. Bailey said it was the consensus of the Council to modify the distance for the notification from 150 feet to 300 feet.

Mr. Bailey said the Staff left 150 feet in the proposed text because he did not have direction at that time except from one person which was not enough to warrant a sufficient change.

Vice-Chairperson Simmons said a stakeholder of a proposed project has an opportunity to voice their concerns at the neighborhood meeting, public hearing, Planning Commission meeting and the Council meeting. Mr. Bailey said the neighborhood concerns need to be filed with the clerk.

First Motion and Vote:

Member Lippard made a motion, seconded by Member Boyle that the proposed amendment to the Town's zoning map is consistent with the Towns comprehensive plan and other applicable plans of the Town which relate to this application because it provides increased clarification of the planning and use of neighborhood meetings concerning planned development. It also provides more citizen input into the planned development process.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Second Motion and Vote:

Member Lippard made a motion, seconded by Member Boyle that the Planning commission recommend approval to the proposed amendment to the Town's zoning ordinance and believe that approval is reasonable and in the public interest because the it meets Comprehensive Plan Update 1.1 for Community Appearance and Community Character which blends the built environment with the natural, scenic, and historic character of a High Country small town, especially discouraging commercial strip development, cluttered signage, and "cheap" apartment buildings. The Planning Commission would like to recommend the following conditions for consideration:

1. Meeting notices will be handled by the petitioner.
2. Meeting notices will be sent out to property owners located within 150 feet of the proposed property up for development site.
3. Staff will not set up the room for the meetings, attend the meetings or take minutes for said meetings.
4. A petitioner can use a secondary location for their meeting, if the "Council Chambers" is unavailable.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Member Tate added a friendly amendment to change the distance back to 150 feet from 300 feet per the Staff's recommendation. He explained that at 300 feet you can potentially bring people into the discussion who may not be impacted by a proposed development. Member Lippard and Member Boyle accepted this friendly amendment to the motion.

Member Boyle said he can see getting more people involved when there are impacts like increased traffic or traffic changes and other impacts. This is why he is favor of the 300 feet distance.

Member Tate said we are looking at making this process easier on everybody. He talked about being involved in a proposed project for many days over the complaints of a neighbor and after the project was completed, it was made known that the neighbor's involvement was unwarranted and it created a huge problem for everybody.

Member Lippard added that he understands the 150 feet and explained that there are public hearings that anyone outside of the 150 feet area could address any concerns they may have about a proposed development.

Mr. Bailey added that at a public hearing and once the petitioner has submitted an application, there will be signs posted on the property which is the state accepted method for notifying people that may be potentially impacted by for example the traffic impacts of a proposed project.

Member Boyle talked about 9.10.05, A, 2a, The Planning Department shall schedule a charrette-style neighborhood meeting at Council Chambers. He said he did not feel the Town should be scheduling this type of meeting. He said he did not feel like Staff should be a part of the meetings. Mr. Bailey said the Staff would provide the information about how to use the Council Chambers which includes contacting the Town Clerk who maintains the Town calendar.

Mr. Bailey reminded the Planning Commission about their thoughts on the secondary location of the meetings. It was the consensus of the Planning Commission to include a secondary location as a condition in the recommendations for this case.

CASE 20160222 UNLISTED USES: Amend UDO Articles 2 and 15 to add catch-all for uses not listed in the Table of Uses and provide for evaluation of unlisted uses; modify "Recreation" table title and add 12.13 Motor Vehicle Racing/Speedway to Table of Principal Uses as a prohibited use.

Mr. Bailey said the proposed language gives direction to Staff on making an interpretation of the text for unlisted uses. He said an unpublished court opinion upholds this in another jurisdiction and it uses the land-based classification system. He said it utilizes the definitions of the zoning district to look at similar uses in the Table and whether or not they are allowed.

Mr. Bailey talked further about the unpublished court opinion regarding a truck stop in the State of North Carolina. Vice-Chairperson Simmons asked Mr. Bailey for the written court opinion. Mr. Bailey said he would email it to him.

Mr. Bailey noted that if he is not able to make an interpretation on a use, he said it can be moved to the Council for their consideration.

Mr. Bailey said that his decisions can be appealed to the Board of Adjustment, if needed.

McCracken asked if the change in 2.06.02 Interpretations B and 3, if it would apply to any text change. Mr. Bailey clarified that the topic being discussed is a text interpretation. Mr. Bailey noted that in other parts of the UDO a request for an interpretation has to be in writing. Mr. Bailey said the proposed change in B.1 was to make it clearer and B.3 allows the Planning Director to consult with the Town Attorney, if needed.

Vice-Chairperson Simmons used the following example and said he has a one-half acre lot beside his house and he wants to put in a paint-ball course and this use is not allowed in the table, therefore, it would fall under this process to be evaluated. He talked about the intervener process that could be taken by the people that live around this one-half acre lot, if they wanted to.

Mr. Bailey read 15.02.04 and explained the appeal process. He said if a review is administrative, it is likely to lead to administrative approval unless a transitional zone is triggered and that must be factored in. He talked about the other uses and the permitting process outside of his control like through a special use permit process which would include the posting of the parcel.

Vice-Chairperson Simmons asked Mr. Bailey if he is happy with the way the notifications work with the current language. Mr. Bailey said yes.

Vice-Chairperson Simmons said he had heard one concern about the determination of the appeal process happens behind closed doors. He talked about the discussion of an appeal in the public eye. Mr. Bailey noted that an appeal has to be submitted in writing. Mr. Bailey said that he would review it and a determination on it based on other criteria. Mr. Bailey noted that once a written appeal is submitted; it becomes public record.

Member McCracken talked about a university issue several years ago where state government decided that university use was not government use for a B-3 zoning district. She asked if this would be the place to appeal and say this should include university use or is it only for those things that are not identified at all or are a difference of opinion. Mr. Bailey said for things that are not identified yet. Mr. Bailey said he is already working on the issue that Member McCracken raised at this meeting.

Discussion ensued on the university being listed in the Table of Permissible Uses but it is not populated except in the U-1 zoning district.

Discussion ensued on what parts of an interpretation of a use is public. Mr. Bailey said they are all public. Mr. Bailey explained that he would create a written decision that can be appealed by

the applicant, if they want to do so.

Vice-Chairperson Simmons noted that as a Planning Commissioner, he sees this proposed text change as putting a better process in place for the future. Member Lippard agreed and said it sets up the precedent of having a process to deal with unlisted uses. Mr. Bailey said the Staff is trying to create a methodology to get a consistent answer in the proposed text amendment change.

Discussion ensued on where the decisions on the uses is kept. Mr. Bailey explained that every written application gets an assigned number and a file is created that will reside in the office in perpetuity or it will be closed, if we actually adopt it and become a part of the adoption language and file.

Mr. Bailey talked about the second part of the proposed text amendment change. Mr. Bailey handed out several emails that came from the Town Clerks office. The emails were in support of this proposed text amendment change (permanently attached).

Mr. Bailey talked about including the racetrack in the Table but not populating it. Mr. Bailey said that by the nature of the adoption, it would be a prohibited use.

Member McCracken clarified that the Staff's recommendation is for the racetrack to be a prohibited use.

Member Lippard asked why is the handout attached to this particular proposed text amendment.

Member McCracken asked Mr. Bailey where the definition for recreation was found in the UDO. Mr. Bailey said it is found in Article 34.

Discussion ensued on the impact of lighting in residential areas at night.

Member McCracken asked if there has been a recent change to the particular recreational facility.

Mr. Bailey noted that the race track is an ongoing legal matter and he is not able to talk about it.

Member Templeton talked about the history of the race track.

Member Boyle talked about the possibility of the ETJ being removed from the Town's jurisdiction. Mr. Bailey said we have to deal with what is in the Town's jurisdiction today.

Mr. Bailey talked about the concern of a race track being built in the corporate limits like in the Downtown area or at the university which is why this type of use is being addressed.

Member McCracken asked about the monster truck rallies and could they not be held in the Holmes Convocation Center. Mr. Bailey said he would wait for this proposed text to be adopted

before he would answer this question. Mr. Bailey said the Town's zoning authority on existing buildings on the university property is limited. He said the Town has zoning authority on buildings being built. He said once the buildings are built, the Town has limited authority on the use of the building.

Member Lippard said as an ETJ Planning Commission member he has been contacted and asked why the Town does not have an Olive Garden and the racetrack. He said there are plenty of people on both sides of this discussion which have concerns. He said he understands why this language needs to be clearly written for unlisted uses. He said by just labeling a use on a Table of Permissible Uses does not fully address the issues with it.

Mr. Bailey suggested that the Planning Commission adopt the proposed language as they see fit with any changes that they want to propose for it within their recommendation.

Member McCracken clarified that if the Planning Commission makes a recommendation and they do not include the language about a use not being permitted, and assume the Planning Commission gives Mr. Bailey the authority and the Council supports it to put in place this process to determine unlisted uses. Mr. Bailey would bring back to the Planning Commission at another meeting and want to put a use in the ordinance because it might become a common use. She said she had rather deal with Mr. Bailey on a use and make the argument why a use should be populated in the Table based upon the authority the Planning Commission gives Mr. Bailey. Member Lippard agreed with Member McCracken.

Mr. Bailey suggested to include what Member McCracken has discussed with their recommendation on this proposed text.

Vice-Chairperson Simmons talked about the adding of a race track and would we want to ever allow another race track. He talked about issues like noise and traffic that are associated with a race track.

Discussion ensued on the possible locations for race tracks. Member Lippard noted that there is not a policy in place to deal with another race track.

Member Boyle asked if the Planning Commission actually adopts the definition of the race track.

Discussion ensued on the go-cart track on Hwy 105. Mr. Bailey noted that the go-cart track is an approved use.

Member McCracken clarified that the proposed text change is for future regulation. Mr. Bailey said that is correct.

Member Templeton said his issue with the race track is there are more people in the community that are in favor of it and there are neighbors that are against it. He said he was not saying that the issues were valid, he said he would like to find a way to allow motorized racing for those

people who enjoy it within our corporate limits under certain conditions and where we can co-exist.

Member Boyle said he did not think that we should proceed with this proposed text amendment but if it does go forward, he suggested that any internal combustion engines be prohibited.

Member Templeton said that he envisions a future where there will be a demand for this type of sport by some part of the public and it may have to have a buffer if it is possible and what conditions would they have to meet and may need to build a sound wall. He said he thinks that this is a legitimate use. Member Boyle agreed with Member Templeton that there is a lot of demand for the race track.

Member Lippard talked about the conversations by the Planning Commission when they were reviewing other various uses in previous meetings. He is in favor of asking Staff to review this proposed text change again and bring it back to the Planning Commission to review.

Vice-Chairperson Simmons talked about when the outdoor shooting range was discussed by the Planning Commission, he said this use is a great analog to go by when reviewing unlisted uses. He said he has completely divorced in his mind the Mountain View Speedway because that will not be up to the Planning Commission to decide.

Mr. Bailey talked about the Council hearing enough of the citizens say that they do not want the race track. Mr. Bailey said the topic of the race track was a vehicle to move the proposed text change forward to be reviewed rather than have a separate document. Mr. Bailey said that the Council did not want this type of use in the Town and he talked with the Town Attorney on it.

Discussion ensued on the two ways to handle the race track, one by listing the racetrack in the table but not populating it or to create an interpretation. Member McCracken said if the Planning Commission passes the proposed text amendment, it will give Mr. Bailey the authority to create an interpretation that this unlisted use is not a recurring or common event possible. She said that could be challenged. Mr. Bailey said given the history that most likely he would not make an interpretation, he would send it directly to Council. Member McCracken said she feels that the proposed text is too manipulative to be able to support it as it is.

Mr. Bailey noted that there is no place in the Town where a race track is acceptable.

Member McCracken noted that there is a third option which is to create a straight text amendment to the UDO that says this is not an allowable use not because it is not listed but because the community has a concern about it.

Discussion ensued on the Staff's interpretation of common and recurring uses and whether a use is allowed or not.

Discussion ensued on splitting the motion and vote. Member McCracken said one motion would

be to give the Staff the authority to define and make decisions on undefined uses and a separate motion that says that the Planning Commission wants to amend the Table of Permissible Uses. Member Tate and Member Lippard agreed with her on this. Member Lippard said he would like it to be recognized that Member McCracken is making the Planning Commission make a political decision versus a planning decision.

Vice-Chairperson Simmons said he separated the proposed text amendment change from the race track. He said he considered the Town's zoning map, when he was reviewing the race track use and he looked to see if there was a place that another race track could be placed.

Discussion ensued on how the Planning Commission would need to vote on the two questions regarding the permissible use and the process for interpretation.

Mr. Bailed noted that the courts are going to look at the ordinance and if something is not listed, they are going to look at the way we currently use the process to determine any unlisted uses and we do not have it. He said the court may make a determination because a use is not listed and there has been no legislative decision about it, then you have to allow the use. He noted this is a possibility in the current scenario.

Member Templeton said he was told that the Planning Commission was not supposed to be concerned with the way the courts would interpret it. Mr. Bailey explained that the Planning Commission is being asked to amend the Table to add the race track and to review the process to see if an unlisted use is allowed or not.

Member Templeton said he is alright with the proposed process for the unlisted uses but is the Planning Commission going to take it a step further and tackle a specific use that is currently being litigated by the Town.

Member McCracken asked Mr. Bailey about the criteria for 15.02.03 being selected for the director to use to make determinations. She asked if this language was similar for other Towns and is quality of life considered part of the rationale. Mr. Bailey said yes it is about health safety and welfare of the community. Mr. Bailey said the proposed language came from the Town of Cary, North Carolina.

Member Myers shared his thoughts on what the Planning Commission has been asked to do regarding the process of unlisted uses being allowed or not and the amending the Table of Permissible Uses.

Mr. Bailey pointed out that this topic of discussion is on race tracks in general.

Discussion ensued on how to create the motions and votes for this case.

First Motion and Vote:

Member Lippard made a motion, seconded by Member Boyle that the proposed amendment to

the Town's zoning ordinance is consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because the proposed amendment establishes a much needed process through which proposed unlisted uses can be evaluated objectively, consistently, and through a clearly defined manner articulated in the Unified Development Ordinance except, the Planning Commission recommends that 12.13 be removed from the Table of Principal Uses 15.07 and any corresponding definitions or statements associated with it.

Vote:

Aye – 7 (Boyle, Dineen, Lippard, McCracken, Myers, Simmons, Templeton)
Nay – 1 (Tate)

The motion passed.

Second Motion and Vote:

Member Lippard made a motion, seconded by Member McCracken to approve the proposed amendment to the Town's zoning ordinance and believe approval is reasonable and in the public interest because it is supported by the Comprehensive Plan 2.1.1 (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; and as mentioned in the Comprehensive Plan 2.1.1. (E1) it will continue to look for ways to make development regulations and permit procedures more predictable and timely, however, the inclusion of Use 12.13 should be further evaluated with the newly written text amendments herein.

Vote:

Aye – 7 (Boyle, Dineen, Lippard, McCracken, Myers, Simmons, Templeton)
Nay – 1 (Tate)

The motion passed.

Member Boyle said that he wanted in the record that he feels like the definition of the race track should be very clearly delineate between internal combustion loud polluting machines versus anything else that isn't.

CASE 20160224 TREE BOARD REMOVAL – UDO TEXT AMENDMENT

Amend UDO Article 2 to remove the "Tree Board" from the UDO and modify the powers and duties of the "Community Appearance Commission".

Mr. Bailey said the Town Manager with the Town Council reorganized the boards and one of the boards that was eliminated was the Tree Board. He said the Staff is proposing to remove it from the UDO. He explained the duties of the Tree Board were assigned to Community Appearance Commission which is a statutory commission. He further explained that the Urban Forest Protection Program was created and functions under the Tree City USA umbrella. The Town still meets the definition that was recently altered and the Town still qualifies for Tree City USA.

He said the Community Appearance Commission got the duties of the Tree Board and part of those duties was to manage the Urban Forest Protection Program and to develop educational materials which is another component of the Tree City USA.

First Motion and Vote:

Member Boyle made a motion, seconded by Member Tate that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because it will continue to conserve existing trees and plant new trees.

Vote:

Aye – All
Nay - None

The vote was unanimous.

Second Motion and Vote:

Member Boyle made a motion, seconded by Member Tate to move to approve the proposed amendment to the Town's zoning ordinance and believe approval is reasonable and in the public interest because the previous duties of the Tree Board are now part of the Community Appearance Commission duties.

Vote:

Aye - All
Nay – None

The vote was unanimous.

CASE 20150149 PUBLIC HEARING PROCESS CHANGE: Modify UDO Article 9 with respect to the hearing, review and approval process for UDO text amendments and Zoning Map amendments (including PD and CD applications).

Mr. Bailey explained that this is the third time that the Staff has tried to get this proposed process approved. He said the goal is to move from quarterly public meetings to on demand meetings which is essentially once a month. He noted that developers have requested this type of scheduling all along. He noted that there are 12 hearings on average a year as he pointed out on the UDO Text Zoning Map Amendment Schedule (permanently attached).

Mr. Bailey explained the whole hearing and meeting schedule with the Planning Commission and answered any questions regarding it. He noted that this is the more complex schedule that the Staff uses. He noted that this proposed scheduled cuts 27 to 28 days off the process. He pointed out that if the meetings get held over, it can add as much as 30 days to the process. He said the average number of days is 82 to 112 depending on when an applicant gets into the cycle.

Mr. Bailey talked about the moving of the Planning Commission meeting from the first Monday to the fourth Monday to help the Staff to be able to put together the Planning Commission case recommendations and the meeting minutes and get them to Council. He noted that right now the Staff struggles to get all the information together. It was noted that the Staff put this schedule together to help to not miss the Council agenda deadline. He further explained that the Council packet cannot be published until they receive what the Staff needs to send them. He talked about 80 percent of the meetings being with the Council.

Discussion ensued on the days that will be saved with the proposed UDO Text Zoning Map amendment Schedule, if it is approved.

Vice-Chairperson Simmons talked about the possibility that the Planning Commission members will feel pressured to make a decision on complex cases right after the public hearing. Mr. Bailey said a case could be held over 30 days, if a decision is not made on case on the same night.

Mr. Bailey said it is a benefit for the Council to attend the same meeting as the Planning Commission so they can hear the same information at the same time.

Mr. Bailey said Staff would manage the agenda items for a meeting and if there are several complex cases, the Staff will work with the petitioner to move the case.

Mr. Bailey said Staff has not developed a methodology for having meetings around holidays. Mr. Bailey said the Planning Commission can talk about the scheduling of meetings around holidays and propose changes to the meeting schedule.

Mr. Bailey talked about special public hearings being disruptive to the Staff's work flow.

Vice-Chairperson Simmons suggested that the Planning Commission members be prepared to discuss the cases, when they need to make recommendations.

Discussion ensued on making it a condition to revisit this proposed text. Mr. Bailey said it does not need to be made a condition because the Staff will monitor it.

First Motion and Vote:

Member Boyle made a motion, seconded by Member McCracken that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because it is another way to make development regulations and permit procedures more predictable and timely.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Second Motion and Vote:

Member Boyle made a motion, seconded by Member McCracken that the Planning Commission recommends approval for the following reasons: the proposed changes streamline the amendment process by providing for a monthly public hearing schedule, rather than quarterly, allowing development proposals and text amendments to be heard, discussed, and decided in a timely manner.

VOTE:

Aye-All

Nay-None

The vote was unanimous.

OTHER MATTERS FROM BOARD MEMBERS OR STAFF

Discussion on Electing a Planning Commission representative to attend the May 19, 2016 Special Public Hearing at the Council Meeting.

Member Tate made a motion, seconded by Member McCracken to have Chairperson Woolridge to attend May 19, 2016 Special Public Hearing at the Council meeting to represent the Planning Commission on the discussion of the proposed Rivers Walk Mixed Use Project.

VOTE:

Aye-All

Nay-None

The vote was unanimous.

ADJOURNMENT

Member Tate made a motion to adjourn the meeting at 8:54 p.m. seconded by Member Boyle.

VOTE:

Aye-All

Nay-None

The vote was unanimous.

Vice-Chairperson Greg Simmons

Marlene Crosby, Board Secretary

Zoning/Planning Permit 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
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
- ☐ Commercial
- ☐ Board of Adjustment Hearing (other than Appeals)
- ☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: _____ Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): NA
Address/Location: NA
Project Name: Landscape Contractor- UDO Text Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- ☐ Accessory Building *Zoning Project Data Form (Residential or Commercial)
- ☐ Addition/Expansion including decks and patios *Zoning Project Data Form (Residential or Commercial)
- ☐ Change of Occupancy *Commercial Project Data Form
- ☐ Land Disturbance (not associated with the construction of a bldg.) *Zoning Project Data Form (Residential or Commercial)
- ☐ Manufactured Home Set-up in Park *Manufactured Home in Park Form
- ☐ New Building Construction *Zoning Project Data Form (Residential or Commercial)
- ☐ Renovation/Remodel *Zoning Project Data Form (Residential or Commercial)
- ☐ Accessory Use (as listed in UDO Subsection 15.07.01) *Zoning Project Data Form (Residential or Commercial)
- ☐ Temporary Use (as listed in UDO Subsection 15.07.02) *Zoning Project Data Form (Residential or Commercial)
- ☐ Sign *Sign Project Data Form (Zoning)
- ☐ Pavement Sealant *Pavement Sealant Project Data Form
- ☐ Major Subdivision Zoning Permit *Commercial Project Data Form

Board of Adjustment Hearings

- ☐ Special Use Permit/Modification *Special Use Permit Form
- ☐ Variance *Variance Form
- ☐ Major Subdivision Preliminary Plat Approval *Major Subdivision Preliminary Plat Approval Form

Planning/Other

- ☐ Exempt Division of Land *Subdivision Exemption Project Data Form
- ☐ Minor Subdivision (Preliminary and Final Plat) *Minor Subdivision Project Data Form
- ☐ Major Subdivision (Final Plat) *Major Subdivision Final Plat Project Data Form
- ☒ UDO Text Amendment *Text Amendment Project Data Form
- ☐ General Use Zoning Map Amendment *General Use Map Zoning Map Amendment Project Data Form
- ☐ Conditional District Zoning Map Amendment *Conditional District Zoning Map Amendment Project Data Form
- ☐ Voluntary Annexation *Annexation Petition (Satellite or Contiguous)
- ☐ UDO Text Interpretation *UDO Interpretation Data Form

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. 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.

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****May 2016****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Landscape Contractor – UDO Text Amendment

Permit Number:

220160226

Project Name/Number:

NA

Date:

Fee:

Receipt Number:

Method of Payment:

Paid By:

May 2016**NA****NA****NA****NA**

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

UDO Text Amendment Project Data Form

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

Project Name/Number:

Landscape Contractor- UDO Text Amendment

Permit Name/Number:

20160226

A. TEXT INFORMATION

Amendment is to:

Article(s): Article 31 Landscape Standards

Section(s): 31.12 Compliance and Maintenance

Brief Description of Amendment (Attach Proposed Text):

See Reason for change below.

Reason for Change:

On August 2, 2014 the North Carolina General Assembly (Session Law 2014-103, House Bill 366) modified the General Statute regarding when landscaping is required to be performed by a North Carolina licensed landscape contractors. These changes were effective as of August 1, 2015. The proposed draft brings the UDO into compliance with the modified statutes.

Official Use Only

Public Hearing Meeting Date: June 6, 2016

PC Meeting Date: June 13, 2016

TC Meeting Date: June 16, 2016

Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Landscape Contractor - UDO Text Amendment Staff Report (Case 20160226 Landscape Contractor)



CASE 20160226 LANDSCAPE CONTRACTORS- UDO TEXT AMENDMENT

Request

On August 2, 2014 the North Carolina General Assembly (Session Law 2014-103, House Bill 366) modified the General Statute regarding when landscaping is required to be performed by a North Carolina licensed landscape contractors. These changes were effective as of August 1, 2015. The proposed draft brings the UDO into compliance with the modified statutes. Please see attached Session Law 2014-103, House Bill 366.

ANALYSIS

The text below in ~~red strikethrough~~ is the text proposed to be deleted and the blue underline is the new text for consideration. Please note, text amendments will now contain the case number and effective date in italicized font at the end of the section in which the text was modified.

Compliance and Maintenance

31.12.01 Certificate of ~~Compliance~~ Occupancy, Completion or Zoning Compliance

- A. Landscaping must be installed according to the approved site plan and inspected prior to receiving ~~a certificate of compliance~~ final certification.
- B. All plant material shall meet or exceed size and shape relationships specified in the latest edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.
 - 1. All sizes specified refer to size at time of planting. Vegetation shall be planted to ensure the best chance of survival and to reduce the potential expense of replacing damaged plant material.
 - 2. Caliper of the trunk of all new planted trees shall be taken six inches (6") above ground up to and including four inch (4") caliper, and twelve inches (12") above the ground for larger sizes. Seldom are tree trunks perfectly round. Caliper measurements may be taken with "pincer" type caliper, or diameter tape.
- C. Plant material must be installed by a landscape contractor licensed to practice in the State of North Carolina, unless the installation qualifies for an exemption under §13 of 89D of the General Statutes (as may be amended from time to time).

(20160226-xxxxxxxxx)

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 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

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.

PLANNING BOARD REPORT/RECOMMENDATIONS

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.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval OR ☐denial is reasonable and in the public interest because:

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SESSION LAW 2014-103
HOUSE BILL 366**

AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING.

The General Assembly of North Carolina enacts:

MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE

SECTION 1.(a) Article 21 of Chapter 143 of the General Statutes is amended by adding two new sections to read:

"§ 143-215.9D. Agricultural operation investigations confidential.

Complaints of violations of this Article relating to an agricultural operation and all other records accumulated in conjunction with the investigation of these complaints shall be considered confidential records and may be released only by order of a court of competent jurisdiction. If the Department determines that a violation has occurred, the complaint of the violation and all records accumulated in conjunction with the investigation of the complaint shall be considered public records pursuant to G.S. 132-6. Any information obtained by the Department from any law enforcement agency, administrative agency, or regulatory



organization on a confidential or otherwise restricted basis in the course of such an investigation shall be confidential and exempt from the requirements of G.S. 132-6(a) to the same extent that it is confidential in the possession of the providing agency or organization.

"§ 143-215.9E. Initial consideration of complaint.

(a) When a complaint alleging a violation of this Article is filed with the Department, the Department may, at its sole discretion, request additional information to be provided by the complainant within a specified period of time of no less than seven business days.

(b) The Department may decline to accept or further investigate a complaint about an agricultural operation if, after an initial assessment of the complaint, the Department finds reasonable grounds to believe that the complaint is frivolous or was filed in bad faith."

SECTION 1.(b) The Department of Environment and Natural Resources shall adopt rules developing a system for receiving, investigating, and responding to environmental complaints about agricultural operations in accordance with Article 2A of Chapter 150B of the General Statutes, the Administrative Procedure Act.

CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER

SECTION 2.(a) If Senate Bill 38, 2013 Regular Session, becomes law, then G.S. 106-678, as enacted by Senate Bill 38, reads as rewritten:

"§ 106-678. Authority to regulate fertilizers.

No county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance or resolution regulating the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, manufacture, or application of fertilizer. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes, or from exercising its fire prevention or inspection authority. Nothing in this section shall limit the authority of the Department of Environment and Natural Resources or the Environmental Management Commission to enforce water quality standards. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from adopting ordinances regulating fertilizers to protect water quality, provided that the ordinances have been approved by the Environmental Management Commission or the Department of Environment and Natural Resources as part of a local plan or National Pollutant Discharge Elimination System permit application and do not exceed the State's minimum requirements to protect water quality as established by the Environmental Management Commission under Part 1, Article 21 of Chapter 143 of the General Statutes. Nothing in this section shall prohibit a county or city from exercising its authority to regulate explosive, corrosive, inflammable, or radioactive substances pursuant to G.S. 153A-128 or G.S. 160A-183."

SECTION 2.(b) If Senate Bill 38, 2013 Regular Session, does not become law, then Article 56 of Chapter 106 of the General Statutes is amended by adding a new section to read:

"§ 106-678. Authority to regulate fertilizers.

No county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance or resolution regulating the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, manufacture, or application of fertilizer. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes or from exercising its fire prevention or inspection authority. Nothing in this section shall limit the authority of the Department of Environment and Natural Resources or the Environmental Management Commission to enforce water quality standards. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from adopting ordinances regulating fertilizers to protect water quality, provided that the ordinances have been approved by the Environmental Management Commission or the Department of Environment and Natural Resources as part of a local plan or National Pollutant Discharge Elimination System permit application and do not exceed the State's minimum requirements to protect water quality as established by the Environmental Management Commission under Part 1 of Article 21 of Chapter 143 of the General Statutes. Nothing in this section shall prohibit a county or city from exercising its

authority to regulate explosive, corrosive, inflammable, or radioactive substances pursuant to G.S. 153A-128 or G.S. 160A-183."

REWRITE THE LANDSCAPE CONTRACTOR LICENSING STATUTES

SECTION 3.(a) G.S. 89D-1 through G.S. 89D-10 are repealed.

SECTION 3.(b) Chapter 89D of the General Statutes is amended by adding the following new sections to read:

"§ 89D-11. Definitions.

The following definitions apply in this Chapter:

- (1) Board. – The North Carolina Landscape Contractors' Licensing Board.
- (2) Landscape construction or contracting. – The act of providing services as a landscape contractor, as defined in this section, for compensation or other consideration.
- (3) Landscape contractor. – Any person who, for compensation or other consideration, does any of the following:
 - a. Engages in the business requiring the art, experience, ability, knowledge, science, and skill to prepare contracts and bid for the performance of landscape services, including installing, planting, repairing, and managing gardens, lawns, shrubs, vines, trees, or other decorative vegetation, including the finish grading and preparation of plots and areas of land for decorative utilitarian treatment and arrangement.
 - b. Practices the act of horticulture consultation or planting design for employment purposes.
 - c. Constructs, installs, or maintains landscape drainage systems and cisterns; provided the landscaping contractor makes no connection to pipes, fixtures, apparatus, or appurtenances installed upon the premises, or in a building, to supply water thereto or convey sewage or other waste therefrom as defined in G.S. 87-21.
 - d. Designs, installs, or maintains low-voltage landscape lighting systems, provided (i) the work does not exceed the scope of the exception set forth in G.S. 87-43.1(7) and (ii) the low-voltage lighting systems do not exceed 50 volts and constitute a Class II or Class III cord and plug connected power system.
 - e. Engages in the construction of garden pools, retaining walls, walks, patios, or other decorative landscape features.
- (4) Person. – An individual, firm, partnership, association, corporation, or other legal entity.

"§ 89D-12. License required; use of seal; posting license.

(a) Except as otherwise provided in this Chapter, no person shall engage in the practice of landscape construction or contracting, use the designation "landscape contractor," or advertise using any title or description that implies licensure as a landscape contractor unless the person is licensed as a landscape contractor as provided by this Chapter. All landscape construction or contracting performed by a partnership, association, corporation, firm, or other group shall be performed under an individual who is readily available to exercise supervision over the landscape construction and contracting work and who is licensed by the Board under this Chapter.

(b) Nothing in this Chapter shall be construed to authorize a landscape contractor to engage in any of the following:

- (1) The practice of landscape architecture, as defined in G.S. 89A-1.
- (2) The practice of engineering, as defined in G.S. 89C-3.
- (3) Practice as a well contractor certified under Article 7A of Chapter 87 of the General Statutes.
- (4) The practice of irrigation contracting, as defined in G.S. 89G-1.
- (5) The practice of architecture, as defined in G.S. 83A-1.
- (6) The practice of plumbing, heating group number one, heating group number two, heating group number three, fire sprinkler, or fuel piping contracting, as defined in G.S. 87-21, provided the landscaping contractor may install piping, fittings, valves, and associated components for the purpose of

landscape contracting that is downstream of a potable water source, groundwater source, or grey water source, and downstream of a backflow prevention assembly.

(7) The practice of electrical contracting, as defined in G.S. 87-43.

(c) A landscape contractor licensed under this Chapter is not required to be licensed as a general contractor under Article 1 of Chapter 87 of the General Statutes if the licensed landscape contractor is performing landscape construction or contracting work valued at an amount greater than thirty thousand dollars (\$30,000).

(d) Upon licensure by the Board, each landscape contractor shall obtain a seal of the design authorized by the Board and bearing the name of the licensee, the number of the license, and the legend "N.C. Licensed Landscape Contractor." A landscape contractor may use the seal only while the license is valid.

(e) Every landscape contractor issued a license under this Chapter shall display the license conspicuously in the landscape contractor's place of business. Every landscape contractor shall display the license number issued to the contractor by the Board on all business cards, contracts, and vehicles used by the contractor in the landscape contracting business.

"§ 89D-13. Exemptions.

The provisions of this Chapter shall not apply to the following:

- (1) Any federal, State, or local governmental agency performing landscaping on public property.
- (2) The North Carolina Department of Transportation (NCDOT). However, for landscape installations or establishment periods for any project that exceeds the current contract amount requiring performance and payment bonds according to State law, NCDOT shall require a licensed landscape contractor to perform the work. NCDOT, at its discretion, may require a licensed landscape contractor for landscape projects of any cost.
- (3) Any property owner performing landscape work on his or her own property.
- (4) Any person or business owning or operating a golf course.
- (5) Any landscaping work where the price of all contracts for labor, material, and other items for a given job site during any consecutive 12-month period is less than thirty thousand dollars (\$30,000). A local governmental unit shall not enact a local ordinance or regulation requiring licensure for landscaping work performed pursuant to this subdivision.
- (6) A general contractor licensed under Article 1 of Chapter 87 of the General Statutes who possesses a classification under G.S. 87-10(b) as a building contractor, a residential contractor, or a public utilities contractor.
- (7) Any person or business licensed as an electrical contractor under Article 4 of Chapter 87 of the General Statutes who is designing, installing, or maintaining any electric work, wiring, devices, appliances, or equipment.
- (8) Any person or business licensed as a plumbing contractor under Article 2 of Chapter 87 of the General Statutes who is installing pipes, fixtures, apparatus, or appurtenances to supply water thereto or convey sewage or other waste therefrom, including the installation, repair, or maintenance of water mains, water taps, services lines, water meters, or backflow prevention assemblies supplying water for irrigation systems or repairs to an irrigation system.
- (9) A professional engineer licensed pursuant to Chapter 89C of the General Statutes.
- (10) A professional landscape architect licensed under Chapter 89A of the General Statutes.
- (11) An individual or a business engaged in any of the following activities while performing that activity:
 - a. Clearing and grading plots and areas of land.
 - b. Erosion control.
 - c. Arboriculture, including consultations on pruning and removal of trees.
 - d. The installation of sod, seed, or plugs by sod producers certified by the Plant Industry Division of the North Carolina Department of Agriculture and Consumer Services.

- e. Landscape construction performed by utilities contractors for the purpose of grading and erosion control.
- f. Lawn mowing, turf edging, and debris removal services.
- g. Turf management or lawn care services only, including fertilization, aeration, weed control, or other turf management or lawn care practices other than mowing or edging.
- h. Design, installation, and maintenance of on-site wastewater disposal or reuse systems within the on-site wastewater permit specifications.
- (12) Any person performing landscaping work on a farm for use in agriculture production, farming, or ranching.

"§ 89D-14. The North Carolina Landscape Contractors' Licensing Board.

(a) There is created the North Carolina Landscape Contractors' Licensing Board. The Board shall consist of nine members appointed as follows:

- (1) One member appointed by the Governor who is a member of the general public.
- (2) One member appointed by the Commissioner of Agriculture pursuant to recommendations from The North Carolina Green Industry Council.
- (3) One member appointed by the Board of Directors of the North Carolina Nursery and Landscape Association, Inc., who is a practicing nurseryman operating a nursery certified by the North Carolina Department of Agriculture and Consumer Services Plant Industry Division.
- (4) Four members who are licensed landscape contractors in the business of landscape construction or contracting. One of the four members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives pursuant to recommendations from The North Carolina Green Industry Council; one shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate pursuant to recommendations from the Carolinas Irrigation Association, who is also a licensed irrigation contractor; and two shall be appointed by the Board of Directors of the North Carolina Nursery and Landscape Association, Inc.
- (5) One member appointed by the Board of Directors of the North Carolina Chapter of the American Society of Landscape Architects who is a registered landscape architect.
- (6) One member appointed by the President of The University of North Carolina from within the land grant university community who is knowledgeable in landscaping methods and practices.

(b) All appointments shall be for three-year terms. No member shall serve more than two complete consecutive terms.

(c) A vacancy on the Board created by death, resignation, or otherwise shall be filled in the same manner as the original appointment, except that all unexpired terms of Board members appointed by the General Assembly shall be filled in accordance with G.S. 120-122. Appointees to fill vacancies shall serve the remainder of the unexpired term and until their successors are appointed and qualified.

(d) The Board shall elect annually a chair and other officers as it deems necessary to carry out the purposes of this Chapter and shall hold meetings at least twice a year. A majority of the Board shall constitute a quorum.

(e) Each member of the Board may receive per diem and reimbursement for travel and subsistence as set forth in G.S. 93B-5.

(f) The Board shall be entitled to the services of the Attorney General in connection with the affairs of the Board or may, in its discretion, employ an attorney to assist or represent it in the enforcement of this Chapter.

"§ 89D-15. Powers and duties.

The Board shall have the following powers and duties:

- (1) Administer and enforce the provisions of this Chapter.
- (2) Adopt, amend, or repeal rules to carry out the provisions of this Chapter.
- (3) Examine and determine the qualifications and fitness of applicants for licensure and licensure renewal.
- (4) Issue, renew, deny, restrict, suspend, or revoke licenses.

- (5) Reprimand or otherwise discipline licensees under this Chapter.
- (6) Receive and investigate complaints from members of the public.
- (7) Conduct investigations to determine whether violations of this Chapter exist or constitute grounds for disciplinary action against licensees under this Chapter.
- (8) Conduct administrative hearings in accordance with Article 3A of Chapter 150B of the General Statutes.
- (9) Seek injunctive relief through any court of competent jurisdiction for violations of this Chapter.
- (10) Collect fees required by G.S. 89D-21 and any other moneys permitted by law to be paid to the Board.
- (11) Require licensees to file and maintain an adequate surety bond.
- (12) Establish and approve continuing education requirements for persons licensed under this Chapter.
- (13) Employ a secretary-treasurer and any other clerical personnel the Board deems necessary to carry out the provisions of this Chapter and to fix compensation for employees.
- (14) Maintain a record of all proceedings conducted by the Board and make available to licensees and other concerned parties an annual report of all Board action.
- (15) Adopt and publish a code of professional conduct for all persons licensed under this Chapter.
- (16) Adopt and publish a code of minimum practice standards for landscape construction and contracting.
- (17) Adopt a seal containing the name of the Board for use on licenses and official reports issued by the Board.

"§ 89D-16. Application for license; qualifications; examination; issuance.

(a) Upon application to the Board and payment of the required fees, an applicant for licensure as a landscape contractor may sit for the examination if the applicant submits evidence demonstrating the applicant's qualifications for licensure under this Chapter as prescribed in rules adopted by the Board and meets all of the following qualifications:

- (1) Is at least 18 years of age.
- (2) Is of good moral character as determined by the Board.
- (3) Provides evidence of business identification as required by the Board.
- (4) Files with the Board and maintains a corporate surety bond executed by a company authorized to do business in this State or an irrevocable letter of credit issued by an insured institution. The surety bond or the letter of credit shall be in the amount of ten thousand dollars (\$10,000). The surety bond or letter of credit shall be approved by the Board as to form and shall be conditioned upon the obligor faithfully conforming to and abiding by the provisions of this Chapter. Any person claiming to be injured by an act of a licensed landscape contractor that constitutes a violation of this Chapter may institute an action to recover against the licensee and the surety.

(b) If the applicant meets all the qualifications in subsection (a) of this section, the applicant shall be required to pass an examination administered by the Board before the Board may issue the license. The Board shall establish the scope and subject matter of the examination to be administered. The Board shall administer examinations at least twice a year at a time and place to be determined by the Board.

(c) When the Board determines that an applicant has met all the qualifications for licensure, submitted the required fee, and passed the examination, the Board shall issue a license to the applicant.

"§ 89D-17. Corporations; partnerships; persons doing business under trade name.

(a) The Board may issue a license in the name of a corporation if the corporation complies with the following:

- (1) One or more officers or full-time employees, or both, empowered to act for the corporation are individuals licensed under this Chapter.
- (2) Only the officers or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the

name of a corporation and are readily available to exercise supervision over the work performed pursuant to the contract.

(b) The Board may issue a license in the name of a limited liability company if the company complies with the following:

- (1) One or more managers, as defined in G.S. 57D-1-03, executives, or full-time employees, or a combination thereof, are individuals licensed under this Chapter.
- (2) Only the managers, executives, or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the name of the limited liability company and are readily available to exercise supervision over the work performed pursuant to the contract.

(c) The Board may issue a license in the name of a partnership if the partnership complies with the following:

- (1) One or more general partners or full-time employees empowered to act for the partnership are individuals licensed under this Chapter.
- (2) Only the partners or employees described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the name of the partnership and are readily available to exercise supervision over the work performed pursuant to the contract.

(d) The Board may issue a license in an assumed or designated trade name if the owner of the business complies with the following:

- (1) The owner or one or more full-time employees empowered to act for the owner is an individual licensed under this Chapter.
- (2) Only the persons described in subdivision (1) of this subsection execute contracts for landscape construction or contracting in the assumed or designated trade name of the business and are readily available to exercise supervision over the work performed pursuant to the contract.

(e) When the Board issues a license under this section, the Board shall indicate on the license the name and license number of the individual licensee connected to the corporation, partnership, or business conducted under an assumed or designated trade name.

(f) A person licensed pursuant to this section shall be readily available to exercise supervision over a contract for landscape construction or contracting until the contract is completed.

(g) When a licensee executes a contract for landscape construction or contracting in any capacity other than as a sole proprietor contracting on the licensee's own behalf, the person on whose behalf the licensee is executing the contract shall be licensed under this section.

(h) A corporation, partnership, or person doing business under an assumed or designated trade name shall notify the Board in accordance with rules adopted by the Board if an individual licensee who is indicated in the license issued under this section ceases to be an officer, partner, owner, or employee of the corporation, partnership, or person doing business under the assumed or designated trade name. If the corporation, partnership, or person no longer has an officer, general partner, owner, or employee described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section, the corporation, partnership, or person shall have 120 days from the date the officer, general partner, owner, or employee ceases the relationship with the corporation, partnership, or person to satisfy the requirements described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section. The Board may, in its discretion, grant the corporation, partnership, or person a period greater than 120 days to satisfy the requirements described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section as it deems appropriate. After 120 days, or a time period greater than 120 days as approved by the Board, if the corporation, partnership, or person does not have an officer, general partner, owner, or employee as described in subdivision (1) of subsection (a), subdivision (1) of subsection (b), or subdivision (1) of subsection (c) of this section, the license issued under this section is automatically suspended and the corporation, partnership, or person shall cease practicing landscape construction or contracting.

"§ 89D-18. Licensing of nonresidents.

(a) Definitions. – The following definitions apply in this section:

- (1) Delinquent income tax debt. – The amount of income tax due as stated in a final notice of assessment issued to a taxpayer by the Secretary of Revenue when the taxpayer no longer has the right to contest the amount.
- (2) Foreign corporation. – A corporation as defined in G.S. 55-1-40.
- (3) Foreign entity. – A foreign corporation, a foreign limited liability company, or a foreign partnership.
- (4) Foreign limited liability company. – A company as defined in G.S. 57D-1-03.
- (5) Foreign partnership. – One of the following that does not have a permanent place of business in this State:
 - a. A foreign limited partnership as defined in G.S. 59-102.
 - b. A general partnership formed under the laws of a jurisdiction other than this State.

(b) Licensing. – Except as provided in this section, the Board may issue a license to a nonresident individual or a foreign entity that meets the requirements for licensure under this Chapter.

(c) Certificate of Authority Required. – The Board shall not issue a license for a foreign corporation unless the corporation has obtained a certificate of authority from the Secretary of State pursuant to Article 15 of Chapter 55 of the General Statutes. The Board shall not issue a license for a foreign limited liability company unless the company has obtained a certificate of authority from the Secretary of State pursuant to Article 7 of Chapter 57D of the General Statutes.

(d) Information. – The Board, upon request, shall provide the Secretary of Revenue the name, address, and tax identification number of every nonresident individual and foreign entity licensed by the Board. The information to be provided under this section shall be in a form required by the Secretary of Revenue.

(e) Delinquents. – If the Secretary of Revenue determines that any nonresident individual or foreign entity licensed by the Board owes a delinquent income tax debt, the Secretary of Revenue may notify the Board of the nonresident individual or foreign entity and instruct the Board not to renew the nonresident individual or foreign entity's license. The Board shall not renew the license of a nonresident individual or foreign entity identified by the Secretary of Revenue unless the Board receives a written statement from the Secretary that (i) the debt has been paid or (ii) the debt is being paid pursuant to an installment agreement.

"§ 89D-19. Reciprocity.

The Board may issue a license, without examination, to any person who is a landscape contractor licensed, certified, or registered in another state or country if the requirements for licensure, certification, or registration in the other state or country are substantially equivalent to the requirements for licensure in this State.

"§ 89D-20. License renewal and continuing education.

(a) Every license issued under this Chapter shall be renewed on or before the first day of August of each year. Any person who desires to continue to practice shall apply for a license renewal and shall submit the required fee. Licenses that are not renewed shall be automatically revoked. A license may be renewed at any time within one year after its expiration if (i) the applicant pays the required renewal fee and late renewal fee, (ii) the Board finds that the applicant has not used the license in a manner inconsistent with the provisions of this Chapter or engaged in the practice of landscape construction or contracting after notice of revocation, and (iii) the applicant is otherwise eligible for licensure under the provisions of this Chapter. When necessary, the Board may require licensees to demonstrate continued competence as a condition of license renewal.

(b) As a condition of license renewal, a licensee shall meet the continuing education requirements set by the Board. Each licensee shall complete seven continuing education units per year. The Board may suspend a licensee's license for 30 days for failure to obtain continuing education units required by this subsection. Upon payment of a reinstatement fee, submission to the Board of proof of the continuing education units required by this subsection, and payment of the license renewal fee and late renewal fee, the licensee's license shall be reinstated. Failure to request a reinstatement of the license and failure to pay the reinstatement fee, renewal fee, and late renewal fee shall result in the forfeiture of a license. Upon forfeiture, a person shall be required to submit a new application and retake the examination as provided in this Chapter.

"§ 89D-21. Expenses and fees.

(a) The Board may impose the following fees not to exceed the amounts listed below:

(1)	<u>Application fee</u>	<u>\$100.00</u>
(2)	<u>Examination fee</u>	<u>250.00</u>
(3)	<u>Individual license fee and individual license renewal</u>	<u>100.00</u>
(4)	<u>Initial corporate, limited liability company, partnership, or trade name license</u>	<u>100.00</u>
(5)	<u>Corporate, limited liability company, partnership, or trade name license renewal</u>	<u>100.00</u>
(6)	<u>Late renewal fee</u>	<u>50.00</u>
(7)	<u>Reinstatement fee</u>	<u>250.00</u>
(8)	<u>License by reciprocity</u>	<u>250.00</u>
(9)	<u>Duplicate license</u>	<u>25.00</u>

(b) When the Board uses a testing service for the preparation, administration, or grading of examinations, the Board may charge the applicant the actual cost of the examination services and a prorated portion of the examination fee.

"§ 89D-22. Disciplinary action.

(a) The Board may deny, restrict, suspend, or revoke a license or refuse to issue or renew a license if a licensee or applicant does any of the following:

- (1) Employs the use of fraud, deceit, or misrepresentation in obtaining or attempting to obtain a license or the renewal of a license.
- (2) Practices or attempts to practice landscape construction or contracting by fraudulent misrepresentation.
- (3) Commits an act of gross malpractice or incompetence as determined by the Board.
- (4) Has been convicted of or pled guilty or no contest to a crime that indicates that the person is unfit or incompetent to practice as a landscape contractor or that indicates that the person has deceived or defrauded the public.
- (5) Has been declared incompetent by a court of competent jurisdiction.
- (6) Has willfully violated any provision in this Chapter or any rules adopted by the Board.
- (7) Uses or attempts to use the seal in a fraudulent or unauthorized manner.
- (8) Fails to file the required surety bond or letter of credit or to keep the bond or letter of credit in force.

(b) The Board may assess costs, including reasonable attorneys' fees and investigatory costs, in a proceeding under this section against an applicant or licensee found to be in violation of this Chapter.

"§ 89D-23. Civil penalties.

(a) In addition to taking any of the actions permitted under G.S. 89D-22, the Board may assess a civil penalty not in excess of two thousand dollars (\$2,000) for each violation of any section of this Chapter or the violation of any rules adopted by the Board. The clear proceeds of any civil penalty assessed under this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(b) Before imposing and assessing a civil penalty and fixing the amount of the penalty, the Board shall, as a part of its deliberations, take into consideration the following factors:

- (1) The nature, gravity, and persistence of the particular violation.
- (2) The appropriateness of the imposition of a civil penalty when considered alone or in combination with other punishment.
- (3) Whether the violation was willful and malicious.
- (4) Any other factors that would tend to mitigate or aggravate the violations found to exist.

"§ 89D-24. Injunction to prevent violation; notification of complaints.

(a) If the Board finds that a person who does not have a license issued under this Chapter is engaging in the practice of landscape construction or contracting, the Board may appear in its own name in superior court in actions for injunctive relief to prevent any person from violating the provisions of this Chapter or the rules adopted by the Board.

(b) A licensed landscape contractor shall notify the Board of any written complaints filed against the landscape contractor not resolved within 30 days from the date the complaint was filed by registered mail to the Board."

SECTION 3.(c) Members serving on the North Carolina Landscape Contractors' Registration Board on the effective date of this act shall continue to serve until members of the North Carolina Landscape Contractors' Licensing Board, G.S. 89D-14(a), as enacted by Section 3(b) of this act, are appointed.

SECTION 3.(d) Once the term of one of the current public members appointed by the Governor expires, the General Assembly, upon the recommendation of the Speaker of the House of Representatives, shall appoint a licensed landscape contractor in the business of landscape construction and contracting. Once the term of one of the current members appointed by the Commissioner of Agriculture expires, the General Assembly, upon the recommendation of the President Pro Tempore of the Senate, shall appoint a licensed landscape contractor in the business of landscape construction and contracting. All records, staff, funds, and other items of the North Carolina Landscape Contractors' Registration Board are transferred to and made the property of the North Carolina Landscape Contractors' Licensing Board.

SECTION 3.(e) Any person who, on or before December 31, 2014, meets at least one of the following criteria shall be issued a landscape contractor's license by the North Carolina Landscape Contractors' Licensing Board, without the requirement of examination, upon submission of a completed application and payment of the application fee on or before August 1, 2015:

- (1) Is registered as a landscape contractor.
- (2) Is licensed as an irrigation contractor.
- (3) Is certified as a turf grass professional.
- (4) Has three years of documented experience in the person's own business as a landscape contractor or three years of documented experience as an employee in a landscape contracting business and meets all other requirements and qualifications for licensure as a landscape contractor. Educational experience can be applied toward the three-year experience requirement as follows:
 - a. One year of credit for a two-year degree in related educational training.
 - b. Two years of credit for a four-year degree in related educational training.
 - c. Up to two years of credit for education or business experience in general business management.

Landscape contractors currently registered under Chapter 89D of the General Statutes shall not be required to renew the registration for the 2015 calendar year to qualify for the landscape contractor's license, as enacted by Section 3(b) of this act.

SECTION 3.(f) This section becomes effective August 1, 2015.

STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM

SECTION 4. The Department of Public Safety shall study the State's participation in the Commercial Vehicle Safety Alliance North American Standard Inspection Program for roadside commercial vehicle safety inspections. The study shall include (i) a history of when North Carolina joined the program; (ii) an explanation of how the program is currently being implemented; (iii) data on how many safety inspection decals are issued annually; and (iv) a geographic analysis of where safety inspection decals are issued within the State. The Department shall report the results of its study to the Agriculture and Forestry Awareness Study Commission on or before February 1, 2015.

CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS

SECTION 5. G.S. 20-381 is amended by adding a new subsection to read:
"§ 20-381. Specific powers and duties of Department of Public Safety applicable to motor carriers; agricultural exemption.

...

(c) For purposes of 49 C.F.R. § 395.1(k) and any other federal law or regulation relating to hours-of-service rules for drivers engaged in the transportation of agricultural commodities and farm supplies for agricultural purposes, the terms "planting and harvesting season" and "planting and harvesting period" refer to the period from January 1 through December 31 of each year."

AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION

SECTION 6. G.S. 120-150 reads as rewritten:

"§ 120-150. Creation; appointment of members.

There is created an Agriculture and Forestry Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor.
- (2) Three appointed by the President Pro Tempore of the Senate.
- (3) Three appointed by the Speaker of the House.
- (4) The chairs of the House Agriculture Committee.
- (5) The chairs of the Senate Committee on Agriculture, Environment, and Natural Resources.
- (6) The Commissioner of Agriculture or the Commissioner's designee.
- (7) A member of the Board of Agriculture designated by the chair of the Board of Agriculture.
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or the President's designee.
- (9) The President of the North Carolina State Grange or the President's designee.
- (10) The Secretary of Environment and Natural Resources or the Secretary's designee.
- (11) The President of the North Carolina Forestry Association, Inc., or the President's designee.

Members shall be appointed for two-year terms beginning October 1 of each odd-numbered year. The Chairs of the House Agriculture Committee and the Chairs of the Senate Committee on Agriculture, Environment, and Natural Resources shall serve as cochairs. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may each appoint an additional member of the Senate and House, respectively, to serve as cochair. If appointed, these cochairs shall be voting members of the Commission."

ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE

SECTION 7. G.S. 106-900 reads as rewritten:

"§ 106-900. Powers of ~~forest~~ Department of Agriculture and Consumer Services law-enforcement officers.

The Commissioner is authorized to appoint as many ~~forest law-enforcement~~ Department of Agriculture and Consumer Services law enforcement officers as he or she deems necessary to ~~carry out the forest law-enforcement responsibilities of the Department~~ investigate and enforce any violation of the laws within the authority of the Department or which occur on Department property. Such officers shall meet the requirements of Chapter 17C of the General Statutes and shall take the oath of office prescribed by Section 7 of Article VI of the North Carolina Constitution. ~~Forest law-enforcement officers shall~~ Of these officers, the Commissioner may designate certain officers to also have all the powers and the duties of a forest ranger enumerated in G.S. 106-898 and ~~G.S. 106-899. G.S. 106-899 and the power to enforce the forest laws. Forest law-enforcement officers shall, in addition to their other duties, have the powers of peace officers to enforce the forest laws. Any forest~~ A Department law-enforcement law enforcement officer may arrest, without warrant, any person or persons committing any crime in ~~his-the officer's~~ presence or ~~whom~~ whom such officer has probable cause for believing has committed a crime in ~~his-the officer's~~ presence and bring such person or persons forthwith before a district court or other officer having jurisdiction. ~~Forest~~ Department law-enforcement law enforcement officers shall also have authority to obtain and serve warrants including warrants for violation of any duly promulgated rule of the Department."

AMEND HORSE INDUSTRY PROMOTION ACT

SECTION 8. G.S. 106-822 reads as rewritten:

"§ 106-822. Definitions.

As used in this Article:

- (1) "Commercial horse feed" means any commercial feed, as defined in G.S. 106-284.33, labeled or marketed for equine use.
- (2) "Council" means the North Carolina Horse Council.
- (3) "Department" means the Department of Agriculture and Consumer Services.
- (4) "Equine" means a horse, pony, mule, donkey, or hinny.
- (5) "Horse owner" means a person who (i) is a North Carolina resident and (ii) owns or leases an equine."

PESTICIDE USE FOR MOLES

SECTION 9. G.S. 113-300.2 is amended by adding a new subsection to read:

"(g) Notwithstanding any other provision of law, it is lawful to use any pesticide registered by the Pesticide Board to control any species of mole other than the Star-Nosed Mole (*Condylura cristata parva*), provided that (i) all rules regulating the application of pesticides adopted by the Pesticide Board are followed and (ii) pesticides used to control these species are applied in a manner that minimizes hazards to nontarget species."

ADD AGRICULTURAL FACILITIES TO FIRST DEGREE TRESPASS

SECTION 10.(a) G.S. 14-159.12(c)(1) is amended by adding a new sub-subdivision to read:

"§ 14-159.12. First degree trespass.

...
(c) Except as otherwise provided in subsection (d) of this section, a violation of subsection (a) of this section is a Class A1 misdemeanor if all of the following circumstances exist:

- (1) The offense is committed on the premises of any of the following:
 - a. A facility that is owned or operated by an electric power supplier as defined in G.S. 62-133.8(a)(3) and that is either an electric generation facility, a transmission substation, a transmission switching station, a transmission switching structure, or a control center used to manage transmission operations or electrical power generating at multiple plant locations.
 - b. Any facility used or available for use in the collection, treatment, testing, storing, pumping, or distribution of water for a public water system.
 - c. Any facility, including any liquefied natural gas storage facility or propane air facility, that is owned or operated by a natural gas local distribution company, natural gas pipeline carrier operating under a certificate of public convenience and necessity from the Utilities Commission, municipal corporation operating a municipally owned gas distribution system, or regional natural gas district organized and operated pursuant to Article 28 of Chapter 160A of the General Statutes used for transmission, distribution, measurement, testing, regulating, compression, control, or storage of natural gas.
 - d. Any facility used or operated for agricultural activities, as that term is defined in G.S. 106-581.1."

SECTION 10.(b) This section becomes effective December 1, 2014, and applies to offenses committed on or after that date.

REQUIRE WRITTEN CONSENT TO OPERATE ALL TERRAIN VEHICLES ON PRIVATE PROPERTY

SECTION 11.(a) G.S. 14-159.3 reads as rewritten:

"§ 14-159.3. Trespass to land on motorized all terrain vehicle.

- (a) No person shall operate any motorized all terrain vehicle:

- (1) On any private property not owned by the operator, without the written consent of the owner; or
- (2) Within the banks of any stream or waterway, but excluding a sound or the Atlantic Ocean, the adjacent lands of which are not owned by the operator, without the consent of the owner or outside the restrictions imposed by the owner.

(a1) A landowner who gives a person written consent to operate an all-terrain vehicle on his or her property owes the person the same duty of care that he or she owes a trespasser.

(b) A "motorized all terrain vehicle", as used in this section, is a two or more wheeled vehicle designed for recreational off-road use.

(c) A violation of this section shall be a Class 2 misdemeanor."

SECTION 11.(b) This section becomes effective December 1, 2014, and applies to offenses committed on or after that date.

ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES

SECTION 12. G.S. 156-82.1 is amended by adding a new subsection to read:

"§ 156-82.1. Duties and powers of the board of drainage commissioners.

(a) The board of drainage commissioners shall proceed with the levying of assessments, issuance of bonds and construction of canals, water retardant structures and other improvements and acquisition of equipment as approved by the court in the adjudication upon the final report of the board of viewers, either in the creation of the district or in subsequent proceedings authorized by Article 7B.

(b) The commissioners shall maintain the canals, water retardant structures, and all other improvements and equipment of the district.

(b1) No State statute or rule or local government ordinance for the establishment, preservation, or maintenance of riparian buffers for the protection of water quality shall apply to the construction, operation, maintenance, or repair of canals, water retardant structures, or other improvements under the control and supervision of a board of drainage commissioners.

...."

CLARIFY PERIODIC INSPECTIONS AUTHORITY OF HOUSING FINANCE AGENCY

SECTION 13.(a) G.S. 153A-364 reads as rewritten:

"§ 153A-364. Periodic inspections for hazardous or unlawful conditions.

(b) A county may require periodic inspections as part of a targeted effort within a geographic area that has been designated by the county commissioners. The county shall not discriminate in its selection of areas or housing types to be targeted and shall (i) provide notice to all owners and residents of properties in the affected area about the periodic inspections plan and information regarding a public hearing regarding the plan; (ii) hold a public hearing regarding the plan; and (iii) establish a plan to address the ability of low-income residential property owners to comply with minimum housing code standards. A residential building or structure that is subject to periodic inspections by the North Carolina Housing Finance Agency (hereinafter "Agency") shall not be subject to periodic inspections under this subsection if the Agency has issued a finding that the building or structure is in compliance with federal standards established by the United States Department of Housing and Urban Development to assess the physical condition of residential property. The owner or manager of a residential building or structure subject to periodic inspections by the Agency shall, within 10 days of receipt, submit to the inspection department a copy of the Compliance Results Letter issued by the Agency showing that the residential building or structure is in compliance with federal housing inspection standards. If the owner or manager fails to submit a copy of the Compliance Results Letter as provided in this subsection, the residential building or structure shall be subject to periodic inspections as provided in this subsection until the Compliance Results Letter is submitted to the inspection department.

...."

SECTION 13.(b) G.S. 160A-424 reads as rewritten:

"§ 160A-424. Periodic inspections.

...

(b) A city may require periodic inspections as part of a targeted effort within a geographic area that has been designated by the city council. The municipality shall not discriminate in its selection of areas or housing types to be targeted and shall (i) provide notice to all owners and residents of properties in the affected area about the periodic inspections plan and information regarding a public hearing regarding the plan; (ii) hold a public hearing regarding the plan; and (iii) establish a plan to address the ability of low-income residential property owners to comply with minimum housing code standards. A residential building or structure that is subject to periodic inspections by the North Carolina Housing Finance Agency (hereinafter "Agency") shall not be subject to periodic inspections under this subsection if the Agency has issued a finding that the building or structure is in compliance with federal standards established by the United States Department of Housing and Urban Development to assess the physical condition of residential property. The owner or manager of a residential building or structure subject to periodic inspections by the Agency shall, within 10 days of receipt, submit to the inspection department a copy of the Compliance Results Letter issued by the Agency showing that the residential building or structure is in compliance with federal housing inspection standards. If the owner or manager fails to submit a copy of the Compliance Results Letter as provided in this subsection, the residential building or structure shall be subject to periodic inspections as provided in this subsection until the Compliance Results Letter is submitted to the inspection department.

...."

PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS

SECTION 14.(a) Notwithstanding Section 1008.1.4.5 of the 2012 NC State Building Code (Fire Code), horizontal sliding or vertical security grilles shall be permitted at all exits or exit access doorways, provided that the grilles are openable from the inside without the use of a key or special knowledge or effort during periods that the space is occupied by authorized persons and that the grilles remain secured in the full-open position during the period of occupancy by the general public.

SECTION 14.(b) The Building Code Council shall adopt a rule to amend Section 1008.1.4.5 of the 2012 NC State Building Code (Fire Code) consistent with Section 14(a) of this section.

SECTION 14.(c) Section 14(a) of this section expires on the date that the rule adopted pursuant to Section 14(b) of this section becomes effective.

DESIGNATE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE

SECTION 15. G.S. 106-550 reads as rewritten:

"§ 106-550. Policy as to promotion of use of, and markets for, farm products.

(a) It is declared to be in the interest of the public welfare that the North Carolina farmers who are producers of livestock, poultry, seafood, field crops and other agricultural products, including cattle, sheep, broilers, turkeys, commercial eggs, peanuts, cotton, potatoes, sweet potatoes, peaches, apples, berries, vegetables and other fruits of all kinds, as well as bulbs and flowers and other agricultural products having a domestic or foreign market, shall be permitted and encouraged to act jointly and in cooperation with growers, handlers, dealers and processors of such products in promoting and stimulating, by advertising and other methods, the increased production, use and sale, domestic and foreign, of any and all of such agricultural commodities. The provisions of this Article, however, shall not include the agricultural products of tobacco, strawberries, strawberry plants, porcine animals, or equines, with respect to which separate provisions have been made.

(b) The "Got to Be NC" marketing campaign of the Department of Agriculture and Consumer Services shall be the official agricultural marketing campaign for the State."

ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS

SECTION 16. G.S. 143-440(b) reads as rewritten:

(b) The Board may include in any such restricted use regulation the time and conditions of sale, distribution, or use of such restricted use pesticides, may prohibit the use of any restricted use pesticide for designated purposes or at designated times; may require the purchaser or user to certify that restricted use pesticides will be used only as labeled or as

further restricted by regulation; may require the certification and recertification of private applicators, and charge a fee of up to ten dollars (\$10.00), with the fee set at a level to make the certification/recertification program self-supporting, and, after opportunity for a hearing, may suspend, revoke or modify the certification for violation of any provision of this Article, or any rule or regulation adopted thereunder; may adopt rules to classify private applicators; and may, if it deems it necessary to carry out the provisions of this Part, require that any or all restricted use pesticides shall be purchased, possessed, or used only under permit of the Board and under its direct supervision in certain areas and/or under certain conditions or in certain quantities or concentrations except that any person licensed to sell such pesticides may purchase and possess such pesticides without a permit. The Board may require all persons issued such permits to maintain records as to the use of the restricted use pesticides. The Board may authorize the use of restricted use pesticides by persons licensed under the North Carolina Structural Pest Control Act without a permit. A nonrefundable fee of ten dollars (\$10.00) shall be charged for each examination required by this section. This examination fee is in addition to the certification or recertification fee, and any other fee authorized pursuant to any other provision of Article 4C of Chapter 106 of the General Statutes."

EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING

SECTION 17. G.S. 150B-1(d) is amended by adding a new subdivision to read:

"(d) Exemptions from Rule Making. – Article 2A of this Chapter does not apply to the following:

...

(26) The Board of Agriculture in the Department of Agriculture and Consumer Services with respect to annual admission fees for the State Fair. The Board shall annually post the admission fee schedule on its Web site and provide notice of the fee schedule, along with a citation to this section, to all persons named on the mailing list maintained pursuant to G.S. 150B-21.2(d)."

SEVERABILITY AND EFFECTIVE DATE

SECTION 18.(a) If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 18.(b) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of August, 2014.

s/ Chad Barefoot
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 5:05 p.m. this 6th day of August, 2014



**Town of Boone
Planning and Inspections
Memorandum**

To: Town Council; Planning Commission

From: Jane Shook, Planning Supervisor

Date: June 6, 2016

RE: Case 20160226 Landscape Contractor - Addition of revised text

Attached is revised language for Case 20160226. This language as suggested by the Town Attorney, lists the most common exemptions under NC General Statutes §13 of 89D, so that Planning Staff and applicants would not have to review the statute every time a permit included landscape requirements.

Communication: Supplemental Report - Revised Text (Case 20160226 Landscape Contractor)

Article 31 LANDSCAPE STANDARDS

31.12 Compliance and Maintenance

31.12.01 Certificate of ~~Compliance~~ Occupancy, Completion or Zoning Compliance

- A. Landscaping must be installed according to the approved site plan and inspected prior to receiving ~~a certificate of compliance~~ final certification.
- B. All plant material shall meet or exceed size and shape relationships specified in the latest edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.

 - 1. All sizes specified refer to size at time of planting. Vegetation shall be planted to ensure the best chance of survival and to reduce the potential expense of replacing damaged plant material.
 - 2. Caliper of the trunk of all new planted trees shall be taken six inches (6") above ground up to and including four inch (4") caliper, and twelve inches (12") above the ground for larger sizes. Seldom are tree trunks perfectly round. Caliper measurements may be taken with "pincer" type caliper, or diameter tape.
- C. Plant material must be installed by a landscape contractor licensed to practice in the State of North Carolina, except that this provision does not apply with respect to:

 - 1. Landscaping work where the price of all contracts for labor, material, and other items for a given job site during any consecutive 12-month period is less than \$30,000.00;
 - 2. A federal, State, or local governmental agency performing landscaping on public property;
 - 3. A property owner performing landscape work on his or her own property;
 - 4. A general contractor licensed under Article 1 of Chapter 87 of the General Statutes who possesses a classification under G.S. 87-10(b) as a building contractor, a residential contractor, or a public utilities contractor;
 - 5. Any other circumstance where the installation qualifies for an exemption under §13 of Chapter 89D of the General Statutes (as such may be amended from time to time).

Zoning/Planning Permit 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
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
☐ Commercial
☐ Board of Adjustment Hearing (other than Appeals)
☐ Planning/Other

A. CONTACT INFORMATION

Applicant: John Winkler Company: The Winkler Organization

Address: PO Box 2675 Boone, NC 28607

Phone Number: 828-262-3431 Email Address: winkheelsfan@yahoo.com

Property Owner: Howard Street Ventures, LLC Company: N/A

Address: PO Box 2675 Boone, NC 28607

Phone Number: 828-262-3431 Email Address: winkheelsfan@yahoo.com

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2900-79-7562-000, 2900-79-6480-000

Address/Location: 783 West King Street Boone, NC

Project Name: Marketplace Mixed Use

C. PERMIT SUBCATEGORIES**Additional Forms Needed****Zoning Permits**

- | | |
|---|---|
| ☐ Accessory Building | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Addition/Expansion including decks and patios | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Change of Occupancy | *Commercial Project Data Form |
| ☐ Land Disturbance (not associated with the construction of a bldg.) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Manufactured Home Set-up in Park | *Manufactured Home in Park Form |
| ☐ New Building Construction | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Renovation/Remodel | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Accessory Use (as listed in UDO Subsection 15.07.01) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Temporary Use (as listed in UDO Subsection 15.07.02) | *Zoning Project Data Form (Residential or Commercial) |
| ☐ Sign | *Sign Project Data Form (Zoning) |
| ☐ Pavement Sealant | *Pavement Sealant Project Data Form |
| ☐ Major Subdivision Zoning Permit | *Commercial Project Data Form |

Board of Adjustment Hearings

- | | |
|--|---|
| ☐ Special Use Permit/Modification | *Special Use Permit Form |
| ☐ Variance | *Variance Form |
| ☐ Major Subdivision Preliminary Plat Approval | *Major Subdivision Preliminary Plat Approval Form |

Planning/Other

- | | |
|---|--|
| ☐ Exempt Division of Land | *Subdivision Exemption Project Data Form |
| ☐ Minor Subdivision (Preliminary and Final Plat) | *Minor Subdivision Project Data Form |
| ☐ Major Subdivision (Final Plat) | *Major Subdivision Final Plat Project Data Form |
| ☐ UDO Text Amendment | *Text Amendment Project Data Form |
| ☐ General Use Zoning Map Amendment | *General Use Map Zoning Map Amendment Project Data Form |
| ☒ Conditional District Zoning Map Amendment (PDR) | *Conditional District Zoning Map Amendment Project Data Form |
| ☐ Voluntary Annexation | *Annexation Petition (Satellite or Contiguous) |
| ☐ UDO Text Interpretation | *UDO Interpretation Data Form |

D. DETAILED DESCRIPTION OF PROJECT

Mixed Use Building with approximately 18,285 SF of retail/commercial space, 159 bedrooms, and parking deck

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: John Winkler

Company: The Winkler Organization

Address: PO Box 2675 Boone, NC 28607

License #: N/A

Phone Number: 828-262-3431

Email Address: winkheelsfan@yahoo.com

F. DESIGN PROFESSIONAL INFORMATION

Engineer:

Name: Jason Gaston, P.E.

Company: Valor Engineering, PLLC

Address: 215 Boone Hts. Dr. Ste. 107 Boone, NC

License #: 035233

Phone Number: 828-262-9807

Email Address: jason@valorengineering.com

Architect:

Name: Brent Davis, AIA

Company: Brent Davis Architecture, Inc.

Address: 189 Sally St, Boone, NC 28607

License #: 4921

Phone Number: 828-265-4848

Email Address: bda.arch@yahoo.com

G. 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.

John Winkler
Applicant¹ (Print)

[Signature]
Applicant Signature

4/28/16
Date

John Winkler
Property Owner (Print)

[Signature]
Property Owner Signature

4/28/16
Date

Official Use Only

Project File Name:

Marketplace Mixed Use - Planned Development

Permit Number:

Z00093-050316

20160275

Project Name/Number:

Date: <u>5-2-16</u>	Fee: <u>\$ 500.00</u>	Receipt Number: <u>439804</u>	Method of Payment: <u>CK # 2856</u>	Paid By: <u>Howard Street Venture</u>
------------------------	--------------------------	----------------------------------	--	--

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

Conditional District Map Amendment

Project Data Form

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

Project Name/Number:

Permit Name/Number:

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

A. ADDITIONAL APPLICATION INFORMATION

Application is For: ☒ Conditional District Map Amendment ☐ Conditional District Map Amendment Modification PDR

Hearing Date Requested¹: June, 2016

B. DEVELOPMENT INFORMATION

Project Name: Marketplace Mixed Use

Project Description: Mixed Use Building with approximately 18,285 SF of retail/commercial space, 159 bedrooms, and parking deck

Existing Zoning District(s): B-1 Proposed Zoning District(s): PDR B-1

Existing Land Use(s): Retail/Office/Restaurant Proposed Land Use(s)²: 1.16, 11.15, 11.14

Adjacent Land Use(s):
N: King Street E: Commercial
W: Water Street S: Howard Street

Are there are any existing variances granted to the property? ☐ Yes ☒ No ☐ Unknown

If yes, describe: N/A

Are any variances being requested with this project?³ ☐ Yes ☒ No

If yes, describe: N/A

Total Land Area: +/- 1.018 acres Total Disturbed Area: +/- 1.018 acres

Number of Proposed Phases: N/A

Describe Phasing (if proposed): N/A

If requesting vesting greater than 2 years (per UDO Section 4.14), list amount requested (up to 3 additional years). N/A

For modifications, list original case # and date granted: N/A

¹ Each applicant must provide the meeting date for which they wish their request to appear. Each completed application must have met published meeting deadlines.

² Please see UDO Article 15 for specific details on permissible uses

³ Each request for a Variance must be submitted on a separate Zoning Permit Application along with the appropriate fee.

C. DOCUMENTS REQUIRED FOR SUBMITTAL

- ☒ Completed Application (see UDO Article 4 & Appendix A)
- ☒ Application Fee
- ☒ 7 complete sets of development site plans
- ☒ One (1) reduced copy of development site plans (11X17)
- ☒ Two (2) sets of copies of building elevations
- ☒ Digital copy of plans (if available)
- ☒ Deed(s) of all property included in the request
- ☒ A written metes & bounds legal description with accompanying survey map is required for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts

D. PROPERTY OWNER SIGNATURE:

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.

John Winkler

Property Owner (Print)

Property Owner Signature

4/28/19

Date

Official Use Only

Public Hearing Meeting Date: _____

PC Meeting Date: _____

TC Meeting Date: _____

Date of APO Mailed Notification: _____

Date of Posted Notification: _____

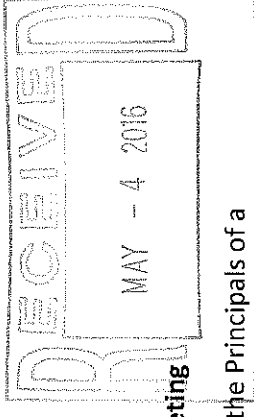
Project Approved: ☐ Yes ☐ No

Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____

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Communication: Marketplace Zoning Application (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)



Howard Street Ventures Planned Development Neighborhood Meeting

Pursuant to the Town of Boone's Planned Development Ordinance, section 9.10.05, the Principals of a potential Planned Development located along Water Street between King and Howard Streets held a neighborhood meeting concerning said potential development. The meeting was held at the Watauga County Administrative Building on April 5, 2016 at 6:00 P.M. Notice was provided to all property owners located within 150 feet of the development site on March 11, 2016. In addition, the Boone Town Council called a Special Public Hearing, and provided notice thereof, in the event that a majority of Council should attend the meeting. Further, notice was provided to downtown business and property owners through the Downtown Boone Development Association.

The meeting was well attended and the developers circulated a sign-up sheet so that all attendees could provide their names and addresses, as required by the Ordinance. A copy of this sign-up sheet is attached to this report.

To begin the meeting, the petitioner presented to the attendees the names and contact information for the principals and representatives involved in the project, those individuals being: James M. Deal, Jr. and Tucker Deal, Attorneys from the Law Firm of Deal, Moseley & Smith, LLP; John Winkler, Kenneth Wilcox, and Roger Wright, property owners and developers; Jason Gaston, Engineer; Frank Amenya, Traffic Engineer; and Brent Davis, Architect.

The petitioner presented preliminary design plans and discussed the expected uses associated with the planned development. The petitioner also provided preliminary engineering and architectural plans illustrating the interior design scheme, reflecting the commercial, residential, and parking garage components of the planned development. In discussing these plans, the petitioner stated that the preliminary design plans showed a building that would be 46 feet tall on King St., and which would contain approximately 180 bedrooms (100 one BR units, 31 two BR units, and 3 three BR units) and approximately 333 parking spaces. The following items were also discussed:

1. There was a question from the public regarding whether the developer could anticipate how many parking spaces would be rented by the businesses located within the development. The developer responded that it would likely be cost-prohibitive for a business owner to rent spaces in the garage for their employees.
2. There was a discussion regarding whether undergraduate students would be the primary target of the development. The petitioner stated that the project would necessarily be appealing to undergraduate students and that they would likely make up a large percentage of the tenants. The petitioner also stated that proposed units were primarily one-bedroom and that in their experience this attracted quieter and older students.
3. There was a discussion regarding the traffic impacts the project would have on downtown in general and Water St. in particular. Concerns were raised regarding traffic backing up from the light at King and Water Streets. Petitioner stated that they are working with the same traffic engineers as the Town of Boone for the Howard St. redevelopment project. Frank Amenya stated that the project would necessarily increase traffic downtown, but that there were ways that impact would be mitigated, such as adjusting timing on lights and the proximity to downtown amenities and the university.
4. There was a discussion regarding the Town of Boone's plan for Water St., as incorporated in the West Downtown plan. This discussion was largely among members of the audience: Sam

Furguele, Eric Woolridge, and John Ward. The principal concern expressed by Mr. Furguele seemed to be related to the West Downtown Plan's calling for converting Water St. into a two-lane street and how this project might impact or blend with that plan. Mr. Woolridge stated that the West Downtown plan was conceptual in nature. Mr. Ward stated that the Town would likely be blending to the greatest extent possible the Howard St. redevelopment plan and the West Downtown plan, and coordinating with the potential planned development plans.

5. There was a discussion regarding the Town's 2030 plan and its recommendations for height on King St. and Howard St.
6. A member of the public asked how the property is currently zoned (B1) and what is the B1 height allowance (40 feet). The individual asked if there were any buildings downtown with a height comparable to that proposed for the development. The petitioner stated that they believed the County Administration building to be approximately 51 feet tall and the County Courthouse to be approximately 49 feet tall.
7. There was further discussion related to parking within the development. Specifically, whether the petitioner would allow all spaces to be rented monthly. The petitioner stated that they had retained McLaurin Parking to set parking policies, but that it was in their interest to turn over parking spaces as often as possible. The petitioner stated that they would be amenable to ensuring a certain number of hourly spaces.
8. A member of the public asked if any units would be listed for sale, or if the units would be lease only. The petitioner responded that the units would be for lease only.
9. A member of the public expressed concern over the scope and scale of the proposed development, stating that he felt it would not be in keeping with the character or feel of downtown.
10. There was a discussion regarding the exterior materials of the building. Eric Plaag, a member of the Historic Preservation Committee, did not believe that the proposed materials would be consistent with the historic context of downtown Boone. He also expressed concerns with the size and scale of the project. The petitioner stated that many of the materials and facade elements they were utilizing in their proposal were mandated by the Town's UDO. The petitioner indicated that they would be willing to work with the Town and the appropriate committee to improve the exterior appearance of the building.
11. A discussion was had regarding the streetscape surrounding the building and how it should match the newer/redeveloped streetscapes in downtown Boone, incorporating brick pavers, trees, and benches.
12. There was a discussion between the project's Engineer, Jason Gaston, and members of the public regarding what would be an appropriate development for this site. Lower height was suggested.
13. A member of the public stated that she was not sure height was the biggest issue, but that the biggest problem with "these developments" is that they look scary – she suggested a visual break-up of the building. The Petitioner stated that they would look into the possibility, but that the incorporation of a parking deck in this development would make such a design tricky.
14. A downtown business owner expressed support for the project based on her concern regarding the currently inadequate parking for downtown businesses.
15. The owner of Mellow Mushroom (across Water St. from the proposed project) stated that he recognized the point of projects needing to fit in with downtown Boone, but that he was unsure

of what does fit in with downtown Boone's "style," as it seems to be a hodgepodge of different styles. He also stated that the need for downtown parking is a massive issue for his business and that the number one complaint he hears is that people don't come downtown because there's no parking.

16. Another downtown Boone business owner spoke in support of providing more long-term parking that would allow visitors more time to shop and eat.
17. There was a discussion regarding marketing towards students, and whether the project might market towards individuals age 55 and up.

The primary concerns voiced by the attendees at the meeting were:

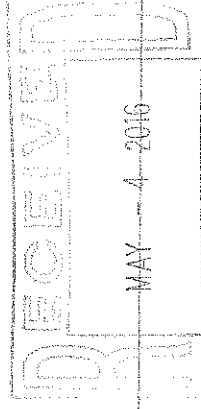
1. The height and the scale of the building.
2. The exterior design/materials and conformity with the style of downtown Boone.
3. Concern over traffic impact.
4. How the project will fit with other Town Plans and redevelopment in this area (Howard St., West Downtown, etc.).
5. An overall lack of parking for downtown visitors and the project's potential to mitigate this problem.

The meeting began at approximately 6:05 PM and ended at 8:05 PM. This concludes the report from the Neighborhood Meeting for the proposed Market Place Mixed-Use Development.

This Report was prepared by J. Tucker Deal pursuant to the Town of Boone UDO Planned Development Ordinance, section 9.10.05



J. Tucker Deal



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Janette Carson	218 VFW Drive, Boone, NC
Peter Williamson	375 Old 421 S, Boone, NC
Terry Williamsen	" " " "
Greg Simmons	310 Delmar St, Boone, NC
Eric Wierwille	545 Oak St.
Josh Teague	827 W. King St. Boone, NC 28607
John Wied	267 W. King St. Boone NC 28607
David Wilke	164 S. Depot St Boone NC 28607
Laney Ruckstuhl	309 Woodley Ridge Rd. Vilas
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DAVID PAXES	161 C Howard St Boone
Anna Roseman	641 W King St Boone
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Nigina Fakih	TOWN OF BOONE
JOE Furman	" "
Jeanine Underdan Collins	Watauga County
Joanne Schm	Town of Boone - Boone NC
Olga Esterson	970 Rivers St. Boone
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Steve McLaurin	831 W. King St. Boone. McLaurin Parking Company Haley, NC

**DEAL, MOSELEY & SMITH, LLP
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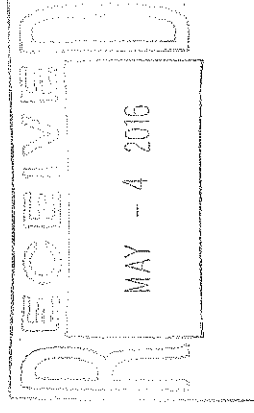
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March 11, 2016



Dear Property Owner,

The purpose of this letter is to provide notice of a neighborhood meeting concerning a potential Planned Development for the Marketplace Building located on Water St., between King and Howard Streets. The meeting is scheduled for Tuesday, April 5th at 6:00 pm and will be held in the Watauga County Administration Building, located at 814 W. King St. Boone, NC, in the Commissioner's Meeting Room. Notice of this meeting is being provided to the owners of property located within 150 feet of the proposed Development in accordance with the Town of Boone Planned Development Ordinance.

At the meeting, the proponent of the potential Planned Development will, at a minimum, present the following information:

1. Contact information of the parties involved in the ownership, design, and development of the property;
2. The location of the property and general information on the current conditions of the site;
3. Proposed use(s) and site development;
4. Any preliminary plans or renderings, if available; and
5. Any other information deemed pertinent by the Director of Planning & Inspections for the Town of Boone.

Very truly yours,

DEAL, MOSELEY & SMITH, LLP

James M. Deal, Jr.

The Marketplace Mixed Use: Deviation Analysis in Accordance with UDO 9.10.05(B)(1)

1. Deviation from UDO 16.08.02 height of 40' (for B-1 Zoning) on Water Street to 42'-4" and on Howard to 50'-4" (2'-4" and 10'-4").
2. Deviation from UDO 26.07.03 Sign SF maximum of 48 SF (based on tenant SF) to allow all tenants, regardless of SF, to have an allowable maximum of 48 SF to promote uniformity on the proposed sign band
3. Deviation from UDO 15.11.04(A) per the following:

STREET LEVEL COMMERCIAL USES		
MIN. KING ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 50%:	18,168	sf
KING ST. PROPOSED:	9,376	sf
KING ST. PROPOSED (%):	25.8%	
MIN. WATER ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 30%:	10,901	sf
WATER ST. PROPOSED:	3,558	sf
WATER ST. PROPOSED (%):	9.8%	
MIN. HOWARD ST. LEVEL COMMERCIAL LAND USE OF AT LEAST 30%:	10,901	sf
HOWARD ST. PROPOSED:	4,904	sf
HOWARD ST. PROPOSED (%):	13.5%	

4. Deviation from UDO 24.01.03 maximum allowable parking of 315 spaces to +/- 367 spaces (+52 spaces)
5. Deviation from UDO 24.08.03 C from 3 required off-street loading spaces to 0 off-street loading spaces.
6. Deviation from UDO 24.02.02 per the following:

MULTIFAMILY ALLOWABLE COMPACT SPACES (MAX. 50%):	79 SPACES
OTHER USES ALLOWABLE COMPACT SPACES (MAX. 30%)	62 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES:	141 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES (%):	38.4%
PROVIDED NUMBER OF COMPACT SPACES:	222 SPACES
PROVIDED NUMBER OF COMPACT SPACES (%):	60.5%

(+81 compact spaces, or an additional 22.1%)

7. Deviation from UDO 24.03.16(A) from 10' to 6' (4' deviation)

Date Received
May 27, 2016



TRANSPORTATION IMPACT ANALYSIS

Prepared for John Winkler

Project Number: 160023

Original: 03/30/2016

Revised: 05/27/2016

Marketplace Development

Boone, NC

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)





Transportation Impact Analysis

Marketplace Development Boone, NC

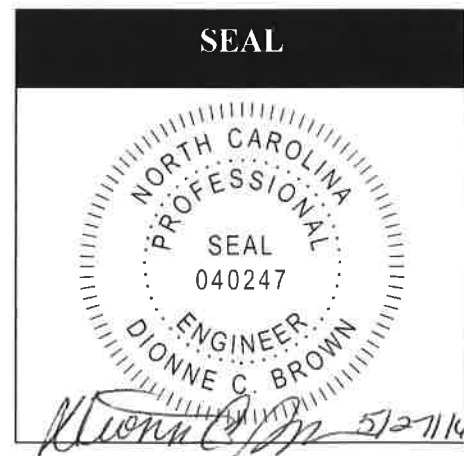
Prepared for John Winkler
Original: March 30, 2016
Revised: May 27, 2016

Analysis by: Dionne C. Brown, P.E.

Drafting/Graphics by: Dionne C. Brown, P.E.

Reviewed by: Frank Amenya, P.E., PTOE

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Serving the Southeast since 2002



**Marketplace Development – Transportation Impact Analysis
Boone, NC**

Prepared for John Winkler

Original: March 30, 2016

Revised: May 27, 2016

Executive Summary

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- West King Street at Water Street
- Water Street at Howard Street
- Water Street at Rivers Street/ Poplar Grove Road
- Water Street at Proposed Site Access 1
- Howard Street at Proposed Site Access 2

The above-mentioned intersections were analyzed for the following scenarios:

- 2016 Existing Conditions
- 2018 Future No Build Conditions
- 2018 Future Build-Out Conditions
- 2018 Future Build-Out with Improvements (as necessary)

The build-out analysis year for this project was assumed to be 2018. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

Information regarding the property was provided by Brent Davis Architecture, Inc.



Level of Service Results

The results of the study are discussed by intersection below:

Water Street at West King Street

This signalized intersection of Water Street at West King Street currently operates at LOS A in the AM peak and LOS C in the PM peak. The simulation show sporadic queuing on the northbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. In 2018 future no build conditions, the analysis indicates LOS C in the AM and PM peaks. With the addition of site traffic, this intersection is projected to operate at LOS B in the AM peak and LOS C in the PM peak. No improvements are recommended.

Water Street at Howard Street

This unsignalized intersection currently operates at LOS A in the AM peak and LOS B in the PM peak. In 2018 future no build conditions, LOS B is expected in the AM and PM peaks. Additionally, sporadic queues were observed on the westbound approach of Howard Street, particularly during the PM peak. This is mainly due to lack of sufficient gaps from the minor street, which is due to heavy traffic volumes and queues on Water Street. This is a background condition which exists regardless of the proposed development. With the addition of proposed site traffic, LOS A is expected in the AM peak and LOS B in the PM peak. No improvements are recommended.

Water Street at Rivers Street/ Poplar Grove Road

This unsignalized intersection currently operates at LOS B in the AM peak and LOS C in the PM peak. In 2018 future no build conditions, LOS C is expected in the AM peak and LOS E in the PM peak. The simulation show sporadic queuing on the southbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. LOS E is typical at a stop controlled intersection for minor street movements onto a major street. With the addition of site traffic, LOS B is expected in the AM peak and LOS E in the PM peak. The intersection is currently under consideration by NCDOT for modifications to a roundabout. The roundabout concept is not currently funded and has not been studied. However, it is expected that if the roundabout is implemented at this intersection, the level of service can be reduced to a LOS C or better.

Water Street at Proposed Site Access 1

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a three (3) level parking deck only accessible from Water Street. Close driveway spacing such as this is typical for a downtown central business district and dense urban settings. It is recommended to restripe the northbound lane to provide one through lane and one right turn lane into the parking garage. Also to restripe the southbound lane to provide one through lane and one through-left turn lane into the parking garage.



Howard Street at Proposed Site Access 2

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a two (2) level below ground parking deck only accessible from Howard Street. No improvements are recommended.

Level of Service Summary

Table A presents the summary of the level of service analysis.

Table A - Level of Service Summary				
AM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	A (9.3)	B (11.1)	B (12.1)	
Water Street at Howard Street	A (8.9) WB Approach	A (9.2) WB Approach	A (9.8) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	B (11.0) SB Approach	B (11.7) SB Approach	B (12.4) SB Approach	
Water Street at Proposed Site Access 1			B (10.0) WB Approach	B (10.2) WB Approach
Howard Street at Proposed Site Access 2			A (8.5) SB Approach	
PM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	C (21.2)	C (23.6)	C (24.2)	
Water Street at Howard Street	B (11.2) WB Approach	B (12.0) WB Approach	B (12.7) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	C (22.2) SB Approach	E (35.4) SB Approach	E (44.3) SB Approach	
Water Street at Proposed Site Access 1			B (13.5) WB Approach	B (14.1) WB Approach
Poplar Grove Road at Proposed Site Access 2			A (8.8) SB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				

Pedestrian and Bicycle Accommodations

As part of the development of this site, the developer plans to construct the following pedestrian and bicycle accommodations:

- Sidewalks are currently provided along Water Street and King Street bordering the frontage of the property.
- Sharrows should be striped along the frontage of Water Street to accommodate bicyclist.
- Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles.
- In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.

Transit Accommodations

AppalCart provides transit service in the Town of Boone. *AppalCart* currently runs routes (Gold, Pop 105 and Express routes) which provides service in the proximity of the site. There is an existing *AppalCart* stop on King Street and Water Street, which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.



Table B summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table B - Recommended Improvement Summary	
Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	• Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. • Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. • Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. • In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	• There is an existing <i>Appa/Car</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.



Marketplace Development – Transportation Impact Analysis
Boone, NC
Prepared for John Winkler
Original: March 30, 2016
Revised: May 27, 2016

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Marketplace Development – Transportation Impact Analysis

Boone, NC

Prepared for John Winkler

Original: March 30, 2016

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1.0 Introduction

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area. Figure 1 presents the site plan.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

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- 2018 Future Build-Out with Improvements (as necessary)

The build-out analysis year for this project was assumed to be 2018. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

Information regarding the property was provided by Brent Davis Architecture, Inc.

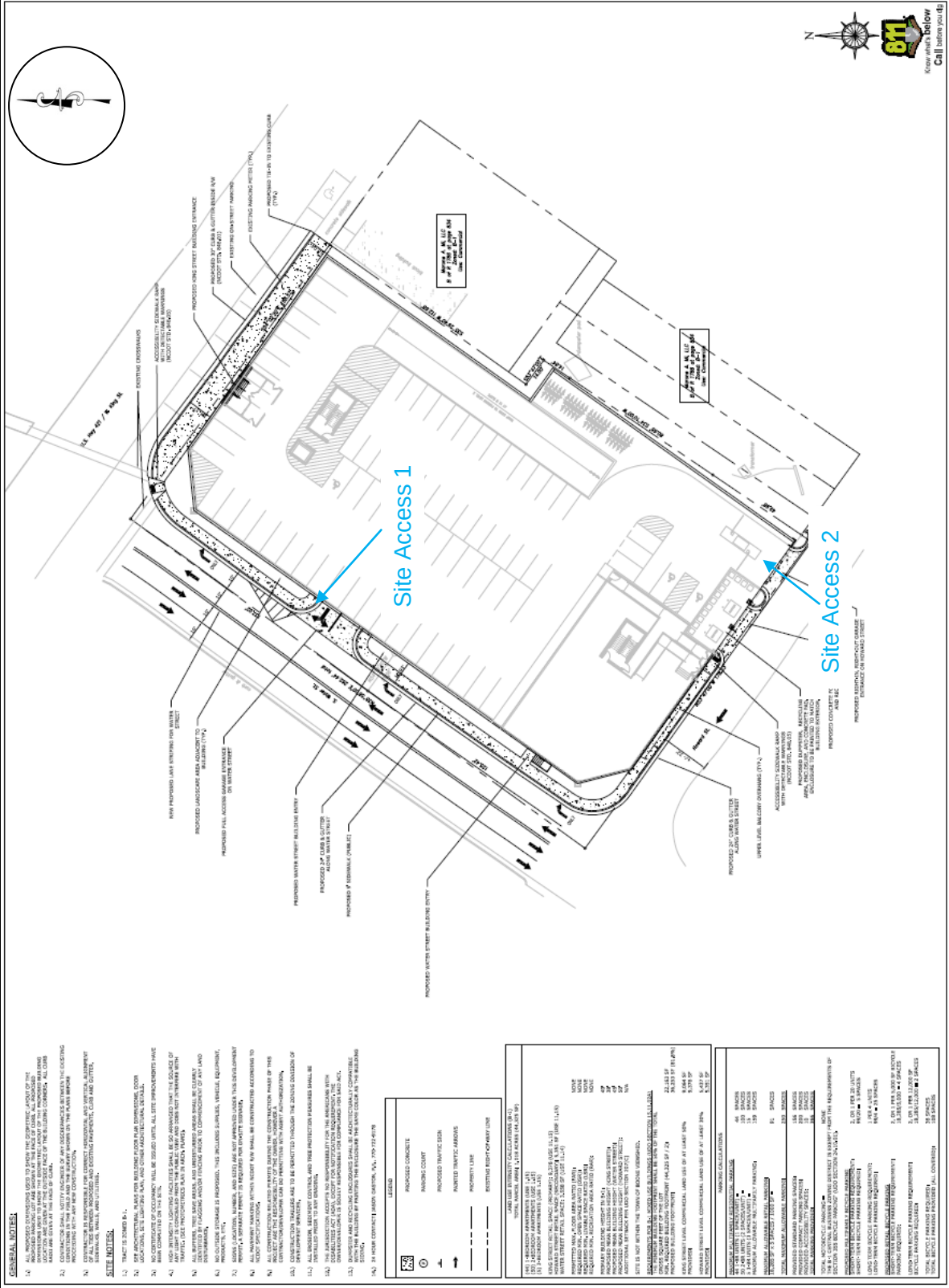




FIGURE 2A
SITE LOCATION MAP

SITE INDICATOR



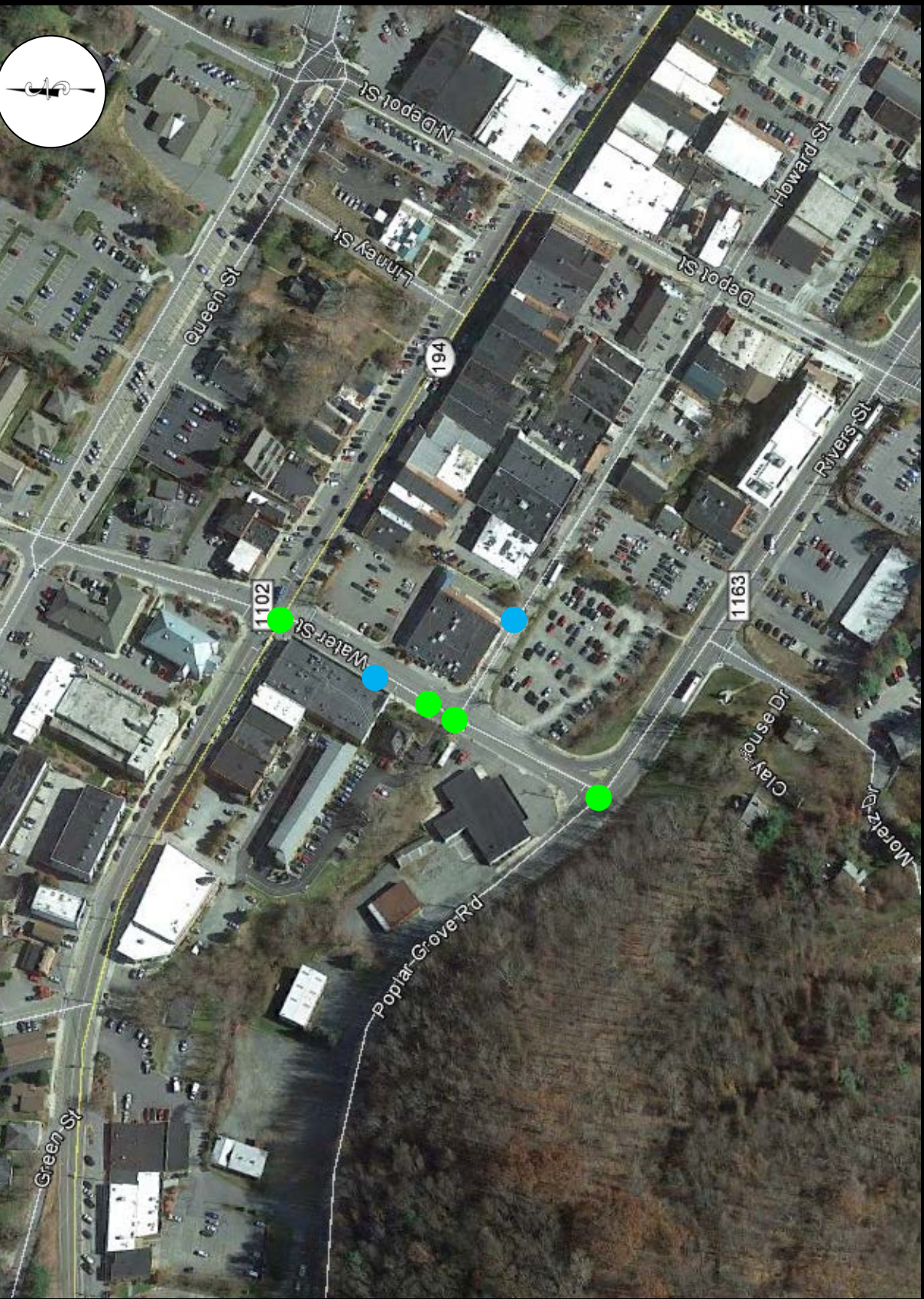


FIGURE 2B
VICINITY MAP

● EXISTING INTERSECTION
● PROPOSED INTERSECTION



2.0 Existing Conditions

2.1 Inventory

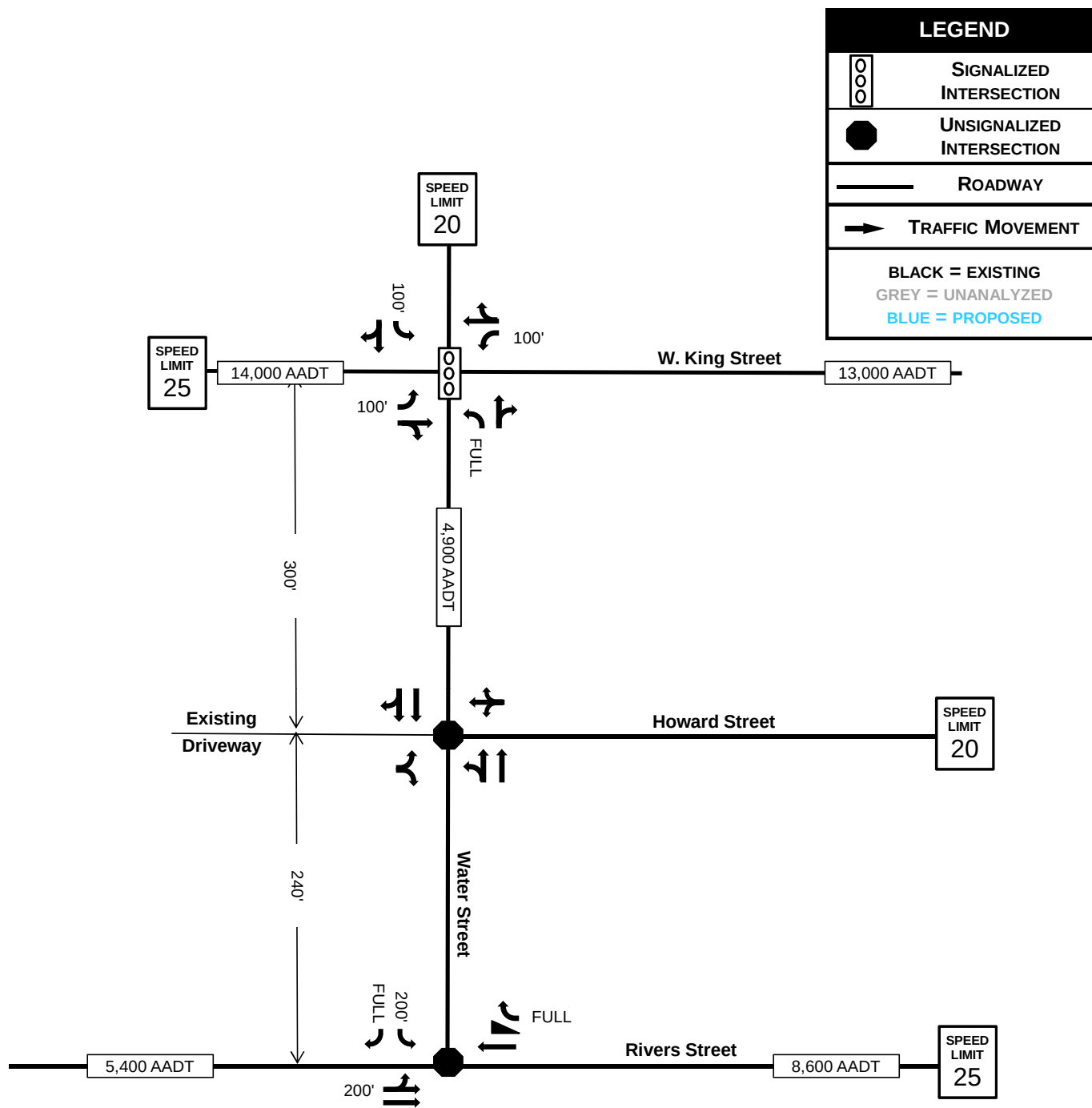
A field investigation was conducted by DAVENPORT staff to determine the existing roadway conditions in the study area. Table 2.1 presents a summary of this review. Figure 3 illustrates the existing lane geometry.

Table 2.1 - Street Inventory					
Facility Name	Route #	Typical Cross Section	Pavement Width	Speed Limit	Maintained By
West King Street	US 421	2-lane undivided	Approx. 48'	25 MPH	NCDOT
Howard Street	N/A	1-2 lane undivided	Approx. 22'	20 MPH	Town of Boone
Rivers Street/Poplar Grove Road	SR 1163	2-4 lane undivided	Approx. 48'	25 MPH	NCDOT
Water Street	SR 1102	4-lane undivided	Approx. 48'	20 MPH	Town of Boone

2.2 Existing Traffic Volumes

Existing traffic volumes for this project were collected by DAVENPORT staff. Table 2.2 below contains the dates these counts were conducted. Appalachian State University (ASU) and Watauga County Schools were in session at the time of traffic counts. Traffic volumes were balanced along study intersections. Figure 4 shows existing AM and PM peak hour volumes. The full reports for these volumes can be found in the appendix.

Table 2.2 - Traffic Volume Data		
<u>Count Location:</u>	<u>Date Taken:</u>	<u>By:</u>
West King Street at Water Street	3/15/16	DAVENPORT
Howard Street at Water Street	3/15/16	DAVENPORT
Rivers Street at Water Street	3/15/16	DAVENPORT



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	

FIGURE 3
EXISTING LANE
GEOMETRY

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023

DAVENPORT

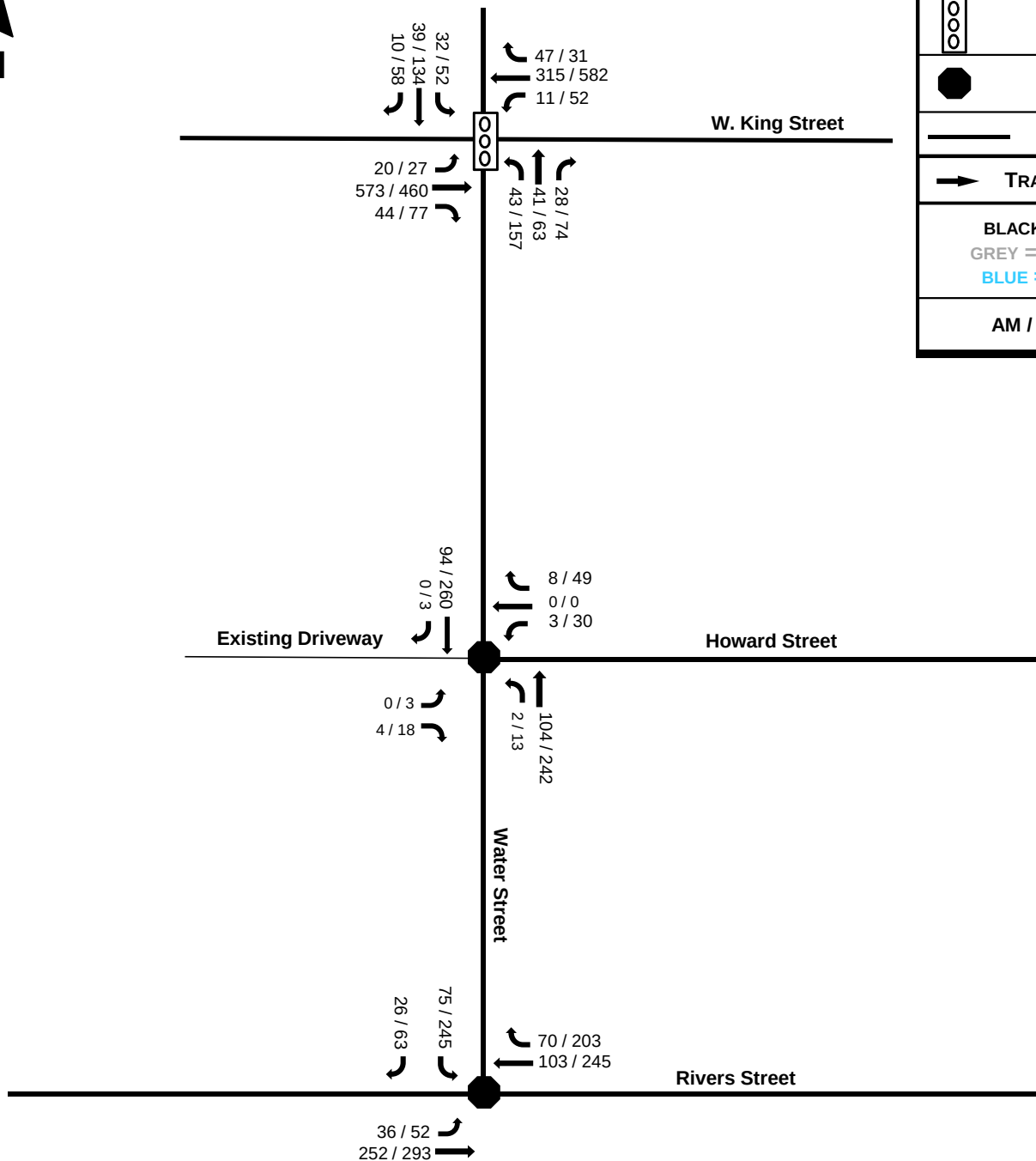
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*** NOT TO SCALE ***

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	



**FIGURE 4
EXISTING TRAFFIC
VOLUMES**

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023



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*** NOT TO SCALE ***

3.0 Approved Developments and Committed Improvements

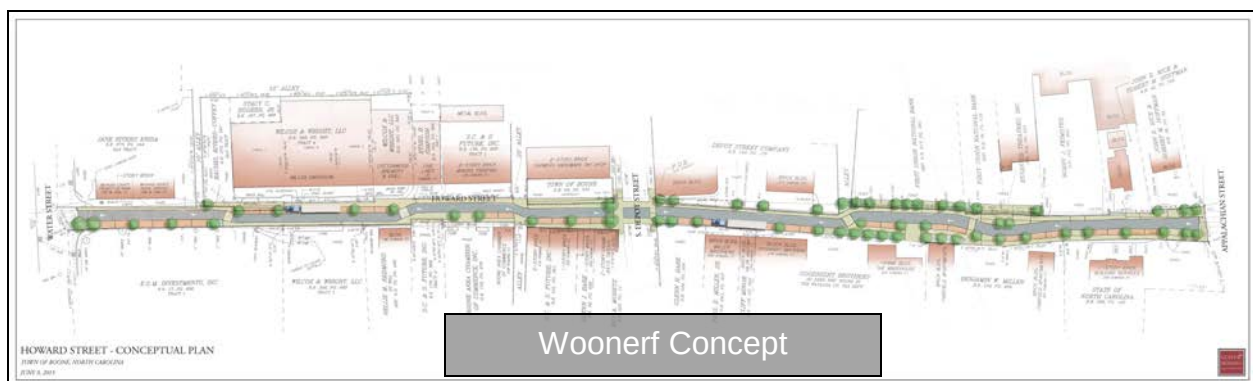
3.1 Approved Developments

Approved developments are developments that have been recently approved in the area, but not yet constructed. Per NCDOT staff, there is one approved developments to be considered in this analysis. The River Walk Development was conducted by DAVENPORT in February 2016. This approved development is located in the northwest quadrant of Water Street and Poplar Grove Road/ Rivers Street. It is to consist of 380 bedroom apartments and 10,270 square feet of retail.

More information can be found in the appendix.

3.2 Committed Improvements

Committed Improvements are improvements that are planned by NCDOT, a local municipality, or a developer in the area, but not yet constructed. Per NCDOT, there is one committed development in the study area, Howard Street Study. The Howard Street Study consist of two blocks to be designed to include a one way street Woonerf (or shared space), which provides equal considerations to pedestrians, cyclists and vehicles.



4.0 Methodology

4.1 Base Assumptions and Standards

In general, the analysis for this project was conducted utilizing commonly accepted NCDOT standards. The following table contains a summary of the base assumptions:

Table 4.1 - Assumptions	
Peak Hour Factor	0.90
Background Traffic Annual Growth Rate	2.0% per year for all roadways
Base Signal Timing/Phasing	Provided by NCDOT
Analysis Software	Synchro/SimTraffic Version 9.0
Lane widths	12-feet
Truck percentages	2%

4.2 Trip Generation

As currently planned, this development will include 99-bedrooms of a mix of young professional and student apartment housing, 8,500 square feet of retail space and 9,380 square feet of restaurant area. TripGen 2013 software, based on the 9th Edition of ITE Trip Generation Manual, was used to develop the projected trips created by this development. Table 4.2 contains the results.

Table 4.2 - ITE Trip Generation									
Marketplace Development, Boone NC									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
Land Use	ITE Land Code	Size		Data Source	Volume	Enter	Exit	Enter	Exit
Apartments	220	99	Persons	Equations	279	18	18	20	20
Retail	820	8.5	Th.Sq.Ft GLA	Equations	1,368	22	13	55	60
Restaurant	932	9.38	Th.Sq.Ft GLA	Rate	1,193	66	59	93	80
Total Unadjusted Trips					2,840	106	90	168	160
Internal Capture Overall %					7.0%	N/A		10.2%	
Apartments					-99	0	0	-6	-11
Retail					-99	0	0	-11	-6
Total Internal Trips Reduction					-198	0	0	-17	-17
Apartments					180	18	18	14	9
Retail					1,315	22	13	51	58
Restaurant					1,147	66	59	87	76
Total of External Trips					2,643	106	90	151	143
Retail Pass-by Reduction		0% AM / 34% PM			-224	0	0	-17	-20
Restaurant Pass-by Reduction		0% AM / 43% PM			-247	0	0	-37	-33
Pedestrian/Transit Reduction		30%			-793	-32	-27	-45	-43
Total Adjusted Trips					1,379	74	63	52	47

Mixed-use developments of this type are designed to combine a number of uses into one site, allowing people to live, work and shop in the same area and without dependence on a vehicle. This proposed development meets the criteria as defined in the ITE Trip Generation Handbook for a “multi-use” development. Therefore, the trips for this development were reduced using the method described in Chapter 7 of the ITE Handbook. A reduction of 7.0% was applied to daily and 10.2% to the PM peak hour trips for residential and retail land uses. The worksheets for the internal capture are shown in the supporting documentation of the Appendix.

Developments of this type also generate what are called “pass-by” trips. The ITE Trip Generation Manual defines “pass-by” trips as trips that are generated by the



development, but are already on the adjacent roadway. These trips are not new trips, but are a part of the existing background traffic on Howard Street and Water Street. A “pass-by” reduction of 34% was applied to retail trips in the PM peak hour and 43% to restaurant trips in the PM peak hour.

Further consideration was given to the context of the site and surrounding area to account for the potential of non-vehicle trips. This site is located in close proximity to the Appalachian State University (ASU) campus and Downtown Boone. Many residents in the student-oriented apartments are likely to walk or bike to access the university or destinations in Downtown. In addition, an *AppalCart* (transit) stop is located near the site. *AppalCart* provides direct transit service in the Town on Boone. Based on this, we have applied a 30% reduction to daily trips to account for the use of alternative modes of transportation.

4.3 Trip Distribution

Residential site trips for this proposed development were distributed based on the existing traffic patterns and engineering judgment. The directional distributions for the residential site trips are as follows:

- 30% to and from the east on Rivers Street
- 25% to and from the east on Howard Street
- 20% to and from the east on West King Street
- 15% to and from the west on Poplar Grove Road
- 10% to and from the west on West King Street

Retail site trips for this proposed development were distributed based on the existing traffic patterns and engineering judgment. The directional distributions for the retail site trips are as follows:

- 25% to and from the east on Howard Street
- 25% to and from the east on West King Street
- 20% to and from the east on Poplar Grove Road
- 15% to and from the west on Poplar Grove Road
- 10% to and from the west on West King Street
- 5% to and from the north on Water Street

The residential and retail trip distributions are shown in Figure 5A and 5B, respectively. 55% of pass-by trips were assumed to originate from the north on Water Street and 45% from the south on Water Street. The pass-by trip distribution for this development is illustrated in Figure 5C.

4.4 Future No Build Traffic

The 2018 future no build traffic volumes were computed by applying a 2.0% compounded annual growth rate to the 2016 existing traffic volumes. Figure 6 shows the 2018 future no build traffic volumes for AM and PM peaks.

4.5 Total Traffic

The 2018 build-out traffic volumes were obtained by summing 2018 future no build volumes and residential, retail and pass-by site trips due to the proposed project. Site trips are shown in Figure 7A, 7B and 7C, respectively. The resulting build volume totals for AM and PM peaks are shown in Figure 8. More information can be found in the Traffic Volume Data section of the appendix.





LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
	DESTINATION NODE

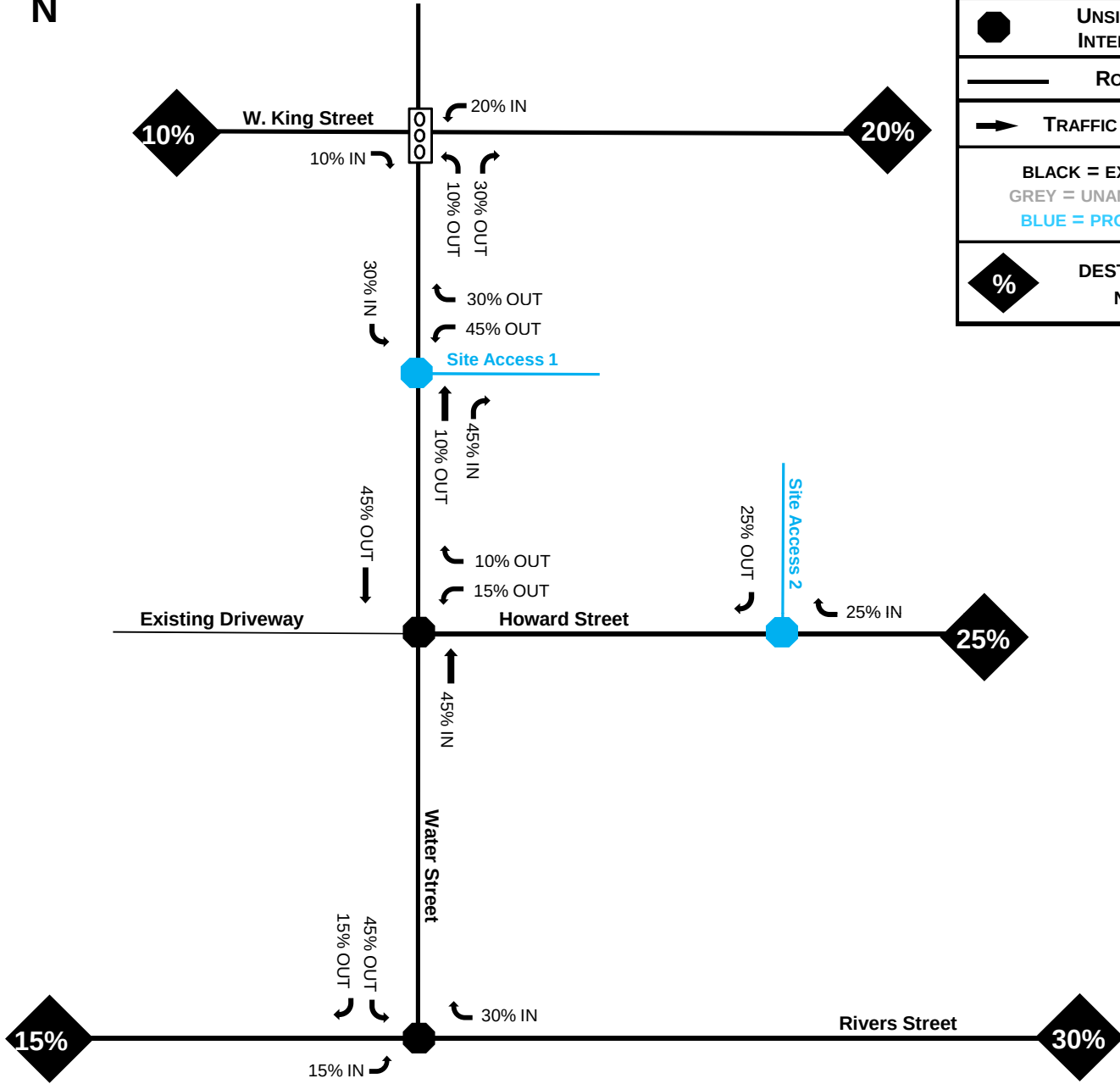


FIGURE 5A
RESIDENTIAL TRIP
DISTRIBUTION

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023

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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
	DESTINATION NODE

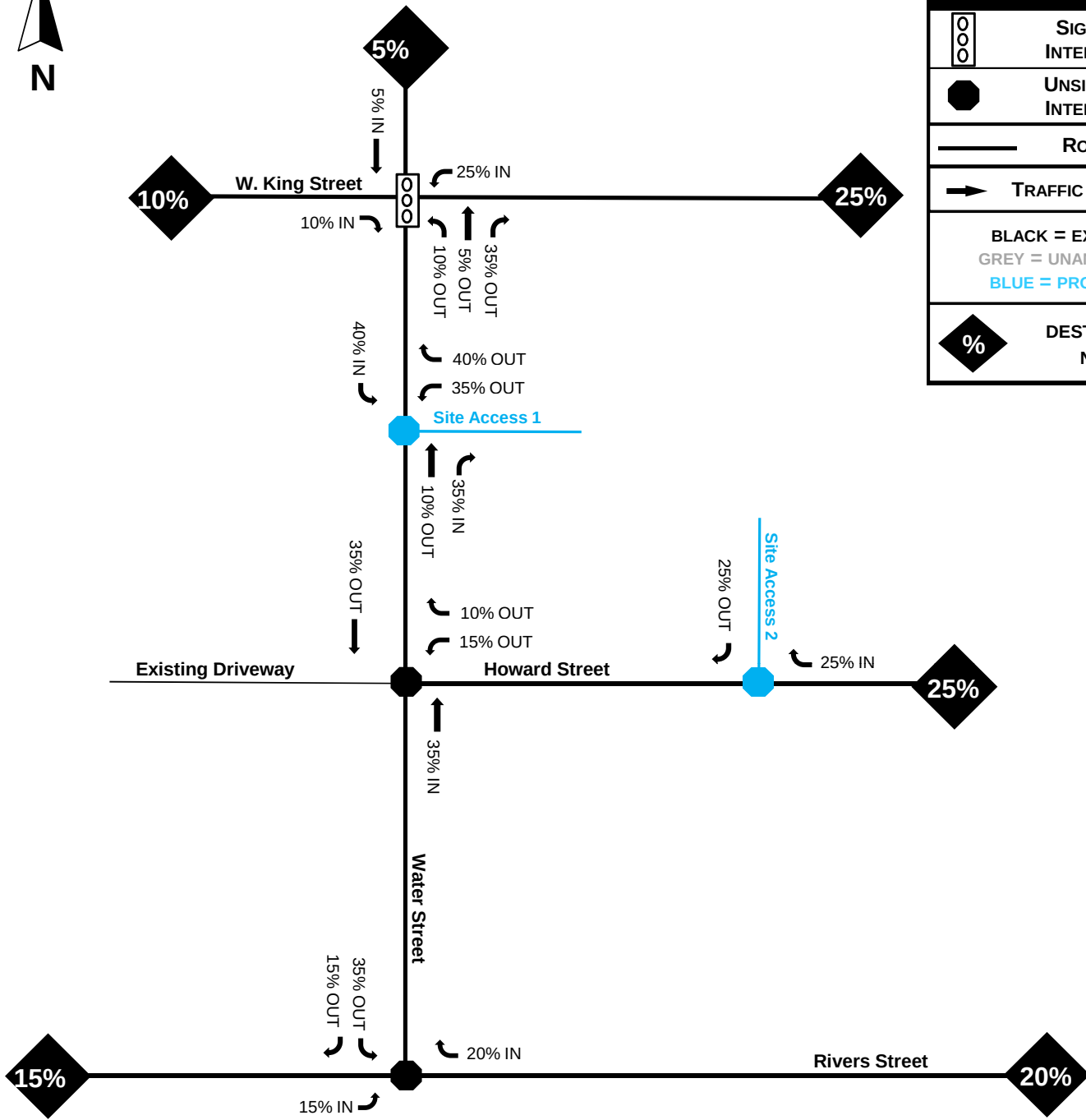


FIGURE 5B
RETAIL TRIP
DISTRIBUTION

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BOONE, NC

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LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
	DESTINATION NODE

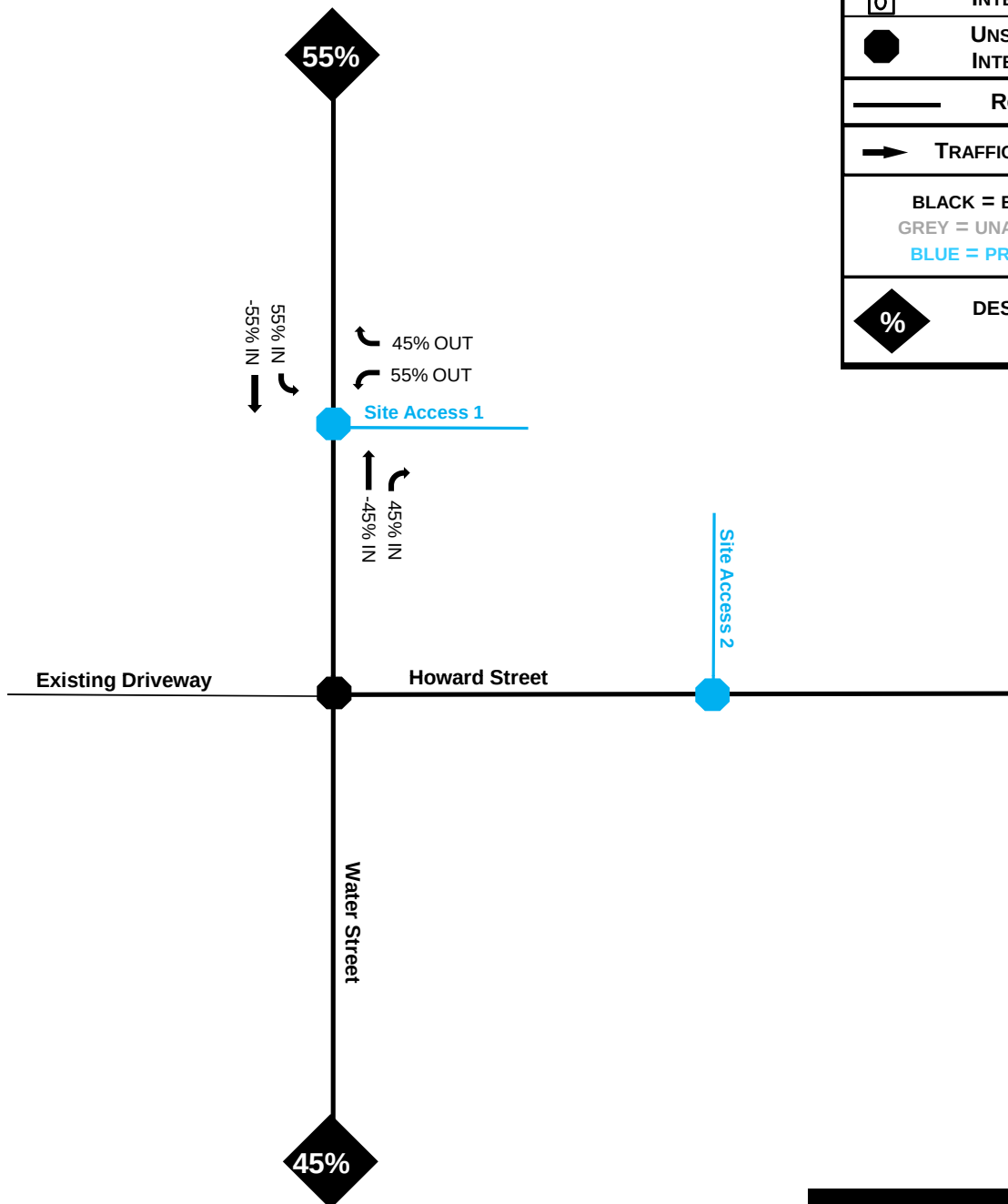


FIGURE 5C
PASS-BY TRIP
DISTRIBUTION

MARKETPLACE DEVELOPMENT
BOONE, NC

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LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	

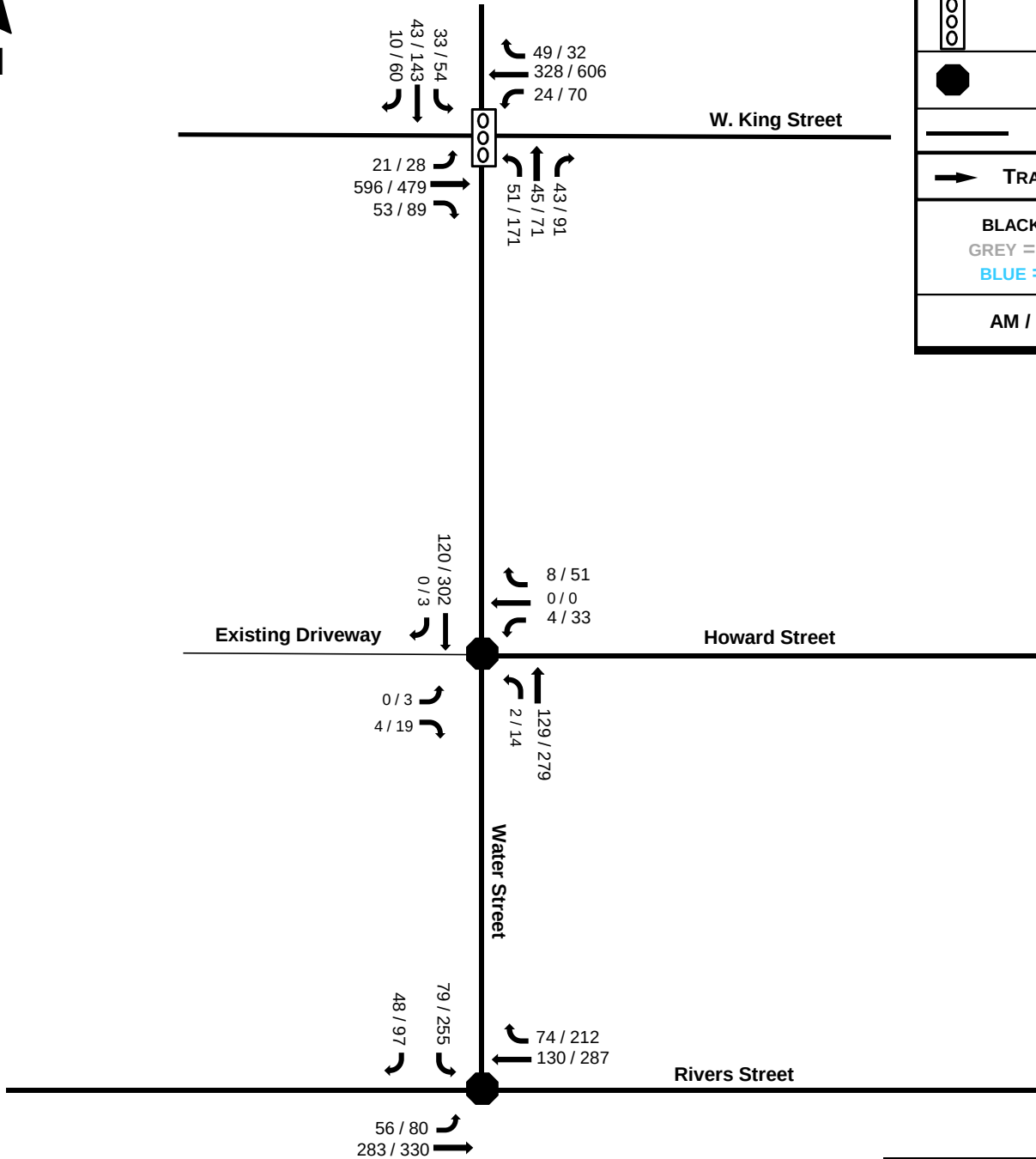


FIGURE 6
2018 FUTURE NO
BUILD VOLUMES

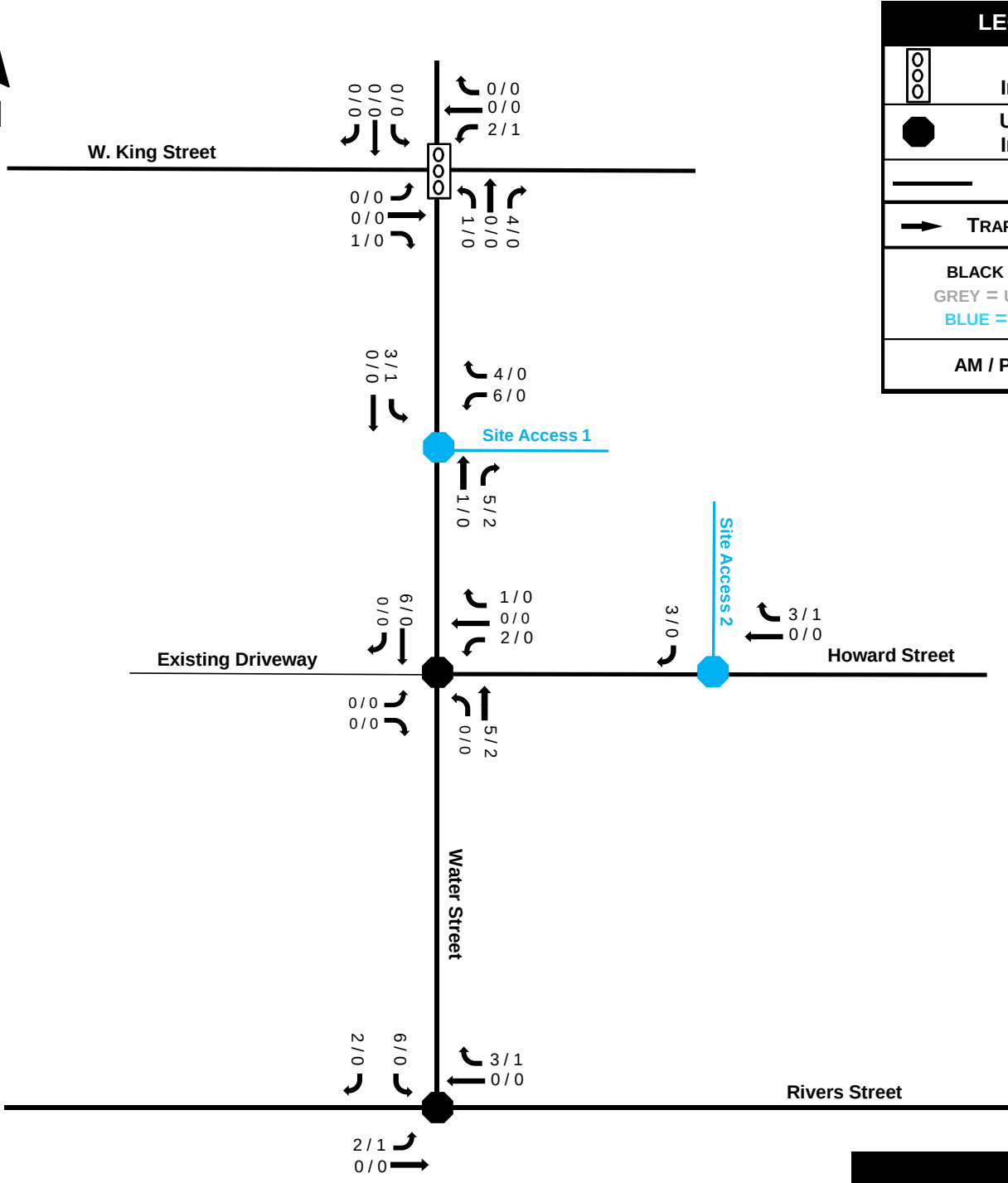
MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023



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LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING GREY = UNANALYZED BLUE = PROPOSED	
AM / PM PEAKS	

FIGURE 7A
RESIDENTIAL SITE
TRIPS

MARKETPLACE DEVELOPMENT
BOONE, NC

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LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREY = UNANALYZED	
BLUE = PROPOSED	
AM / PM PEAKS	

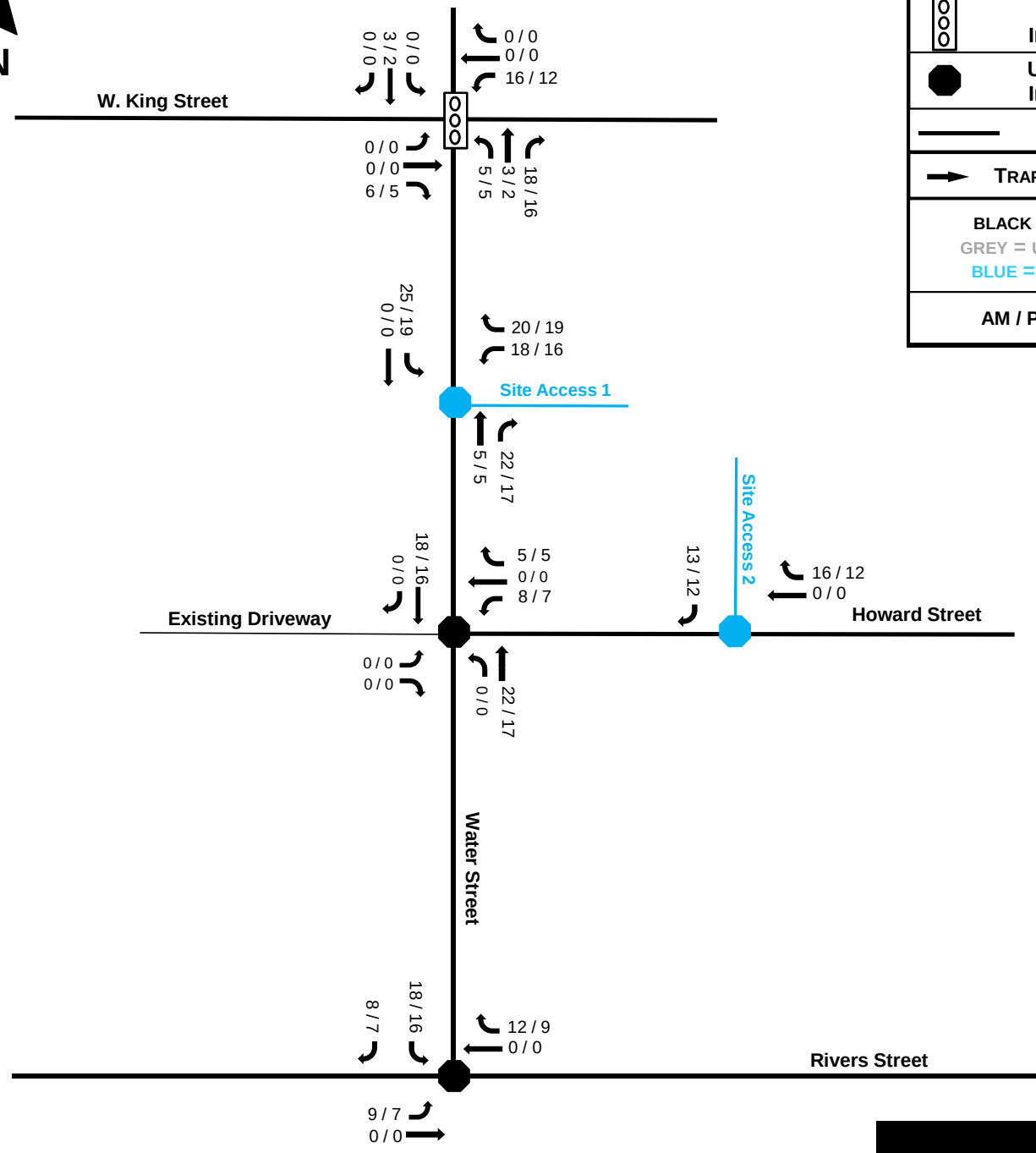


FIGURE 7B
RETAIL SITE TRIPS

MARKETPLACE DEVELOPMENT
BOONE, NC

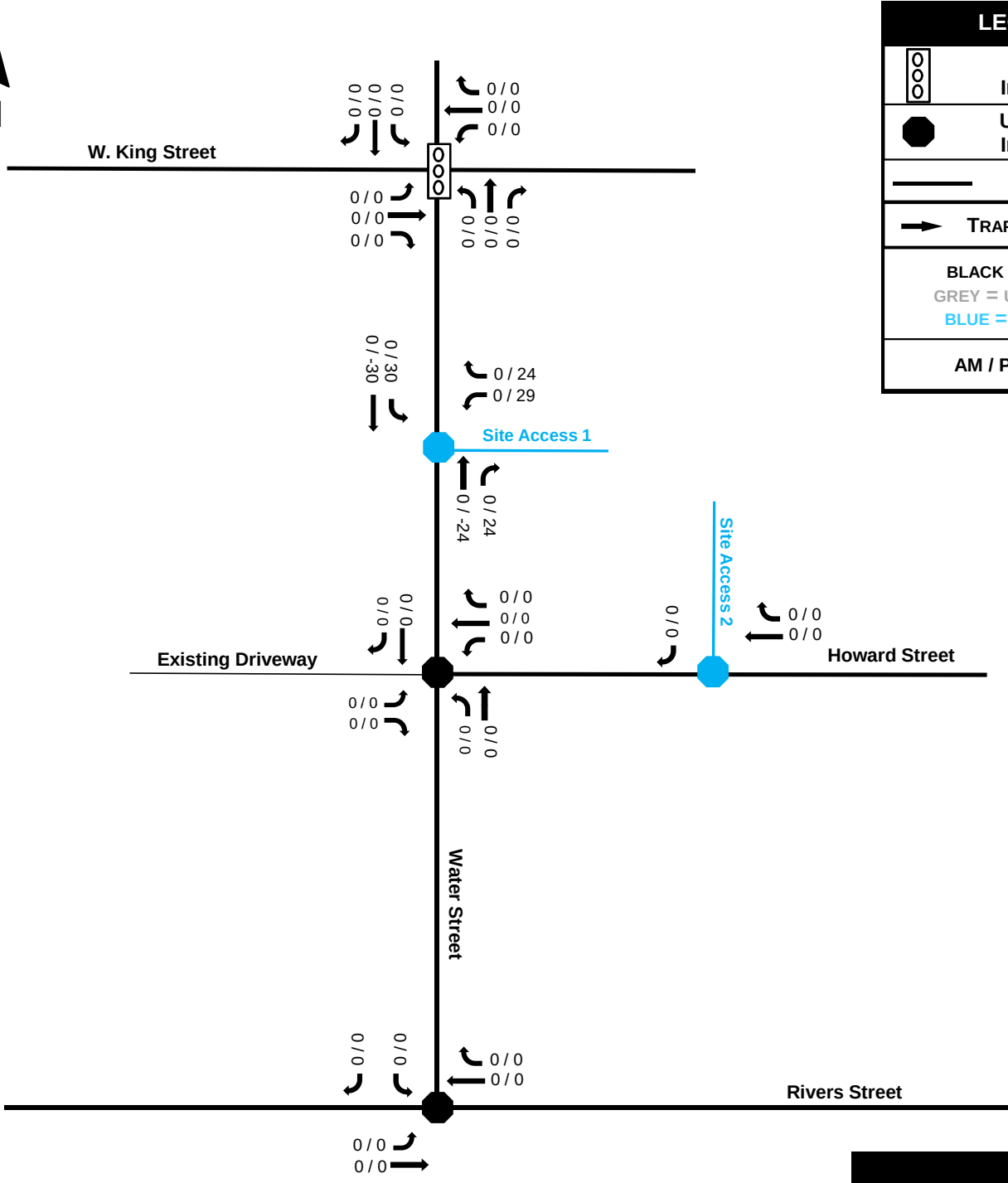
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LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREY = UNANALYZED	
BLUE = PROPOSED	
AM / PM PEAKS	

FIGURE 7C
PASS-BY SITE TRIPS

MARKETPLACE DEVELOPMENT
BOONE, NC

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LEGEND

	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREY = UNANALYZED	
BLUE = PROPOSED	
AM / PM PEAKS	

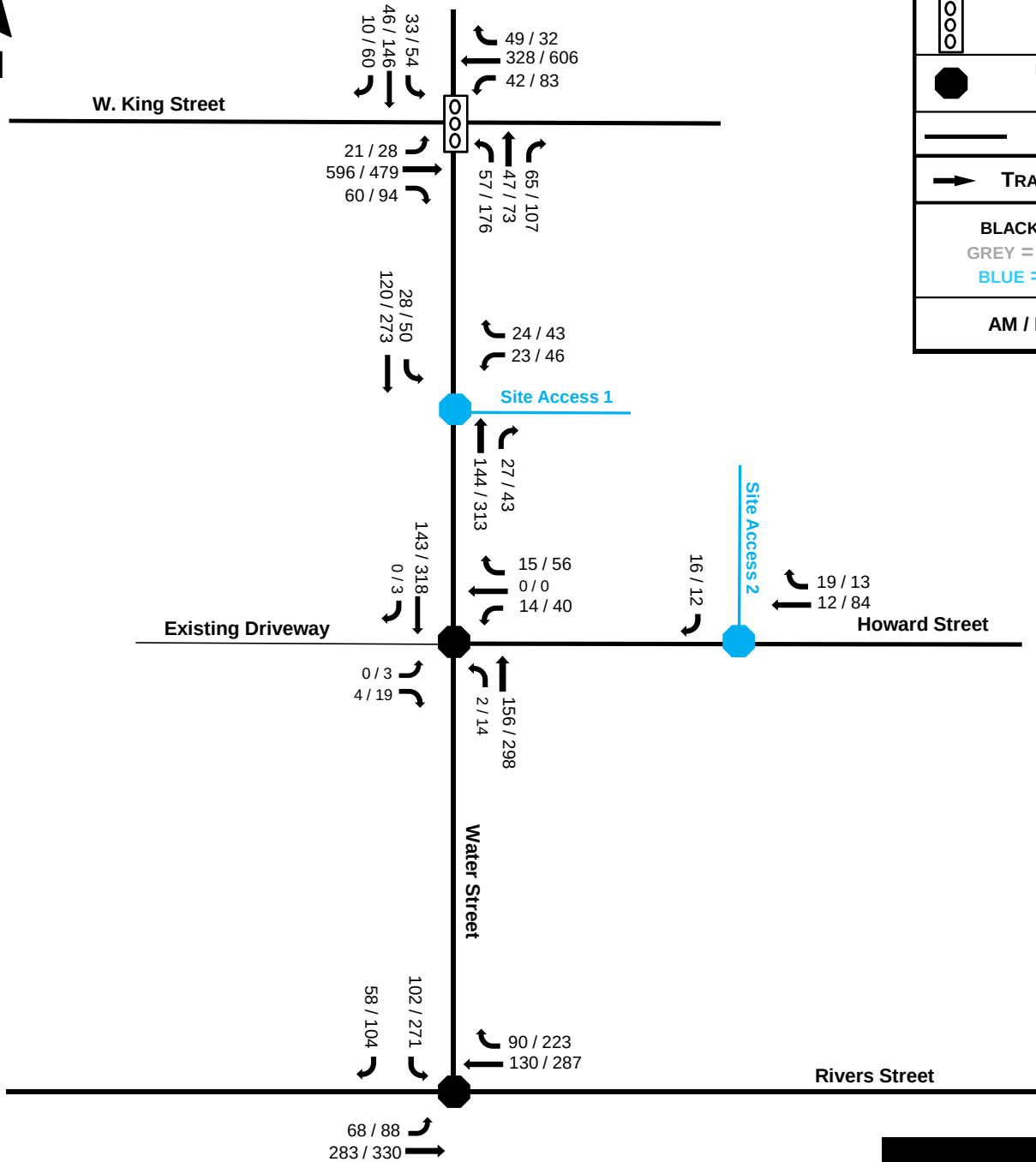


FIGURE 8
2018 FUTURE BUILD
VOLUMES

MARKETPLACE DEVELOPMENT
BOONE, NC

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5.0 Capacity Analysis

5.1 Level of Service Evaluation Criteria

The Transportation Research Board's Highway Capacity Manual (HCM) utilizes a term "level of service" to measure how traffic operates in intersections and on roadway segments. There are currently six levels of service ranging from A to F. Level of service "A" represents the best conditions and Level of Service "F" represents the worst. Synchro Traffic Modeling software was used to determine the level of service for studied intersections. Note for unsignalized intersection analysis, the level of service noted is for the worst approach of the intersection. This is typically the left turn movement for the side street approach, due to the number of opposing movements. All worksheet reports from the analyses can be found in the Appendix.

Table 5.1 – Highway Capacity Manual

Levels of Service and Control Delay Criteria			
Signalized Intersection		Unsignalized Intersection	
Level of Service	Control Delay Per vehicle (sec)	Level of Service	Delay Range (sec)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 80	F	> 50

5.2 Level of Service Results

The results of the study are discussed by intersection below:

Water Street at West King Street

This signalized intersection of Water Street at West King Street currently operates at LOS A in the AM peak and LOS C in the PM peak. The simulation show sporadic queuing on the northbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. In 2018 future no build conditions, the analysis indicates LOS C in the AM and PM peaks. With the addition of site traffic, this intersection is projected to operate at LOS B in the AM peak and LOS C in the PM peak. No improvements are recommended.

Water Street at Howard Street

This unsignalized intersection currently operates at LOS A in the AM peak and LOS B in the PM peak. In 2018 future no build conditions, LOS B is expected in the AM and PM peaks. Additionally, sporadic queues were observed on the westbound approach of Howard Street, particularly during the PM peak. This is mainly due to lack of sufficient gaps from the minor street, which is due to heavy traffic volumes and queues on Water Street. This is a background condition which exists regardless of the proposed development. With the addition of proposed site traffic, LOS A is expected in the AM peak and LOS B in the PM peak. No improvements are recommended.

Water Street at Rivers Street/ Poplar Grove Road

This unsignalized intersection currently operates at LOS B in the AM peak and LOS C in the PM peak. In 2018 future no build conditions, LOS C is expected in the AM peak and LOS E in the PM peak. The simulation show sporadic queuing on the southbound left approach of this intersection during the PM peak, which is mainly due to heavy left turns. LOS E is typical at a stop controlled intersection for minor street movements onto a major street. With the addition of site traffic, LOS B is expected in the AM peak and LOS E in the PM peak. The intersection is currently under consideration by NCDOT for modifications to a roundabout. The roundabout concept is not currently funded and has not been studied. However, it is expected that if the roundabout is implemented at this intersection, the level of service can be reduced to a LOS C or better.

Water Street at Proposed Site Access 1

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a three (3) level parking deck only accessible from Water Street. Close driveway spacing such as this is typical for a downtown central business district and dense urban settings. It is recommended to restripe the northbound lane to provide one through lane and one right turn lane into the parking garage. Also to restripe the southbound lane to provide one through lane and one through-left turn lane into the parking garage.

Howard Street at Proposed Site Access 2

This unsignalized intersection is expected to operate at LOS B during future build scenarios. This site access will serve a two (2) level below ground parking deck only accessible from Howard Street. No improvements are recommended.

The recommended improvements at the study intersections are illustrated in Figure 9.

5.3 Level of Service Summary

Table 5.2 presents the summary of the level of service analysis.

Table 5.2 - Level of Service Summary				
AM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	A (9.3)	B (11.1)	B (12.1)	
Water Street at Howard Street	A (8.9) WB Approach	A (9.2) WB Approach	A (9.8) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	B (11.0) SB Approach	B (11.7) SB Approach	B (12.4) SB Approach	
Water Street at Proposed Site Access 1			B (10.0) WB Approach	B (10.2) WB Approach
Howard Street at Proposed Site Access 2			A (8.5) SB Approach	
PM Peak	2016 Existing	2018 Future No Build	2018 Build	2018 Build with Improvements
Water Street at King Street	C (21.2)	C (23.6)	C (24.2)	
Water Street at Howard Street	B (11.2) WB Approach	B (12.0) WB Approach	B (12.7) WB Approach	
Water Street at Rivers Street/ Poplar Grove Road	C (22.2) SB Approach	E (35.4) SB Approach	E (44.3) SB Approach	
Water Street at Proposed Site Access 1			B (13.5) WB Approach	B (14.1) WB Approach
Poplar Grove Road at Proposed Site Access 2			A (8.8) SB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREEN = COMMITTED	
BLUE = PROPOSED	

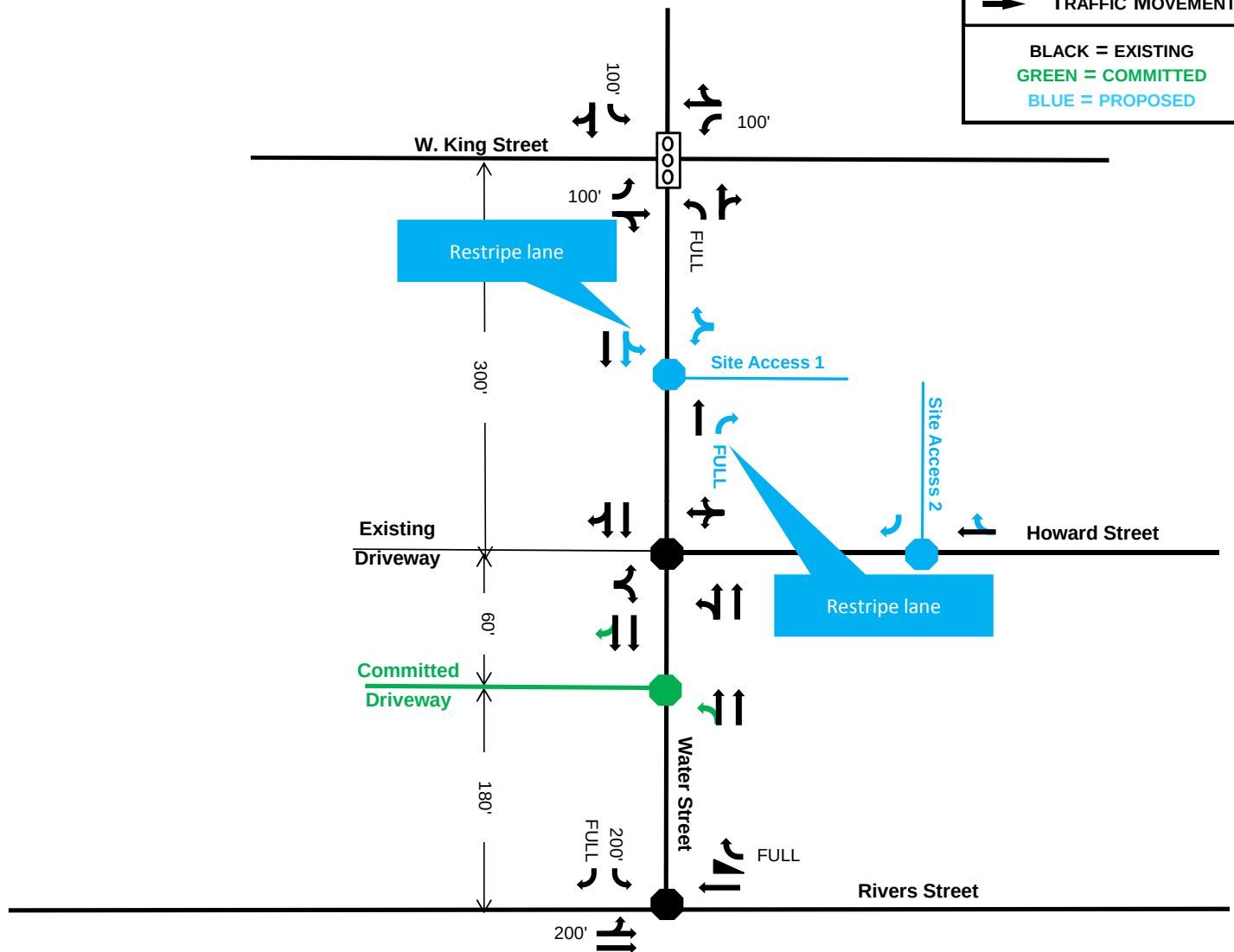


FIGURE 9
RECOMMENDED
IMPROVEMENTS

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023



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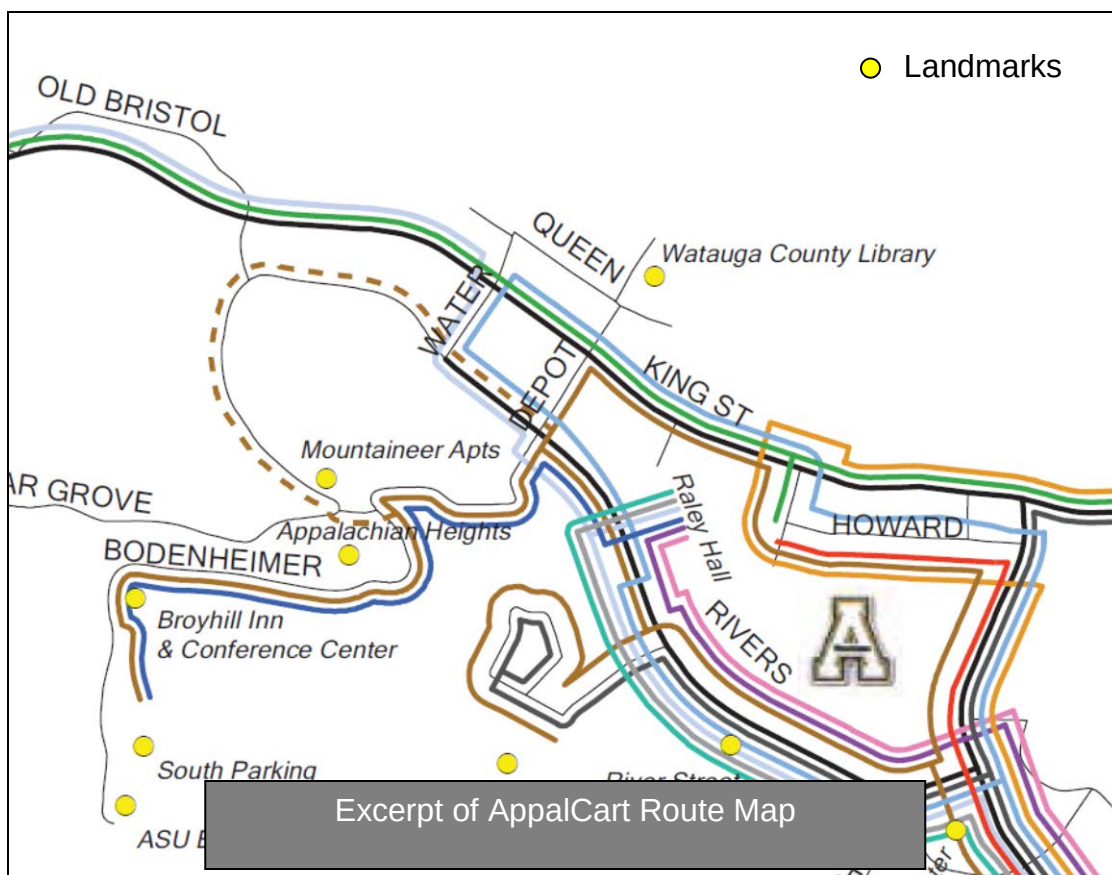
6.0 Pedestrian and Bicycle Accommodations

As part of the development of this site, the developer plans to construct the following pedestrian and bicycle accommodations:

- Sidewalks are currently provided along Water Street and King Street bordering the frontage of the property.
- Sharrows should be striped along the frontage of Water Street to accommodate bicyclist.
- Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles.
- In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.

7.0 Transit Accommodations

AppalCart provides transit service in the Town of Boone. *AppalCart* currently runs routes (Gold, Pop 105 and Express routes) which provides service in the proximity of the site. There is an existing *AppalCart* stop on King Street and Water Street, which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.



8.0 Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.

Table 8.0 on the following page summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table 8.0 - Recommended Improvement Summary

Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	- Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. - Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. - Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. - In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	There is an existing <i>AppaCart</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Appendix

Level of Service Analysis

Water Street at West King Street

Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	20	573	44	11	315	47	43	41	28	32	39	10
Future Volume (vph)	20	573	44	11	315	47	43	41	28	32	39	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.989			0.981			0.940			0.969	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1658	0	1593	1645	0	1593	1576	0	1593	1625	0
Flt Permitted	0.517			0.358			0.722			0.707		
Satd. Flow (perm)	867	1658	0	600	1645	0	1210	1576	0	1185	1625	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	22	637	49	12	350	52	48	46	31	36	43	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	22	686	0	12	402	0	48	77	0	36	54	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	36.0	36.0		36.0	36.0		25.0	25.0		25.0	25.0	
Total Split (s)	50.0	50.0		50.0	50.0		25.0	25.0		25.0	25.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	44.0	44.0		44.0	44.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	59.7	59.7		59.7	59.7		10.7	10.7		10.7	10.7	
Actuated g/C Ratio	0.80	0.80		0.80	0.80		0.14	0.14		0.14	0.14	
v/c Ratio	0.03	0.52		0.03	0.31		0.28	0.34		0.21	0.23	
Control Delay	3.0	5.7		3.1	3.8		32.3	32.8		30.8	30.4	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

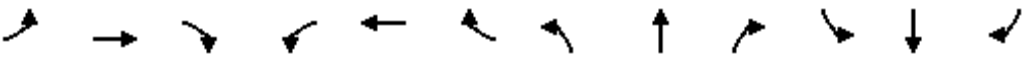
160023 Marketplace Development
Dionne C. Brown, PE

AM Existing
Page 1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	3.0	5.7		3.1	3.8		32.3	32.8		30.8	30.4	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		5.6			3.8			32.6			30.5	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	2	98		1	45		21	33		15	23	
Queue Length 95th (ft)	8	209		5	95		48	68		39	52	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	690	1320		478	1310		338	441		331	455	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.03	0.52		0.03	0.31		0.14	0.17		0.11	0.12	

Intersection Summary

Area Type: CBD

Cycle Length: 75

Actuated Cycle Length: 75

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.52

Intersection Signal Delay: 9.3

Intersection LOS: A

Intersection Capacity Utilization 52.5%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	21	596	53	24	328	49	51	45	43	33	43	10
Future Volume (vph)	21	596	53	24	328	49	51	45	43	33	43	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.988			0.981			0.927			0.972	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1656	0	1593	1645	0	1593	1554	0	1593	1630	0
Flt Permitted	0.508			0.332			0.719			0.694		
Satd. Flow (perm)	852	1656	0	557	1645	0	1205	1554	0	1163	1630	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	23	662	59	27	364	54	57	50	48	37	48	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	23	721	0	27	418	0	57	98	0	37	59	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	50.0	50.0		50.0	50.0		26.0	26.0		26.0	26.0	
Total Split (%)	65.8%	65.8%		65.8%	65.8%		34.2%	34.2%		34.2%	34.2%	
Maximum Green (s)	43.0	43.0		43.0	43.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	58.2	58.2		58.2	58.2		11.6	11.6		11.6	11.6	
Actuated g/C Ratio	0.77	0.77		0.77	0.77		0.15	0.15		0.15	0.15	
v/c Ratio	0.04	0.57		0.06	0.33		0.31	0.42		0.21	0.24	
Control Delay	4.0	7.8		4.4	5.1		32.4	33.9		29.9	29.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

AM No Build
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	4.0	7.8		4.4	5.1		32.4	33.9		29.9	29.7	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		7.7			5.0			33.3			29.8	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	3	135		3	59		24	43		16	25	
Queue Length 95th (ft)	10	281		12	122		54	82		39	54	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	652	1268		426	1260		332	429		321	450	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.57		0.06	0.33		0.17	0.23		0.12	0.13	

Intersection Summary

Area Type: CBD

Cycle Length: 76

Actuated Cycle Length: 76

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.57

Intersection Signal Delay: 11.1

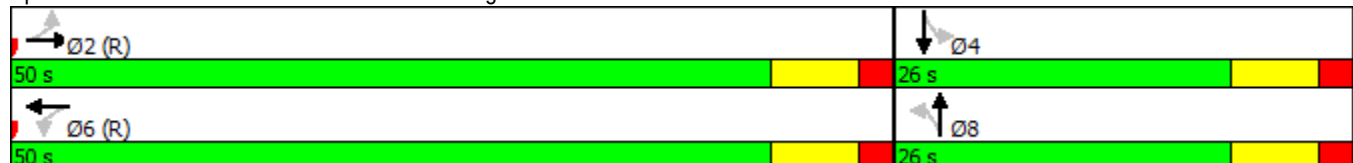
Intersection LOS: B

Intersection Capacity Utilization 56.6%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings
100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	21	596	60	42	328	49	57	47	65	33	46	10
Future Volume (vph)	21	596	60	42	328	49	57	47	65	33	46	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.986			0.981			0.913			0.973	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1653	0	1593	1645	0	1593	1531	0	1593	1631	0
Flt Permitted	0.504			0.320			0.717			0.677		
Satd. Flow (perm)	845	1653	0	536	1645	0	1202	1531	0	1135	1631	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			161			330	
Travel Time (s)		15.7			10.1			5.5			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	23	662	67	47	364	54	63	52	72	37	51	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	23	729	0	47	418	0	63	124	0	37	62	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	50.0	50.0		50.0	50.0		26.0	26.0		26.0	26.0	
Total Split (%)	65.8%	65.8%		65.8%	65.8%		34.2%	34.2%		34.2%	34.2%	
Maximum Green (s)	43.0	43.0		43.0	43.0		19.0	19.0		19.0	19.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	57.0	57.0		57.0	57.0		12.8	12.8		12.8	12.8	
Actuated g/C Ratio	0.75	0.75		0.75	0.75		0.17	0.17		0.17	0.17	
v/c Ratio	0.04	0.59		0.12	0.34		0.31	0.48		0.19	0.23	
Control Delay	4.6	8.9		5.5	5.7		30.8	34.3		28.2	28.1	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

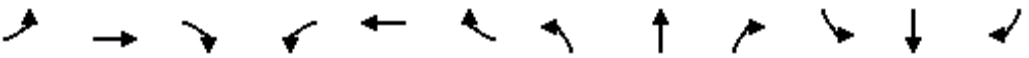
160023 Marketplace Development
Dionne C. Brown, PE

AM Build
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	4.6	8.9		5.5	5.7		30.8	34.3		28.2	28.1	
LOS	A	A		A	A		C	C		C	C	
Approach Delay		8.8			5.7			33.1			28.1	
Approach LOS		A			A			C			C	
Queue Length 50th (ft)	3	150		6	64		27	54		15	26	
Queue Length 95th (ft)	11	317		21	134		57	97		38	54	
Internal Link Dist (ft)		496			291			81			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	634	1240		402	1234		332	423		313	450	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.04	0.59		0.12	0.34		0.19	0.29		0.12	0.14	

Intersection Summary

Area Type: CBD

Cycle Length: 76

Actuated Cycle Length: 76

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.59

Intersection Signal Delay: 12.1

Intersection LOS: B

Intersection Capacity Utilization 57.4%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	27	460	77	52	582	31	157	63	74	52	134	58
Future Volume (vph)	27	460	77	52	582	31	157	63	74	52	134	58
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.978			0.993			0.919			0.955	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1640	0	1593	1665	0	1593	1541	0	1593	1601	0
Flt Permitted	0.307			0.357			0.483			0.595		
Satd. Flow (perm)	515	1640	0	599	1665	0	810	1541	0	998	1601	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	30	511	86	58	647	34	174	70	82	58	149	64
Shared Lane Traffic (%)												
Lane Group Flow (vph)	30	597	0	58	681	0	174	152	0	58	213	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	36.0	36.0		36.0	36.0		25.0	25.0		25.0	25.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	54.0	54.0		54.0	54.0		24.0	24.0		24.0	24.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	59.6	59.6		59.6	59.6		22.4	22.4		22.4	22.4	
Actuated g/C Ratio	0.66	0.66		0.66	0.66		0.25	0.25		0.25	0.25	
v/c Ratio	0.09	0.55		0.15	0.62		0.87	0.40		0.23	0.54	
Control Delay	7.5	11.4		8.0	12.7		69.0	30.3		27.8	33.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

160023 Marketplace Development
Dionne C. Brown, PE

PM Existing
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	7.5	11.4		8.0	12.7		69.0	30.3		27.8	33.7	
LOS	A	B		A	B		E	C		C	C	
Approach Delay		11.2			12.4			51.0			32.4	
Approach LOS		B			B			D			C	
Queue Length 50th (ft)	6	177		12	217		91	69		25	101	
Queue Length 95th (ft)	18	280		30	344		#195	121		56	167	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	340	1086		396	1102		234	445		288	462	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.09	0.55		0.15	0.62		0.74	0.34		0.20	0.46	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.87

Intersection Signal Delay: 21.2

Intersection LOS: C

Intersection Capacity Utilization 79.4%

ICU Level of Service D

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	28	479	89	70	606	32	171	71	91	54	143	60
Future Volume (vph)	28	479	89	70	606	32	171	71	91	54	143	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.976			0.992			0.916			0.956	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1636	0	1593	1663	0	1593	1536	0	1593	1603	0
Flt Permitted	0.281			0.329			0.494			0.576		
Satd. Flow (perm)	471	1636	0	552	1663	0	828	1536	0	966	1603	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			300			330	
Travel Time (s)		15.7			10.1			10.2			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	31	532	99	78	673	36	190	79	101	60	159	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	31	631	0	78	709	0	190	180	0	60	226	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	53.0	53.0		53.0	53.0		23.0	23.0		23.0	23.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	56.9	56.9		56.9	56.9		23.1	23.1		23.1	23.1	
Actuated g/C Ratio	0.63	0.63		0.63	0.63		0.26	0.26		0.26	0.26	
v/c Ratio	0.10	0.61		0.22	0.67		0.90	0.46		0.24	0.55	
Control Delay	8.4	13.7		9.9	15.3		73.4	31.8		28.3	34.0	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

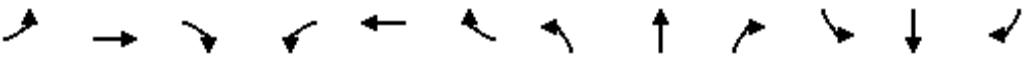
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Dionne C. Brown, PE

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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

3/30/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	8.4	13.7		9.9	15.3		73.4	31.8		28.3	34.0	
LOS	A	B		A	B		E	C		C	C	
Approach Delay		13.4			14.8			53.2			32.8	
Approach LOS		B			B			D			C	
Queue Length 50th (ft)	7	207		18	249		101	84		26	108	
Queue Length 95th (ft)	19	318		43	384		#221	145		60	180	
Internal Link Dist (ft)		496			291			220			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	297	1034		349	1051		230	426		268	445	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.10	0.61		0.22	0.67		0.83	0.42		0.22	0.51	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.90

Intersection Signal Delay: 23.6

Intersection LOS: C

Intersection Capacity Utilization 87.2%

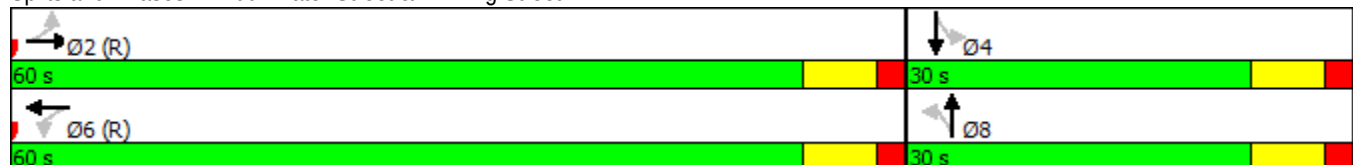
ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street



Lanes, Volumes, Timings
100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	28	479	94	83	606	32	176	73	107	54	146	60
Future Volume (vph)	28	479	94	83	606	32	176	73	107	54	146	60
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	100		0	0		0	100		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	100			100			25			100		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.975			0.992			0.911			0.956	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1593	1635	0	1593	1663	0	1593	1527	0	1593	1603	0
Flt Permitted	0.278			0.323			0.494			0.544		
Satd. Flow (perm)	466	1635	0	542	1663	0	828	1527	0	912	1603	0
Right Turn on Red			No			No			No			No
Satd. Flow (RTOR)												
Link Speed (mph)		25			25			20			20	
Link Distance (ft)		576			371			161			330	
Travel Time (s)		15.7			10.1			5.5			11.3	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Parking (#/hr)			30			70						
Adj. Flow (vph)	31	532	104	92	673	36	196	81	119	60	162	67
Shared Lane Traffic (%)												
Lane Group Flow (vph)	31	636	0	92	709	0	196	200	0	60	229	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		2			6			8			4	
Permitted Phases	2			6			8			4		
Detector Phase	2	2		6	6		8	8		4	4	
Switch Phase												
Minimum Initial (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	37.0	37.0		37.0	37.0		26.0	26.0		26.0	26.0	
Total Split (s)	60.0	60.0		60.0	60.0		30.0	30.0		30.0	30.0	
Total Split (%)	66.7%	66.7%		66.7%	66.7%		33.3%	33.3%		33.3%	33.3%	
Maximum Green (s)	53.0	53.0		53.0	53.0		23.0	23.0		23.0	23.0	
Yellow Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
All-Red Time (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)	-2.0	-2.0		-2.0	-2.0		-2.0	-2.0		-2.0	-2.0	
Total Lost Time (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0		2.0	2.0	
Recall Mode	C-Max	C-Max		C-Max	C-Max		None	None		None	None	
Walk Time (s)	12.0	12.0		12.0	12.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	18.0	18.0		18.0	18.0		12.0	12.0		12.0	12.0	
Pedestrian Calls (#/hr)	0	0		0	0		0	0		0	0	
Act Effect Green (s)	56.4	56.4		56.4	56.4		23.6	23.6		23.6	23.6	
Actuated g/C Ratio	0.63	0.63		0.63	0.63		0.26	0.26		0.26	0.26	
v/c Ratio	0.11	0.62		0.27	0.68		0.90	0.50		0.25	0.55	
Control Delay	8.5	14.1		10.8	15.7		74.3	32.6		28.6	33.6	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	

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Dionne C. Brown, PE

PM Build
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Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Lanes, Volumes, Timings
100: Water Street & W. King Street

5/27/2016

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	8.5	14.1		10.8	15.7		74.3	32.6		28.6	33.6	
LOS	A	B		B	B		E	C		C	C	
Approach Delay		13.8			15.1			53.3				
Approach LOS		B			B			D				
Queue Length 50th (ft)	7	210		22	249		105	94		26	110	
Queue Length 95th (ft)	19	322		51	384		#231	161		60	182	
Internal Link Dist (ft)		496			291			81			250	
Turn Bay Length (ft)	100			100						100		
Base Capacity (vph)	291	1024		339	1042		230	424		253	445	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.11	0.62		0.27	0.68		0.85	0.47		0.24	0.51	

Intersection Summary

Area Type: CBD

Cycle Length: 90

Actuated Cycle Length: 90

Offset: 0 (0%), Referenced to phase 2:EBTL and 6:WBTL, Start of Green

Natural Cycle: 65

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.90

Intersection Signal Delay: 24.1

Intersection LOS: C

Intersection Capacity Utilization 87.7%

ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 100: Water Street & W. King Street



Water Street at Howard Street

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	4	3	0	8	2	104	0	0	94	0
Future Volume (Veh/h)	0	0	4	3	0	8	2	104	0	0	94	0
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	4	3	0	9	2	116	0	0	104	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	175	224	52	176	224	58	104			116		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	175	224	52	176	224	58	104			116		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	100	100	99	100			100		
cM capacity (veh/h)	764	673	1005	766	673	996	1485			1470		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	4	12	41	77	69	35						
Volume Left	0	3	2	0	0	0						
Volume Right	4	9	0	0	0	0						
cSH	1005	926	1485	1700	1700	1700						
Volume to Capacity	0.00	0.01	0.00	0.05	0.04	0.02						
Queue Length 95th (ft)	0	1	0	0	0	0						
Control Delay (s)	8.6	8.9	0.4	0.0	0.0	0.0						
Lane LOS	A	A	A									
Approach Delay (s)	8.6	8.9	0.1		0.0							
Approach LOS	A	A										
Intersection Summary												
Average Delay			0.7									
Intersection Capacity Utilization			15.2%		ICU Level of Service				A			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	4	4	0	8	2	129	0	0	120	0
Future Volume (Veh/h)	0	0	4	4	0	8	2	129	0	0	120	0
Sign Control	Stop				Stop				Free			
Grade	0%				0%				0%			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	4	4	0	9	2	143	0	0	133	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type							None			None		
Median storage (veh)												
Upstream signal (ft)												300
pX, platoon unblocked												
vC, conflicting volume	218	280	66	218	280	72	133				143	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	218	280	66	218	280	72	133				143	
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	100	100	100	99	100	99	100				100	
cM capacity (veh/h)	713	626	983	716	626	976	1449				1437	
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	4	13	50	95	89	44						
Volume Left	0	4	2	0	0	0						
Volume Right	4	9	0	0	0	0						
cSH	983	878	1449	1700	1700	1700						
Volume to Capacity	0.00	0.01	0.00	0.06	0.05	0.03						
Queue Length 95th (ft)	0	1	0	0	0	0						
Control Delay (s)	8.7	9.2	0.3	0.0	0.0	0.0						
Lane LOS	A	A	A									
Approach Delay (s)	8.7	9.2	0.1	0.0								
Approach LOS	A	A										
Intersection Summary												
Average Delay	0.6											
Intersection Capacity Utilization	17.1%			ICU Level of Service					A			
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

5/27/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	0	0	4	14	0	15	2	156	0	0	143	0
Future Volume (Veh/h)	0	0	4	14	0	15	2	156	0	0	143	0
Sign Control	Stop			Stop			Free			Free		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	4	16	0	17	2	173	0	0	159	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type							None			None		
Median storage (veh)												
Upstream signal (ft)												300
pX, platoon unblocked												
vC, conflicting volume	266	336	80	260	336	86	159				173	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	266	336	80	260	336	86	159				173	
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	100	100	100	98	100	98	100				100	
cM capacity (veh/h)	652	583	965	668	583	955	1418				1401	
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	4	33	60	115	106	53						
Volume Left	0	16	2	0	0	0						
Volume Right	4	17	0	0	0	0						
cSH	965	790	1418	1700	1700	1700						
Volume to Capacity	0.00	0.04	0.00	0.07	0.06	0.03						
Queue Length 95th (ft)	0	3	0	0	0	0						
Control Delay (s)	8.7	9.8	0.3	0.0	0.0	0.0						
Lane LOS	A	A	A									
Approach Delay (s)	8.7	9.8	0.1	0.0								
Approach LOS	A	A										
Intersection Summary												
Average Delay	1.0											
Intersection Capacity Utilization	21.6%			ICU Level of Service				A				
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	18	30	0	49	13	242	0	0	260	3
Future Volume (Veh/h)	3	0	18	30	0	49	13	242	0	0	260	3
Sign Control	Stop			Stop			Free			Free		
Grade	0%			0%			0%			0%		
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	20	33	0	54	14	269	0	0	289	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type							None			None		
Median storage (veh)												
Upstream signal (ft)												300
pX, platoon unblocked												
vC, conflicting volume	507	588	146	462	589	134	292				269	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	507	588	146	462	589	134	292				269	
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	99	100	98	93	100	94	99				100	
cM capacity (veh/h)	418	415	875	468	415	890	1267				1292	
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	23	87	104	179	193	99						
Volume Left	3	33	14	0	0	0						
Volume Right	20	54	0	0	0	3						
cSH	765	663	1267	1700	1700	1700						
Volume to Capacity	0.03	0.13	0.01	0.11	0.11	0.06						
Queue Length 95th (ft)	2	11	1	0	0	0						
Control Delay (s)	9.8	11.2	1.1	0.0	0.0	0.0						
Lane LOS	A	B	A									
Approach Delay (s)	9.8	11.2	0.4	0.0								
Approach LOS	A	B										
Intersection Summary												
Average Delay	1.9											
Intersection Capacity Utilization	36.0%			ICU Level of Service				A				
Analysis Period (min)	15											

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

3/30/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	19	33	0	51	14	279	0	0	302	3
Future Volume (Veh/h)	3	0	19	33	0	51	14	279	0	0	302	3
Sign Control	Stop				Stop				Free		Free	
Grade	0%				0%				0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	21	37	0	57	16	310	0	0	336	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type							None			None		
Median storage (veh)												
Upstream signal (ft)												300
pX, platoon unblocked												
vC, conflicting volume	582	680	170	531	681	155	339				310	
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	582	680	170	531	681	155	339				310	
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	99	100	98	91	100	93	99				100	
cM capacity (veh/h)	367	367	845	416	366	863	1217				1247	
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	24	94	119	207	224	115						
Volume Left	3	37	16	0	0	0						
Volume Right	21	57	0	0	0	3						
cSH	726	607	1217	1700	1700	1700						
Volume to Capacity	0.03	0.15	0.01	0.12	0.13	0.07						
Queue Length 95th (ft)	3	14	1	0	0	0						
Control Delay (s)	10.1	12.0	1.2	0.0	0.0	0.0						
Lane LOS	B	B	A									
Approach Delay (s)	10.1	12.0	0.4	0.0								
Approach LOS	B	B										
Intersection Summary												
Average Delay			1.9									
Intersection Capacity Utilization			38.9%		ICU Level of Service				A			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

200: Water Street & Howard Street

5/27/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	0	19	40	0	56	14	298	0	0	318	3
Future Volume (Veh/h)	3	0	19	40	0	56	14	298	0	0	318	3
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	3	0	21	44	0	62	16	331	0	0	353	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)											300	
pX, platoon unblocked												
vC, conflicting volume	614	718	178	560	719	166	356			331		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	614	718	178	560	719	166	356			331		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	97	89	100	93	99			100		
cM capacity (veh/h)	345	349	834	396	348	850	1199			1225		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	24	106	126	221	235	121						
Volume Left	3	44	16	0	0	0						
Volume Right	21	62	0	0	0	3						
cSH	709	576	1199	1700	1700	1700						
Volume to Capacity	0.03	0.18	0.01	0.13	0.14	0.07						
Queue Length 95th (ft)	3	17	1	0	0	0						
Control Delay (s)	10.3	12.7	1.1	0.0	0.0	0.0						
Lane LOS	B	B	A									
Approach Delay (s)	10.3	12.7	0.4		0.0							
Approach LOS	B	B										
Intersection Summary												
Average Delay			2.1									
Intersection Capacity Utilization			40.2%		ICU Level of Service					A		
Analysis Period (min)			15									

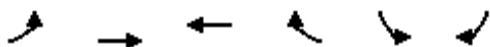
Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Water Street at Rivers Street/ Poplar Grove Road

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

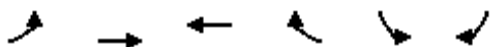


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↗	↗	↗
Traffic Volume (veh/h)	36	252	103	70	75	26
Future Volume (Veh/h)	36	252	103	70	75	26
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	40	280	114	78	83	29
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	114				334	114
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	114				334	114
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	97				87	97
cM capacity (veh/h)	1473				618	917
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	133	187	114	78	83	29
Volume Left	40	0	0	0	83	0
Volume Right	0	0	0	78	0	29
cSH	1473	1700	1700	1700	618	917
Volume to Capacity	0.03	0.11	0.07	0.05	0.13	0.03
Queue Length 95th (ft)	2	0	0	0	12	2
Control Delay (s)	2.4	0.0	0.0	0.0	11.7	9.1
Lane LOS	A				B	A
Approach Delay (s)	1.0		0.0		11.0	
Approach LOS					B	
Intersection Summary						
Average Delay			2.5			
Intersection Capacity Utilization			23.5%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

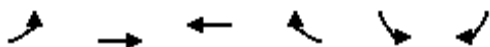


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↗	↗	↗
Traffic Volume (veh/h)	56	283	130	74	79	48
Future Volume (Veh/h)	56	283	130	74	79	48
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	62	314	144	82	88	53
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	144				425	144
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	144				425	144
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	96				84	94
cM capacity (veh/h)	1436				533	877
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	167	209	144	82	88	53
Volume Left	62	0	0	0	88	0
Volume Right	0	0	0	82	0	53
cSH	1436	1700	1700	1700	533	877
Volume to Capacity	0.04	0.12	0.08	0.05	0.16	0.06
Queue Length 95th (ft)	3	0	0	0	15	5
Control Delay (s)	3.1	0.0	0.0	0.0	13.1	9.4
Lane LOS	A				B	A
Approach Delay (s)	1.4		0.0		11.7	
Approach LOS					B	
Intersection Summary						
Average Delay			2.9			
Intersection Capacity Utilization			33.0%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

5/27/2016

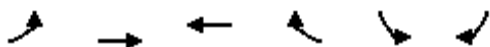


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔↔	↔	↔	↔	↔
Traffic Volume (veh/h)	68	283	130	90	102	58
Future Volume (Veh/h)	68	283	130	90	102	58
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	76	314	144	100	113	64
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	144				453	144
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	144				453	144
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	95				78	93
cM capacity (veh/h)	1436				507	877
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	181	209	144	100	113	64
Volume Left	76	0	0	0	113	0
Volume Right	0	0	0	100	0	64
cSH	1436	1700	1700	1700	507	877
Volume to Capacity	0.05	0.12	0.08	0.06	0.22	0.07
Queue Length 95th (ft)	4	0	0	0	21	6
Control Delay (s)	3.5	0.0	0.0	0.0	14.1	9.4
Lane LOS	A				B	A
Approach Delay (s)	1.6		0.0		12.4	
Approach LOS					B	
Intersection Summary						
Average Delay			3.5			
Intersection Capacity Utilization			34.8%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

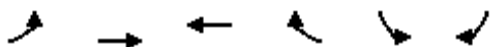


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	52	293	245	203	245	63
Future Volume (Veh/h)	52	293	245	203	245	63
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	58	326	272	226	272	70
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	272				551	272
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	272				551	272
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	95				39	90
cM capacity (veh/h)	1288				443	726
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	167	217	272	226	272	70
Volume Left	58	0	0	0	272	0
Volume Right	0	0	0	226	0	70
cSH	1288	1700	1700	1700	443	726
Volume to Capacity	0.05	0.13	0.16	0.13	0.61	0.10
Queue Length 95th (ft)	4	0	0	0	100	8
Control Delay (s)	3.0	0.0	0.0	0.0	25.2	10.5
Lane LOS	A				D	B
Approach Delay (s)	1.3		0.0		22.2	
Approach LOS					C	
Intersection Summary						
Average Delay			6.6			
Intersection Capacity Utilization			50.1%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

3/30/2016

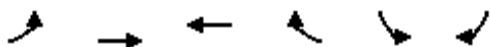


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕↕	↕	↕	↕	↕
Traffic Volume (veh/h)	80	330	287	212	255	97
Future Volume (Veh/h)	80	330	287	212	255	97
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	89	367	319	236	283	108
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	319				680	319
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	319				680	319
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	93				21	84
cM capacity (veh/h)	1238				357	677
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	211	245	319	236	283	108
Volume Left	89	0	0	0	283	0
Volume Right	0	0	0	236	0	108
cSH	1238	1700	1700	1700	357	677
Volume to Capacity	0.07	0.14	0.19	0.14	0.79	0.16
Queue Length 95th (ft)	6	0	0	0	167	14
Control Delay (s)	3.8	0.0	0.0	0.0	44.5	11.3
Lane LOS	A				E	B
Approach Delay (s)	1.8		0.0		35.4	
Approach LOS					E	
Intersection Summary						
Average Delay			10.4			
Intersection Capacity Utilization			55.2%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

300: Rivers Street & Water Street

5/27/2016



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔↔	↔	↔	↔	↔
Traffic Volume (veh/h)	88	330	287	223	271	104
Future Volume (Veh/h)	88	330	287	223	271	104
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	98	367	319	248	301	116
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	319				698	319
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	319				698	319
tC, single (s)	4.1				6.8	6.9
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	92				13	83
cM capacity (veh/h)	1238				345	677
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	SB 1	SB 2
Volume Total	220	245	319	248	301	116
Volume Left	98	0	0	0	301	0
Volume Right	0	0	0	248	0	116
cSH	1238	1700	1700	1700	345	677
Volume to Capacity	0.08	0.14	0.19	0.15	0.87	0.17
Queue Length 95th (ft)	6	0	0	0	206	15
Control Delay (s)	4.0	0.0	0.0	0.0	57.0	11.4
Lane LOS	A				F	B
Approach Delay (s)	1.9		0.0		44.3	
Approach LOS					E	
Intersection Summary						
Average Delay			13.4			
Intersection Capacity Utilization			56.4%		ICU Level of Service	B
Analysis Period (min)			15			

Water Street at Proposed Site Access 1

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	23	24	144	27	28	120
Future Volume (Veh/h)	23	24	144	27	28	120
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	26	27	160	30	31	133
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	304	95			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	304	95			190	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	96	97			98	
cM capacity (veh/h)	649	943			1381	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	53	107	83	75	89	
Volume Left	26	0	0	31	0	
Volume Right	27	0	30	0	0	
cSH	772	1700	1700	1381	1700	
Volume to Capacity	0.07	0.06	0.05	0.02	0.05	
Queue Length 95th (ft)	6	0	0	2	0	
Control Delay (s)	10.0	0.0	0.0	3.3	0.0	
Lane LOS	B			A		
Approach Delay (s)	10.0	0.0		1.5		
Approach LOS	B					
Intersection Summary						
Average Delay			1.9			
Intersection Capacity Utilization			22.3%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	23	24	144	27	28	120
Future Volume (Veh/h)	23	24	144	27	28	120
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	26	27	160	30	31	133
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	288	160			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	288	160			190	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	96	97			98	
cM capacity (veh/h)	663	857			1381	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	53	160	30	75	89	
Volume Left	26	0	0	31	0	
Volume Right	27	0	30	0	0	
cSH	749	1700	1700	1381	1700	
Volume to Capacity	0.07	0.09	0.02	0.02	0.05	
Queue Length 95th (ft)	6	0	0	2	0	
Control Delay (s)	10.2	0.0	0.0	3.3	0.0	
Lane LOS	B			A		
Approach Delay (s)	10.2	0.0		1.5		
Approach LOS	B					
Intersection Summary						
Average Delay			1.9			
Intersection Capacity Utilization			25.0%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W	R	T	R	L	R
Traffic Volume (veh/h)	46	43	313	43	50	273
Future Volume (Veh/h)	46	43	313	43	50	273
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	51	48	348	48	56	303
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	636	198			396	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	636	198			396	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	94			95	
cM capacity (veh/h)	391	810			1159	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	99	232	164	157	202	
Volume Left	51	0	0	56	0	
Volume Right	48	0	48	0	0	
cSH	522	1700	1700	1159	1700	
Volume to Capacity	0.19	0.14	0.10	0.05	0.12	
Queue Length 95th (ft)	17	0	0	4	0	
Control Delay (s)	13.5	0.0	0.0	3.2	0.0	
Lane LOS	B			A		
Approach Delay (s)	13.5	0.0		1.4		
Approach LOS	B					
Intersection Summary						
Average Delay			2.2			
Intersection Capacity Utilization			34.2%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

400: Water Street & Site Access 1

5/27/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	46	43	313	43	50	273
Future Volume (Veh/h)	46	43	313	43	50	273
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	51	48	348	48	56	303
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						161
pX, platoon unblocked						
vC, conflicting volume	612	348			396	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	612	348			396	
tC, single (s)	6.8	6.9			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	93			95	
cM capacity (veh/h)	405	648			1159	
Direction, Lane #	WB 1	NB 1	NB 2	SB 1	SB 2	
Volume Total	99	348	48	157	202	
Volume Left	51	0	0	56	0	
Volume Right	48	0	48	0	0	
cSH	495	1700	1700	1159	1700	
Volume to Capacity	0.20	0.20	0.03	0.05	0.12	
Queue Length 95th (ft)	18	0	0	4	0	
Control Delay (s)	14.1	0.0	0.0	3.2	0.0	
Lane LOS	B			A		
Approach Delay (s)	14.1	0.0		1.4		
Approach LOS	B					
Intersection Summary						
Average Delay			2.2			
Intersection Capacity Utilization			40.7%		ICU Level of Service	A
Analysis Period (min)			15			

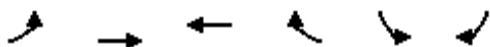
Howard Street at Proposed Site Access

2

HCM Unsignalized Intersection Capacity Analysis

500: Howard Street & Site Access 2

5/27/2016

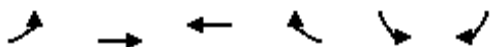


Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↩			↩
Traffic Volume (veh/h)	0	0	12	19	0	16
Future Volume (Veh/h)	0	0	12	19	0	16
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	13	21	0	18
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	34				24	24
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	34				24	24
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				100	98
cM capacity (veh/h)	1578				993	1053
Direction, Lane #	WB 1	SB 1				
Volume Total	34	18				
Volume Left	0	0				
Volume Right	21	18				
cSH	1700	1053				
Volume to Capacity	0.02	0.02				
Queue Length 95th (ft)	0	1				
Control Delay (s)	0.0	8.5				
Lane LOS		A				
Approach Delay (s)	0.0	8.5				
Approach LOS		A				
Intersection Summary						
Average Delay		2.9				
Intersection Capacity Utilization		13.3%		ICU Level of Service		A
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

500: Howard Street & Site Access 2

5/27/2016



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations			↩			↩
Traffic Volume (veh/h)	0	0	84	13	0	12
Future Volume (Veh/h)	0	0	84	13	0	12
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Hourly flow rate (vph)	0	0	93	14	0	13
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	107				100	100
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	107				100	100
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	100				100	99
cM capacity (veh/h)	1484				899	956
Direction, Lane #	WB 1	SB 1				
Volume Total	107	13				
Volume Left	0	0				
Volume Right	14	13				
cSH	1700	956				
Volume to Capacity	0.06	0.01				
Queue Length 95th (ft)	0	1				
Control Delay (s)	0.0	8.8				
Lane LOS		A				
Approach Delay (s)	0.0	8.8				
Approach LOS		A				
Intersection Summary						
Average Delay		1.0				
Intersection Capacity Utilization		15.2%		ICU Level of Service		A
Analysis Period (min)		15				

Trip Generation

Trip Generation Summary - Alternative 1

Project: 160023
Alternative: Alternative 1

Open Date: 3/14/2016
Analysis Date: 3/14/2016

ITE	Land Use	Average Daily Trips			AM Peak Hour of Adjacent Street Traffic			PM Peak Hour of Adjacent Street Traffic		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
220	APT 1 99 Persons	140	139	279	19	18	37	21	20	41
820	CENTERSHOPPING 1 8.5 Gross Leasable Area 1000 SF	684	684	1368	22	13	35	55	60	115
932	RESTAURANTHT 1 9.38 Gross Floor Area 1000 SF	597	596	1193						
Unadjusted Volume		1421	1419	2840	41	31	72	76	80	156
Internal Capture Trips		0	0	0	0	0	0	16	16	32
Pass-By Trips		0	0	0	0	0	0	17	17	34
Volume Added to Adjacent Streets		1421	1419	2840	41	31	72	43	47	90

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 21 Percent

ITE Trip Generation									
Marketplace Development, Boone NC									
Average Weekday Driveway Volumes					24 Hour	AM Peak Hour		PM Peak Hour	
					Two-Way				
<u>Land Use</u>	<u>ITE Land Code</u>	<u>Size</u>		<u>Data Source</u>	<u>Volume</u>	<u>Enter</u>	<u>Exit</u>	<u>Enter</u>	<u>Exit</u>
Apartments	220	99	Persons	Equations	279	18	18	20	20
Retail	820	8.5	Th.Sq.Ft GLA	Equations	1,368	22	13	55	60
Restaurant	932	9.38	Th.Sq.Ft GLA	Rate	1,193	66	59	93	80
Total Unadjusted Trips					2,840	106	90	168	160
Internal Capture Overall %					7%	N/A		10.2%	
Apartments					-99	0	0	-6	-11
Retail					-99	0	0	-11	-6
Total Internal Trips Reduction					-198	0	0	-17	-17
Apartments					180	18	18	14	9
Retail					1,315	22	13	51	58
Restaurant					1,147	66	59	87	76
Total of External Trips					2,643	106	90	151	143
Retail Pass-by Reduction		0% AM / 34% PM			-224	0	0	-17	-20
Restaurant Pass-by Reduction		0% AM / 43% PM			-247	0	0	-37	-33
Pedestrian/Transit Reduction		30%			-793	-32	-27	-45	-43
Total Adjusted Trips					1,379	74	63	52	47

Traffic Volume Data

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted by: K. Kim

File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 1

Weather: Clear

Groups Printed- Cars - Trucks and Buses - Bicycles

	Water Street Southbound					King Street Westbound					Water Street Northbound					King Street Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	1	1	5	0	7	3	42	2	0	47	1	1	6	2	8	11	90	0	1	101	3	163	16
07:15 AM	1	4	2	3	7	2	60	3	0	65	5	4	6	4	15	11	119	1	1	131	8	218	22
07:30 AM	2	6	8	2	16	9	80	3	1	92	9	3	10	1	22	14	136	3	4	153	8	283	29
07:45 AM	5	19	9	5	33	17	73	4	1	94	7	17	16	4	40	10	164	5	2	179	12	346	35
Total	9	30	24	10	63	31	255	12	2	298	22	25	38	11	85	46	509	9	8	564	31	1010	104
08:00 AM	0	9	10	1	19	11	89	2	1	102	4	14	10	4	28	15	160	3	0	178	6	327	33
08:15 AM	3	5	5	1	13	10	73	2	2	85	8	7	7	6	22	5	113	9	1	127	10	247	25
08:30 AM	8	6	9	3	23	14	91	2	2	107	1	4	7	6	12	12	121	7	3	140	14	282	29
08:45 AM	4	2	12	10	18	11	78	11	3	100	10	6	13	5	29	12	101	13	8	126	26	273	29
Total	15	22	36	15	73	46	331	17	8	394	23	31	37	21	91	44	495	32	12	571	56	1129	118
04:00 PM	11	12	23	7	46	11	142	10	3	163	17	14	53	27	84	18	111	8	8	137	45	430	47
04:15 PM	5	18	21	11	44	7	101	16	14	124	18	9	41	26	68	15	103	10	5	128	56	364	42
04:30 PM	9	18	12	4	39	10	151	13	10	174	13	12	26	9	51	24	108	3	9	135	32	399	43
04:45 PM	14	21	17	17	52	7	121	15	10	143	17	8	31	20	56	19	118	8	6	145	53	396	44
Total	39	69	73	39	181	35	515	54	37	604	65	43	151	82	259	76	440	29	28	545	186	1589	177
05:00 PM	21	39	11	11	71	7	162	14	8	183	23	20	46	10	89	13	123	8	3	144	32	487	51
05:15 PM	14	16	12	7	42	7	148	10	9	165	21	10	54	9	85	21	111	8	9	140	34	432	46
05:30 PM	11	20	13	2	44	2	146	6	9	154	12	9	29	1	50	8	130	5	4	143	16	391	40
05:45 PM	0	21	13	2	34	6	132	15	6	153	11	18	37	0	66	11	121	4	1	136	9	389	39
Total	46	96	49	22	191	22	588	45	32	655	67	57	166	20	290	53	485	25	17	563	91	1699	179
Grand Total	109	217	182	86	508	134	1689	128	79	1951	177	156	392	134	725	219	1929	95	65	2243	364	5427	579
Apprch %	21.5	42.7	35.8			6.9	86.6	6.6			24.4	21.5	54.1			9.8	86	4.2					
Total %	2	4	3.4		9.4	2.5	31.1	2.4		35.9	3.3	2.9	7.2		13.4	4	35.5	1.8		41.3	6.3	93.7	
Cars	107	212	180		585	133	1660	125		1997	166	154	387		841	190	1888	95		2237	0	0	566
% Cars	98.2	97.7	98.9	100	98.5	99.3	98.3	97.7	100	98.4	93.8	98.7	98.7	100	97.9	86.8	97.9	100	98.5	96.9	0	0	97.
Trucks and Buses	1	1	1		3	0	26	3		29	10	0	4		14	28	39	0		67	0	0	11
% Trucks and Buses	0.9	0.5	0.5	0	0.5	0	1.5	2.3	0	1.4	5.6	0	1	0	1.6	12.8	2	0	0	2.9	0	0	0
Bicycles	1	4	1		6	1	3	0		4	1	2	1		4	1	2	0		4	0	0	1
% Bicycles	0.9	1.8	0.5	0	1	0.7	0.2	0	0	0.2	0.6	1.3	0.3	0	0.5	0.5	0.1	0	1.5	0.2	0	0	0.

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

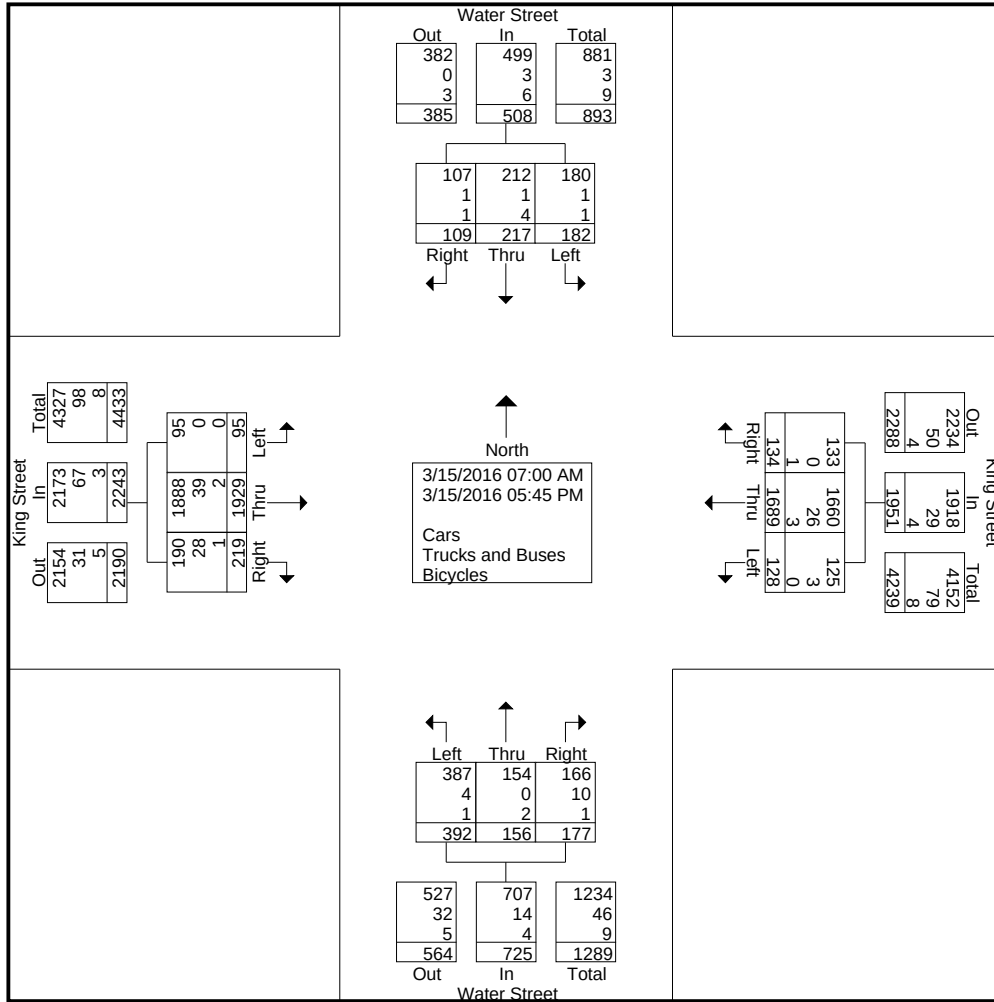
Ph:(336)744-1636

File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 2



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305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

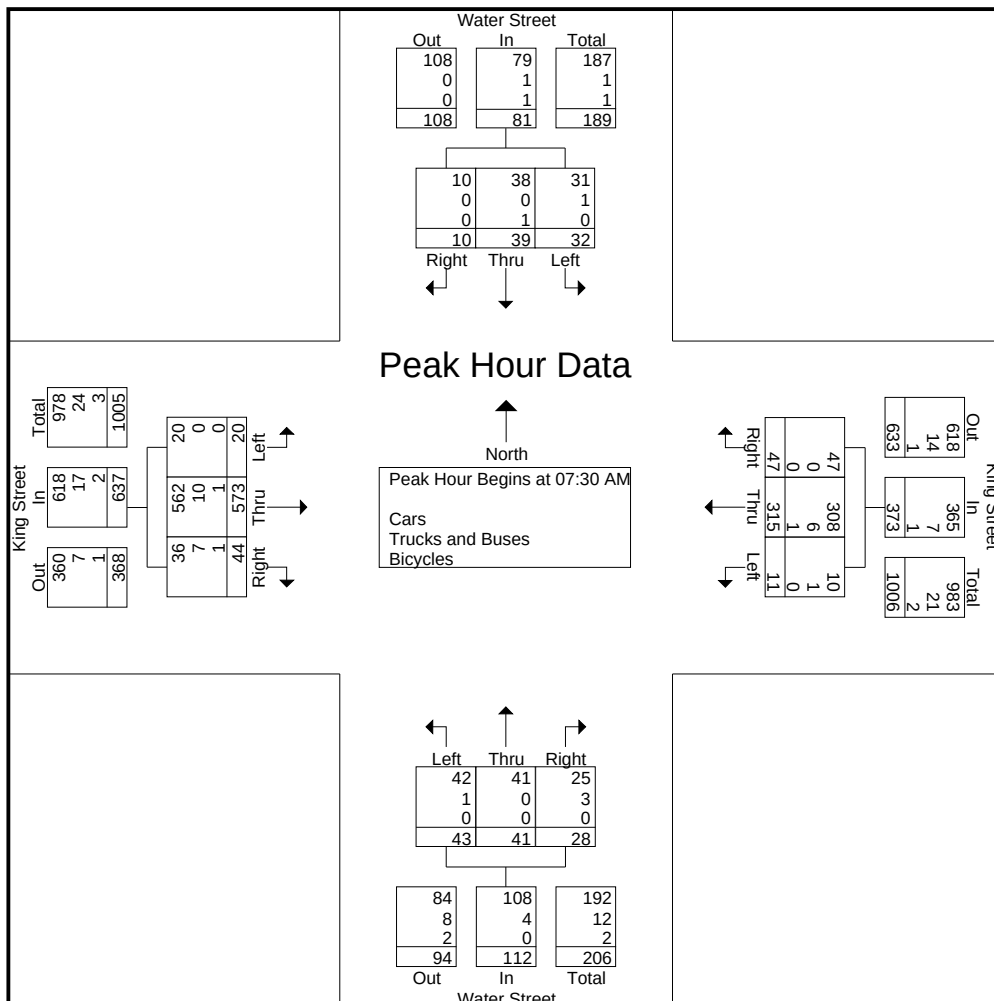
File Name : King Street at Water Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 3

	Water Street Southbound				King Street Westbound				Water Street Northbound				King Street Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	2	6	8	16	9	80	3	92	9	3	10	22	14	136	3	153	28
07:45 AM	5	19	9	33	17	73	4	94	7	17	16	40	10	164	5	179	34
08:00 AM	0	9	10	19	11	89	2	102	4	14	10	28	15	160	3	178	32
08:15 AM	3	5	5	13	10	73	2	85	8	7	7	22	5	113	9	127	24
Total Volume	10	39	32	81	47	315	11	373	28	41	43	112	44	573	20	637	120
% App. Total	12.3	48.1	39.5		12.6	84.5	2.9		25	36.6	38.4		6.9	90	3.1		
PHF	.500	.513	.800	.614	.691	.885	.688	.914	.778	.603	.672	.700	.733	.873	.556	.890	.86
Cars	10	38	31	79	47	308	10	365	25	41	42	108	36	562	20	618	117
% Cars	100	97.4	96.9	97.5	100	97.8	90.9	97.9	89.3	100	97.7	96.4	81.8	98.1	100	97.0	97
Trucks and Buses	0	0	1	1	0	6	1	7	3	0	1	4	7	10	0	17	2
% Trucks and Buses	0	0	3.1	1.2	0	1.9	9.1	1.9	10.7	0	2.3	3.6	15.9	1.7	0	2.7	2
Bicycles	0	1	0	1	0	1	0	1	0	0	0	0	1	1	0	2	0
% Bicycles	0	2.6	0	1.2	0	0.3	0	0.3	0	0	0	0	2.3	0.2	0	0.3	0



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

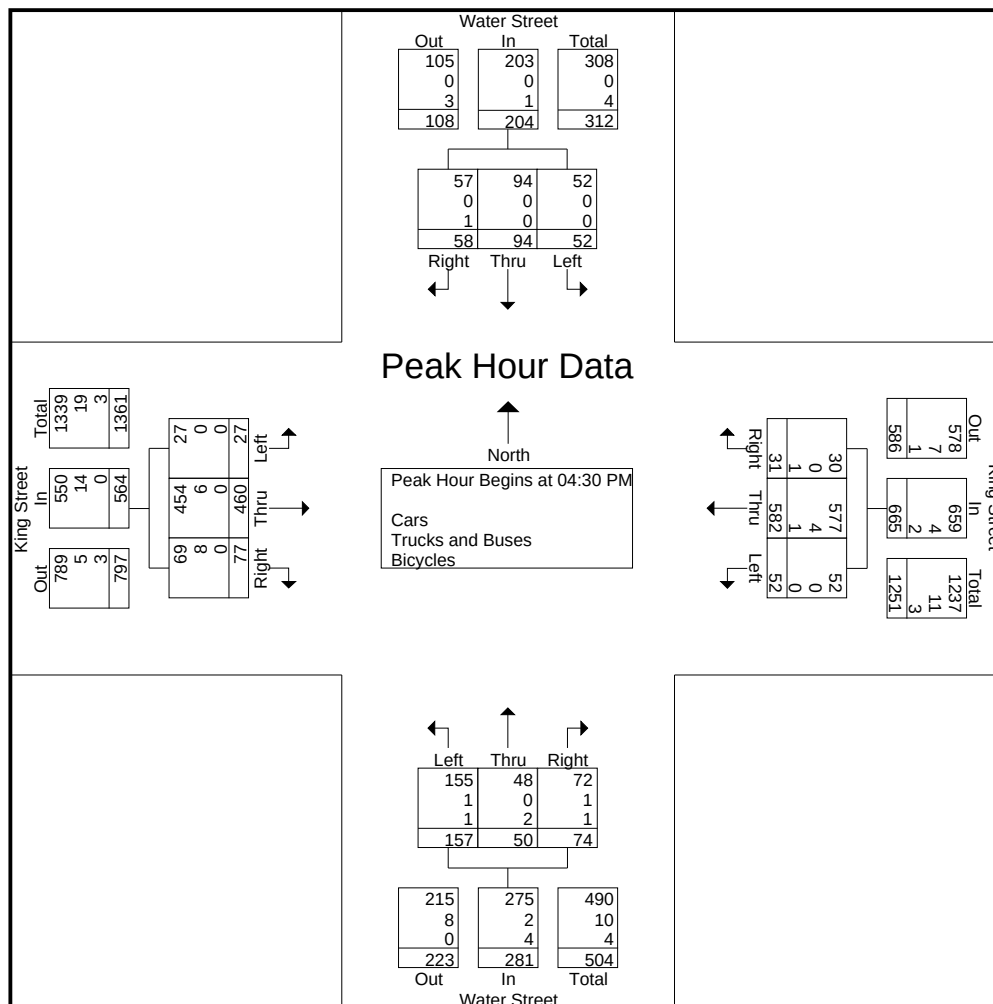
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Site Code : 00160023

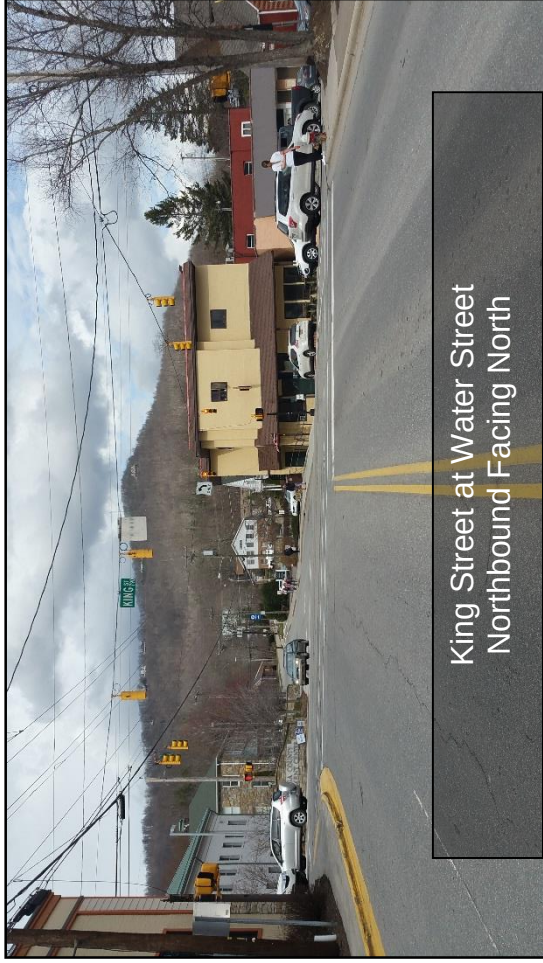
Start Date : 3/15/2016

Page No : 4

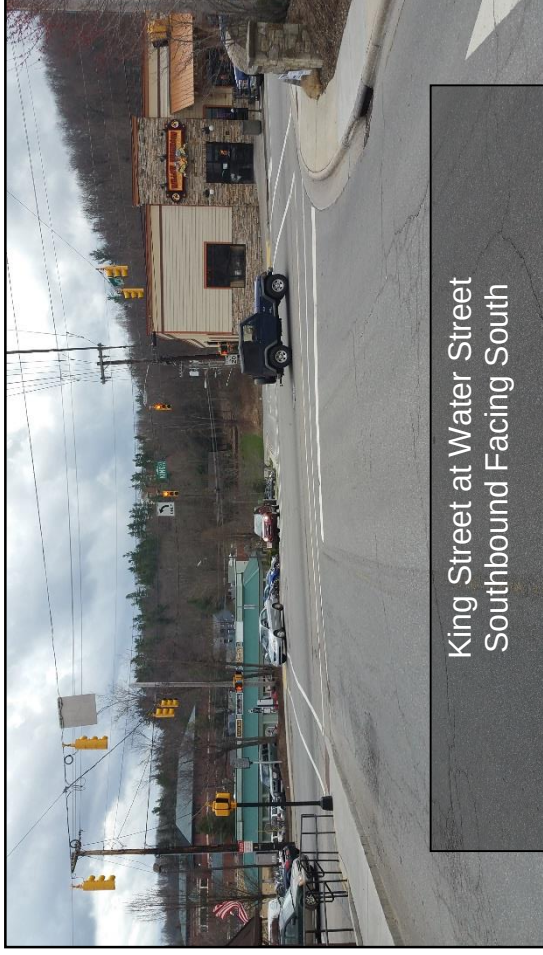
	Water Street Southbound				King Street Westbound				Water Street Northbound				King Street Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	9	18	12	39	10	151	13	174	13	12	26	51	24	108	3	135	39
04:45 PM	14	21	17	52	7	121	15	143	17	8	31	56	19	118	8	145	39
05:00 PM	21	39	11	71	7	162	14	183	23	20	46	89	13	123	8	144	48
05:15 PM	14	16	12	42	7	148	10	165	21	10	54	85	21	111	8	140	43
Total Volume	58	94	52	204	31	582	52	665	74	50	157	281	77	460	27	564	171
% App. Total	28.4	46.1	25.5		4.7	87.5	7.8		26.3	17.8	55.9		13.7	81.6	4.8		
PHF	.690	.603	.765	.718	.775	.898	.867	.908	.804	.625	.727	.789	.802	.935	.844	.972	.88
Cars	57	94	52	203	30	577	52	659	72	48	155	275	69	454	27	550	168
% Cars	98.3	100	100	99.5	96.8	99.1	100	99.1	97.3	96.0	98.7	97.9	89.6	98.7	100	97.5	98
Trucks and Buses	0	0	0	0	0	4	0	4	1	0	1	2	8	6	0	14	2
% Trucks and Buses	0	0	0	0	0	0.7	0	0.6	1.4	0	0.6	0.7	10.4	1.3	0	2.5	1
Bicycles	1	0	0	1	1	1	0	2	1	2	1	4	0	0	0	0	0
% Bicycles	1.7	0	0	0.5	3.2	0.2	0	0.3	1.4	4.0	0.6	1.4	0	0	0	0	0



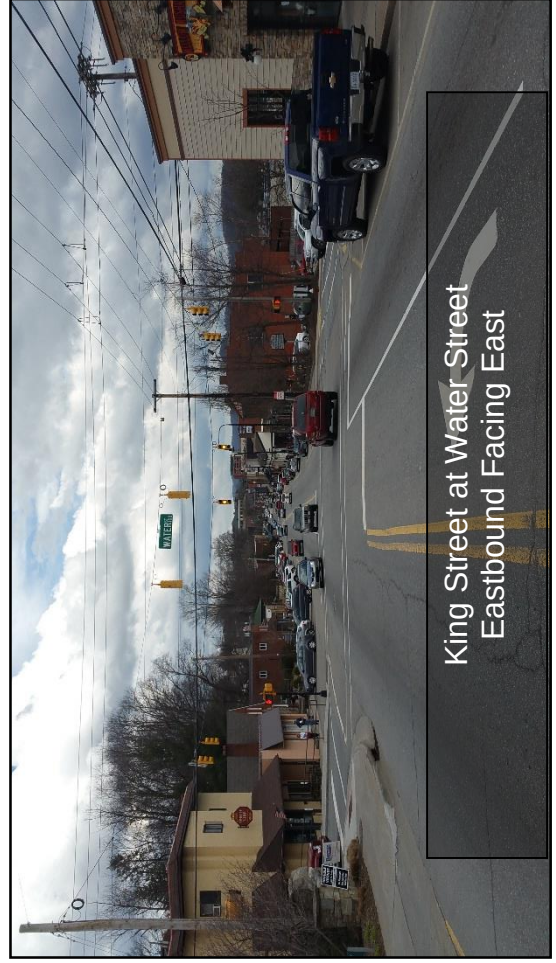
DAVENPORT Project No. 160023
King Street at Water Street, Boone, NC



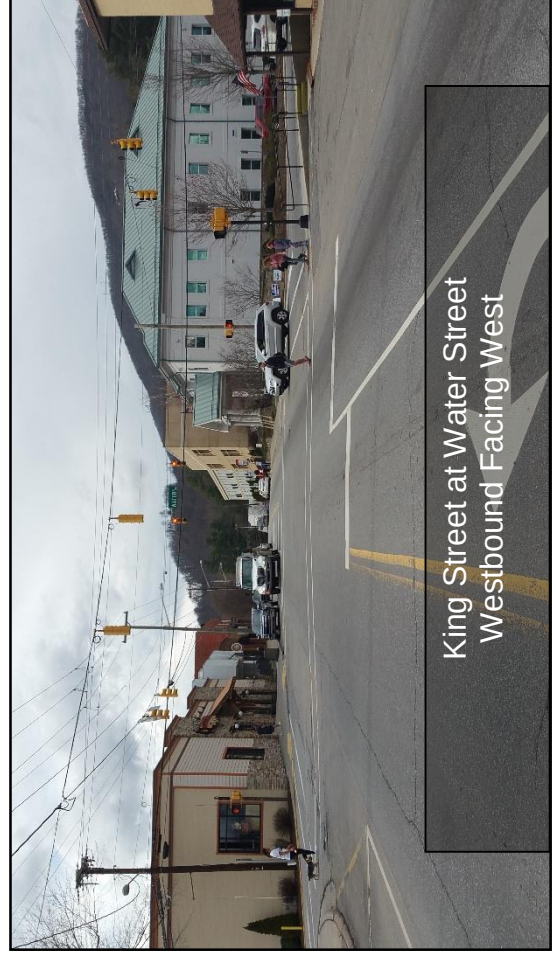
King Street at Water Street
Northbound Facing North



King Street at Water Street
Southbound Facing South



King Street at Water Street
Eastbound Facing East



King Street at Water Street
Westbound Facing West

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted by: K. Kim

File Name : Water Street at Howard Street

Site Code : 00160023

Start Date : 3/15/2016

Page No : 1

Weather: Clear

Groups Printed- Cars - Trucks and Buses - Bicycles

	Water Street Southbound					Howard Street Westbound					Water Street Northbound					Access Road Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	1	12	0	0	13	1	0	0	2	1	0	7	0	0	7	2	0	0	0	2	2	23	2
07:15 AM	1	17	0	1	18	1	0	0	0	1	0	12	0	0	12	0	0	0	0	0	1	31	3
07:30 AM	0	24	0	1	24	2	0	0	16	2	0	20	1	2	21	0	0	0	0	0	19	47	6
07:45 AM	0	32	2	0	34	1	0	2	2	3	0	33	0	3	33	2	0	0	0	2	5	72	7
Total	2	85	2	2	89	5	0	2	20	7	0	72	1	5	73	4	0	0	0	4	27	173	20
08:00 AM	0	23	0	0	23	1	0	0	3	1	0	24	0	2	24	1	0	0	0	1	5	49	5
08:15 AM	0	11	0	5	11	4	0	1	0	5	0	15	1	1	16	1	0	0	0	1	6	33	3
08:30 AM	0	18	0	2	18	1	1	1	9	3	0	13	3	3	16	1	0	0	2	1	16	38	5
08:45 AM	1	26	0	2	27	3	0	0	5	3	0	23	2	2	25	0	0	3	0	3	9	58	6
Total	1	78	0	9	79	9	1	2	17	12	0	75	6	8	81	3	0	3	2	6	36	178	21
04:00 PM	0	38	0	3	38	7	0	4	7	11	0	71	4	3	75	2	0	2	2	4	15	128	14
04:15 PM	0	47	0	5	47	13	1	3	12	17	0	52	2	1	54	1	0	0	0	1	18	119	13
04:30 PM	0	60	0	8	60	7	0	9	10	16	0	49	2	5	51	3	0	2	1	5	24	132	15
04:45 PM	1	57	0	11	58	12	0	5	7	17	0	58	2	7	60	5	0	1	2	6	27	141	16
Total	1	202	0	27	203	39	1	21	36	61	0	230	10	16	240	11	0	5	5	16	84	520	60
05:00 PM	0	72	1	4	73	15	0	11	16	26	0	63	4	1	67	2	0	0	4	2	25	168	19
05:15 PM	2	48	0	3	50	15	0	5	10	20	0	72	5	3	77	8	0	0	7	8	23	155	17
05:30 PM	0	45	1	7	46	10	0	2	3	12	0	59	2	6	61	1	0	1	1	2	17	121	13
05:45 PM	0	55	0	3	55	11	0	9	15	20	0	57	2	3	59	1	0	1	0	2	21	136	15
Total	2	220	2	17	224	51	0	27	44	78	0	251	13	13	264	12	0	2	12	14	86	580	66
Grand Total	6	585	4	55	595	104	2	52	117	158	0	628	30	42	658	30	0	10	19	40	233	1451	168
Apprch %	1	98.3	0.7			65.8	1.3	32.9			0	95.4	4.6			75	0	25					
Total %	0.4	40.3	0.3		41	7.2	0.1	3.6		10.9	0	43.3	2.1		45.3	2.1	0	0.7		2.8	13.8	86.2	
Cars	5	551	0		611	99	2	51		269	0	610	29		681	29	0	10		58	0	0	161
% Cars	83.3	94.2	0	100	94	95.2	100	98.1	100	97.8	0	97.1	96.7	100	97.3	96.7	0	100	100	98.3	0	0	96
Trucks and Buses	1	29	0		30	1	0	0		1	0	15	0		15	1	0	0		1	0	0	4
% Trucks and Buses	16.7	5	0	0	4.6	1	0	0	0	0.4	0	2.4	0	0	2.1	3.3	0	0	0	1.7	0	0	2
Bicycles	0	5	4		9	4	0	1		5	0	3	1		4	0	0	0		0	0	0	1
% Bicycles	0	0.9	100	0	1.4	3.8	0	1.9	0	1.8	0	0.5	3.3	0	0.6	0	0	0	0	0	0	0	1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

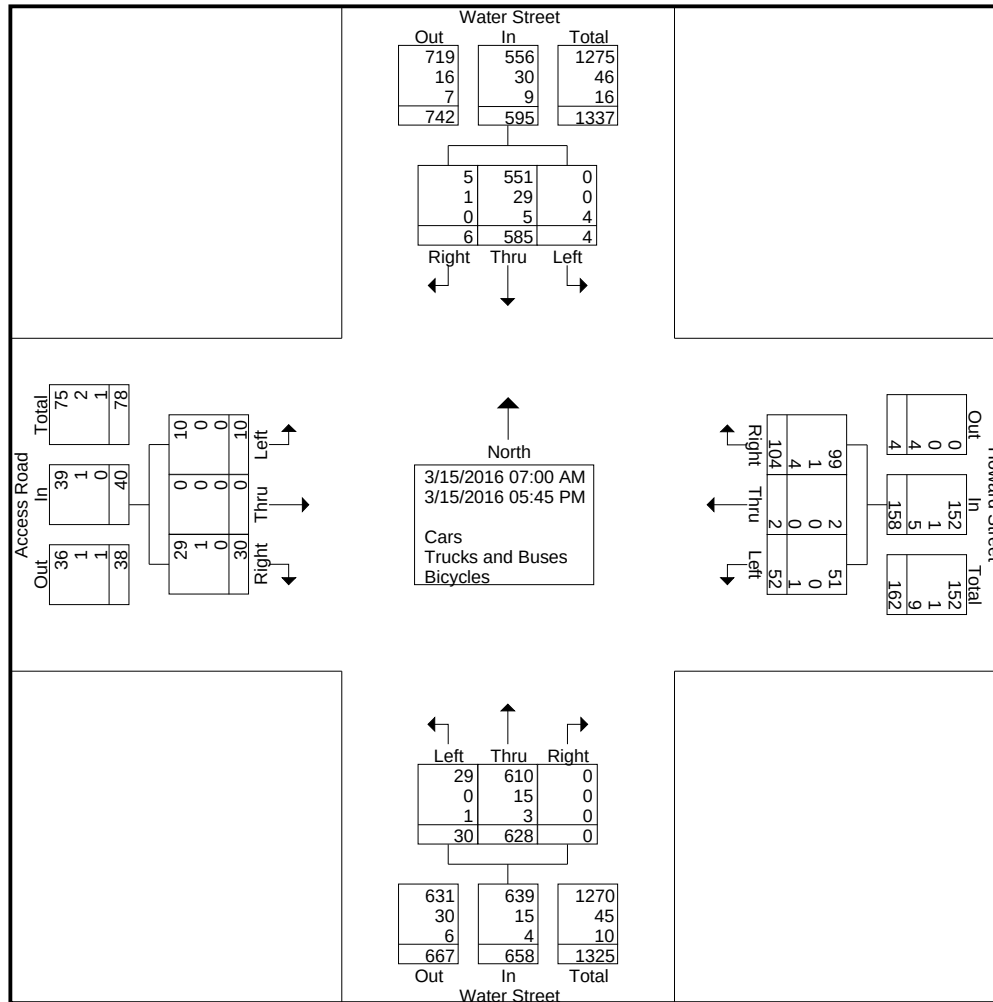
Ph:(336)744-1636

File Name : Water Street at Howard Street

Site Code : 00160023

Start Date : 3/15/2016

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DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

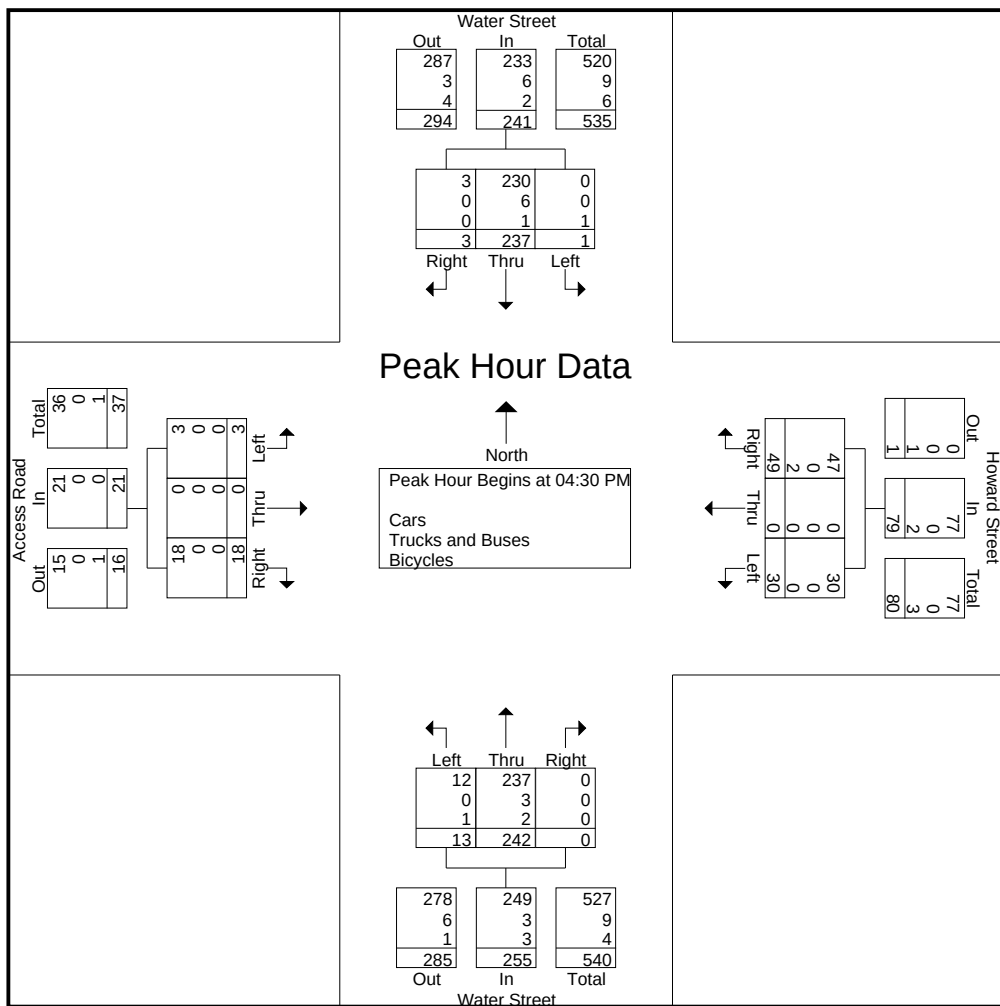
File Name : Water Street at Howard Street

Site Code : 00160023

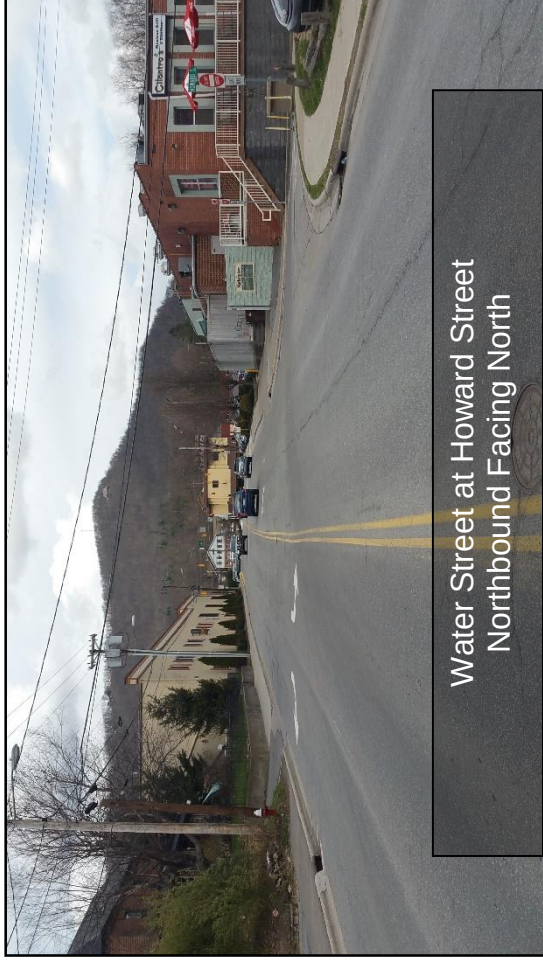
Start Date : 3/15/2016

Page No : 4

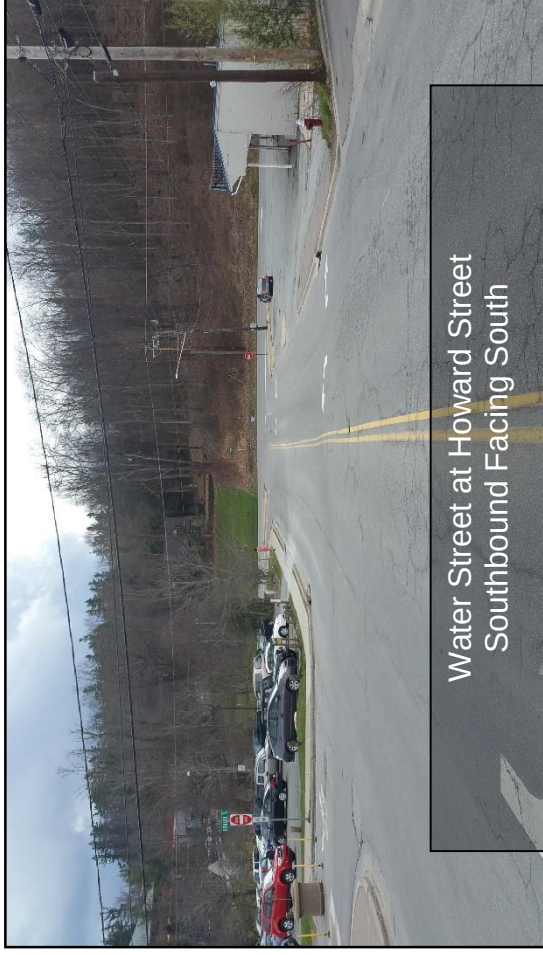
	Water Street Southbound				Howard Street Westbound				Water Street Northbound				Access Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	0	60	0	60	7	0	9	16	0	49	2	51	3	0	2	5	13
04:45 PM	1	57	0	58	12	0	5	17	0	58	2	60	5	0	1	6	14
05:00 PM	0	72	1	73	15	0	11	26	0	63	4	67	2	0	0	2	16
05:15 PM	2	48	0	50	15	0	5	20	0	72	5	77	8	0	0	8	15
Total Volume	3	237	1	241	49	0	30	79	0	242	13	255	18	0	3	21	59
% App. Total	1.2	98.3	0.4		62	0	38		0	94.9	5.1		85.7	0	14.3		
PHF	.375	.823	.250	.825	.817	.000	.682	.760	.000	.840	.650	.828	.563	.000	.375	.656	.86
Cars	3	230	0	233	47	0	30	77	0	237	12	249	18	0	3	21	58
% Cars	100	97.0	0	96.7	95.9	0	100	97.5	0	97.9	92.3	97.6	100	0	100	100	97
Trucks and Buses	0	6	0	6	0	0	0	0	0	3	0	3	0	0	0	0	0
% Trucks and Buses	0	2.5	0	2.5	0	0	0	0	0	1.2	0	1.2	0	0	0	0	1
Bicycles	0	1	1	2	2	0	0	2	0	2	1	3	0	0	0	0	0
% Bicycles	0	0.4	100	0.8	4.1	0	0	2.5	0	0.8	7.7	1.2	0	0	0	0	1



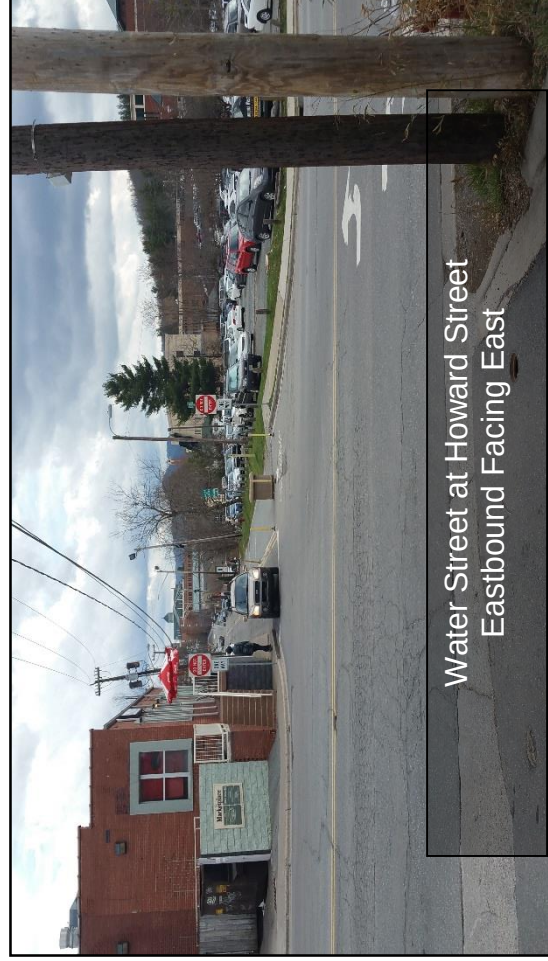
DAVENPORT Project No. 160023
Water Street at Howard Street, Boone, NC



Water Street at Howard Street
Northbound Facing North



Water Street at Howard Street
Southbound Facing South



Water Street at Howard Street
Eastbound Facing East



Water Street at Howard Street
Westbound Facing West

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

Counted By: N. Baskett

File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

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Weather: Clear

Groups Printed- Cars - Trucks - Bikes

	Water Street Southbound					Rivers Street Westbound					T-Intersection Northbound					Poplar Grove Road Eastbound							
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Exclu. Total	Inclu. Total	Int. Tot
07:00 AM	2	0	12	2	14	5	7	0	0	12	0	0	0	0	0	0	30	1	0	31	2	57	5
07:15 AM	3	0	12	0	15	12	9	0	0	21	0	0	0	0	0	0	37	5	0	42	0	78	7
07:30 AM	4	0	21	20	25	11	17	0	0	28	0	0	0	1	0	0	66	6	0	72	21	125	14
07:45 AM	7	0	27	3	34	27	36	0	0	63	0	0	0	1	0	0	86	11	0	97	4	194	19
Total	16	0	72	25	88	55	69	0	0	124	0	0	0	2	0	0	219	23	0	242	27	454	48
08:00 AM	9	0	19	4	28	15	29	0	1	44	0	0	0	1	0	0	61	7	0	68	6	140	14
08:15 AM	5	0	8	1	13	13	21	0	1	34	0	0	0	0	0	0	49	8	0	57	2	104	10
08:30 AM	6	0	15	9	21	11	19	0	0	30	0	0	0	0	0	0	54	2	0	56	9	107	11
08:45 AM	4	0	21	3	25	18	22	0	1	40	0	0	0	0	0	0	44	11	0	55	4	120	12
Total	24	0	63	17	87	57	91	0	3	148	0	0	0	1	0	0	208	28	0	236	21	471	49
04:00 PM	8	0	43	7	51	68	49	0	1	117	0	0	0	0	0	0	44	14	0	58	8	226	23
04:15 PM	10	0	54	7	64	48	41	0	0	89	0	0	0	0	0	0	44	6	0	50	7	203	21
04:30 PM	14	0	64	10	78	36	44	0	0	80	0	0	0	1	0	0	62	13	0	75	11	233	24
04:45 PM	14	0	56	10	70	47	75	0	0	122	0	0	0	1	0	0	77	10	0	87	11	279	29
Total	46	0	217	34	263	199	209	0	1	408	0	0	0	2	0	0	227	43	0	270	37	941	97
05:00 PM	20	0	74	11	94	57	80	0	0	137	0	0	0	0	0	0	80	13	0	93	11	324	33
05:15 PM	15	0	51	7	66	56	46	0	0	102	0	0	0	0	0	0	74	8	0	82	7	250	25
05:30 PM	7	0	40	6	47	47	63	0	0	110	0	0	0	0	0	0	49	4	0	53	6	210	21
05:45 PM	14	0	58	12	72	42	42	0	0	84	0	0	0	2	0	0	51	11	1	62	15	218	23
Total	56	0	223	36	279	202	231	0	0	433	0	0	0	2	0	0	254	36	1	290	39	1002	104
Grand Total	142	0	575	112	717	513	600	0	4	1113	0	0	0	7	0	0	908	130	1	1038	124	2868	299
Apprch %	19.8	0	80.2			46.1	53.9	0			0	0	0			0	87.5	12.5					
Total %	5	0	20		25	17.9	20.9	0		38.8	0	0	0		0	0	31.7	4.5		36.2	4.1	95.9	
Cars	139	0	541		792	498	590	0		1092	0	0	0		7	0	901	128		1030	0	0	292
% Cars	97.9	0	94.1	100	95.5	97.1	98.3	0	100	97.8	0	0	0	100	100	0	99.2	98.5	100	99.1	0	0	97.1
Trucks	3	0	27		30	13	10	0		23	0	0	0		0	0	7	2		9	0	0	6
% Trucks	2.1	0	4.7	0	3.6	2.5	1.7	0	0	2.1	0	0	0	0	0	0	0.8	1.5	0	0.9	0	0	2.9
Bikes	0	0	7		7	2	0	0		2	0	0	0		0	0	0	0		0	0	0	
% Bikes	0	0	1.2	0	0.8	0.4	0	0	0	0.2	0	0	0	0	0	0	0	0	0	0	0	0	0.1

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

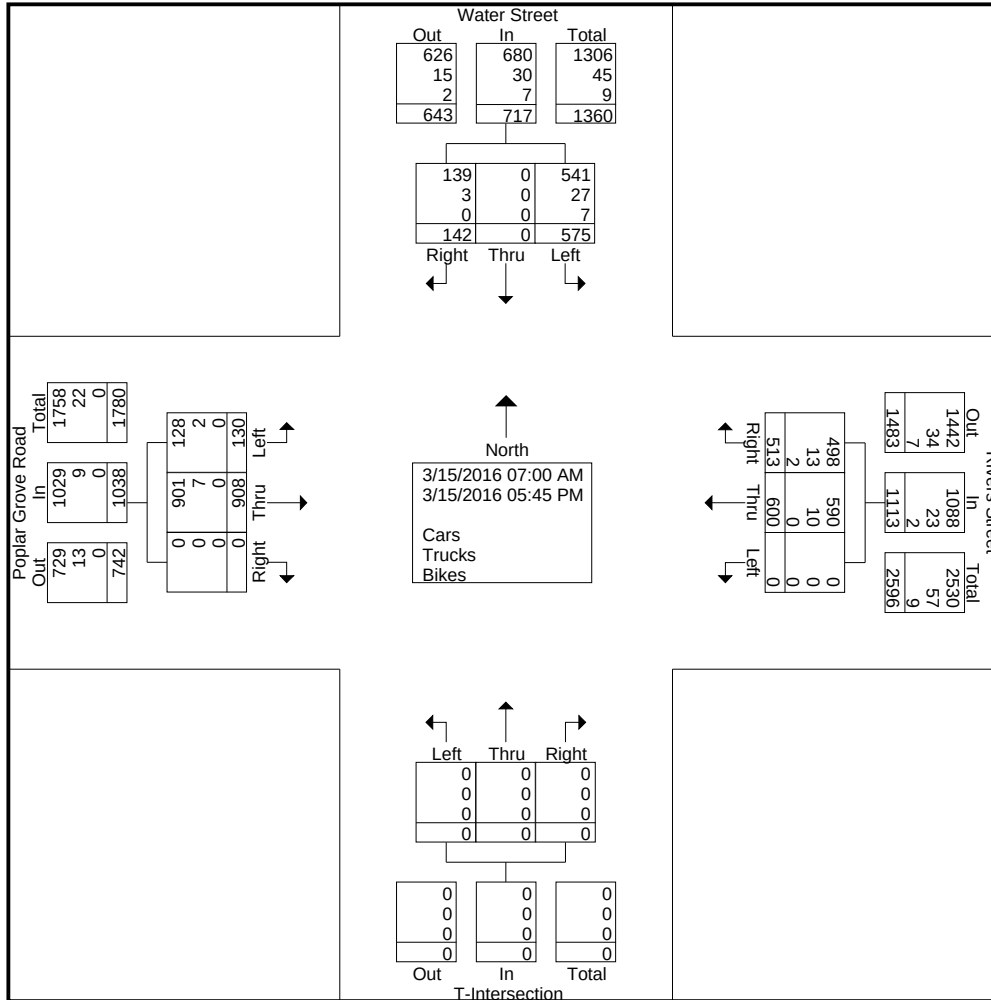
Ph:(336)744-1636

File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

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DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

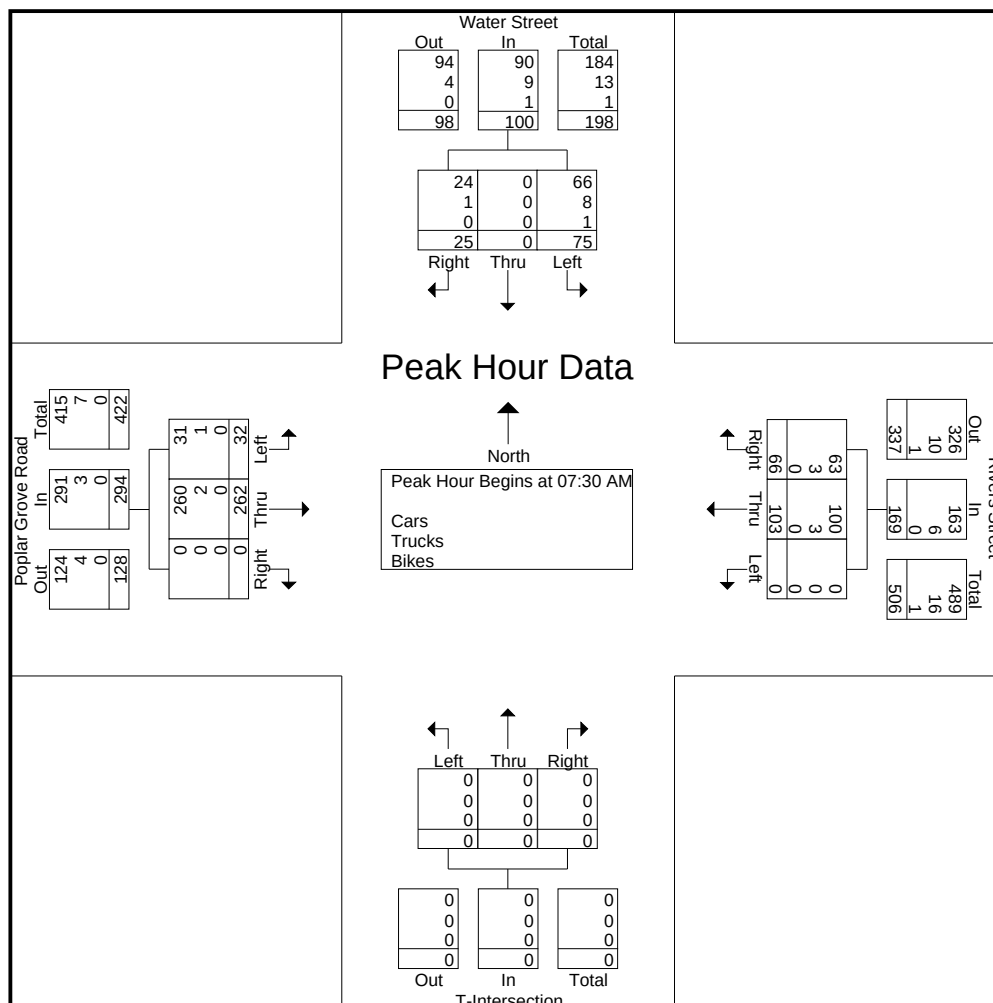
File Name : Water Street at Rivers Street

Site Code : 00160023

Start Date : 3/15/2016

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	Water Street Southbound				Rivers Street Westbound				T-Intersection Northbound				Poplar Grove Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	4	0	21	25	11	17	0	28	0	0	0	0	0	66	6	72	144
07:45 AM	7	0	27	34	27	36	0	63	0	0	0	0	0	86	11	97	194
08:00 AM	9	0	19	28	15	29	0	44	0	0	0	0	0	61	7	68	136
08:15 AM	5	0	8	13	13	21	0	34	0	0	0	0	0	49	8	57	116
Total Volume	25	0	75	100	66	103	0	169	0	0	0	0	0	262	32	294	596
% App. Total	25	0	75		39.1	60.9	0		0	0	0	0	0	89.1	10.9		
PHF	.694	.000	.694	.735	.611	.715	.000	.671	.000	.000	.000	.000	.000	.762	.727	.758	.72
Cars	24	0	66	90	63	100	0	163	0	0	0	0	0	260	31	291	544
% Cars	96.0	0	88.0	90.0	95.5	97.1	0	96.4	0	0	0	0	0	99.2	96.9	99.0	96.4
Trucks	1	0	8	9	3	3	0	6	0	0	0	0	0	2	1	3	1
% Trucks	4.0	0	10.7	9.0	4.5	2.9	0	3.6	0	0	0	0	0	0.8	3.1	1.0	3.6
Bikes	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
% Bikes	0	0	1.3	1.0	0	0	0	0	0	0	0	0	0	0	0	0	0



DAVENPORT

305 West 4th Street, Winston Salem NC, 27101

Ph:(336)744-1636

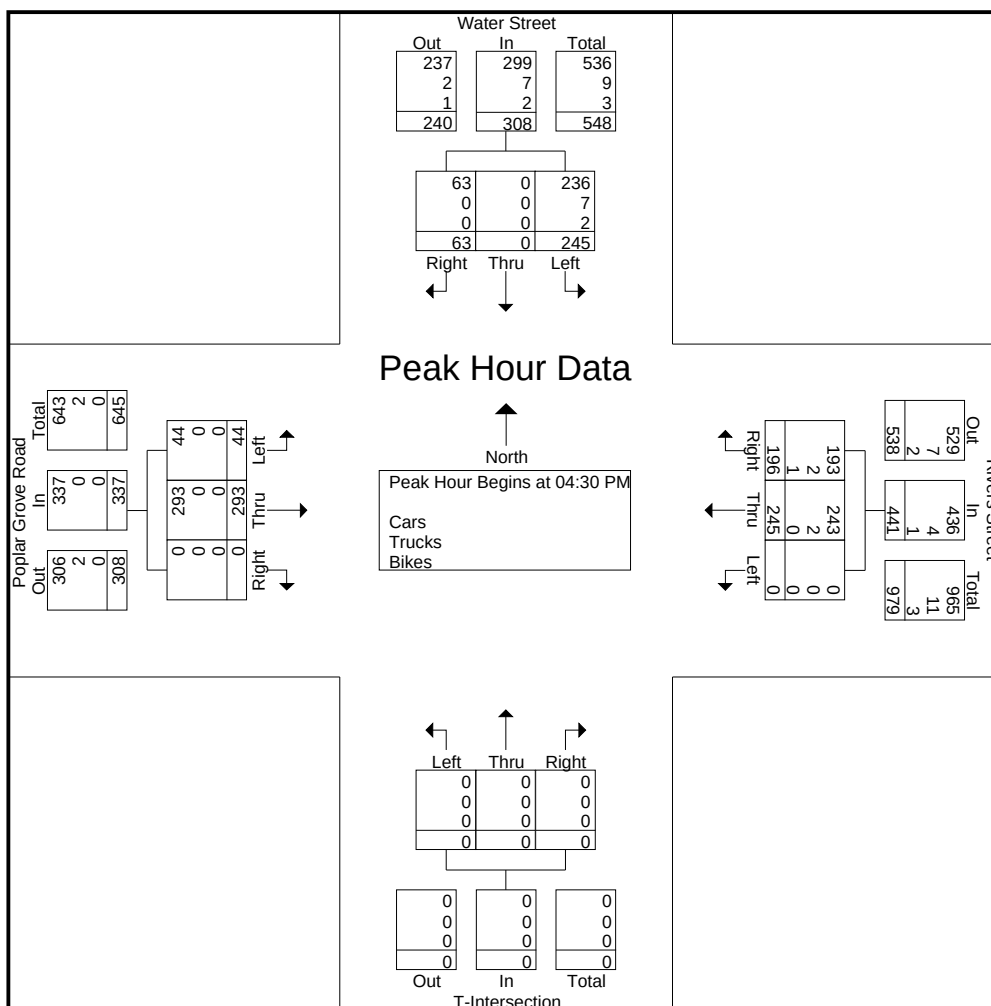
File Name : Water Street at Rivers Street

Site Code : 00160023

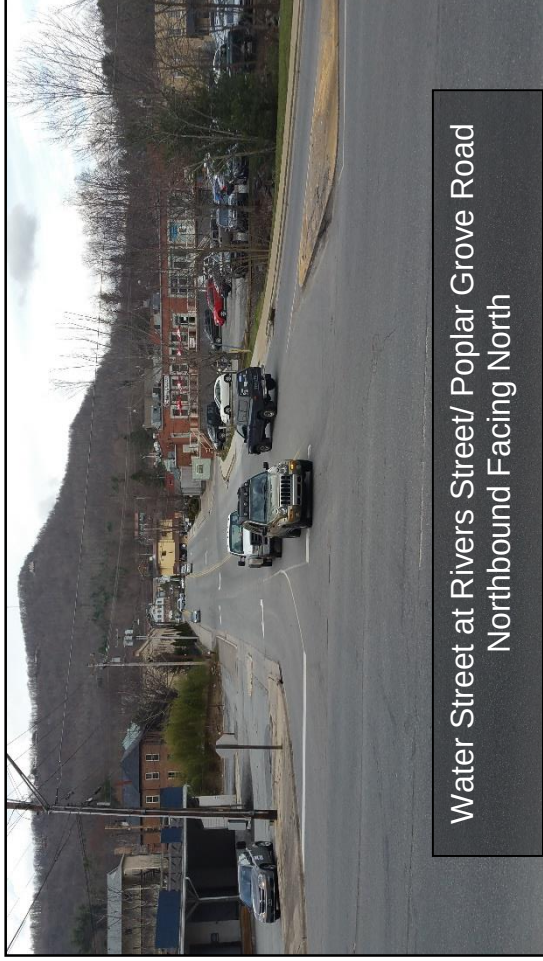
Start Date : 3/15/2016

Page No : 4

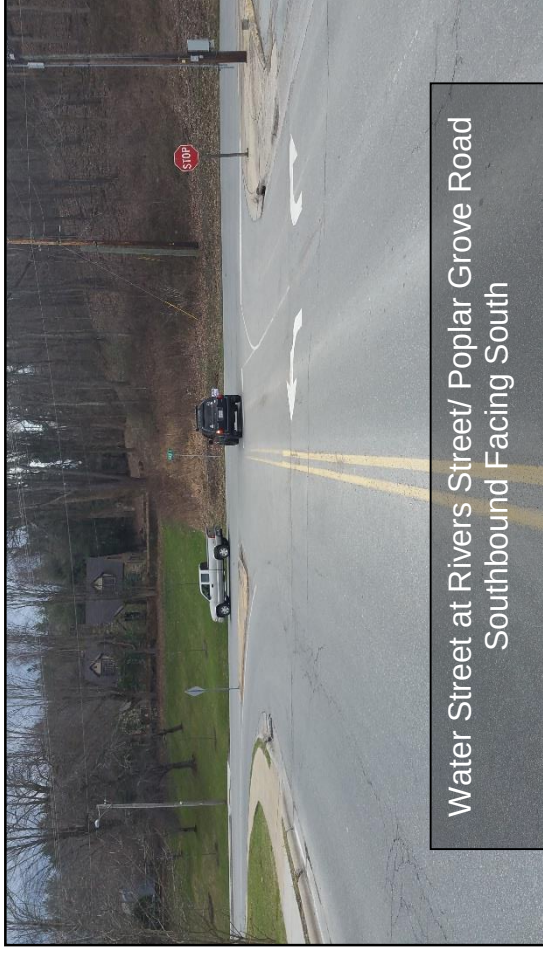
	Water Street Southbound				Rivers Street Westbound				T-Intersection Northbound				Poplar Grove Road Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Tot
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	14	0	64	78	36	44	0	80	0	0	0	0	0	62	13	75	237
04:45 PM	14	0	56	70	47	75	0	122	0	0	0	0	0	77	10	87	274
05:00 PM	20	0	74	94	57	80	0	137	0	0	0	0	0	80	13	93	320
05:15 PM	15	0	51	66	56	46	0	102	0	0	0	0	0	74	8	82	256
Total Volume	63	0	245	308	196	245	0	441	0	0	0	0	0	293	44	337	1066
% App. Total	20.5	0	79.5		44.4	55.6	0		0	0	0		0	86.9	13.1		
PHF	.788	.000	.828	.819	.860	.766	.000	.805	.000	.000	.000	.000	.000	.916	.846	.906	.833
Cars	63	0	236	299	193	243	0	436	0	0	0	0	0	293	44	337	1066
% Cars	100	0	96.3	97.1	98.5	99.2	0	98.9	0	0	0	0	0	100	100	100	98.9
Trucks	0	0	7	7	2	2	0	4	0	0	0	0	0	0	0	0	1
% Trucks	0	0	2.9	2.3	1.0	0.8	0	0.9	0	0	0	0	0	0	0	0	1
Bikes	0	0	2	2	1	0	0	1	0	0	0	0	0	0	0	0	0
% Bikes	0	0	0.8	0.6	0.5	0	0	0.2	0	0	0	0	0	0	0	0	0



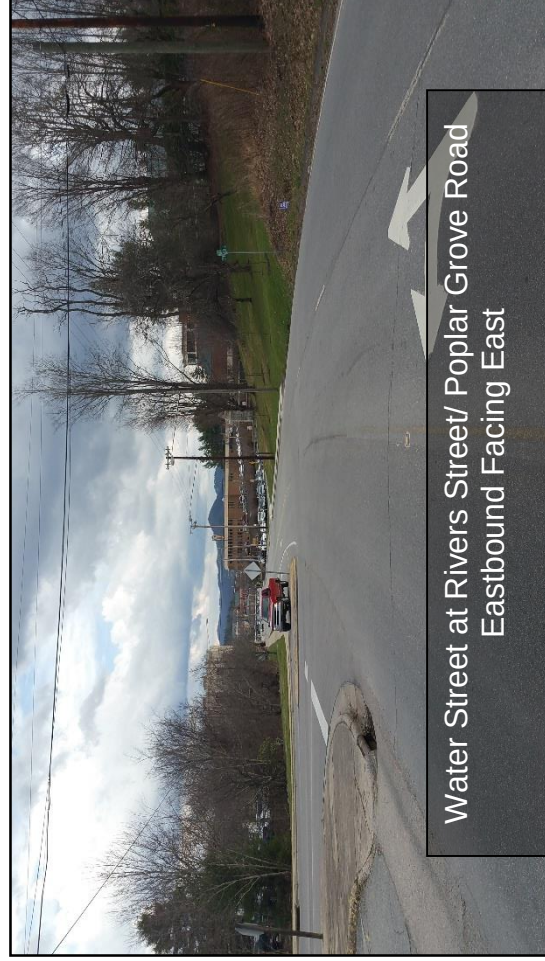
DAVENPORT Project No. 160023
Water Street at Rivers Street/ Poplar Grove Road, Boone, NC



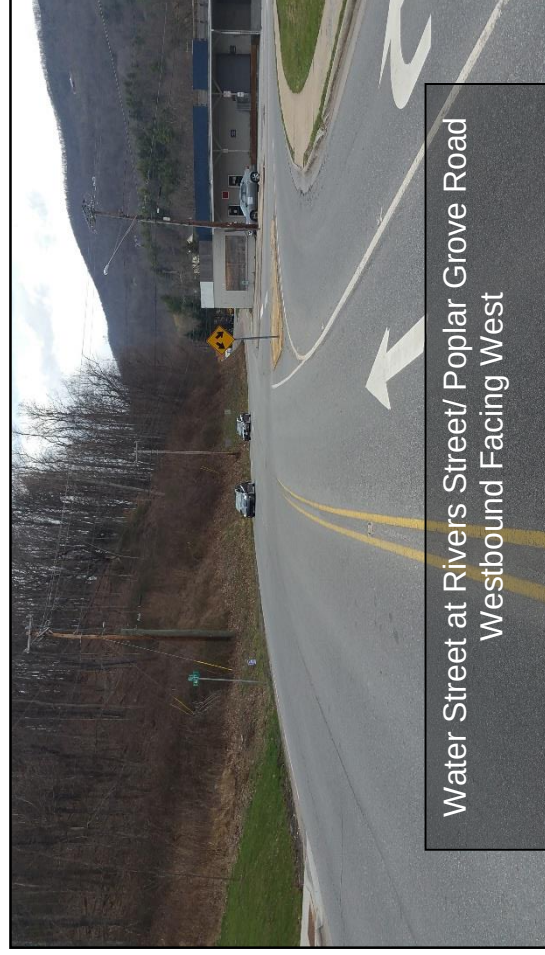
Water Street at Rivers Street/ Poplar Grove Road
Northbound Facing North



Water Street at Rivers Street/ Poplar Grove Road
Southbound Facing South



Water Street at Rivers Street/ Poplar Grove Road
Eastbound Facing East



Water Street at Rivers Street/ Poplar Grove Road
Westbound Facing West

100

King Street at Water Street									
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	20		20	21		21			21
EBT	573		573	596		596			596
EBR	44		44	46	7	53	1	6	60
WBL	11		11	11	13	24	2	16	42
WBT	315		315	328		328			328
WBR	47		47	49		49			49
NBL	43		43	45	6	51	1	5	57
NBT	41		41	43	2	45		3	47
NBR	28		28	29	14	43	4	18	65
SBL	32		32	33		33			33
SBT	39		39	41	2	43		3	46
SBR	10		10	10		10			10
Total	1203	0	1203	1252	44	1296	9		0
									1354

100

King Street at Water Street									
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	27		27	28		28			28
EBT	460		460	479		479			479
EBR	77		77	80	9	89	0	5	94
WBL	52		52	54	16	70	1	12	83
WBT	582		582	606		606			606
WBR	31		31	32		32			32
NBL	157		157	163	8	171	0	5	176
NBT	50	13	63	66	5	71		2	73
NBR	74		74	77	14	91	0	16	107
SBL	52		52	54		54			54
SBT	94	40	134	139	4	143		2	146
SBR	58		58	60		60			60
Total	1714	53	1767	1838	56	1894	2		0
									1938

200

Water Street at Howard Street									
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	0		0	0		0			0
EBT	0		0	0		0			0
EBR	4		4	4		4			4
WBL	3		3	3	1	4	2	8	14
WBT	0		0	0		0			0
WBR	8		8	8		8	1	5	15
NBL	2		2	2		2			2
NBT	92	12	104	108	21	129	5	22	156
NBR	0		0	0		0			0
SBL	0		0	0		0			0
SBT	90	4	94	98	22	120	6	18	143
SBR	0		0	0		0			0
Total	199	16	215	224	44	268	14		0
									334

200

Water Street at Howard Street									
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips
EBL	3		3	3		3			3
EBT	0		0	0		0			0
EBR	18		18	19		19			19
WBL	30		30	31	2	33	0	7	40
WBT	0		0	0		0			0
WBR	49		49	51		51	0	5	56
NBL	13		13	14		14			14
NBT	242		242	252	27	279	2	17	298
NBR	0		0	0		0			0
SBL	0		0	0		0			0
SBT	237	23	260	271	31	302	0	16	318
SBR	3		3	3		3			3
Total	595	23	618	643	60	703	3		0
									751

300

Rivers Street/Poplar Grove Road at Water Street										
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL	32	4	36	37	19	56	2	9		68
EBT	252		252	262	21	283				283
EBR	0		0	0		0				0
WBL	0		0	0		0				0
WBT	103		103	107	23	130				130
WBR	66	4	70	73	1	74	3	12		90
NBL	0		0	0		0				0
NBT	0		0	0		0				0
NBR	0		0	0		0				0
SBL	75		75	78	1	79	6	18		102
SBT	0		0	0		0				0
SBR	25	1	26	27	21	48	2	8		58
Total	533	9	562	585	86	671	13		0	731

400

Water Street at Proposed Site Access 1										
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0	6	18	0	23
WBT			0	0		0				0
WBR			0	0		0	4	20	0	24
NBL			0	0		0				0
NBT	100	12	112	117	21	138	1	5	0	144
NBR			0	0		0	5	22	0	27
SBL			0	0		0	3	25	0	28
SBT	94	0	94	98	22	120			0	120
SBR			0	0		0				0
Total	194	12	206	214	43	257	19		0	366

300

Rivers Street/Poplar Grove Road at Water Street										
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL	44	8	52	54	26	80	1	7		88
EBT	293		293	305	25	330				330
EBR	0		0	0		0				0
WBL	0		0	0		0				0
WBT	245		245	255	32	287				287
WBR	195	8	203	211	1	212	1	9		223
NBL	0		0	0		0				0
NBT	0		0	0		0				0
NBR	0		0	0		0				0
SBL	245		245	255	0	255	0	16		271
SBT	0		0	0		0				0
SBR	63		63	66	31	97	0	7		104
Total	1085	16	1101	1145	115	1260	3		0	1303

400

Water Street at Proposed Site Access 1										
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build
EBL			0	0		0				0
EBT			0	0		0				0
EBR			0	0		0				0
WBL			0	0		0	0	16	29	46
WBT			0	0		0				0
WBR			0	0		0	0	19	24	43
NBL			0	0		0				0
NBT	294	0	294	306	27	333	0	5	-24	313
NBR			0	0		0	2	17	24	43
SBL			0	0		0	1	19	30	50
SBT	223	40	263	274	29	303			-30	273
SBR			0	0		0				0
Total	517	40	557	580	56	636	4		53	768

500

Howard Streer at Proposed Site Access 2											
AM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build	
EBL			0	0		0				0	
EBT			0	0		0				0	
EBR			0	0		0				0	
WBL			0	0		0				0	
WBT	11	0	11	11	1	12				12	
WBR			0	0		0	3	16		19	
NBL			0	0		0				0	
NBT			0	0		0				0	
NBR			0	0		0				0	
SBL			0	0		0				0	
SBT			0	0		0				0	
SBR			0	0		0	3	13		16	
Total	11	0	11	11	1	12	6		0	47	

500

Howard Streer at Proposed Site Access 2											
PM Peak	2016 TMC	Balancing	2016 Base	2018 Projected	Appd Dev	2018 Future No Build	Residential Site Trips	Retail Site Trips	Passby Trips	Future Build	
EBL			0	0		0				0	
EBT			0	0		0				0	
EBR			0	0		0				0	
WBL			0	0		0				0	
WBT	79	0	79	82	2	84				84	
WBR			0	0		0	1	12		13	
NBL			0	0		0				0	
NBT			0	0		0				0	
NBR			0	0		0				0	
SBL			0	0		0				0	
SBT			0	0		0				0	
SBR			0	0		0	0	12		12	
Total	79	0	79	82	2	84	1		0	109	

Supporting Documentation



LEGEND	
	SIGNALIZED INTERSECTION
	UNSIGNALIZED INTERSECTION
	ROADWAY
	TRAFFIC MOVEMENT
BLACK = EXISTING	
GREY = UNANALYZED	
BLUE = PROPOSED	
AM / PM PEAKS	

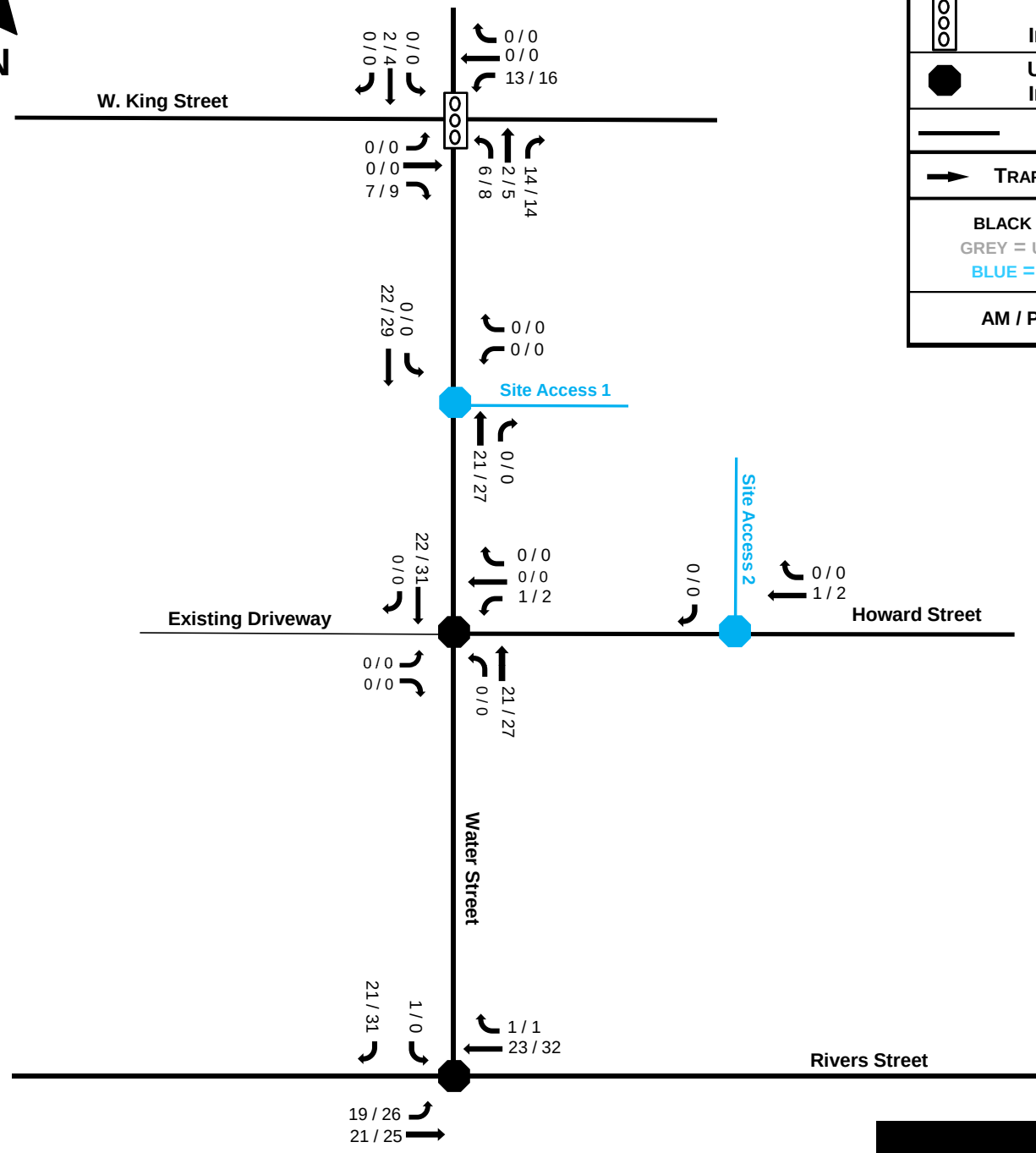


FIGURE A
APPROVED
DEVELOPMENTS

MARKETPLACE DEVELOPMENT
BOONE, NC

PROJECT NUMBER 160023



This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of, or improper reliance on, this document by others without written authorization and adaptation by DAVENPORT shall be without liability to DAVENPORT and shall be a violation of the agreement between DAVENPORT and the client.

*** NOT TO SCALE ***

Communication: Marketplace Traffic Impact Analysis (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Internal Capture: Daily

LAND USE A RETAIL

ITE Code	Trip Gen'l Size	Trip Gen'l	Total	Page Unit	1500 10 ³ s.f.
Enter		1,281	53	1,227	External
Exit		1,281	46	1,234	
Total		2,561	99	2,462	
%		100%	4%	96%	

Pass-By Trips	
%	30%
Enter	368
Exit	370
Total	739

Internal Trips should be removed from the total number of trips generated by the multi-use site before applying the pass-by reduction

Exit Demand	3%	38
-------------	----	----

BALANCED

Enter Demand

Enter Demand

Exit Demand	11%	141
-------------	-----	-----

BALANCED 46

46

LAND USE B OFFICE

ITE Code	Page	1203
Size	Unit	10'x3 s.f.
	Total	External
Enter	0	0
Exit	0	0
Total	0	0
%	100%	#DIV/0!

Enter from External

0

LAND USE C RESIDENTIAL

ITE Code	rip Gen' Size	rip Gen' Total	Page Unit	Internal	External	327 Persons
	Enter	140		46		93
	Exit	140		53		87
Total		279		99		180
	%	100%		36%		65%

Enter from E

18

NET EXTERNAL TRIPS FOR MULTI-USE DEVELOPMENT			
	RETAIL	OFFICE	RESIDENTIAL
Enter	1,227	0	93
Exit	1,234	0	87
Total	2,462	180	180
Single-Use Trip Gen. Estm.	2,561	0	279

Total Internal	99
	99

1.98

INTERNAL CAPTURE %

Enter	953
Exit	951
Total	1,903

New Roadway System Trips [After Deduction for Pass-By]

INTERNAL CAPTURE %

Internal Capture: PM Peak Hour of Adjacent Street

LAND USE A RETAIL

ITE Code	Trip Gen'tC	Page	Unit
Size	1502	10'x3 s.f.	
Enter	148	11	137
Exit	140	6	134
Total	288	17	271
%	100%	6%	94%

Pass-By Trips	%
Enter	47
Exit	45
Total	92

Internal Trips should be removed from the total number of trips generated by the multi-use site before applying the pass-by reduction
Trip Generation Handbook, 2nd Edition, Chapter 7, pg 85

Enter from External
137
Exit to External
134

Exit Demand
3% 4
BALANCED
0
Enter Demand
31% 0

Exit Demand
12% 17
BALANCED
6
Enter Demand
31% 6

Enter Demand
2% 3
BALANCED
0
Exit Demand
23% 0

Enter Demand
9% 13
BALANCED
11
Exit Demand
53% 11

LAND USE B OFFICE

ITE Code	Size	Page	Unit
1205	10'x3 s.f.		
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	100%	#DIV/0!	#DIV/0!

Enter from External
0
Exit to External
0

Enter Demand
0% 0
Exit Demand
2% 0

LAND USE C RESIDENTIAL

ITE Code	Size	Page	Unit
329	10'x3 s.f.		
Enter	20	6	14
Exit	20	11	9
Total	40	17	23
%	100%	42%	58%

Enter from External
14
Exit to External
9

Exit Demand
0% 0
Enter Demand
2% 0

BALANCED
0
BALANCED
0

NET EXTERNAL TRIPS FOR MULTI-USE DEVELOPMENT

	RETAIL	OFFICE	RESIDENTIAL	TOTAL
Enter	137	0	14	151
Exit	134	0	9	143
Total	271	0	23	294
Single-Use Trip Gen. Estm.	288	0	40	328

INTERNAL CAPTURE
10.2%

Total Internal	17
Enter	17
Exit	17

New Roadway System Trips [After Deduction for Pass-By]

Enter	104
Exit	98
Total	202

PROJECT DIRECTORY

DEVELOPER/OWNER
THE WINKLER ORGANIZATION
P.O. BOX 2675
BOONE, NC 28607
(828) 262-3431
CONTACT: MR. JOHN WINKLER

CIVIL ENGINEER
VALOR ENGINEERING, PLLC
215 BOONE HEIGHTS DR., SUITE 107
BOONE, NC 28607
(828) 262-9807
CONTACT: MR. JASON GASTON, P.E.

ARCHITECT
BRENT DAVIS ARCHITECTURE, INC.
189 SALLY STREET
BOONE, NC 28307
(828) 265-4848
CONTACT: MR. BRENT DAVIS, AIA

SURVEYOR
APPALACHIAN PROFESSIONAL LAND
SURVEYORS AND CONSULTANTS
1480 U.S. HIGHWAY 421 SOUTH
BOONE, NC 28607
(828) 264-0290
CONTACT: MR. DONALD MCNEIL

TOWN OF BOONE PLANNING & INSPECTIONS
567 WEST KING STREET
BOONE, NC 28607
(828) 268-6200
CONTACT: MRS. JANE SHOOK

PLANNED DISTRICT REZONING PLANS FOR:

Marketplace
Mixed Use

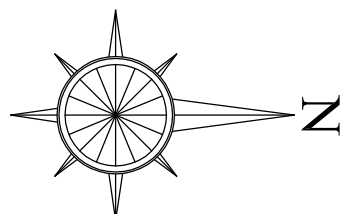
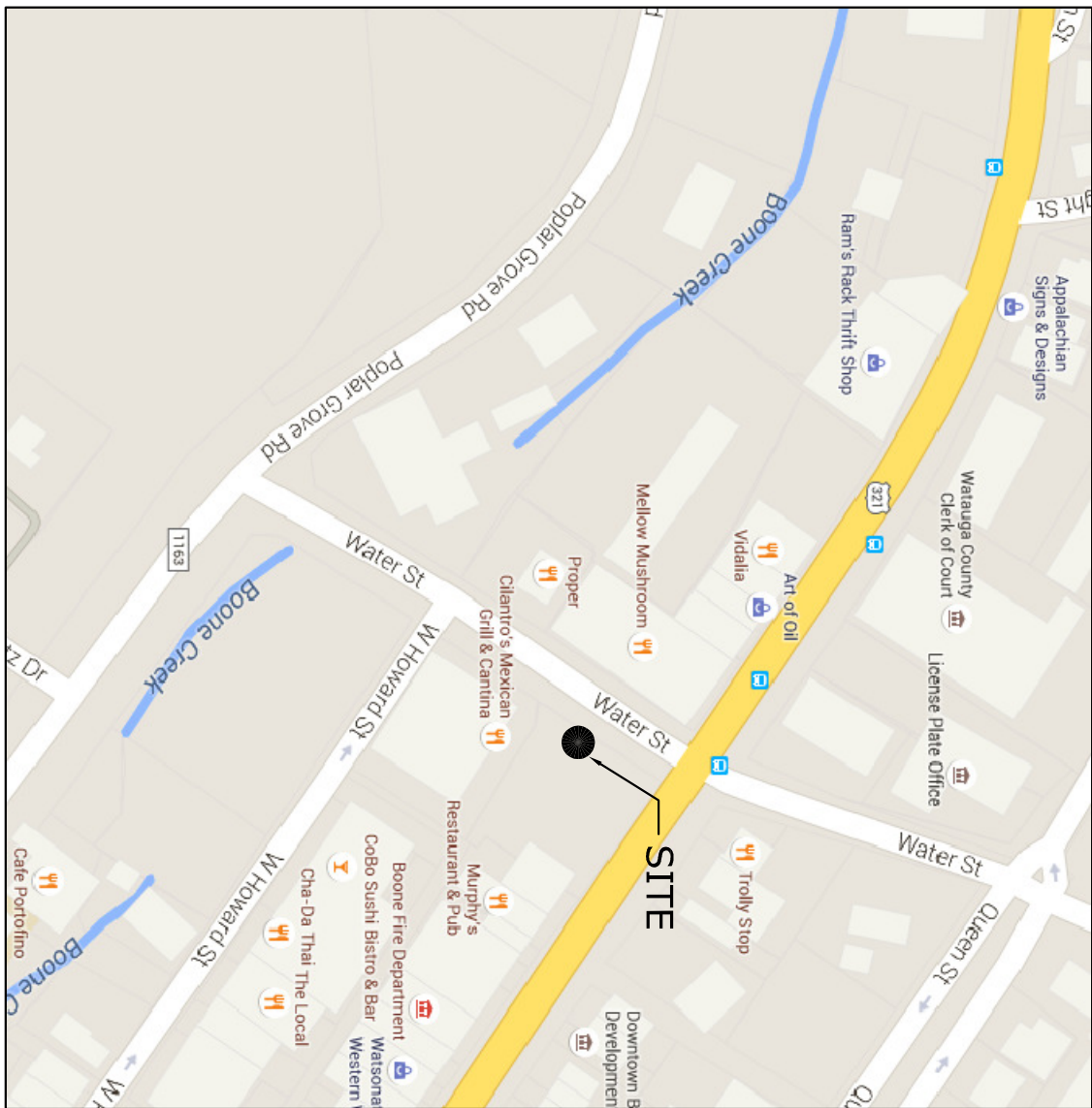
A Mixed Use Development

783 WEST KING STREET
BOONE, WATAUGA COUNTY, NC 28607

ZONED: B-1

PROPOSED ZONING: PD B-1

PARCELS #: 2900-79-7562-000, 2900-79-6480-000



VICINITY MAP
NOT TO SCALE

24 HR CONTACT: MR. JASON GASTON, P.E.

(828) 262-9807

PREPARED BY:



215 Boone Heights Drive Suite 107

Boone, NC 28607

828-262-9807

April 29, 2016

001-024

SHEET INDEX

G-1	COVER SHEET
V-1	SURVEY
CDR-1	PRELIMINARY SITE PLAN
CDR-2	PRELIMINARY GRADING & DRAINAGE PLAN
CDR-3	PRELIMINARY UTILITY PLAN
CDR-4	PRELIMINARY LANDSCAPE PLAN
PE1	PRELIMINARY LIGHTING PLAN
PE2	PRELIMINARY LIGHTING PLAN

Town of Boone
Planning & Inspections
Date Received
May 27, 2016

UTILITY PROVIDERS

NEW RIVER LIGHT AND POWER

COMPANY

WINKLER'S CREEK RD.

P.O. BOX 1130

BOONE, NC 28607

(828) 264-3671

CONTACT: MR. PHILIP HIATT

AT&T

1047 HARPER AVE.

LENOIR, NC 28645

(828) 754-0532

CONTACT: MR. DAVID MOORE

TOWN OF BOONE PUBLIC UTILITIES

321 EAST KING ST.

BOONE, NC 28607

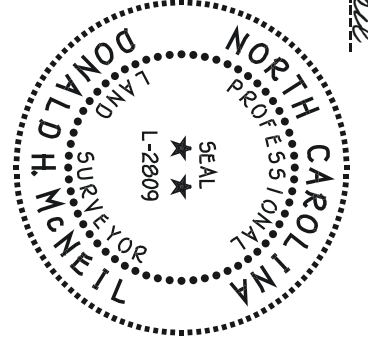
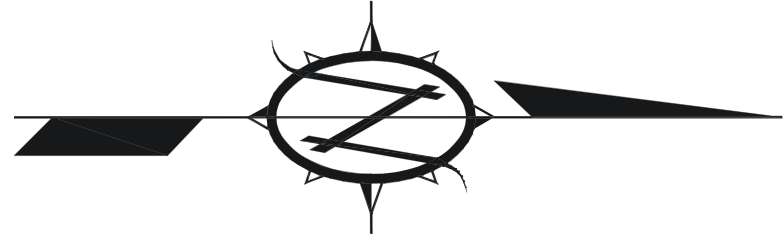
(828) 268-6250

CONTACT: MR. JACK HARMON

FRONTIER NATURAL GAS
1927 NORTH BRIDGE ST.
ELKIN, NC 28621
(336) 366-7245
CONTACT: MR. ERNIE MCGUIRE

REVISIONS:			
NO.	DESCRIPTION:	BY:	DATE:
1	TOWN COMMENTS	JEG	05/27/16

- Notes:**
1. This is a boundary and topographic survey of the lands conveyed to Howard Street Ventures LLC by deed recorded in Book of Records 177 at page 267 of the North Carolina Public Deeds.
 2. Bearings are relative to the North Carolina Geodetic Survey (NAD 83 NGS65 2007) and have been rounded to the nearest five seconds.
 3. All distances are horizontal measurements and the areas has been calculated by the coordinate geometry method.
 4. The ratio of precision of the undisturbed field traverse is not more than 1:10,000 and has been adjusted by least squares method (GTA-Mer).
 5. This parcel is located in a zone X area outside the 102.5 annual chance of flooding flood area per the North Carolina Floodplain Mapping Program.
 6. Contour interval is one foot and the elevations are relative to NAVD 83.



This document originally issued and sealed by Donald H. McNeil, P.L.S., L-2809 on Sept. 17th, 2015. This medium shall not be considered a certified document.

Surveyor Certificate
I certify that this map was drawn under my supervision from an actual survey made under my supervision that the boundaries not shown are or other referenced source that the ratio of precision or positional accuracy is 1:10,000. Practice for Land Surveying in North Carolina (G.S. 86-600). This 17th day of September, 2015.

Donald H. McNeil
Donald H. McNeil, P.L.S., L-2809

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Appalachian Professional Land Surveyors & Consultants, P.A. C-2398
1480 US Highway 421 South / Boone, North Carolina 28607 / (828) 264-0290

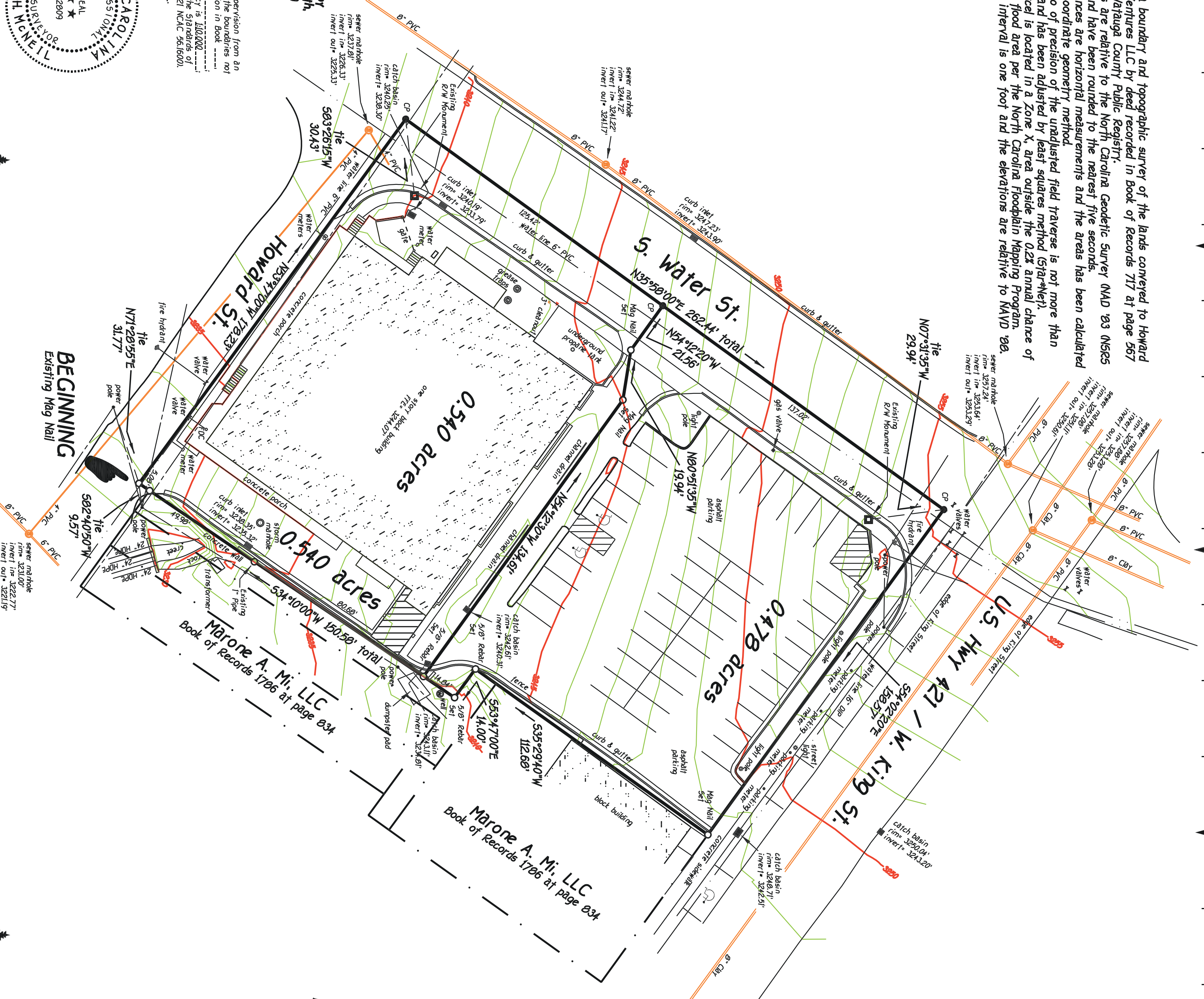
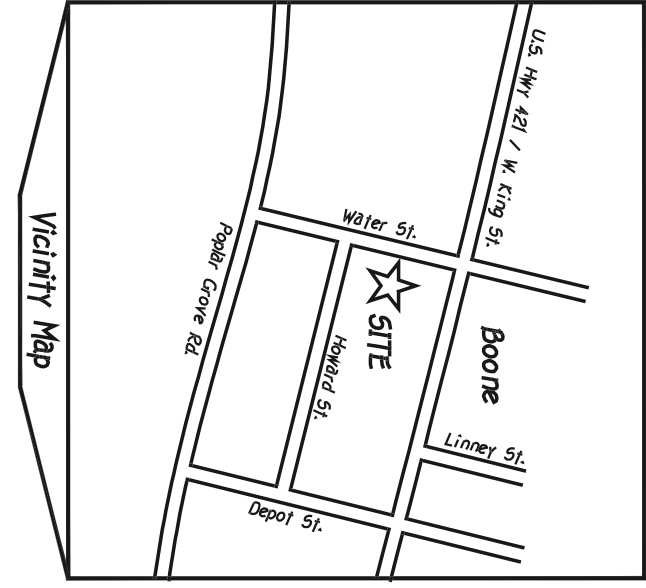
Scale is 1"=30' (1:360)
0 30' 60' 90' 120'

September 11, 2015

**Howard Street
Ventures LLC**
Town of Boone - Boone Township
Watauga County -- North Carolina

Boundary & Topographic Survey
For

Total Area
1.018 acres

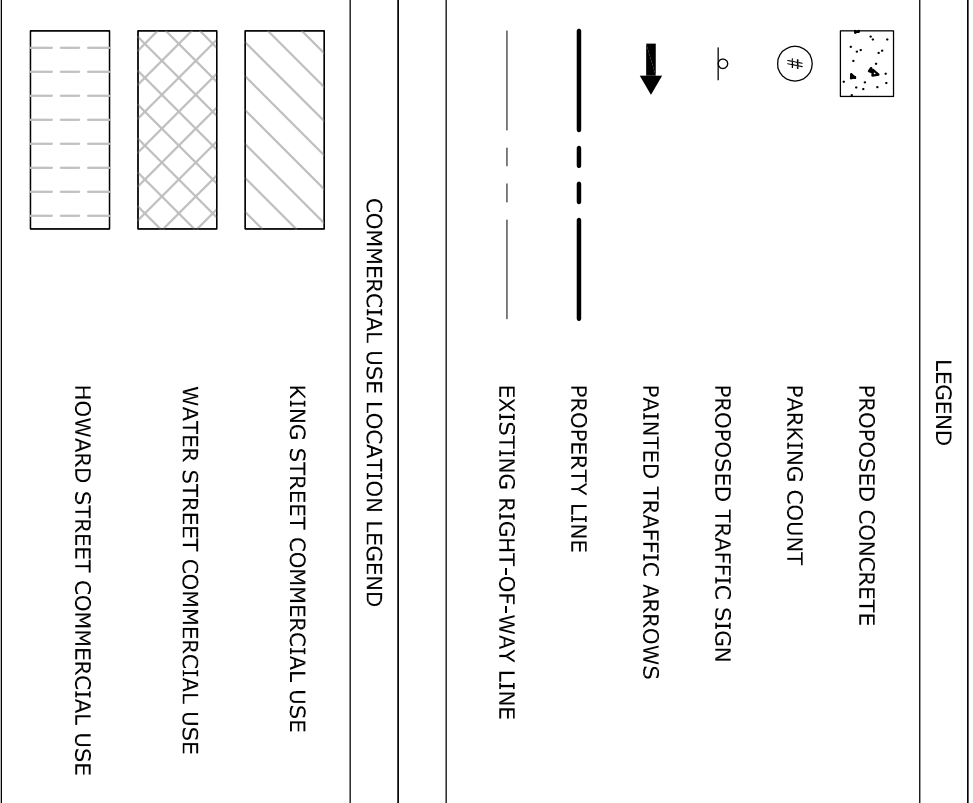


GENERAL NOTES:

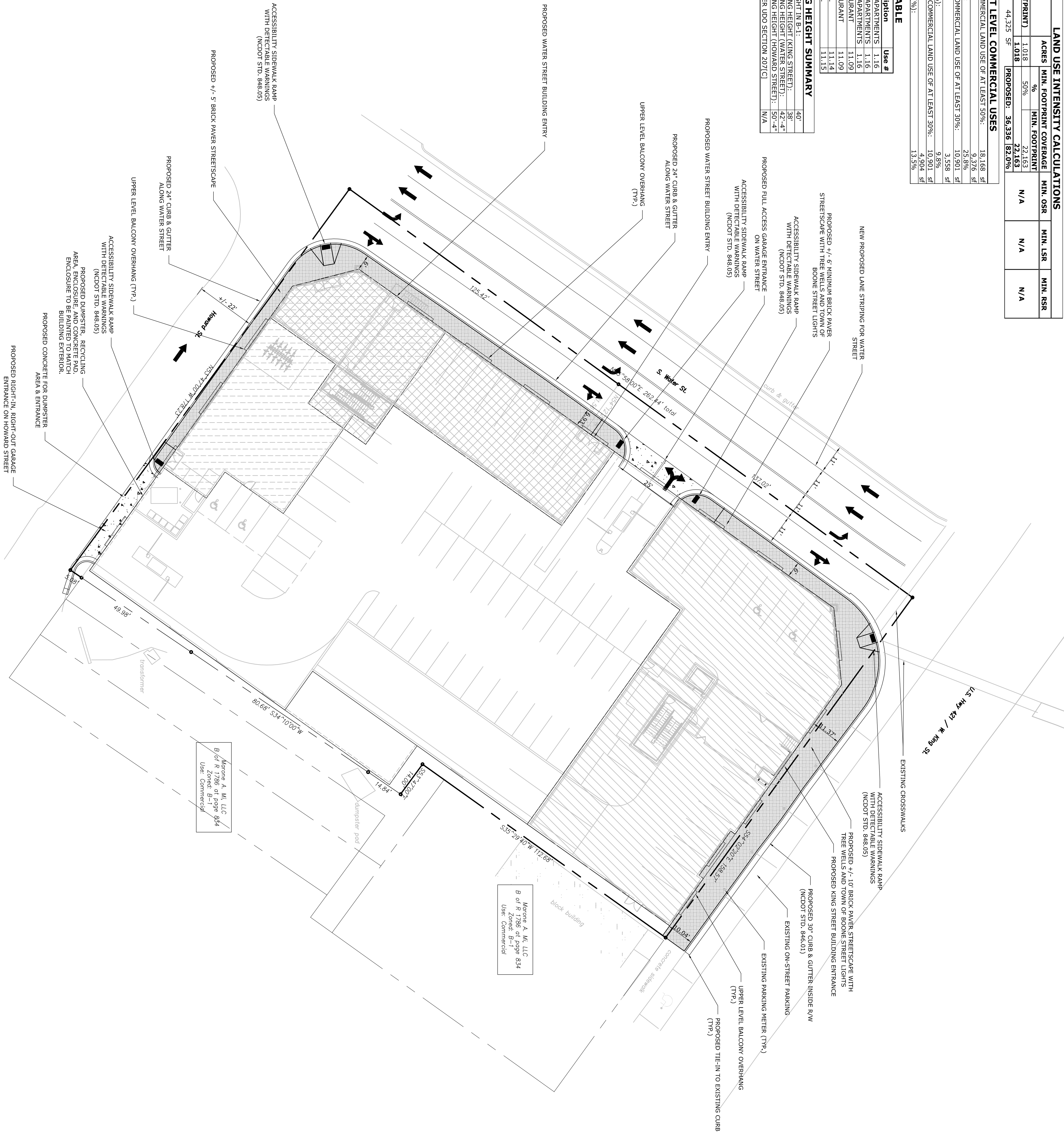
- 1.) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING SHALL BE BASED ON THE EXISTING CONDITIONS OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADIUS ARE GIVEN AT THE FACE OF CURB.
- 2.) CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
- 3.) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITY.

SITE NOTES:

- 1.) TRACT IS ZONED B-1.
- 2.) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
- 3.) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.
- 4.) HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC. (SEE PHOTOGRAPHIC PLAN IN ARCH. PLANS).
- 5.) ALL BUFFER, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE MAINTAINED AND NOT LAID OUT OR REMOVED.
- 6.) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.
- 7.) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE STORAGE.
- 8.) ALL PAVEMENT MARKING WITHIN NCDOT R/W SHALL BE CONSTRUCTED ACCORDING TO NCDOT SPECIFICATIONS.
- 9.) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER. THE OWNER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCY BEFORE CONSTRUCTION CAN BE PERMITTED WITH AGENT AUTHORIZATION.
- 10.) CONSTRUCTION TRAILERS ARE TO BE PERMITTED THROUGH THE ZONING DIVISION OF DEVELOPMENT SERVICES.
- 11.) ALL EROSION, SEDIMENT CONTROL, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
- 12.) THE JURISDICTION ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DESIGNER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR SAID ACT.
- 13.) DUMPSTER AND RECYCLING ENCLOSURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING BY PAINTING THE ENCLOSURE THE SAME COLOR AS THE BUILDING SIDING.
- 14.) 24 HOUR CONTACT: JASON GASTON, P.E., 770-722-9178



PARKING CALCULATIONS	
MAX. MULTIFAMILY RESIDENTIAL PARKING	
1 SPACE / 1 BR UNIT	44 SPACES
1 SPACE / 2 BR UNIT	18 SPACES
3 SPACES / 3 BR UNIT	15 SPACES
MAX. RESTAURANT PARKING	
12 SPACES / 1,000 SF GFA	113 SPACES
MAX. RESTAURANT PARKING	
12 SPACES / 1,000 SF GFA	43 SPACES
MAXIMUM ALLOWABLE PARKING:	315 SPACES
MIN. MULTIFAMILY RESIDENTIAL PARKING REQ'D (60% OF MAX):	128 SPACES
MIN. RESTAURANT PARKING REQ'D (100% OF MAX):	43 SPACES
MIN. RETAIL PARKING REQ'D (100% OF MAX):	24 SPACES
MINIMUM REQUIRED PARKING:	248 SPACES
PROVIDED STANDARD PARKING SPACES:	134 SPACES
PROVIDED STANDARD PARKING SPACES (ACCESSIBLE):	22 SPACES
PROVIDED COMPACT PARKING SPACES:	222 SPACES
EXCESS PARKING PROVIDED OVER MAX. ALLOWABLE:	52 SPACES
EXCESS PARKING PROVIDED OVER MIN. REQ'D:	119 SPACES
MULTIFAMILY ALLOWABLE COMPACT SPACES (MAX. 50%):	79 SPACES
OTHER USES ALLOWABLE COMPACT SPACES (MAX. 30%):	62 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES:	141 SPACES
TOTAL NUMBER OF ALLOWABLE COMPACT SPACES (%):	38.2%
PROVIDED NUMBER OF COMPACT SPACES:	222 SPACES
PROVIDED NUMBER OF COMPACT SPACES (%):	60.5%
Motorcycle Parking & Bicycle Parking: The B-1 Central Business Zoning District is exempt from both of these requirements.	
TOTAL PROVIDED BICYCLE PARKING (INSIDE GARAGE):	
88 SPACES	
COMMERCIAL/RETAIL LOADING SPACE CALCULATIONS	
MIN. REQ'D LOADING SPACES FOR RESTAURANT (1 / 5,000 SF):	2 SPACES
MIN. REQ'D LOADING SPACES FOR RETAIL (1 / 5,000 SF):	0 SPACES
PROVIDED LOADING SPACES:	



PROJECT:

The Marketplace

A Mixed Use Development

ADDRESS:

783 West King Street
Boone, NC

DEVELOPER:

Winkler organization
RESIDENTIAL & COMMERCIAL PROPERTY MANAGEMENT
215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-262-3431

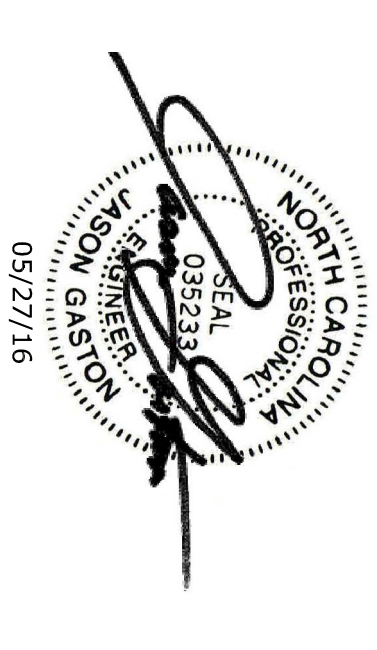
CONTACT:

MR. JOHN WINKLER

ENGINEER:

VALOR ENGINEERING
215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-262-9807
www.valorengineering.com

SEAL:



REVISIONS

1 TOWN COMMENTS	DATE
	05/27/16

PROJECT MANAGER:

JEG

DRAWING BY:

JEG

JURISDICTION:

TOWN OF BOONE

DATE:

04/29/16

SHEET TITLE:

PRELIMINARY
SITE PLAN

SHEET NUMBER:

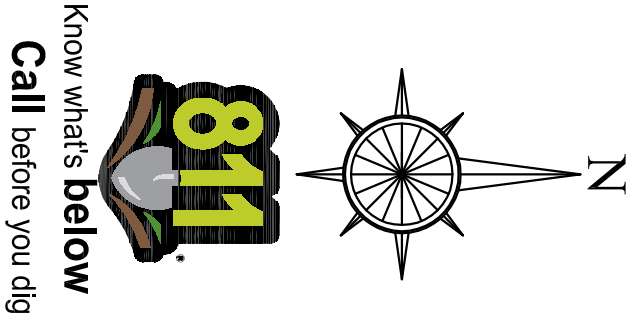
PDR-1

SCALE:



FILE NUMBER:

001-024



1.) ALL SPOT ELEVATIONS SHOWN ARE © THE EOP UNLESS OTHERWISE NOTED.

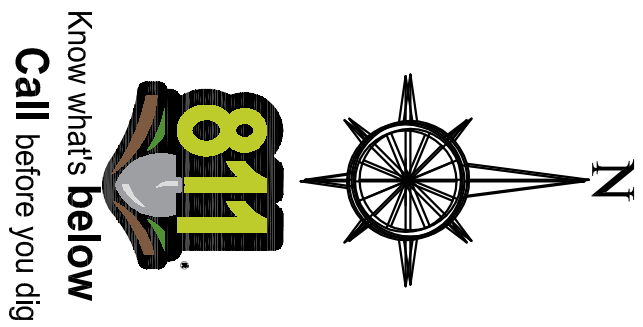
- | EARTHWORK CALCULATIONS | |
|-------------------------------------|-----------|
| REQ'D CUT = | 30,650 CY |
| REQ'D FILL = | 105 CY |
| ADDITIONAL CUT FROM PAVEMENT BASE = | 0 CY |
| ADDITIONAL CUT FROM FOUNDATION = | 750 CY |
| BALANCE: | 31,295 CY |

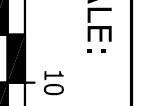
EARTHWORK NOTES:

- 1.) A SHRINKAGE OF 15% WAS USED FOR THESE CALCULATIONS. REDD CUT IS IN SITU CUT.
- 2.) ANY SOIL MATERIAL TO BE TRANSPORTED OFFSITE SHALL BE EXPORTED TO A SOIL SITE APPROVED BY THE GOVERNING JURISDICTION. AT THE START OF EARTH MOVING ACTIVITIES, THE CONTRACTOR SHALL PERMIT THE TOWN OF BOONE WITH A COPY OF THE APPROVED SOIL SITE PERMIT.

LEGEND

- CONCRETE SIDEWALK AND PAVING
- STANDARD DUTY ASPHALT PAVING
- HEAVY DUTY ASPHALT PAVING
- NCDOT ASPHALT PAVING
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- EXISTING CONTOURS
- PROPOSED CONTOURS



REVISIONS	DATE
1. TOWN COMMENTS	05/27/16
PROJECT MANAGER:	JEG
DRAWING BY:	JEG
JURISDICTION:	TOWN OF BOONE
DATE:	04/29/16
SHEET TITLE:	
PRELIMINARY GRADING & DRAINAGE PLAN	
SHEET NUMBER:	PDR-2
SCALE: $1" = 20'$  SCALE IN FEET	
FILE NUMBER:	001-024

The Marketplace

ADDRESS:
783 West King Street
Boone, NC



Minkler
organization

RESIDENTIAL & COMMERCIAL PROPERTY MANAGEMENT

215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-262-3431

CONTACT: MR. JOHN WINKLER



215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-262-9807
www.valorengineering.com

SEAL:

05/27/16

27/16

GENERAL NOTES:

- 1.) NEW RIVER LIGHT AND POWER COMPANY WILL PROVIDE UNDERGROUND ELECTRICAL SERVICE TO THE TRANSFORMER PAD. CONTRACTOR MUST PROVIDE ELECTRICAL SERVICE FROM THE TRANSFORMER PAD TO THE BUILDING. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES.
- 2.) FRONTIER NATURAL GAS WILL PERFORM THE GAS SERVICE CONNECTION, INSTALL THE CONDUIT, AND SET METER FOR THE BUILDING. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE FRONTIER NATURAL GAS. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES.
- 3.) THE TOWN SHALL MAKE ALL TAPS TO EXISTING LINES (AT OWNERS EXPENSE) UNLESS OTHERWISE SPECIFIED. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES.
- 4.) THE TOWN SHALL MAKE ALL TAPS TO EXISTING LINES (AT OWNERS EXPENSE) UNLESS OTHERWISE SPECIFIED. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES.
- 5.) REQUIRED INSPECTIONS.
- 6.) THIS STATE INDICATES PORTABLE WATER SERVICE AND SANITARY SEWER LATERALS, NORTH TO SOUTH, AND SANITARY SEWER MAINS, EAST TO WEST, ARE TO BE INSTALLED BY THE LICENSED PLUMBER. ALL WORK MUST BE INSPECTED BY TOWN OF BOONE CODES AND INSPECTION DEPARTMENT.
- 7.) ALL ON-SITE PVC PIPE SHALL BE PRESSURE CLASS SDR-26 WITH CLASS B BEDDING. PVC MUST BE INSTALLED IN ACCORDANCE WITH THE TOWN OF BOONE SPECIFICATIONS.
- 8.) ALL CONDUIT, PIPE, AND CHASE PIPE SHALL BE WRAPPED WITH THE APPROPRIATE LOCATION WIRE AND TAP.
- 9.) TO PREVENT REDUCING VALVES ARE TO BE INSTALLED ON FIRE LINES. ALL FIRE LINES ARE TO BE INSPECTED BY THE JURISDICTION'S FIRE SERVICE PRIOR TO COVERING.
- 10.) NOTIFY WATER AND SEWER INSPECTOR PRIOR TO START OF CONSTRUCTION.
- 11.) CABLE TV LINE CANNOT BE INSTALLED WITHIN PRIVATE STREET DEVELOPMENTS UNLESS THE COST OF THE CABLE TV LINE IS PAID BY THE DEVELOPER. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UNDERGROUND UTILITIES.
- 12.) THE SANITARY SEWER, WATER, DAMAGE (EASEMENTS) DUE TO MAINTENANCE OF SEWER, WATER, AND SANITARY SEWER MAINS AND APPEARANCES LOCATED WITHIN THE PROJECT SCOPE UNTIL DESIGNATED COMPLETION.
- 13.) ALL ELECTRICAL POWER LINES (GAS DISTRIBUTION, TELEPHONE AND CABLE TELEVISION LINES SHALL BE PLACED UNDERGROUND.
- 14.) BACKFLOW DEVICES FOR THE IRRIGATION AND DOMESTIC WATER SERVICES MUST BE REDUCED TO THE TOWN OF BOONE SPECIFICATIONS.
- 15.) SEE STORM AND UTILITY PROFILES FOR MAJOR UTILITY CROSSINGS.
- 16.) THE CONTRACTOR/PROPERTY OWNER SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE WATER AND SANITARY SEWER MAINS AND APPEARANCES LOCATED WITHIN THE PROJECT SCOPE UNTIL DESIGNATED COMPLETION.

TOWN OF BOONE WATER LINES - GENERAL NOTES:

- 1.) ANY EXISTING WATER METERS TO BE REMOVED BY THE CONTRACTOR MUST BE RETURNED TO THE TOWN OF BOONE. THE EXISTING WATER SERVICE TAP LINES MUST BE REMOVED AND/OR DISCONNECTED FROM THE WATER MAINS BY THE TOWN OF BOONE.
- 2.) CONCRETE BLOCKING (C/OB) TO BE PLACED AT ALL BENDS OR AS REQUIRED.
- 3.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.
- 4.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.
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- 12.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.
- 13.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.
- 14.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.
- 15.) STANDARD DETAILS OF THE NC DEPARTMENT OF TRANSPORTATION.

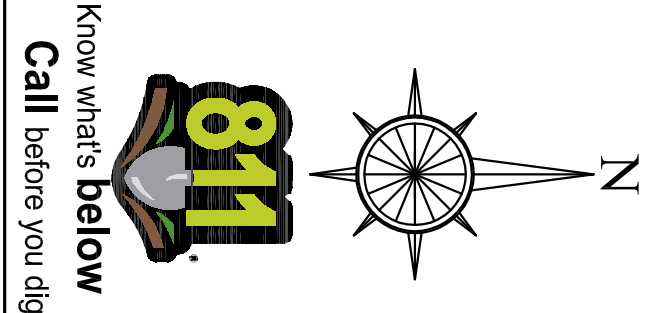
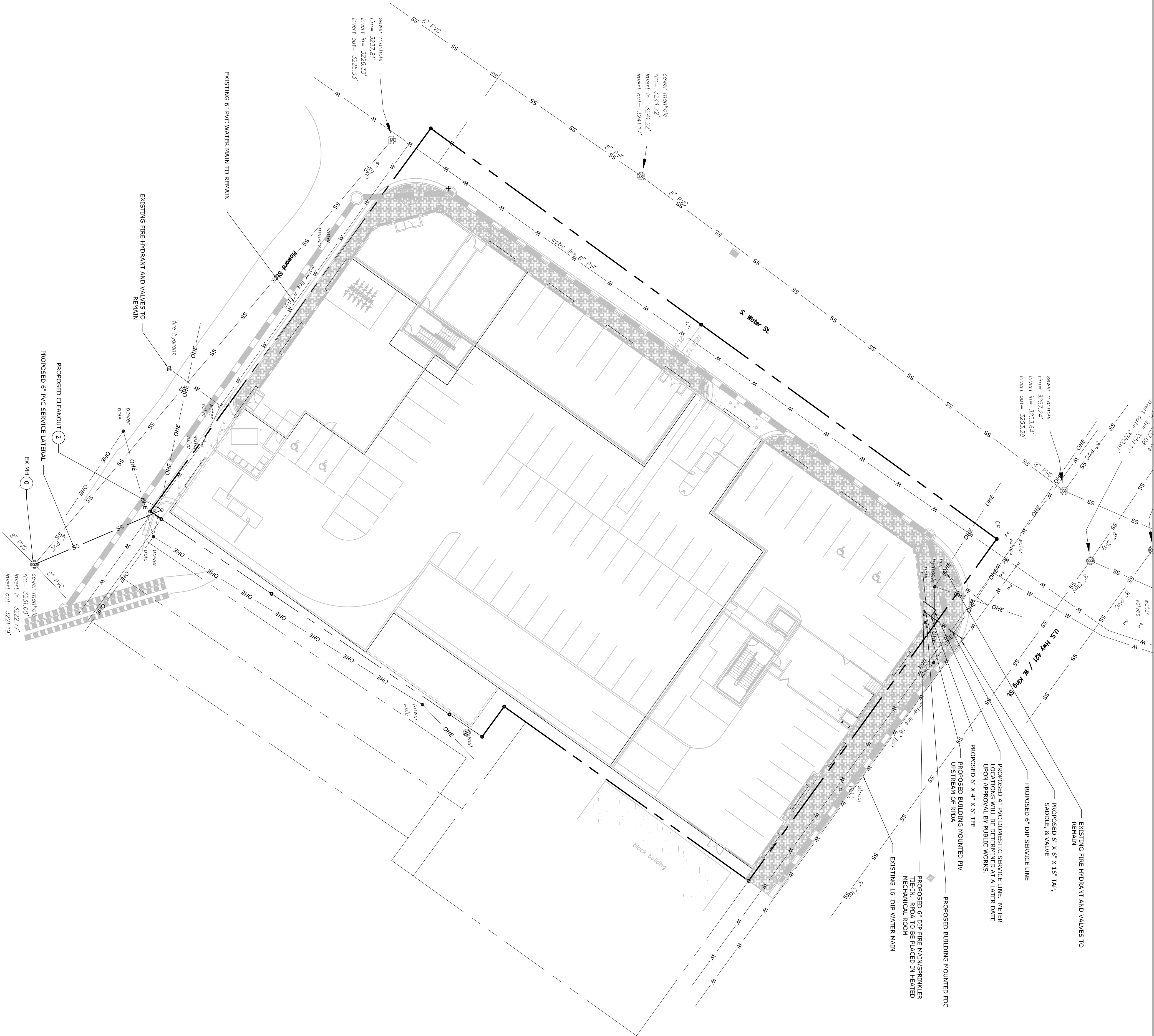
FIRE MARSHAL NOTES:

- 1.) ALL FIRE MARSHAL NOTES SHALL BE ENTERED WITHIN INCIDENT MARKERS FOR INCIDENT WEATHER.
- 2.) ALL STREET NUMBERS SHALL BE 8" MIN HEIGHT AND A COLOR CONTRASTING THE BUILDING FINISH.

LEGEND	
---	PROPERTY LINE
---	EXISTING OH ELECTRIC LINE
---	EXISTING LUG ELECTRIC LINE
---	EXISTING LUG GAS LINE
---	EXISTING SANITARY SEWER LINE
---	EXISTING WATER LINE
---	PROPOSED GAS LINE
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED WATER LINE
---	PROPOSED U/G ELECTRIC LINE
---	PROPOSED STORM PIPE
---	PROPOSED TRANSFORMER
---	PROPOSED A/C UNIT
---	PROPOSED GATE VALVE

SOLID WASTE CALCULATIONS:

1/8 CY / BEDROOM REQUIRED / WEEK
TOTAL CY REQUIRED: 20 CY
TOTAL CY AVAILABLE: 20 CY
TOTAL DUMPSTERS REQUIRED: 1 (LOADED UP 4 X PER WEEK)



PROJECT MANAGER:	JEG
DRAWING BY:	JEG
JURISDICTION:	TOWN OF BOONE
DATE:	04/29/16
SHEET TITLE:	
SHEET NUMBER:	PDR-3
SCALE:	1" = 20'
FILE NUMBER:	001-024

ENGINEER:

215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-662-9807
www.valoringengineering.com

SEAL:

05/27/16

DEVELOPER:

215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-662-3431

CONTACT:

MR. JOHN WINKLER

PROJECT:

The Marketplace

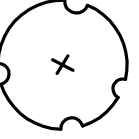
A Mixed Use Development

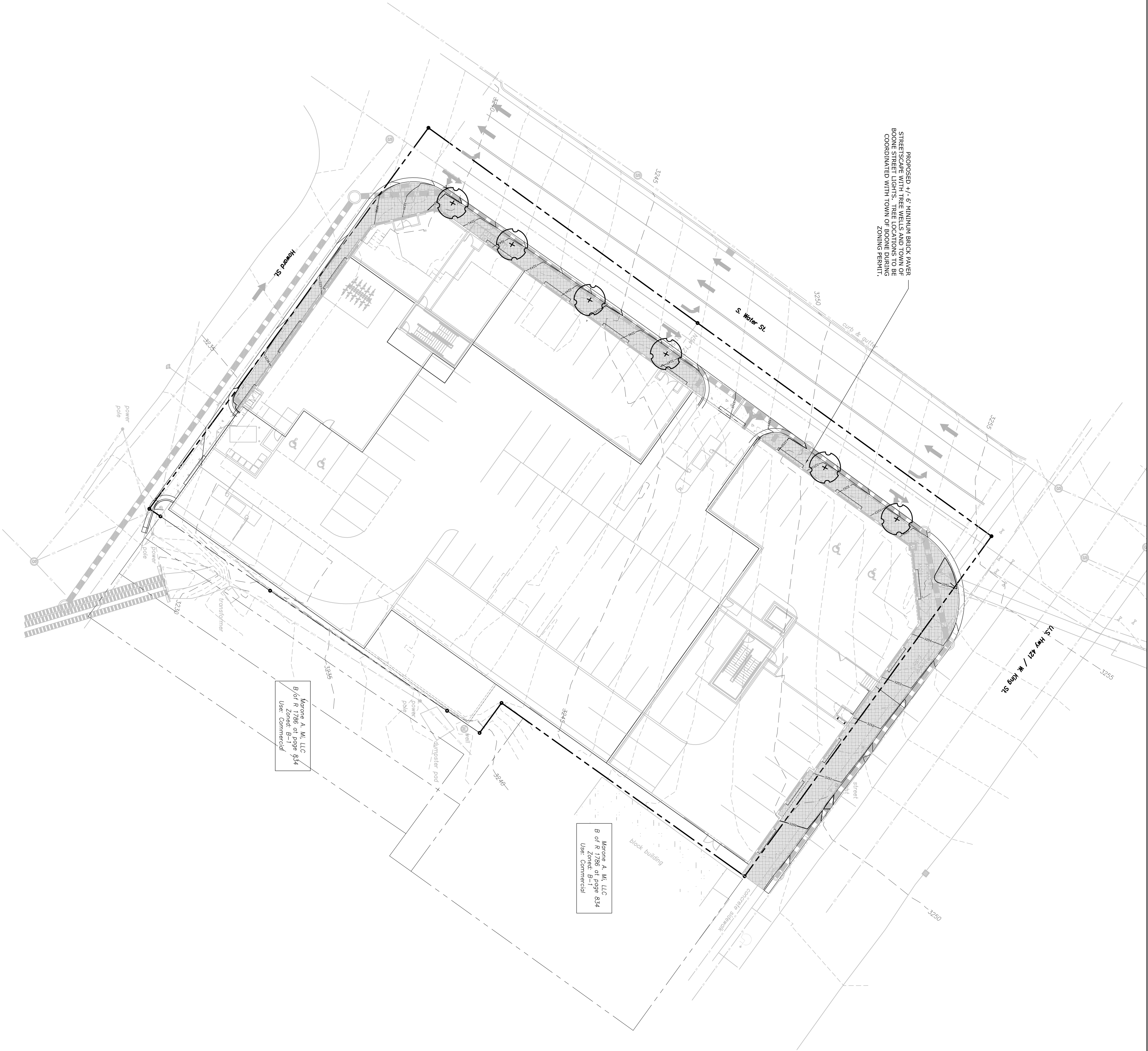
ADDRESS:

783 West King Street
Boone, NC

NOTES:

- 1.) FORMAL LANDSCAPE DESIGN, INCLUDING SPECIES AND QUANTITY, TO BE COMPLETED PRIOR TO ANY ZONING PERMIT. THIS PLAN IS FOR REZONING ONLY.

LEGEND	
	PROPOSED SHADE TREE
	PROPOSED SHRUB
	PROPOSED EVERGREEN TREE



PROJECT:

The Marketplace
A Mixed Use Development

ADDRESS:

783 West King Street
Boone, NC

DEVELOPER:


Winkler Organization
RESIDENTIAL & COMMERCIAL PROPERTY MANAGEMENT
215 Boone Heights Drive, Ste. 100
Boone, NC 28607
828-262-3431

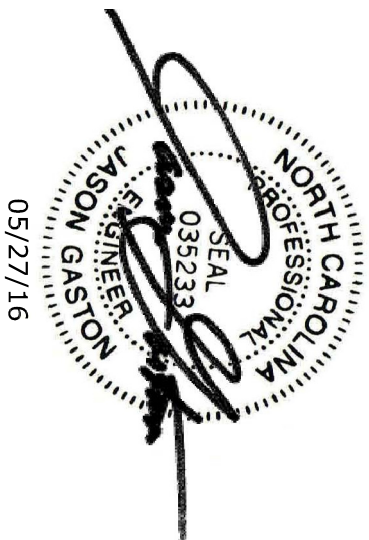
CONTACT:

MR. JOHN WINKLER

ENGINEER:


Valor Engineering
215 Boone Heights Drive, Ste. 107
Boone, NC 28607
828-262-9807
www.valorengineering.com

SEAL:



REVISIONS

1 TOWN COMMENTS	DATE
	05/27/16

PROJECT MANAGER: JEG

DRAWING BY: JEG

JURISDICTION: TOWN OF BOONE

DATE: 04/29/16

SHEET TITLE:

PRELIMINARY
LANDSCAPE PLAN

SHEET NUMBER: PDR-4

SCALE: 1" = 20'



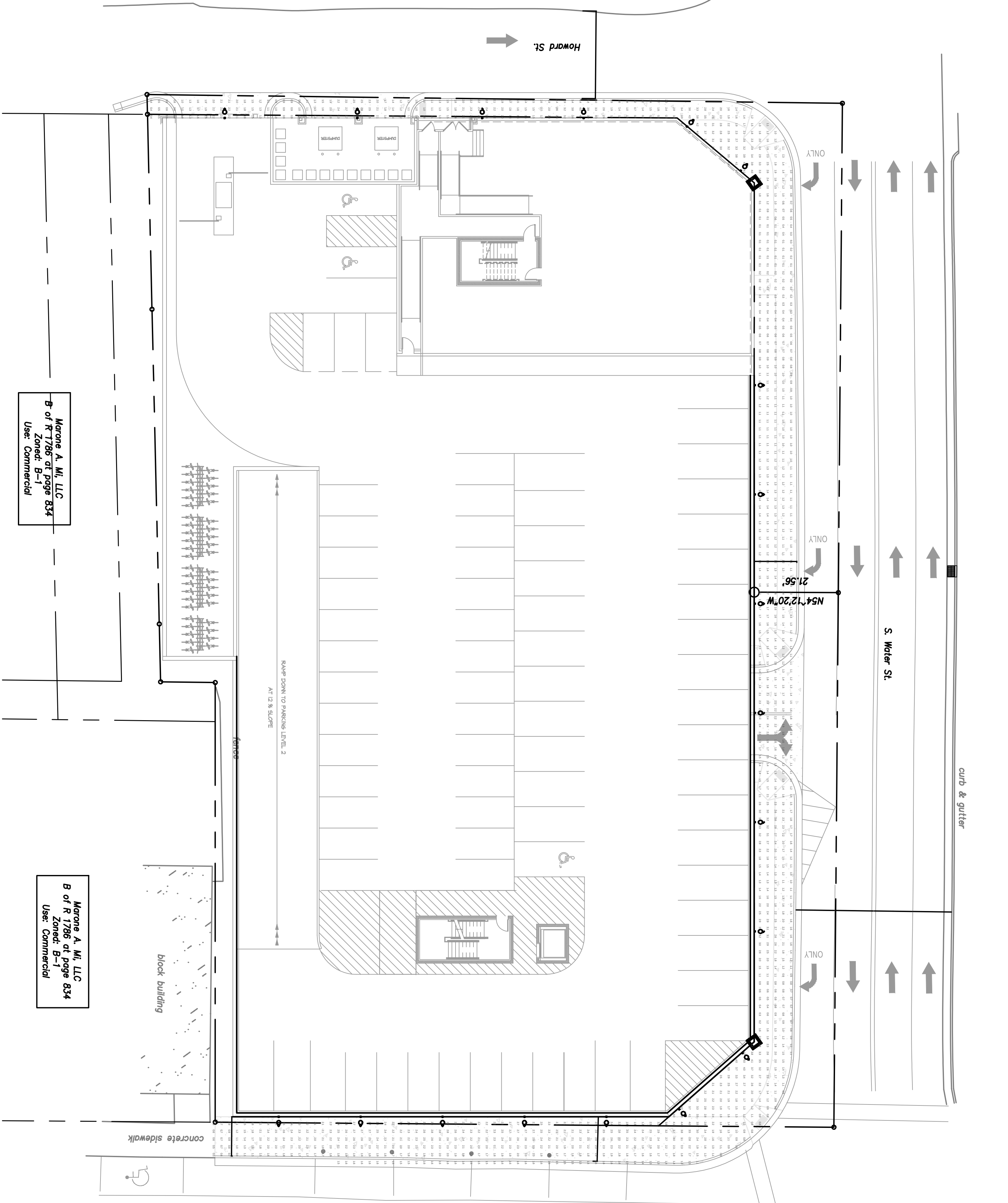
FILE NUMBER: 001-024



STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
+		1.7/c	4.4/c	0.1/c	44.0	17.0
Stdevark						

1 SITE PHOTOMETRIC PLAN 1/16

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	lumens	LLF	Watts
Q	8	19	D612-32WPL 100G.CL	WITH WHITE INTERIOR HARD CLEAR VAPOR TIGHT GLASS LENS	ONE SYLVANIA 32 WATT CFL LAMP	D612-1000G-CL- 32WPL- T15255-IES	2400	0.95	33

[illegible]

The Marketplace Mixed Use

BOONE, NORTH CAROLINA

BOONE, NORTH CAROLINA

MAY 18, 2016

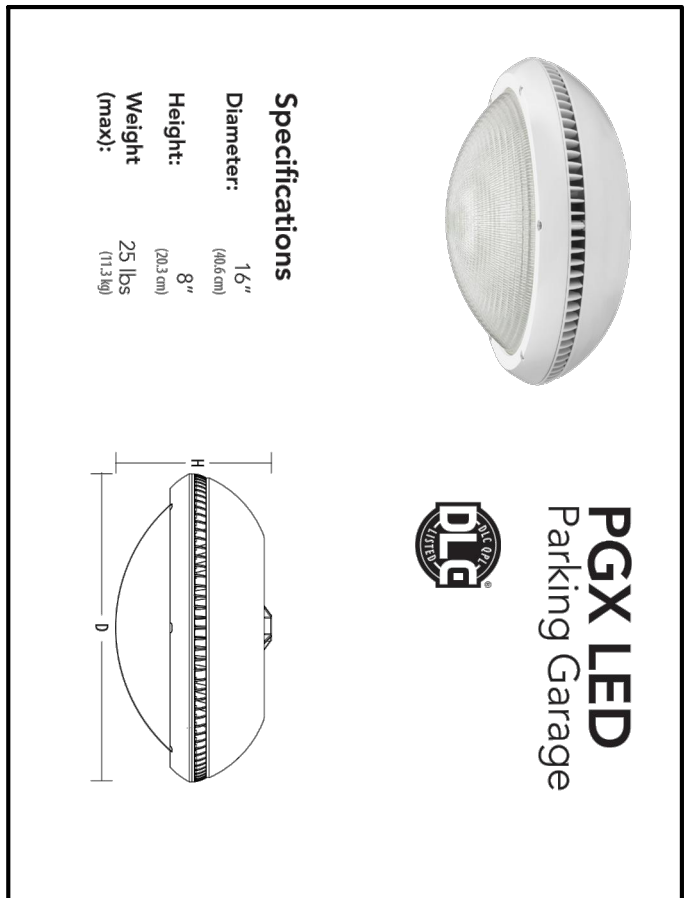
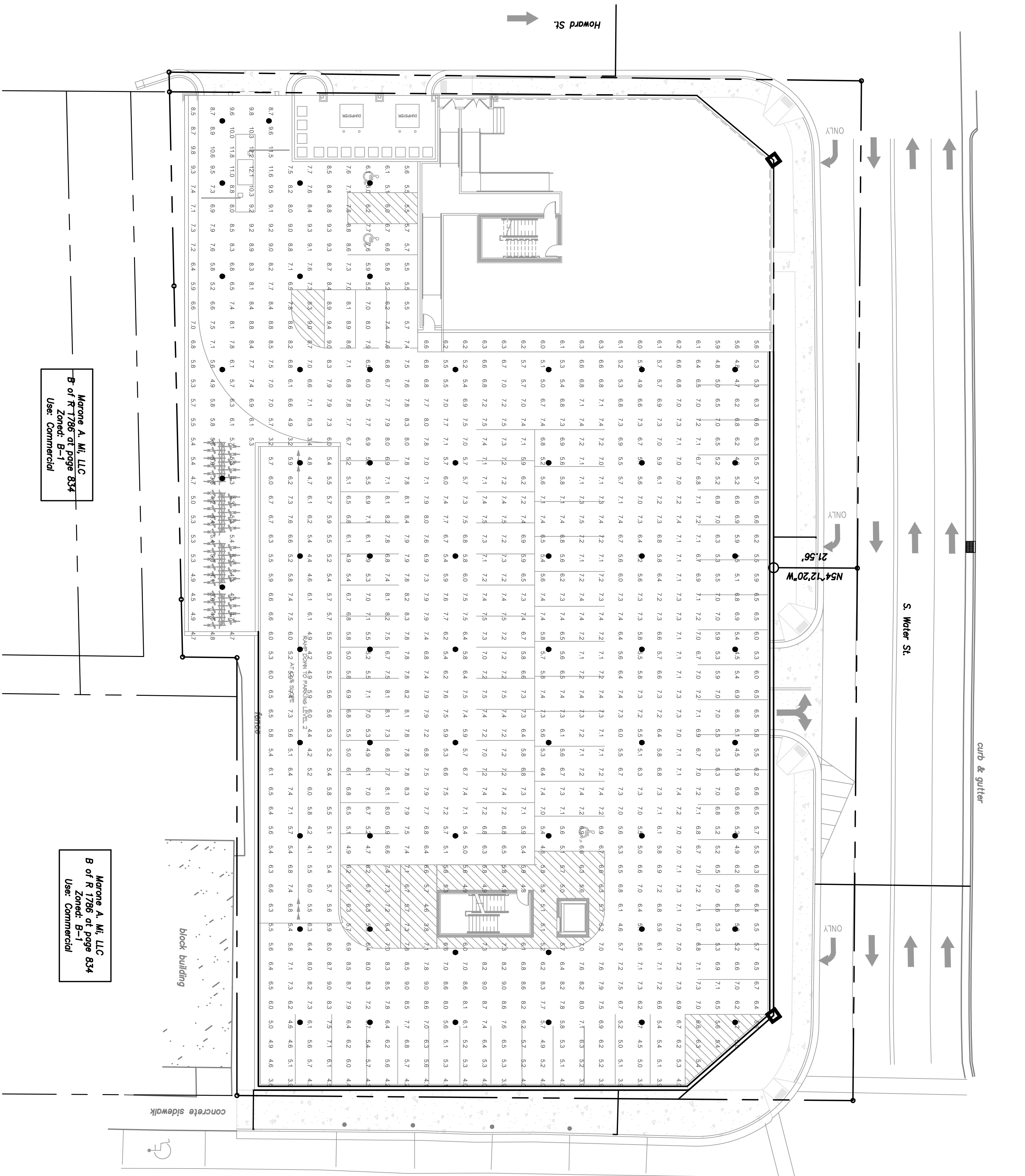
SITE PHOTOMETRIC PLAN

PEP

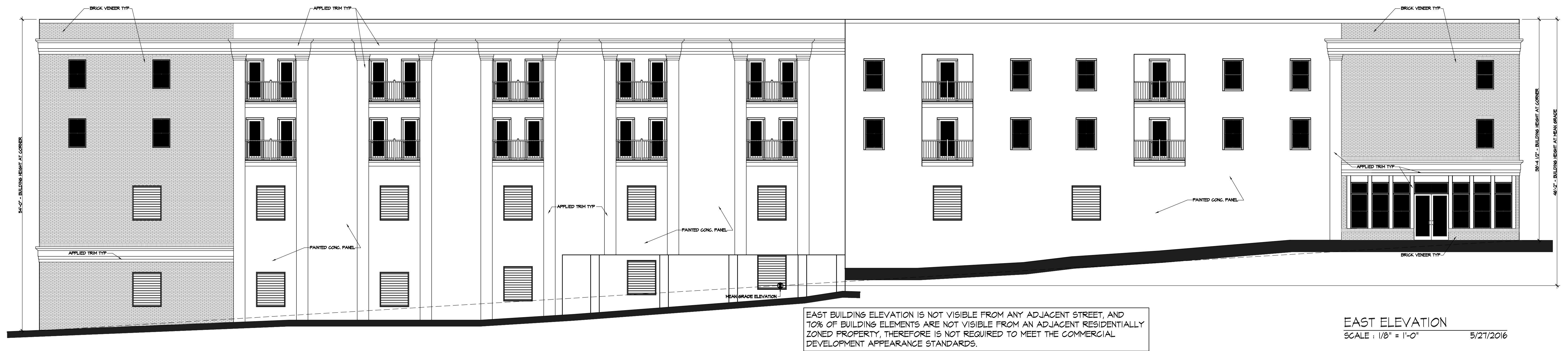
STATISTICS					
Description	Symbol	Avg	Max	Min	Max/min
Grade	+	6.6tc	12.2tc	3.2tc	3.9tc
					2.1t

1 GARAGE PHOTOMETRIC PLAN
1/16

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	lumens	LLF	Watts
	A	59	POX LED P1 40K	POX LED NICHIA LED 4K	LED	POX LED P1	Absolute	0.95	30
		TSM WOLIT	TSM Opac	40K TSM MW		Outlets			

[illegible]

May 18, 2016



EAST ELEVATION
SCALE : 1/8" = 1'-0"
5/27/2016

Town of Boone
Planning & Inspections

Date Received
May 27, 2016



COMMERCIAL APPEARANCE REQUIREMENTS		
HOWARD STREET		
PLAN = 152' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	19
2. FILASTERS	PLAN	20
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	1
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	5
PLAN FEATURE TYPES - 5 REQ'D.		47-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'MTS		
HOWARD STREET		
ELEVATION = 50'-4" +/- (HT. FROM MEAN GRADE)		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. MATERIAL CHANGE	ELEVATION	19
2. WINDOWS	ELEVATION	20
3. FILASTERS	ELEVATION	2
4. BALCONIES	ELEVATION	1
5. CHANGE IN PARAPET WALL HT	ELEVATION	1
6. DORMERS	ELEVATION	1
ELEVATION FEATURE TYPES - 5 REQ'D.		47-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'MTS		
HOWARD STREET		
ROOF		
1. CHANGE IN PARAPET WALL HT	ROOF	1
ELEVATION FEATURE TYPES - 0 REQ'D.		1
NO VISIBLE PITCHED ROOFS		

WINDOW CALCULATIONS - BI MIXED USE (60%)		
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.		
BUILDING LENGTH = 152' (W) 60' = 91.2' LFT GLASS REQUIRED ; 113'-2" LFT PROVIDED (WINDOWS AND GARAGE OPENINGS)		

HOWARD STREET ELEVATION
SCALE : 3/16" = 1'-0"
5/27/2016

MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/27/16

BRENT DAVIS ARCHITECTURE, INC.
BOONE, NORTH CAROLINA

Date Received
May 27, 2016



COMMERCIAL APPEARANCE REQUIREMENTS

WATER STREET PLAN = 256' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	51
2. PILASTERS	PLAN	27
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	3
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	16
PLAN FEATURE TYPES - 5 REQ'D.		100-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'TS

WATER STREET ELEVATION = 42'-4" +/- (HT. FROM MEAN GRADE)	
1. MATERIAL CHANGE	ELEVATION
2. WINDOWS	ELEVATION
3. PILASTERS	ELEVATION
4. BALCONIES	ELEVATION
5. CHANGE IN PARAPET WALL HT	ELEVATION
6. DORMERS	ELEVATION
ELEVATION FEATURE TYPES - 4 REQ'D.	

COMMERCIAL APPEARANCE REQ'TS

WATER STREET ROOF	
1. CHANGE IN PARAPET WALL HT ROOF	ELEVATION
ELEVATION FEATURE TYPES - 0 REQ'D.	
NO VISIBLE PITCHED ROOFS	

WINDOW CALCULATIONS - BI MIXED USE (60%)
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE
SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.
BUILDING LENGTH = 256' (x) .60 = 153'-6" LFT GLASS REQUIRED ; 162'-0" LFT PROVIDED

WATER STREET ELEVATION
SCALE : 1/8" = 1'-0"
5/21/2016



COMMERCIAL APPEARANCE REQUIREMENTS

KING STREET PLAN = 134' LIN. DIM.		
FEATURE TYPE	LOCATION	NO. OF FEATURES
1. WINDOWS / FULL GLASS DOORS	PLAN	24
2. PILASTERS	PLAN	17
3. BUILDING OFFSETS	PLAN	2
4. COVERED ENTRY	PLAN	1
5. DIAGONAL WALL	PLAN	1
6. BALCONIES	PLAN	6
PLAN FEATURE TYPES - 5 REQ'D.		56-TOTAL (16 REQ'D)

COMMERCIAL APPEARANCE REQ'TS

KING STREET ELEVATION = 36'-0" +/- (HT. FROM MEAN GRADE)	
1. MATERIAL CHANGE	ELEVATION
2. WINDOWS	ELEVATION
3. PILASTERS	ELEVATION
4. BALCONIES	ELEVATION
5. CHANGE IN PARAPET WALL HT	ELEVATION
6. DORMERS	ELEVATION
ELEVATION FEATURE TYPES - 4 REQ'D.	

COMMERCIAL APPEARANCE REQ'TS

KING STREET ROOF	
1. CHANGE IN PARAPET WALL HT ROOF	ELEVATION
ELEVATION FEATURE TYPES - 0 REQ'D.	
NO VISIBLE PITCHED ROOFS	

WINDOW CALCULATIONS - BI MIXED USE (60%)
15.11.03 - A MINIMUM OF 60% OF THE STREET FACING STREET LEVEL BUILDING FACADE
SHALL BE COMPRISED OF TRANSPARENT, NON-REFLECTIVE WINDOWS.
BUILDING LENGTH = 134' (x) .60 = 80'-4" LFT GLASS REQUIRED ; 98'-0" LFT PROVIDED

PROPOSED COLOR SELECTION

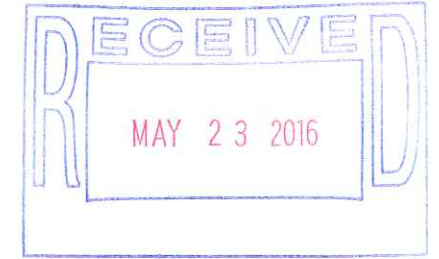
BRICK: RED / BROWN TONE
TRIM: SHERMAN WILLIAMS SW 6149 RELAXED KHAKI
METAL ROOF: HUNTER GREEN

KING STREET ELEVATION
SCALE : 3/16" = 1'-0"
5/27/2016

THE ELEVATIONS SHOWN ARE CONCEPTUAL AND
MAY BE MODIFIED FOR COMPLIANCE WITH U.D.O.
REGULATIONS AND CLIENT REQUIREMENTS.

MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/27/16



KING STREET ELEVATION

MARKETPLACE MIXED USE

BOONE, NC



WATER STREET ELEVATION

MARKETPLACE MIXED USE

BOONE, NC



HOWARD STREET ELEVATION

MARKETPLACE MIXED USE

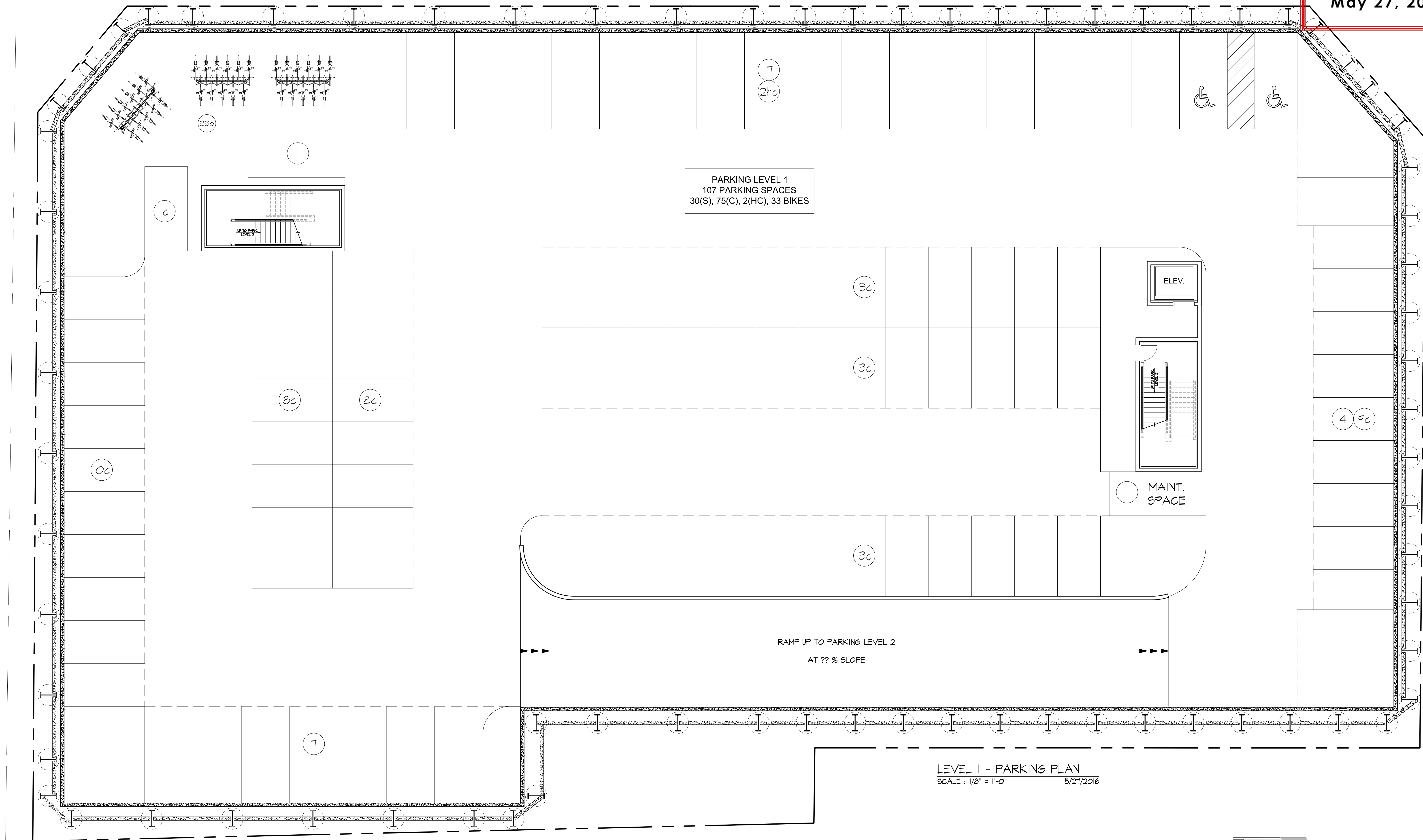
BOONE, NC



EAST ELEVATION

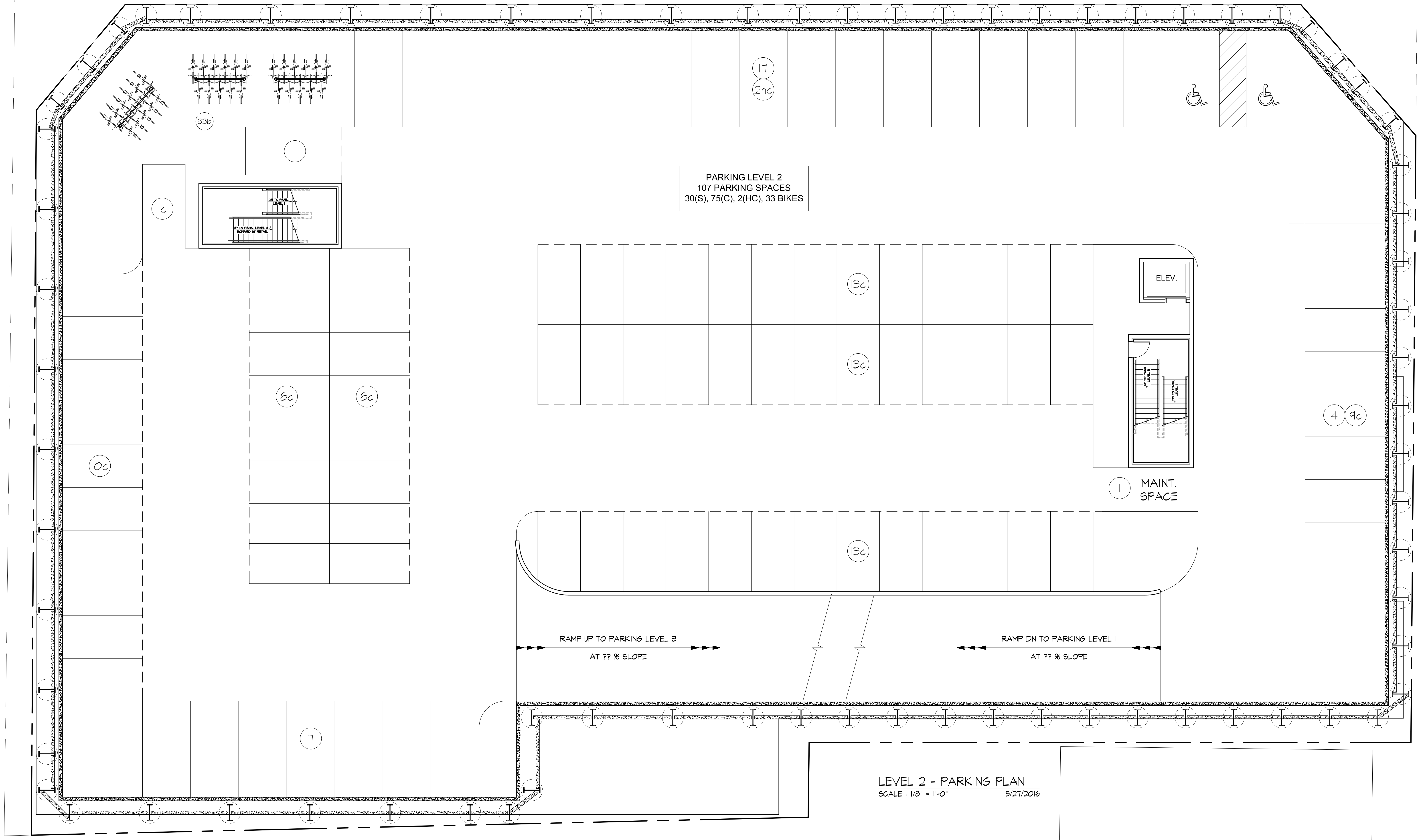
MARKETPLACE MIXED USE

BOONE, NC



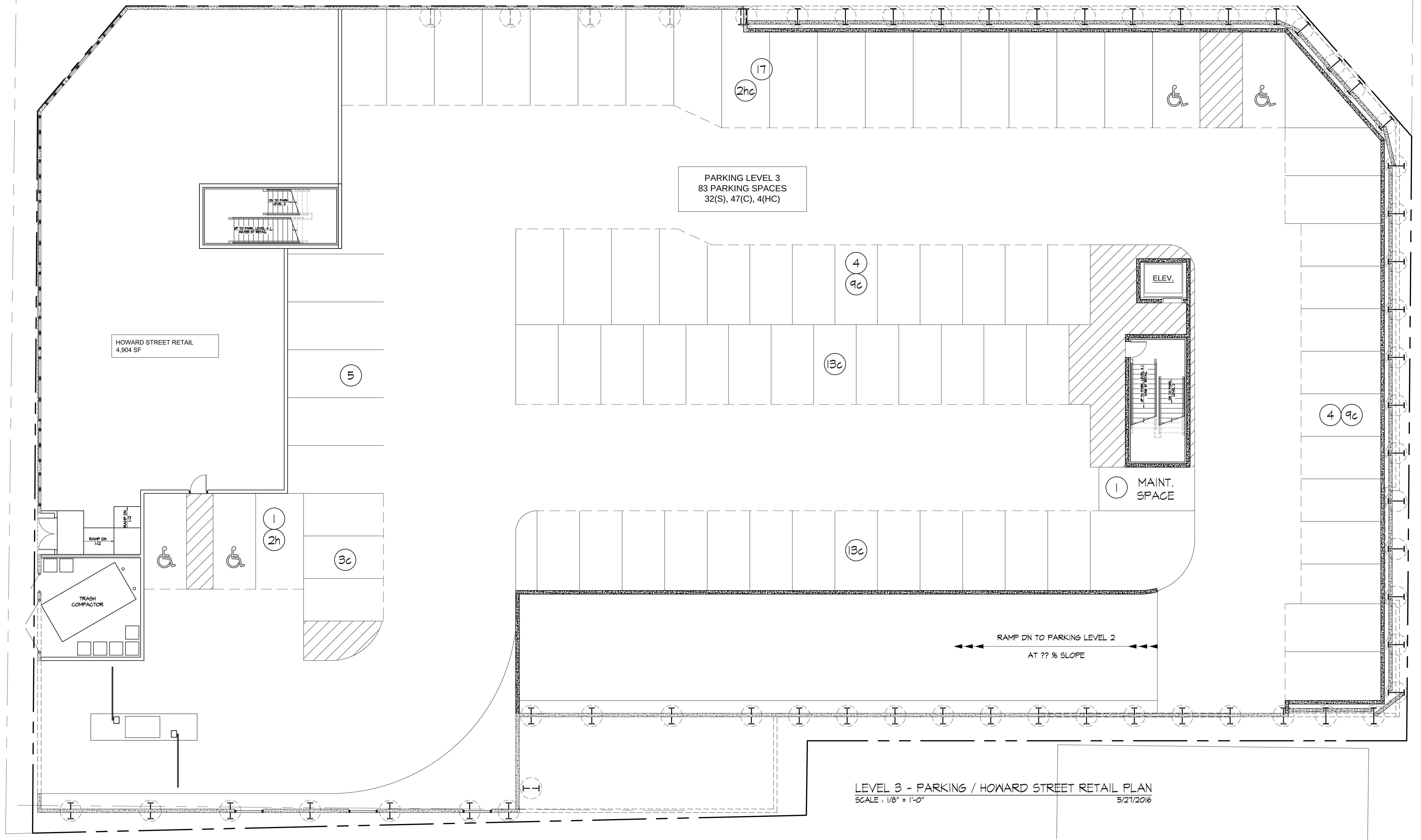
PARKING LEVEL 1
107 PARKING SPACES
30(S), 75(C), 2(HC), 33 BIKES

LEVEL 1 - PARKING PLAN
SCALE : 1/8" = 1'-0" 5/27/2016



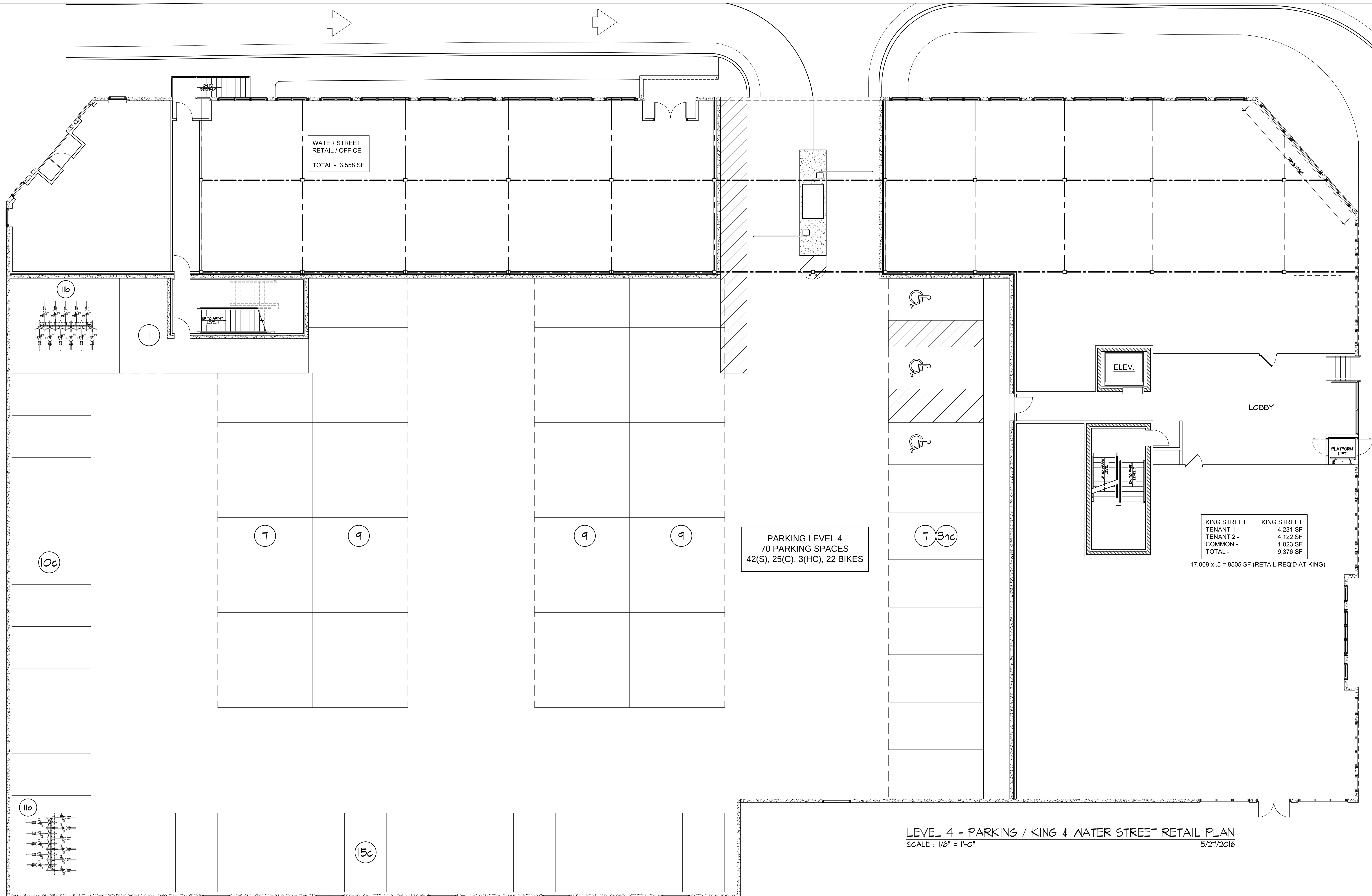
MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/27/16



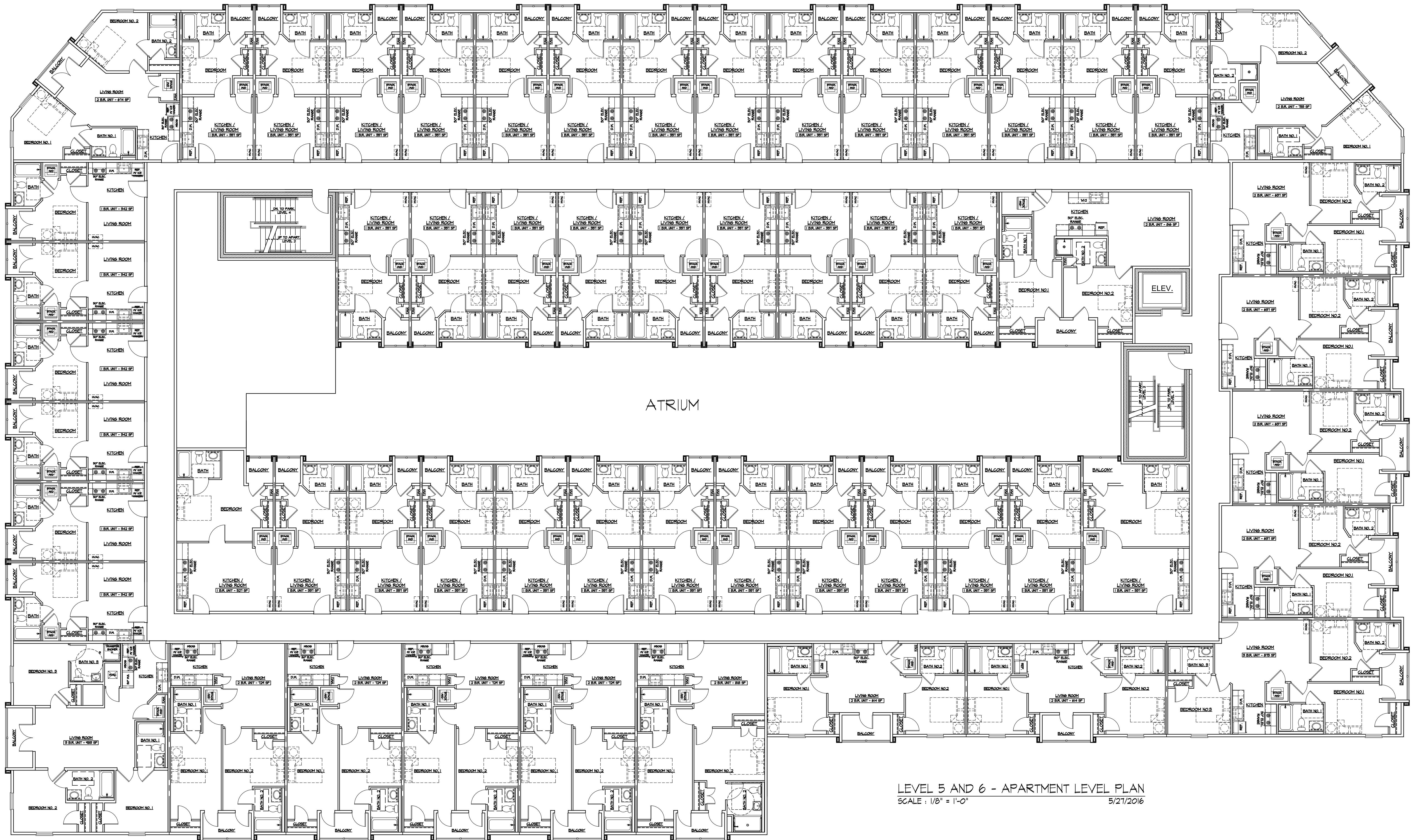
MARKETPLACE MIXED USE

PLANNED DISTRICT REZONING SUBMITTAL 5/21/16



MARKETPLACE MIXED USE

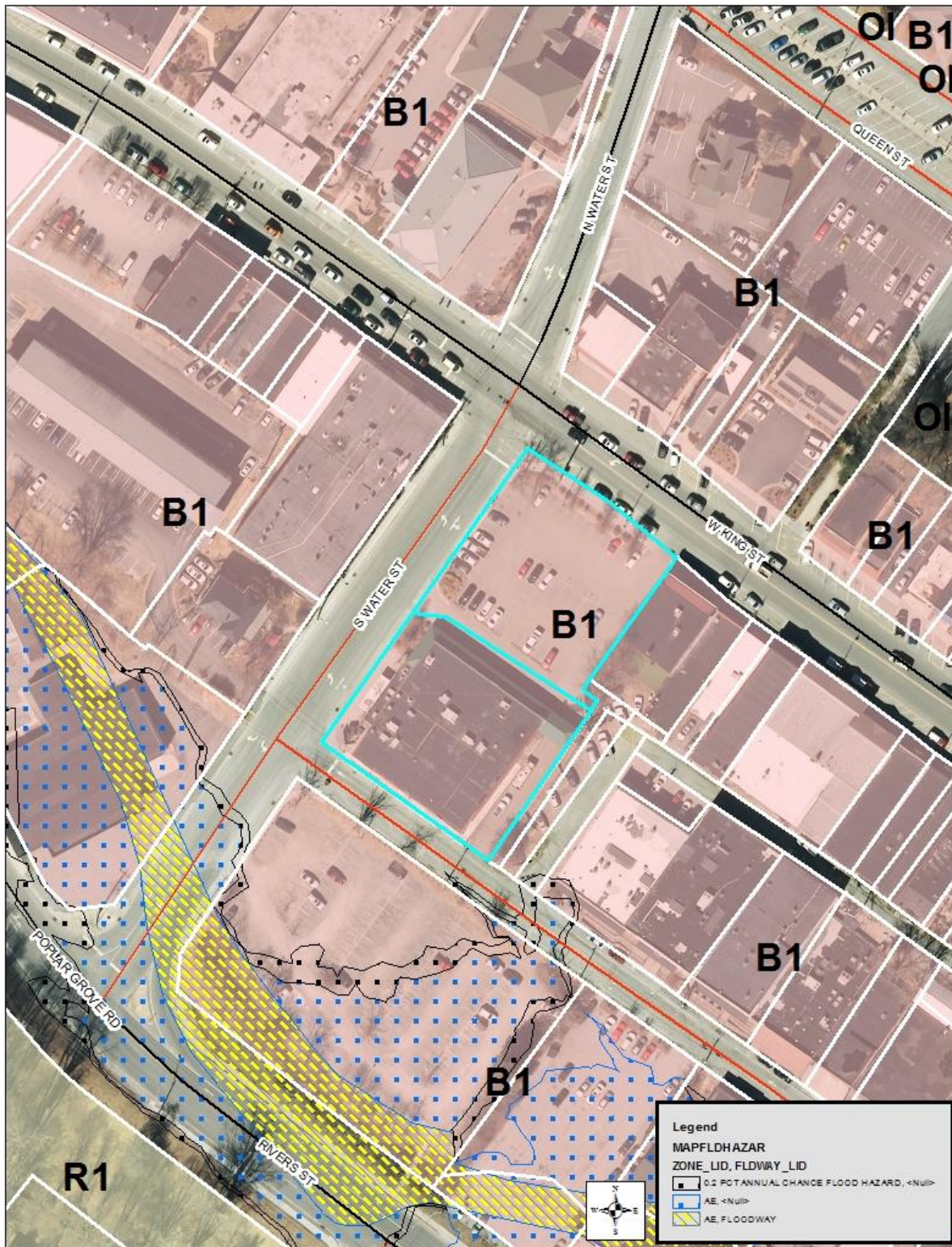
PLANNED DISTRICT REZONING SUBMITTAL 5/21/16



LEVEL 5 AND 6 - APARTMENT LEVEL PLAN
SCALE : 1/8" = 1'-0"
5/21/2016



STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016
CASE 20160275 MARKETPLACE PLANNED DEVELOPMENT ZONING MAP AMENDMENT



Communication: Marketplace Staff Report (Case 20160275 Marketplace Planned Development - Zoning Map Amendment)

Request

John Winkler with The Winkler Organization has filed a Zoning Map Amendment Application for a planned development at properties located at or near 783 West King Street (Watauga Co. PINs: 2900-79-7562-000 & 2900-79-6480-000). The proposed development consists of a mixed-use building containing both residential and commercial uses, including a parking deck. The residential portion will contain 99 dwelling units with 159 bedrooms; with the following uses are proposed to be allowed for the commercial portion of the building: 11.06 Restaurant $\leq 2,500$ ft² open to the public during 10pm-6am, 11.07 Other restaurants $\leq 2,500$ ft²; 11.08 Restaurant $> 2,500$ ft² open to the public during 10pm-6am; 11.09 Other restaurants $\leq 2,500$ ft², 11.12 Personal Service Establishment open to the public during 10 pm – 6 am, 11.13 Other Personal Service Establishments, 11.14 Retail Store up to 5,000 ft²; 11.15 Retail Store more than 5,000 ft² but less than 25,000 ft², 11.19 Other business or Professional Office, 14.02 Brewpub and 15.02 Parking Structure.

Applicant Information

Applicant Name/Position: John Winkler
Applicant Organization: The Winkler Organization
Applicant Address: PO Box 2675, Boone, NC 28607
Applicant Contact Phone: (828) 262-3434
Applicant Email: winkheelsfam@yahoo.com

Parcel Information

Addresses: 783 West King Street
Watauga County PINs: 2900797562000 and 2900796480000
Property Owner: Howard Street Ventures LLC
Total Lot size: 1.018 acres (44,325 square feet)
Jurisdiction: Corporate limits
Access: Water Street (local town street) and Howard Street ()
Topography: Approximate 17.25' change in elevation from King Street to Howard Street; Slope from NE to SW
SFHA: No. The special flood hazard area is located to the south of this property.
Watershed District: No
Corridor District: No
NCD: No
Viewshed: No
Transit Route: Yes. (Green Route West, Express, Gold Route -not after 6 pm, Pop 105)
Utilities: Town water and sewer are available.
Current Zoning: B1
Vesting: 2 years
2030 Plan Designations: G-4 Downtown Boone
Current Uses: Restaurant, Office and Parking

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	Adjacent Land Use
North	B1 Central Business	Across King St.: Restaurant, Office
East	B1 Central Business	Restaurant, Across alley: mixed-use building with restaurant, retail & multi-family
South	B1 Central Business	Across Howard St.: Parking
West	B1 Central Business	Across Water St: mixed use building with restaurant and multi-Family

Impact Analysis

Proposed Zoning: Marketplace Planned Development (Marketplace PD)

Comparison of current standards to this request:

Comparison Chart																					
Standard		Marketplace Development																			
UDO Section 16.08 Building Height Limitations (UDO Subsections 16.08.02 & 16.08.04) Maximum Building Height = 40'		Deviating from standard as follows: King Street: 38' (meets current standard) Water Street: 42' 4" (2' 4" +) Howard Street: 50'4" (10'4" +)																			
UDO Section 16.06 Building Height Requirements (UDO Subsections 16.06.02, 16.06.03 & 16.06.07) Building Setbacks=0'		In compliance. Street: Building is proposed to sit behind the public right-of-way on King Street, South Water Street and Howard Street. The interior setback varies as the building is proposed to sit from less than 1' to no more than 5' from the interior property line.																			
UDO ARTICLE 15, SUBSECTION 15.11.04(A) Multi-Family in Mixed Use: 1. Each project shall provide primary street level commercial land uses (i.e. retail, office, restaurant) of at least fifty percent (50%) of the square footage of the footprint of each building on the primary street level. For developments located on lots which abut more than one public street in the Central Business District, each additional street level floor shall provide commercial uses of at least 30% of that level's square footage. For purposes of this Subsection, the "primary street" shall be determined according to the following order: King Street, Howard Street, Depot Street, all other streets. For example, if a project is located on a lot that abuts both King Street and Howard Street, King Street shall be considered the "primary street" while for a project which abuts Howard Street and Depot Street, Howard Street shall be considered the "primary street" and so on.		Deviating from standard as follows: Building Footprint: 36,336 square feet required <table><tr><th colspan="3">Street Level Commercial Uses*</th></tr><tr><th>King Street</th><th>Water Street</th><th>Howard Street</th></tr><tr><td>50%</td><td>30%</td><td>30%</td></tr><tr><td>Required: 18,168 ft²</td><td>Required: 10,901 ft²</td><td>Required: 10,901 ft²</td></tr><tr><td>Proposed: 9,376 ft² (26%)</td><td>Proposed: 3,558 ft² (10%)</td><td>Proposed: 5,351 ft² (15%)</td></tr><tr><td>Deviation: 8,751 ft² (24%)</td><td>Deviation 7,343 ft² (20%)</td><td>Deviation: 5,525 ft² (15%)</td></tr></table> *Calculations not including commercial parking provided on the King Street, Water Street & Howard Street levels since it is not a qualifying "commercial use" per UDO Subsection 15.11.01A		Street Level Commercial Uses*			King Street	Water Street	Howard Street	50%	30%	30%	Required: 18,168 ft ²	Required: 10,901 ft ²	Required: 10,901 ft ²	Proposed: 9,376 ft ² (26%)	Proposed: 3,558 ft ² (10%)	Proposed: 5,351 ft ² (15%)	Deviation: 8,751 ft ² (24%)	Deviation 7,343 ft ² (20%)	Deviation: 5,525 ft ² (15%)
Street Level Commercial Uses*																					
King Street	Water Street	Howard Street																			
50%	30%	30%																			
Required: 18,168 ft ²	Required: 10,901 ft ²	Required: 10,901 ft ²																			
Proposed: 9,376 ft ² (26%)	Proposed: 3,558 ft ² (10%)	Proposed: 5,351 ft ² (15%)																			
Deviation: 8,751 ft ² (24%)	Deviation 7,343 ft ² (20%)	Deviation: 5,525 ft ² (15%)																			

Comparison Chart	
Standard	Marketplace Development
2. The entire frontage of the primary street level of the building abutting the street shall provide commercial uses. Required entrances for ingress and egress to secondary uses are permitted along said frontage so long as they are no larger than necessary to meet building code and safety requirements for ingress and egress. Commercial uses on the non-primary street level(s) shall front on the non-primary street.	In compliance. Commercial uses are grouped so that they face each street level. Required entrances to the secondary uses are permitted for the parking garage on the Howard Street & Water Street frontages as well as a solid waste/recycling enclosure on Howard Street.
3. New projects shall be at least two floors above the primary street level.	In compliance. The building is two stories above King Street.
4. Buildings facades shall be oriented to each public street and shall have a primary entrance door facing each abutting public sidewalk.	In compliance. There is either a lobby entrance or a direct entrance into the building from all three streets.
5. A minimum of 60% of primary public street level facing building facade shall be comprised of transparent, non-reflective windows and 30% of non-primary street level facing building facades shall be comprised of transparent, non-reflective windows.	In compliance.
6. Surface parking shall be located away from each public street to the extent possible, and if practical, to the rear of the principal building.	In compliance. No surface parking proposed.
7. Structured parking is permitted to the rear of the building or below the street level floor.	In compliance. The structured parking is located within the middle of the building off of Water Street and behind and below the commercial uses on Howard Street.
8. Building facades may be no further than 0'-0" from the established street setback line, except where necessary to provide landscaped courtyards, plazas, pocket parks, other pedestrian oriented amenities, or when there would be interference with public utilities.	In compliance. Building sits on the established street setback line except where building deviates to keep a straight line along an elevation. Sidewalks are provided along each public street.
9. The minimum building footprint shall be 50% of the total gross square feet of the lot.	In compliance. As proposed the building covers 82% of the lot.
10. Pedestrian weather protection such as awnings or canopies are encouraged along the public street but may be placed only in accordance with an encroachment agreement authorized by the Town Council.	In compliance. No awning or canopies are required.

Comparison Chart	
Standard	Marketplace Development
UDO Section 24.01 Parking Spaces Required Multi-Family Parking Spaces=159 Commercial Spaces (Retail)=156 Use 15.02 Parking Structure= No Min. or Maximum	See Applicant's breakdown in Site Plans on Sheet PDR-1.
UDO Subsection 24.02.02 (Compact Spaces) <i>-Based upon 367 parking spaces-</i> Multi-Family allowed up to 50% compact = 64 spaces Other uses allowed up to 35% compact=73 spaces Total # of compact spaces allowed = 152 spaces (41% of 366 parking spaces)	Deviating from standard as follows: Standard Parking Spaces Provided = 144 Compact Spaces Provided = 222 (60%) (+70 compact spaces, 19%+)
UDO Section 24.09 Bicycle Parking Required Short-Term Spaces = 0 Required Long-Term Spaces = 0	In Compliance. Provided Long-Term Spaces = 88 spaces
UDO Section 24.08 Loading & Unloading Areas Required Loading/Unloading Areas=3	Deviating from standards as follows: Provided= 0
UDO Section 26.07 Signs Permitted in the B1 District Each <u>business</u> is permitted 2 signs from the following categories: attached (wall), canopy or projecting. In no case may the signs be in the same category. Subsection 26.07.02: Attached signs shall not exceed an area equal to ½ foot per linear foot of building frontage with a maximum size of 48 ft ² .	Deviating from standards as follows: Allow all signs as permitted in 26.07.02 to be no greater than 48 ft ² .
UDO Article 25 Community Appearance Standards	The building as proposed meets the requirements of Article 25 Community Appearance Standards with the following exceptions: final colors have not been submitted for review and approval and Staff is requesting that the applicant consider using cast stone in lieu of composite trim.
UDO Subsection 24.03.16(A) (culverts) Building construction is prohibited from being horizontally closer than 10' from the centerline of drainage culverts less than 48" in width.	Deviating from standards as follows: The culvert for the new stormwater/stream conveyance system is as close as approximately 6' to the building (as measured from the centerline of the drainage culvert).

TRAFFIC IMPACT ANALYSIS:

Excerpt from Traffic Impact Analysis provided below. Please see the Marketplace Traffic Impact Analysis for the full report.

8.0 Summary and Conclusion

The proposed Marketplace Development is located within the Central Business District (CBD) along the northeast quadrant of Water Street and Howard Street in Boone, North Carolina. Since the submission of the TIA, there have been changes to the site plan. As currently planned, the site will consist of 99 bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The site plan shows two (2) driveways to the site: one will serve the proposed parking deck access on Water Street and one will serve the proposed parking deck access on Howard Street. There will be a total of 367 parking spaces and 88 bicycle spaces.

The trip generation indicates that based on the current site plan the proposed project is projected to generate a net total of 1,379 trips per day. This is based on 99-bedrooms of a mix of young professional and student apartment housing, approximately 8,500 square feet of retail area and 9,380 square feet of restaurant area.

The analysis indicates that all study intersections will operate at LOS E or better in the future build conditions. The intersection of Water Street at Rivers Street/ Poplar Grove Road experiences a LOS E in the PM peak, which is typical for a minor street movement onto a major street. As mentioned, NCDOT is considering an intersection conversion to a roundabout at this intersection.

Table 8.0 on the following page summarizes the recommended improvements for the 2018 future build scenario. Improvements are shown in Figure 9 in the report.

In conclusion, this analysis has been conducted based on NCDOT and Town of Boone guidelines and has determined the potential traffic impacts of this development. With the build-out of the site, the analysis indicates there will be adequate capacity to accommodate future traffic. Note that the site accesses should to be designed according to NCDOT standards as appropriate.

Table 8.0 - Recommended Improvement Summary

Water Street at West King Street	No improvements recommended
Water Street at Howard Street	No improvements recommended
Water Street at Rivers Street/ Poplar Grove Road	NCDOT considering intersection modification to a roundabout
Water Street at Proposed Site Access 1	Restripe the lanes to reflect one northbound through lane and one right turn lane; one southbound through lane and one through-left turn lane
Howard Street at Proposed Site Access 2	No improvements recommended
Water Street at Existing Driveway	No improvements recommended
Pedestrian and Bicycle Accommodations	• Sidewalks are currently provided along Water Street, Howard Street and King Street bordering the frontage of the property. • Sharrows should be striped along the frontage of Water Street to accommodate bicyclist. • Howard Street is currently being designed as a Woonerf (or shared space) to accommodate pedestrians, cyclist and vehicles. • In order to accommodate bicycling activities to and from the site, it is planned to provide a bicycle spaces in the parking garage.
Transit Accommodations	• There is an existing <i>Appa/Car</i> stop on Water Street at West King Street which is within 400 feet of the proposed development. Residents in this proposed development will be able to use this transit service to reach their destinations.

Comments from P & I staff**Community Appearance and Landscape Standards (Urban Design Specialist)**

I have reviewed the plans for the proposed Marketplace Mixed Use project with a received date of May 2, 2016 and offer the following comments:

1. No colors have been submitted for review.
2. In place of the proposed "Composite Trim" material, staff recommends the use of Cast Stone. With flexibility this would meet the requirement of UDO Section 25.02.04B as a natural stone material. [This will be discussed at the June Community Appearance Commission meeting].
3. Does the lighting plan represent multiples floors of the parking garage? Please clarify.
4. Per Illuminating Engineering Society of North America (IESNA) Chapter 22, Parking Garages, elevated illuminances during the day are needed for the transition from full daylight to the relatively low interior illuminances and typically have a 50 foot transition area into the parking garage entrance(s). Please provide.

Grading/Erosion Control/Stormwater (Environmental Planner)

I have reviewed the plans with a received date of May 2, 2016, for the above referenced project. The following issues will need to be addressed:

1. Encroachment agreements would need to be obtained for stormwater facilities connecting on to public systems.

Comments from Other Departments & Outside Agencies**Public Works:****Services Division (Facilities Maintenance Superintendent)**

The Public Services Department has reviewed the above referenced plan and has the following comments.

1. Please provide clarification how solid waste containers will be emptied at shown location.
2. In regards to the narrowing of South Water Street, the applicant will need to coordinate with the Public Works Department to determine final asphalt lane widths and curb and gutter dimensions.
3. Sidewalk area along South Water Street includes street trees located within tree grates. The applicant shall work with Town Staff to determine location and the species of trees.
4. Sidewalks should be built in accordance with the current plans to add either a brick paver border or full brick paver path depending on sidewalk width.
5. Street lights should be provided along King Street (1 light minimum) and South Water Street (3 lights minimum). Light locations should be coordinated with Town staff.
6. Driveway permits will need to be obtained for South Water Street and Howard Street.
7. The curb and gutter shown on the plans for King Street is not consistent with the existing curb type. Please revise.
8. Applicant will need encroachment agreements for the stormwater conveyance system which will encroach into NCDOT's and Town's right-of-ways.
9. If approved the applicant will need to provide the Public Works Department for review and approval a traffic and pedestrian control plan to include no lane closures during peak traffic hours and which will restrict delivery of construction materials to South Water Street only. This plan shall be in compliance with the requirements of MUTCD.

Utilities Division (Utility Services Technician)

The Public Utilities Division has conducted a plan review for the proposed project on 783 West King St; materials reviewed by this department are dated received 04/29/16 are approved with the following conditions.

1. Details on Water and Sanitary services on future plans.
2. Relocation and or adjustment of Storm Drain in relation to public Water Mains.

Fire Department (Assistant Fire Chief/Fire Marshal)

1. Site Plan: The submitted site plans are approved as submitted.

Applicant's Compliance with Planned Development Requirements	
UDO Subsection	Compliance
UDO Subsection 9.10.03: a PD may be only be proposed for either a development site containing 3 or more acres or a proposed development which includes both commercial and residential uses.	In compliance. The project as contains both commercial and residential uses.

UDO Subsection 9.10.04: The authorization of a PD shall preclude any requirement for obtaining a variance from the Board of Adjustment unless it is a variance to Article 29 Watershed Protection and Article 30 Flood Damage Prevention. Any such variances must be obtained before a public hearing is held on the proposed PD.	In compliance. The applicant has not requested any variances.
UDO Subsection 9.10.05(A)(1): One or more pre-petition consultations with the Administrator, in which the petitioner identifies the development site, its natural features, and the nature of the proposed development.	In compliance. The applicant has had several consultations with Town staff.
UDO Subsection 9.10.05(A): Before submitting the petition, the petitioner must schedule a meeting with owners of property located within 150' of the development site. - The petitioner must provide notice at least 21 days prior to the meeting in accordance with Subsection 1.13.02 herein. - The meeting must be held at an accessible and convenient location in light of available options. - The petitioner must record the names and addresses of all attendees at the meeting. - At the meeting, the petitioner, at a minimum, shall present all the following information: - Contact information of the parties involved in the ownership, design, and development of the property; - The location of the property and general information on the current conditions of the site; - Proposed use(s) and site development; - Any preliminary plans or renderings, if available; and - Any other information deemed pertinent by the Administrator. - The petitioner shall provide the Administrator with a report which details the meeting including any concerns expressed by attendees and any commitments made by the petitioner. This report shall be included in the staff report.	In compliance. Please see applicant's "Howard Street Ventures Planned Development Neighborhood Meeting".
UDO Subsection 9.10.05(B)(1): A site specific development plan addressing plan aspects identified in Appendix A, identifying all development specifics which deviate from the standards of this Ordinance.	In compliance. The applicant has submitted a site specific development plan and a separate narrative identifying all development specifics which deviate from the standards of this Ordinance. Please see applicant's "Deviation Analysis in Accordance with UDO 9.10.05(B)(1)".
UDO Subsection 9.10.05(B)(2): Written analysis, tailored to specifically address the characteristics of the particular location, addressing how the planned development will effectively and to the greatest degree reasonably possible, mitigate the impacts of the	Yes. Please see applicant's "Mitigation Analysis in Accordance with UDO 9.10.05(B)(2)".

proposed development on the surrounding area, including but not limited to: a. noise impacts; b. light impacts; and c. any other predictable negative effect, including but not limited to: i. negative visual effects; ii. negative traffic effects; and iii. negative health effects.	
UDO Subsection 9.10.05(B)(3): Information to demonstrate compliance with all mandatory requirements of this Ordinance, including: a. Article 5 Subdivisions (for purposes of this Section the Town Council is the approval authority for major subdivision preliminary plats); b. Article 8 Historic Preservation; b. Article 19 Grading; c. Article 20 Soil Erosion and Sediment Control; d. Article 21 Stormwater Management; e. Article 22 Utilities; f. Article 29 Watershed Protection; g. Article 30 Flood Damage Prevention;	In compliance. If approved, additional technical details will be required to determine full compliance with the requirements of these Articles (as applicable).

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 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.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of 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.

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 Board 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.

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.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

2.1.2 Commercial Development

- B. Commercial and office development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.
- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards.

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.
- B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area.
- C. A variety of mutually compatible and supportive mixed uses shall be encouraged in the downtown area.
- 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.
- 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.

2.2 THE INFRASTRUCTURE**2.2.1 Transportation**

- I. Driveway cuts along major streets and roads shall be limited to allow these streets to serve primarily as safe traffic movement corridors or, alternatively, to maximize curb frontage for on-street parking.

2.2.2 Utilities

- 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.

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

2.2.4 Public Safety

- D. The Town shall place renewed emphasis on enforcement of the state building code and flood prevention regulations to avert or minimize loss of life and property during natural disasters.

2.2.5 Environmental Quality

- C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.
- E. Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

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.

2.3.3 Housing and 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.
- C. Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
- C. 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. 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.
- 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.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)



These properties are located within the G-4 Downtown Boone sector and are also located in a Regional Center. The G-4 sector is comprised of areas with existing development, with a relatively dense street grid, and which are appropriate for redevelopment or additional development. These areas are shown in the purple color on the Framework Map. This includes the historic downtown and the King Street corridor as far east as Hardin Street. This area is, in large respect, appropriate for redevelopment and new infill development and well served with infrastructure (roads, utilities, etc.), and access to services and amenities. Because this area is already well provided for in terms of urban services, it is one of the most efficient and most attractive area for redevelopment of underutilized land or development of vacant parcels. It is also one of the best areas for development in terms of minimizing new environmental impacts to natural areas since the area has been built upon since Boone's founding. In-depth discussion of concepts for downtown development, redevelopment and infill neighborhood development is included in the Downtown Boone section of the Land Use Plan. In general, however, the following development types and uses are appropriate in the G-4 sector, continuing in the historic pattern of mixed-use

downtown development in Boone. Appropriate land uses/development types include: single-family and multi-family residential, commercial uses (retail and office), mixed-use development, civic uses, light industrial uses

Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Certification of Notification by Mail

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO were placed in the mail (first class) on May 24, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Chris Grubb, 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 May 24, 2016.

Chris Grubb, Environmental Planner

Staff Analysis and Recommendations

This project is located in the downtown area, near Appalachian State University and adjacent to Boone Creek and the recommended West Downtown Alive multi-use trail.

If Council approves the request, Staff recommends the following conditions:

1. Where there is a conflict between the application information and the plans (site plans and architectural plans bearing a received date of May 27, 2016), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed project made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. Final plans shall be submitted that are in compliance with the provisions of the UDO and other provisions of the Town Code.
4. All driveway permits shall be obtained prior to the issuance of a Zoning Permit.
5. The applicant will be required to satisfy all NCDOT requirements prior to the issuance of a Zoning Permit.

Planned Development Procedural Information

Per UDO Subsection 14.05.01(B):

A PD creates a sui generis (unique) zoning district not limited to the authorized uses and the development standards of a specific existing zoning district and may be subjected to conditions that make the development plan more desirable. A PD is intended to permit the establishment of areas in which diverse uses may be combined and integrated through careful planning to provide a unified and compatible development which is consistent with adopted plans, and which may reasonably be expected to result in a quality of living environment which is more closely in keeping with the purposes of zoning than would otherwise likely be obtained. It is not the intent of the Town Council that the PD district become a “loophole” designed to permit otherwise illegal contract, conditional or spot zoning, or clandestine institution of an unlawful use variance. Rather the PD district is intended to permit further refinement and more detailed expression of adopted plans in situations where the owners of the property present a development plan which is found to be in the public interest and consistent with adopted plans.

1. A PD should only be approved upon the following findings:
 - a. That the proposed PD will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;
 - b. That the proposed PD will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;
 - c. That the proposed PD will produce a development functioning as a cohesive, unified project; and
 - d. That the proposed PD will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town.

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.

First motion and vote: The proposed Amendment to the Town’s zoning map ☐is OR ☐is not consistent with the Town’s comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning map and believe ☐ approval OR ☐denial is reasonable and in the public interest because:

Zoning/Planning Permit 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
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
- ☐ Commercial
- ☐ Board of Adjustment Hearing (other than Appeals)
- ☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: _____ Company: _____
Address: _____
Phone Number: _____ Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): NA
Address/Location: NA
Project Name: Wellness District- UDO Text Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- ☐ Accessory Building *Zoning Project Data Form (Residential or Commercial)
- ☐ Addition/Expansion including decks and patios *Zoning Project Data Form (Residential or Commercial)
- ☐ Change of Occupancy *Commercial Project Data Form
- ☐ Land Disturbance (not associated with the construction of a bldg.) *Zoning Project Data Form (Residential or Commercial)
- ☐ Manufactured Home Set-up in Park *Manufactured Home in Park Form
- ☐ New Building Construction *Zoning Project Data Form (Residential or Commercial)
- ☐ Renovation/Remodel *Zoning Project Data Form (Residential or Commercial)
- ☐ Accessory Use (as listed in UDO Subsection 15.07.01) *Zoning Project Data Form (Residential or Commercial)
- ☐ Temporary Use (as listed in UDO Subsection 15.07.02) *Zoning Project Data Form (Residential or Commercial)
- ☐ Sign *Sign Project Data Form (Zoning)
- ☐ Pavement Sealant *Pavement Sealant Project Data Form
- ☐ Major Subdivision Zoning Permit *Commercial Project Data Form

Board of Adjustment Hearings

- ☐ Special Use Permit/Modification *Special Use Permit Form
- ☐ Variance *Variance Form
- ☐ Major Subdivision Preliminary Plat Approval *Major Subdivision Preliminary Plat Approval Form

Planning/Other

- ☐ Exempt Division of Land *Subdivision Exemption Project Data Form
- ☐ Minor Subdivision (Preliminary and Final Plat) *Minor Subdivision Project Data Form
- ☐ Major Subdivision (Final Plat) *Major Subdivision Final Plat Project Data Form
- ☒ UDO Text Amendment *Text Amendment Project Data Form
- ☐ General Use Zoning Map Amendment *General Use Map Zoning Map Amendment Project Data Form
- ☐ Conditional District Zoning Map Amendment *Conditional District Zoning Map Amendment Project Data Form
- ☐ Voluntary Annexation *Annexation Petition (Satellite or Contiguous)
- ☐ UDO Text Interpretation *UDO Interpretation Data Form

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. 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.

WD Small Area Plan &
 Direction to Prepare
 Text by TC in 11/2015

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

Wellness District– UDO Text Amendment

Permit Number:

20160295

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
May 2016	NA	NA	NA	NA

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

UDO Text Amendment Project Data Form

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

Project Name/Number:

Wellness District Standards- UDO Text Amendment

Permit Name/Number:

20160295

A. TEXT INFORMATION

Amendment is to:

Article(s): Article 14 Zoning Districts & Zoning Maps; NEW Article 17 Wellness District Standards;

Section(s): Section 14.02 Commercial Districts Established & all new Sections in Article 17

Brief Description of Amendment (Attach Proposed Text):

Creation of Wellness District zoning district to coincide with the Wellness District Small Area Plan.

Reason for Change:

In November 2015 Council adopted the Wellness District Small Area and directed Staff to draft standards for a new Wellness District zoning district. The attached standards were formulated based upon the language located within the Wellness District Small Area Plan.

Official Use Only

Public Hearing Meeting Date: June 6, 2016

PC Meeting Date: June 13, 2016

TC Meeting Date: June 16, 2016

Text Approved: ☐ Yes ☐ No

Date UDO Updated: _____

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Communication: Wellness District Standards - UDO Text Amendment Staff Report (Case 20160295 Wellness District Standards)



CASE 20160295 WELLNESS DISTRICT STANDARDS- UDO TEXT AMENDMENT

Request

In November 2015 Town Council adopted the Wellness District Small Area Plan and directed Staff to draft standards for a new Wellness District zoning district. Draft standards are presented within this report. These standards were formulated using the language and guidance located within the Wellness District Small Area Plan.

[Click here to view the Wellness District Small Area Plan](#)

DRAFT TEXT

The text below in ~~red strikethrough~~ is the text proposed to be deleted and the blue underline is the new text for consideration. Please note, text amendments will now contain the case number and effective date in italicized font at the end of the section in which the text was modified. In addition, items highlighted in yellow are items that were incomplete at the time of publication or are items that need to be discussed. Incomplete items will be completed in time to be discussed at the public hearing.

14.02 Commercial Districts Established

- 14.02.01** The following commercial districts are hereby established: B1, B2, B3, ~~and OI~~, and WD. These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this Section.
- 14.02.02** The B1 Central Business District is intended to provide for the development of the commercial and service center for the Town while maintaining its character, and to encourage appropriate residential uses in the central area of Town, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.03** The B2 Neighborhood Business District is intended to provide for the development of low-density commercial and services that are accessible by pedestrians and cyclists from surrounding neighborhoods, which serve the day to day convenience needs of surrounding neighborhoods, and are of such nature as to be in harmony with the neighborhoods they serve. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.04** The B3 General Business District is established to provide a wide range of consumer goods, convenience goods and personal services for the community and surrounding region.

Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

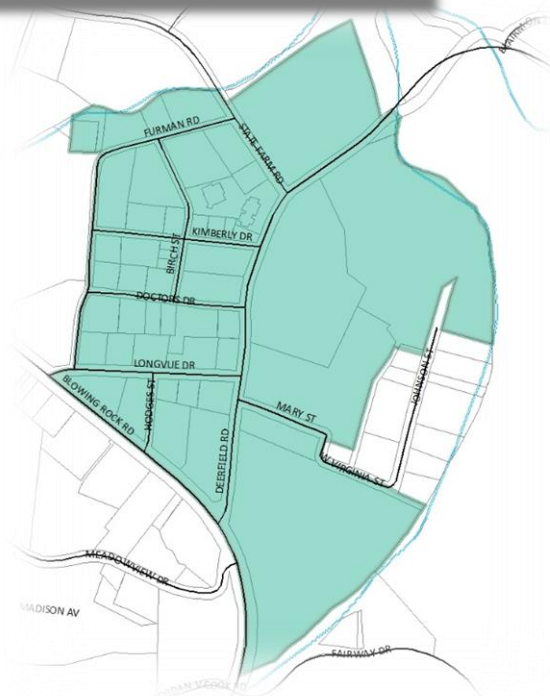
- 14.02.05** The OI Office/Institutional District is established to provide a zoning district which promotes the development of moderately intensive office and institutional uses which are oriented toward the provision of services versus the sale of products. Appropriate small scale residential uses are allowed in this district to the point they support allowable office and institutional uses. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.06** The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

Article 17 **Wellness District Standards**

17.01 **Applicability**

- 17.01.01** The Wellness District (WD) is guided by the goals, objectives, policies and standards of the Wellness District Small Area Plan.
- 17.01.02** Figure 17-1 below shows the boundaries of the WD.

Figure 17-1 Wellness District Boundaries



17.01.03 No provision in this article shall be applicable to any property lying outside the boundaries of the WD.

17.01.04 Except as provided herein, development within the WD shall comply with all standards as set forth in this Ordinance.

17.01.05 This article shall govern in the event of conflicts with other regulations of this Ordinance.

17.02 **District Use Requirements**

17.02.01 Except as provided herein, all principal, accessory and temporary uses within the WD shall comply with Article 15 District Uses.

17.02.02 Except for educational uses and medical uses, development containing more than 20,000 square feet or having building footprints greater than half an acres shall provide for a mix or two or more (2+) principal uses.

17.02.03 The permitted uses allowed within the Wellness District are those permitted under the Town of Boone, Unified Development Ordinance, Article 15, District Use Requirements as of the date of the approved Wellness District Small Area Plan and are further limited herein.

A. Table of Principal Uses

Use #	Specific Use	Reference
1.0 Household Living		
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)	17.02.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)	
1.16	Multi-Family Dwelling in Mixed Use (>100 bedrooms)	
2.0 Group Living		
2.05	Nursing Care Home	15.13
2.06	Nursing Care Institution	15.15
2.07	Skilled Nursing Facility	15.14
2.09	Retirement Community, Category 2	15.15
3.0 Transient Living		
3.07	Hotel	
4.0 Institutional Uses		
4.05	Post Office	
5.0 Government Uses		
5.12	Police Substation	
7.0 Telecommunication		
7.11	Emergency Response Communications	
8.0 Assembly		
8.01	Religious Assembly, Category 1	
9.0 Education		
9.01	Appalachian State University (no residential uses allowed)	
9.02	Caldwell Community College & Technical Institute (no residential uses allowed)	
9.03	Other Public Colleges & Universities (no residential uses allowed)	
9.04	Other Private Colleges & Universities (no residential uses allowed)	
10.0 Daycare		
10.01	Child Daycare, Large	15.25
10.02	Child Daycare Center	

Use #	Specific Use	Reference
<u>10.04</u>	<u>Adult Daycare Center</u>	
11.0 General Sales and Service:		
<u>11.04</u>	<u>Financial Institution ≤ 5,000 ft²</u>	
<u>11.05</u>	<u>Financial Institution > 5,000 ft²</u>	
<u>11.06</u>	<u>Restaurant ≤ 2,500 ft² open to the public during 10 pm – 6 am</u>	
<u>11.07</u>	<u>Other Restaurants ≤ 2,500 ft²</u>	
<u>11.08</u>	<u>Restaurant > 2,500 ft² open to the public during 10 pm – 6 am</u>	
<u>11.09</u>	<u>Other Restaurants > 2,500 ft²</u>	
<u>11.13</u>	<u>Other Personal Service Establishments</u>	
<u>11.14</u>	<u>Retail Store up to 5,000 ft²</u>	
<u>11.15</u>	<u>Retail Store more than 5,000 but less than 25,000 ft²</u>	
<u>11.16</u>	<u>Retail Store 25,000 ft² and greater</u>	<u>17.02.05</u>
<u>11.18</u>	<u>Business/Professional Office open to the public during 10 pm–6 am</u>	
<u>11.19</u>	<u>Other Business or Professional Office</u>	
<u>11.20</u>	<u>Medical Office, Category 1</u>	
<u>11.21</u>	<u>Medical Office, Category 2</u>	
<u>11.22</u>	<u>Medical Office, Category 3</u>	
<u>11.23</u>	<u>Medical Office, Category 4</u>	
<u>11.24</u>	<u>Hospital</u>	
<u>11.25</u>	<u>Medical Emergency Response</u>	
<u>11.35</u>	<u>Therapy Farm</u>	
12.0 Recreation		
<u>12.10</u>	<u>Recreation Facility, Category 1</u>	
15.0 Parking		
<u>15.01</u>	<u>Parking Structure</u>	<u>17.02.06</u>

B. Table of Accessory Uses

Use #	Specific Use	Reference
<u>A-2</u>	<u>Home Occupation</u>	<u>15.53</u>
<u>A-4</u>	<u>Limited Non-Restaurant Drive-Through</u>	
<u>A-7</u>	<u>Outdoor Dining</u>	<u>15.58</u>
<u>A-8</u>	<u>Automated Teller Machine (ATM)</u>	
<u>A-9</u>	<u>Automated Teller Machine (ATM), Freestanding</u>	<u>15.59</u>
<u>A-19</u>	<u>Helistop</u>	
<u>A-20</u>	<u>Swimming pools, spas and hot tubs</u>	<u>15.66</u>

C. Table of Temporary Uses

Use #	Specific Use	Reference
<u>T-3</u>	<u>Temporary Construction Trailer</u>	<u>15.69</u>
<u>T-4</u>	<u>Temporary Mobile Medical Unit</u>	
<u>T-5</u>	<u>Temporary Classroom</u>	
<u>T-8</u>	<u>Temporary Non-Fixed Site Event Venue</u>	
<u>T-9</u>	<u>Temporary Carrier on Wheels (COW)</u>	
<u>T-11</u>	<u>Temporary Itinerant Merchant/Peddler</u>	

17.02.04 **WD Supplemental Regulations for Multi-Family in Mixed Uses**

- A.** For purposes of this Section, “commercial” shall include any of the uses listed in Subsection 17.02.02(A) above.
 - 1.** Exception: Use 15.01 Parking Structure does not qualify as an acceptable commercial use.
 - 2.** Other than a leasing office, an amenity for the multi-family residential portion of the development which is also open to the public does not qualify as an acceptable commercial use.
- B.** No single-use residential buildings are allowed. Residential mixed-use are only allowed as part of a mixed-use building.
- C.** Each development shall provide at a minimum ground floor/street level commercial uses along the primary and secondary facades.
 - 1.** Residential uses are not permitted on the ground floor/street level of the building.
- D.** A mixture of residential dwelling unit types is required. No one type of dwelling unit, as defined by the number of bedrooms shall comprise more than fifty percent (50%) of the units.
- E.** Occupancy of each residential unit shall be limited to family or to (3) unrelated persons.

17.02.05 **WD Supplemental Regulations for Retail Store 25,000 ft² and greater**

- A.** Use 11.16 is only permitted on properties located within the Corridor Overlay District and which border Blowing Rock Road.
- B.** Use 11.16 within the WD area must meet all additional requirements as set forth in Section 15.27.

17.03 **District Standards****17.03.01** Only the density standards set forth in this Article apply to development within the WD.**17.03.01** **Minimum Gross Land Area:** 10,000 square feet**17.03.03** **Minimum Landscaped Area:** Twenty percent (20%) of gross land area excluding street right(s)-of-way which meets the requirements of Section 17.06.**17.04** **Building Form****17.04.01** **Building Orientation:** Buildings and their principal entry points, should be oriented toward the public street with the primary façade, architectural elements and entrances clearly identifiable and directly accessible.**17.04.02** **Building Siting****A.** **Setbacks**

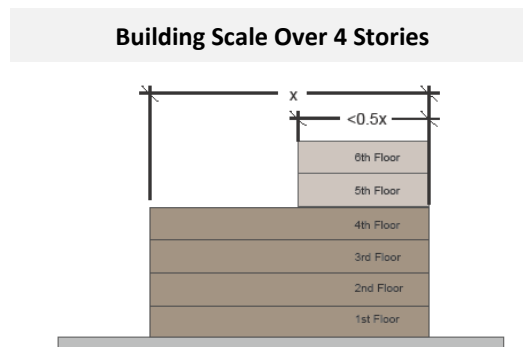
1. Build-to-lines are 0-foot minimum/20-foot maximum from the edge of the public realm and/or any public space.
 2. If the required public walkway encroaches onto private property, the build-to-zone will be measured from the walkway edge.
 3. Interior setbacks shall be based on minimum fire separation required between buildings.
- B.** Buildings along the public rights-of-way shall be a minimum of 60% of the primary property frontage.

17.04.03 Building Height

- A.** Minimum building height shall be two (2) stories.
- B.** Maximum building height shall be six (6) stories.
- C.** Building height shall be measured by the number of stories from the first floor (defined as the street level floor).
1. Equipment penthouses or building parapets are exempt from building height measurements.
- D.** Corner buildings may exceed the maximum building height by 15% for 20% of the building frontage along each corresponding street as measured from the corner of the building.

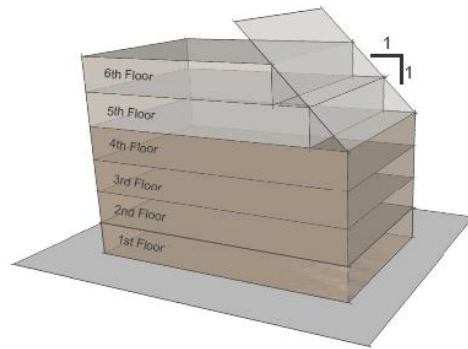
17.04.04 Building Scale: Buildings greater than four (4) stories must adhere to at least one of the following design standards:

- A.** Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,



and/or

- B.** Buildings greater than four (4) stories shall step back the building plane at a 1:1 ratio along the street façade. For every foot above the maximum permitted building height, the building plane may extend upward one foot for every additional foot setback.

Building Setback Over 4 Stories**17.05 Architectural Standards**

17.05.01 Façades: Building facades facing a publically accessible street or other public space shall incorporate the following design standards:

A. Buildings may have up to 3 different types of façades:

1. The primary façade is the side of the building which faces the public street and which contains the building's primary pedestrian entrance.
2. The secondary façade is the side of the building which faces a public street and which may contain additional pedestrian entrances.
3. All other façades are those which do not face a public street.

B. Façade Variation: Buildings shall have architectural features and patterns that provide visual interest while supporting a clear and unified image throughout the development and include:

1. Building façades shall be constructed parallel to the street frontage to the greatest extent possible.
2. Secondary façades shall be treated with the same design and materials as the primary façade.
3. Purposeful variation or accents in materials, textures and colors are required.
4. Horizontal and vertical divisions such as banding and repetitive window patterns.
5. Primary and secondary façades shall include clear delineation between the first or second level and the upper levels with a cornice, canopy, awning, balcony, arcade or other architectural feature.
6. The mass of the building shall be reduced by changing building planes through offsets and recesses, changing the building heights and varying the parapet or roof heights.
7. All building façades shall have perceivable, repetitive features and patterns such as windows, columns or other vertical features.

8. All building façades shall avoid long and monotonous wall and roof planes. Windows and doors are to front onto the street, with direct pedestrian access to the street front sidewalk.
9. Blank walls and non-transparent windows are prohibited along pedestrian areas and public spaces to help provide for pedestrian comfort, security and points of interest.
10. For large projects, each sequential block of new construction shall contain unique building facades so as to encourage architectural variety within large projects. While the use of similar architectural elements on multiple buildings is acceptable, large visually monotonous projects with repeating exterior building design(s) does not contribute to visual diversity and human-scale character and therefore is inappropriate.

C. Building Materials: Building materials shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following material standards apply to all structures, including parking structures, in the district:

1. Permitted building façade materials include: brick, natural stone, cast stone architectural precast stone, glazed curtain wall and window wall systems, architectural precast concrete and architectural- grade metal panels (galvanized, painted or ornamental).
2. Stone:
 - a. For primary building facades, a minimum of thirty-five percent (35%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.
 - b. For Secondary facades, a minimum of twenty-five percent (25%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.
 - c. For all other remaining facades, a minimum of ten percent (10%) of the building finish material must be stone.
3. Wood: Porches, balconies, breezeways, pergolas, deep eaves, eyebrows, corbels, trellis and other features are encouraged to be made of wood with a natural finish which generally should not exceed 10% of the major façade.
4. All other materials shall be a compliment or an accent application not to exceed 10% of building facade.
5. The use of clear or lightly tinted colored glass (30% maximum tint) is required.
6. Large uninterrupted expanses of a single material are prohibited.
7. Spandrel glass is permissible only to hide the structural features between the floors of a building.
8. Vinyl or aluminum siding and colored or mirrored/reflective glass is prohibited.

D. Building Color: Building colors shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following color standards apply to all structures, including parking structures:

1. Building materials colors (brick, stone, tile, precast stone) shall be subtle, neutral and nature blending.
2. Colors for other manufactured building materials shall be subtle and neutral and shall be compatible with the colors identified in Figure 17-2.
 - a. Stark white and black are prohibited as field colors. (place in table)
3. Building accent colors, including awning and canopy colors, should complement the primary materials and colors used on the building. Accent colors are limited to no more than 10% of each separate façade and shall be compatible with the colors identified in Figure 17-2.
4. Generally no more than four colors are allowed per building (including all materials).
5. Corporate branding colors are permitted on logos and signage.

Figure 17-2 Permissible Field Colors					
Select Benjamin Moore - America's Colors Palette					
<u>AC-1</u>	<u>AC-8</u>	<u>AC-15</u>	<u>AC-22</u>	<u>AC-29</u>	<u>AC-36</u>
<u>AC-2</u>	<u>AC-9</u>	<u>AC-16</u>	<u>AC-23</u>	<u>AC-30</u>	<u>AC-37</u>
<u>AC-3</u>	<u>AC-10</u>	<u>AC-17</u>	<u>AC-24</u>	<u>AC-31</u>	<u>AC-38</u>
<u>AC-4</u>	<u>AC-11</u>	<u>AC-18</u>	<u>AC-25</u>	<u>AC-32</u>	<u>AC-39</u>
<u>AC-5</u>	<u>AC-12</u>	<u>AC-19</u>	<u>AC-26</u>	<u>AC-33</u>	<u>AC-40</u>
<u>AC-6</u>	<u>AC-13</u>	<u>AC-20</u>	<u>AC-27</u>	<u>AC-34</u>	<u>AC-41</u>
<u>AC-7</u>	<u>AC-14</u>	<u>AC-21</u>	<u>AC-28</u>	<u>AC-35</u>	<u>AC-42</u>
Permissible Accent Colors					
Select Benjamin Moore – Color Preview Palette					
<u>Benjamin Moore Color Pre-View Series 2049-10 through 2174-70.</u>					

E. Building Fenestration: Fenestrations (windows and doors) should maximize the views and allowable daylight into spaces.

1. For all street level/ground floor uses located along public streets and other public spaces, 60-90% of all wall area between two (2) and twelve (12) feet shall consist of transparent glazing (clear windows and doors). Upper floors fronting public rights-of-way shall consist of 30-70% windows.
2. Fenestrations shall be spaced thirty (30) linear feet maximum between features.
3. Ground floor restaurants are encouraged to provide windows and doors that can be opened to provide direct access to the sidewalk when weather permits.

F. Pedestrian Entrances:

1. All buildings shall have their main pedestrian entrance opening to a street, courtyard garden or square. When street level uses have entries from more than one street or from other public spaces, the primary entrance will be from the street.
2. A pedestrian entrance is required to access public spaces which adjoin the building.
3. Retail uses with exterior ground level visibility along a street or public space shall have individual public entries from the street or public space in addition to internal entries.
4. Street level retail uses located on building corners shall locate entrances at the corner.
5. Buildings adjacent to existing or planned trails, open spaces or parks shall provide public entries along the façade fronting these amenities.
6. Entrances shall provide shelter from inclement weather.

G. Roofs: Roof lines should have visual interest and features complementing the overall character of the building and the development.

1. Rooftop penthouse enclosures should be architecturally compatible and predominantly of the same material as the building.
2. Single-sloped shed roofs, mansard or vaulted/arched roofs are prohibited.
3. Flat roofs shall be concealed from pedestrian view with a parapet wall.
4. Publically visible roof materials shall be standing seam metal, asphalt shingles, shakes or tile.
5. Publically visible plumbing vent stacks shall be colored to match the roofing material.
6. "Green" roofs utilizing plants to absorb rainwater and reduce ambient air temperatures are strongly encouraged.
7. Rooftop amenities such as sun decks are encouraged.

H. Mechanical/ Service Equipment & Solid Waste Enclosure Screening: All properties shall minimize the visual impact of mechanical/ service equipment and solid waste facilities from the public right-of-way.

1. Service areas, storage areas, restaurant grease receptacles and refuse enclosures should be oriented away from public view and screened from public areas.
2. Service and refuse areas are encouraged to be clustered together where feasible at the rear of the building.
3. Solid waste and recycling enclosures and all other waste storage or containers, other than streetscape and site furnishing trash receptacles, shall be designed into a structure or building, or shall be screened from adjacent public streets by an opaque enclosed structure (see detail in UDO Subsection 22.13.03) compatible with the building architecture.
 - i. Additional landscape plantings compatible with the overall landscape plan may be required outside of the enclosures to soften the appearance from public view.
4. Utility cabinets and pedestals should not be located within parking lot landscape islands or the public right-of-way where they cannot be screened, are exposed to damage from vehicles and/or present a hazardous visual obstruction to drivers or pedestrians.
5. Meter boxes shall not be located along the front of buildings and screened if located on the side of a building.
6. Ground level mechanical equipment shall be screened by a structure that complements the design of the building through the use of similar materials, colors, finishes and architectural details. Additional landscape plantings compatible with the overall landscape plan shall be required outside of the structure to soften the appearance from public view.
7. All rooftop mechanical equipment should be screened from view from adjacent properties and adjacent right-of-way by use of parapet walls or screens designed to be compatible with the building architecture.
8. Elevator penthouses shall be screened by a structure that is architecturally compatible with the design of the building through the use of similar materials, colors, finishes and architectural details used on the primary building façade.

17.06 Landscape Standards

17.06.01 Landscaping promotes sustainable development, minimizing negative impacts on natural resources and is vital to softening the harshness of paved areas and buildings while enhancing a sense of place.

17.06.02 Compliance

A. All plant material must comply with Appendix B, Guide for Landscaping. All plant material must comply with the latest edition of the American Standard for Nursery Stock published by the American Nursery and Landscape Association.

- B. Plant material must be locally adaptable species and hardy to Zone 6 in accordance with the US Department of Agriculture's Plant Hardiness Zone Map and comply with the Town of Boone Approved Plant List in Appendix B.
 - 1. Xeriscaping and water conservation landscaping is an encouraged alternative. The practice of Xeriscaping includes the use of native grasses, low-water need plant material, and the addition of soil amendments and mulching. Refer to the plant list in Appendix B for a list of Xeriscaping compatible plant material.
- C. Necessary pruning and trimming shall be in accordance with UDO Section 31.12.04, Prohibited Pruning, and must be done in strict accordance with the current edition of "Tree, Shrub, and other Woody Plant Maintenance – Standard Practices" of the American National Standard for Tree Care Operations (ANSI 300).
- D. All plants and materials fulfilling the landscape requirements shall meet the following minimum installation sizes and types:
 - 1. Large deciduous shade trees shall be a minimum three inch (3") caliper with a height of fourteen to sixteen feet (14' – 16') at planting.
 - 2. Small to medium sized deciduous ornamental trees shall be a minimum two inch (2") caliper with a height of ten to twelve feet (10' – 12') at planting.
 - 3. Evergreen trees shall be a minimum of eight feet (8') in height at planting.
 - 4. Shrubs shall be a minimum of twenty-four inches (24") in height and spread at the time of planting.
 - 5. All sodded or seeded lawn areas must be comprised of a Bluegrass/Fescue blend.
 - 6. Mulch shall be dark hardwood three inches (3") in thickness.
 - 7. Landscaping shall not obstruct the views of motorists using any street, driveway or parking aisle and comply with a ten feet (10') by seventy feet (70') sight distance triangle.

17.06.03 Street Yard Landscaping

- A. A street yard consists of a landscape area parallel to the public right-of-way, typically between the sidewalk and the development, designed to provide continuity of vegetation along the public realm and soften the impact of the development by providing a pleasing view from the street.
- B. The street yard must contain a combination of the following:
 - 1. An average of one (1) large deciduous tree three inch (3") minimum caliper (unless subject to overhead power lines) per thirty feet (30') of street frontage. Innovative design in tree arrangement is encouraged.
 - 2. An average of one (1) low growing small shrub, ornamental grasses per five feet (5') of street frontage with a minimum of twenty-four inches (24") in height and spread at the time of planting. A minimum 60% of the shrubs must be evergreen.

3. A minimum twenty percent (20%) of the front street shall be turf and must be sodded. Turf shall be located on the street side of the front street yard.
4. Seasonal color is encouraged in the front street yard with an emphasis on the entrance areas.
- C. Although no street yard setback is required (0' minimum, 20' maximum build-to-zone), where the building is setback, a front street yard is required.
- D. Parking areas fronting a street or side street shall be separated from the sidewalk and/or right-of-way with a ten feet (10') minimum planting yard consisting of a minimum three feet (3') height screen, except where vehicular sight lines may be impaired. Screening should consist of one or more of the following:
 1. A decorative, opaque masonry wall (2' minimum/3' maximum height) compatible in composition, appearance, color and architectural detail with the proposed building and landscaping.
 2. An undulating earthen berm (3' minimum height) and landscaping not exceed a slope of 3H:1V.
 3. A continuous hedge row of evergreen shrubs (3' minimum/4' maximum height), shade trees (1/30lf) and groundcover. Understory ornamental trees, small evergreen trees, flowering shrubs, ornamental grasses, and/or perennials must be supplemented for color and visual interest.
- E. The following trees are required based upon location:

Street Tree Planting Schedule		
<u>Street Tree</u>	<u>Species</u>	<u>District Street</u>
<u>'Allee' Lacebark Elm</u>	<u><i>Ulmus parvifolia 'Allee'</i></u>	<u>Deerfield Road</u>
<u>'Hightower' Willow Oak</u>	<u><i>Quercus phellos 'QPSTA'</i></u>	<u>State Farm Road/Longvue Road</u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	<u>Furman Road</u>
<u>'October Glory' Red Maple</u>	<u><i>Acer rubrum 'October Glory'</i></u>	<u>Doctors Drive/Kimberly Drive</u>
<u>'Panache' Shumard Oak</u>	<u><i>Quercus shumardii 'QSFTC'</i></u>	<u>Birch Street</u>
Alternate Compliance Ornamental Trees		
<i>(for use only with existing overhead power lines as main street tree with approval from Urban Design Specialist)</i>		
<u>Street Tree</u>	<u>Species</u>	
<u>'Forest Pansy' Redbud</u>	<u><i>Cercis Canadensis 'Forest Pansy'</i></u>	
<u>'Kwanzan Cherry</u>	<u><i>Prunus serrulata 'Kwanzan'</i></u>	
<u>Kousa Dogwood</u>	<u><i>Cornus kousa</i></u>	

17.06.04 Interior Landscaped Areas

- A.** Landscaped areas other than street yards, must meet the following standards must be met:
1. Areas must be a minimum of eight feet (8) in width.
 2. A minimum of 5 Large Deciduous Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 3. A minimum of 2 Small Deciduous/Ornamental Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 4. A minimum of 8 Large Evergreen Trees per one-hundred feet (100') of linear buffer length.
 5. A minimum of 12 Shrubs per one-hundred feet (100') of linear buffer length.
- B.** Required buffers shall not be disturbed for any reason except for open/public spaces, driveway openings or connectors, pedestrian or bike paths, designated greenways, utilities, drainage ways, bio-retention areas, walls, fences, and other passive or minor uses compatible with the general separation of land uses and provided that the total number of required plantings are still met.

17.06.05 Foundation Landscaping

- A.** Vehicular surface areas shall be separated from building facades by both a five feet (5') minimum foundation planting area and pedestrian walks leading to building entrances.
- B.** This area shall contain small ornamental and evergreen trees, low growing shrubs (minimum 60% evergreen), ornamental grasses, ground cover, turf or combination thereof complimentary of the architectural façade and shall sufficiently mass the landscaped area.

17.06.06 Tree Pit/Plaza Landscaping

- A.** A minimum six (6) foot by six (6) foot opening, clear of utilities, shall be provided for all trees.
- B.** Root barriers shall be provided for all tree plantings.
- C.** Tree grates or other approved devices shall be provided around all trees in hard surfaced areas to ensure adequate water and air penetration.
- D.** Structural soils are encouraged within tree pit areas.

17.06.07 Parking Area Landscaping

- A.** To break up large expanses of parking and to provide shading, landscaping shall be installed in and around parking areas. Required plantings shall be located within or

adjacent to parking areas, in parking islands, medians, at the end of parking bays, or between rows of parking.

1. Landscape islands are required so that no parking space is more than fifty feet (50') from the trunk of a large deciduous tree.
2. Shrubs shall be planted at the rate of one (1) eighteen inch (18") minimum height evergreen shrub, deciduous shrub or ornamental grass per every two-hundred-fifty square feet (250 ft²) of vehicle surface area.
3. Parking islands shall be planted as to facilitate safe sight distances.
4. Shrubs shall not be planted within six feet (6') of a trunk of a new tree, nor within the drip line of a protected/preserved tree.
5. Planting islands within parking areas shall be a minimum of ten feet (10') in width and two-hundred-fifty square feet (250 ft²) protected by curbs, bollards, wheel stops, walls, etc.

17.06.08 Tree Canopy Preservation and Planting Requirements

- A.** Preserving trees and the overall tree canopy can improve the aesthetic quality of the site and Town as a whole, provide environmental benefits, and mitigate the impacts of development on the community. In addition to compliance with UDO Section 31.13, a Tree Canopy Preservation Plan must be provided demonstrating the following requirements:
 1. Every parcel shall retain existing trees or provide new trees to equal thirty percent (30%) tree canopy coverage.
 2. The plan must show pre and post development canopy calculations and trees by common and botanical name, size, quantity, and health of tree(s) and tree canopy coverage provided by each tree. Canopy coverage is the area beneath the drip line of the existing trees on the lot/parcel. For onsite trees if the canopy extends into a neighboring property, credit for that portion of the canopy may also be taken. Canopy coverage can only be credited from healthy trees or stands of trees.
 3. Credit for newly planted trees shall be calculated as follows:
 - a. Large Deciduous Tree – 620 square feet of canopy coverage
 - b. Small Deciduous Tree – 225 square feet of canopy coverage
 - c. Large Evergreen Tree – 250 square feet of canopy coverage
 - d. Small Evergreen Tree – 100 square feet of canopy coverage
 4. When calculating how much existing tree canopy coverage is already present on the parcel, you may multiply this by 1.25. This additional credit is to encourage the preservation of existing tree canopy.

17.07 Parking Standards

17.07.01 Except as provided herein, development within the WD district shall meet the standards in Article 24 Parking.

17.07.02 **Vehicular Parking:**

- A.** All parking serving the site and counted toward minimum parking requirements shall be located on the site or within 1,200 feet of the building entrance if located off-site.
- B.** Parking between the public street and the building is not permissible.
 - 1.** Exceptions: no more than one bay of parking is to be permitted to avoid large expanses of parking separating the building from the sidewalk.
- C.** Wellness District Education Use Minimum Parking Requirements:
 - 1.** Instructional Labs / Classrooms: 4 spaces/classroom
 - 2.** Lecture Halls: 1 space/3 seats
- D.** Parking Reductions: In order to promote a pedestrian-oriented, human-scale, urban form and multi-modal access, parking reductions are allowed as provided below. The permit issuing authority may adjust the minimum/ maximum number of parking spaces required when one or more of the following is applicable:
 - 1.** The Planning Administrator may approve parking reductions for live-work developments or residential units specifically designated for Wellness District business.
 - 2.** A 10% reduction in the number of required parking spaces for businesses oriented to pedestrian traffic.
 - 3.** A 10% reduction in the number of required parking spaces for developments located adjacent to a public greenway system with pedestrian/ bike linkages and designated bicycle parking areas.
 - 4.** A 20% reduction in the number of required parking spaces is permitted for developments located along a public transit line with designated transit stops located within a walking distance of 1,320 feet and operating service from 6:00 AM to 6:00 PM where service intervals are no longer than 15 minutes during peak commute hours.
 - 5.** To limit the amount of impervious surfaces dedicated to parking on each lot, shared parking is encouraged. A shared parking analysis prepared by a registered licensed professional transportation engineer in North Carolina using the Urban Land Institute (ULI) Shared Parking Model (latest edition) or a study showing excessive, unused parking by one owner to be shared with another owner must be submitted. A written agreement between property owners acknowledging the number of shared parking spaces must be submitted and agreed to by the permit issuing authority.
 - 6.** A parking study, prepared by a licensed professional engineer, illustrating the required parking ratios do not accurately apply to a specific development.

7. If the number of required off-street parking spaces cannot be reasonably provided on the property associated with the principal use, then spaces may be provided on adjacent or nearby lots, satellite parking lots may be located up to a half-mile (0.5 mi) from the principal use building if served by a transit line, shuttle, or located along a dedicated pedestrian sidewalk or greenway trail. Written permission from the owner/person responsible for the satellite parking spaces must be provided. The applicant shall provide written acknowledgement that continuing the validity of his permit depends on his continuing ability to provide the requisite number of parking spaces.

E. Parking Structures: Parking structures are strongly encouraged to consolidate parking, and to encourage walking and better utilization of the land.

1. Parking structures are encouraged to be located at the interior of a block or under buildings, not visible from the public right-of-way. Ground floor commercial uses, or space adaptable for future commercial use, are encouraged to be integrated into the structure located along the public street.
2. Parking structures shall not have exposed structured parking at the ground floor level along street frontages.
3. If parking structures are located along the public right-of-way, building setbacks, scale, height requirements and architectural design standards are applicable with trees and foundation plantings installed to soften the parking structure façade.
4. Parking structures should be designed so ramps are hidden from view of the street or public right-of-way.
5. Structures should be constructed of the same building materials as the district buildings.

F. Drive-Through Facilities:

1. Non-restaurant drive-through are allowed but shall be approved by the Community Appearance Commission.
2. Drive-through and stacking lanes shall not be located along facades facing a public street.
3. Drive-through and pick up windows shall be placed to the side or rear of buildings and screened.
4. Architectural elements, landscaping and/or other screening elements shall be used to minimize the visual impacts of the drive-through facility.
5. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
6. The design and location of the facility shall not impede vehicular flow or pedestrian movement and safety.

7. Drive-through and pick-up window canopy materials, design and color shall be the same as the primary building.

G. Loading/ Unloading Areas:

1. Loading and unloading areas are regulated by Section 24.08.
2. Loading and unloading activities are not permitted in the public right- of-way unless specifically designated by the Town.
3. All loading/unloading areas shall be located to the side or rear of buildings and shall be screened from public view.
4. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
5. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking spaces or parking areas.

17.08 Streets, Driveways and Sidewalks

17.08.01 Except as provided herein, streets, driveways and sidewalks shall meet the standards set forth in Article 23.

17.08.03 Streets

17.08.04 Driveways

A. Site access drives shall be consolidated and located across from intersections for the safety of motorists and pedestrians.

B. The distance between

C. Developments are required to provide drive aisles to the edge of the property in order to provide for future cross-access between sites.

D. Sites are required to provide cross-access easements between properties for circulation.

E. Driveways along State Farm Road and Deerfield Road are limited to

F. Driveway crossing should maintain the same elevation of the sidewalk. The appearance of the sidewalk (scoring pattern or special paving) should be maintained across the driveway to indicate that though a vehicle may cross, the area traversed by a vehicle remains part of the pedestrian travel way.

17.08.05 Sidewalks

A. Sidewalks meeting the requirements of UDO Section 23.08 are required along the entire length of any abutting street.

B. The fee-in-lieu provisions contained in Section 23.08.05 shall not apply.

17.09 Signs

- 17.09.01** Except as provided herein, signs are regulated in Article 26.
- 17.09.02** All signs must be shown and approved on a master plan, which shall indicate, sign size, location, lighting and copy (if available). All subsequent sign approvals for the development must be in compliance with the master plan.
- 17.09.03** Signs shall be limited to two (2) colors plus the background color. This does not apply to federally registered trademarks.
- 17.09.04** Sign copy on two-faced signs shall be identical on both sides.
- 17.09.05** Changeable copy is not allowed.
- 17.09.06** Sign lighting is limited to .3 foot-candles above ambient lighting.
- 17.09.06** Standards set forth in UDO Section 26.12 Shopping Centers and Malls, Section 26.14 Home Occupation Sign, and Section 26.15 Exceptions and Modifications do not apply within the WD.
- 17.09.07** Building Identification Signs: Buildings are permitted to have building identification wall signs subject to the regulations below.
- A. Each building is allowed one (1) wall sign per each primary and secondary façade.
 - B. Each sign cannot exceed the
 - C. Sign copy is limited to the name of the building and shall not contain the name or logo of any tenant or business.
 - D. Building identification signs are not limited to their location on the building façade.
 - E. Lighting for a building identification sign is limited to back-lighting or down-lighting.
- 17.09.08** Attached Sign(s): Each ground floor tenant/business is allowed one attached sign for each primary and secondary façade which contains a pedestrian entrance subject to the regulations below:
- A. Attached signs as permitted herein are not permitted above the ground floor/street level of each building.
 - B. An attached sign must be located on the portion of the building which is occupied by the tenant/business the sign is for.
 - C. Attached signs which encroach into the public right-of-way are required to obtain an encroachment agreement.
 - D. The bottom of an attached sign shall be located at a minimum height of nine feet (9') from the adjacent finished grade.
 - E. Wall
 - 1. A wall sign shall not project more than twelve inches (12") from the building façade.
 - 2. The size of a wall sign is limited to the tenants'/business' linear building frontage along the primary or secondary façade (as applicable).

- a. The wall sign is limited to one square foot of sign area per linear foot of building frontage.
- b. The maximum permitted square-footage of a wall sign is eighty (80) square feet regardless of linear building frontage.
- 3. Lighting for a wall sign is limited to internal illumination or down-lighting.

F. Canopy/Awning

- 1. Canopy and awning sign copy shall not exceed twenty-five percent (25%) of the canopy or awning with a maximum of forty-eight (48) square feet of copy area regardless of the size of the awning.
- 2. Sign copy on a canopy shall be located on the valance.
- 3. Canopy and awning lighting is limited to down-lighting.

G. Projecting

- 1. A projecting sign shall be mounted and perpendicular to the building façade.
- 2. A projecting sign shall not exceed twenty-four square feet (24 ft²) in area.
- 3. Lighting for a projecting sign is limited to internal illumination or down-lighting.

17.09.09 Monument Sign

- A. The only freestanding sign other than directional signs allowed within the WD is a monument sign, which can be a two-faced sign that has a base at least seventy-five percent (75%) of the horizontal width of the sign and the base of the sign must be located directly on the ground.
- B. The size of the monument sign shall be twenty-five square feet (25 ft²) for the first fifty feet (50 ft.) of street frontage plus .75 square feet for each additional foot of street frontage to a maximum sign face area of 70 square feet.
- C. Monument sign heights are limited to five feet (5') as measured from finished grade to the top of the sign structure.
- D. Copy of the monument sign is limited to the building name/address and/or commercial tenants within the building.
- E. Monument sign lighting is limited to internal illumination or down-lighting.

17.09.10 Directory Sign(s)

- A. Each building entrance which allows access to a building, not a specific tenant/business, is allowed to display a directory sign.
- B. The directory sign must be building mounted adjacent to the building entrance.
- C. A directory sign is limited to no more than twenty square feet (20 ft²).
- D. Directory sign lighting is limited to down-lighting.

17.09.11 Directional Signs: Directional signs to direct traffic flow and to locate entrances and exits shall be permitted subject to the following:

- A. Directional signs must be shown and approved on all site plans, which shall indicate, sign size, location and copy.
- B. Directional signs shall not exceed four square feet (4 ft²) in area and three feet (3') in height above grade.
- C. Logos, names and advertising are not permitted on directional signs.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 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.
- 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.
- 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.
- 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.
- K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

2.1.2 Commercial Development

- B. Commercial and Office Development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.
 - B.1 Review the Town's zoning text and map with the objective of reducing the negative impacts of typical commercial strip development.
- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- E. Residentially scaled and designed neighborhood businesses may be a planned element of newly developed or redeveloped neighborhoods. They should be near other compatible facilities such as elementary schools and neighborhood parks.
- F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- H. Encroachment of incompatibly scaled and designed commercial or office uses into viable existing or planned residential areas shall be prohibited.
 - H.1 Amend the zoning map to provide appropriate commercial zoning in transitional areas that do not encroach upon established residential neighborhoods.
- I. Office and institutional development may be encouraged as a transitional land use between residential areas and higher intensity commercial activities.
- J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards.
 - J.1 Beyond the major corridor area consider the development of architectural design standards for commercial development throughout the Town's planning area. *****
 - J.2 Consider supplementing the highway corridor overlay district in the zoning ordinance to encourage commercial development to include: 1) attractive signage, and 2) build-to lines with parking in the rear.

2.2 INFRASTRUCTURE**2.2.1 Transportation**

- G. The operational success of the area's mass transit system shall be enhanced through the encouragement of compact, transit sensitive development patterns. Site planning that incorporates transit stops and convenience clusters shall be required, where appropriate.
 - G.1 Evaluate and amend site plan standards to include provisions for transit stops, sidewalks and pedestrian ways, bikeways and secure bicycle storage.
 - G.2 Construct transit stops with covered passenger shelters to encourage ridership.
 - G.3 Construct, where possible, bus stop pull-out areas or lanes to avoid holding up traffic along traffic corridors.

- H. Policies that have the effect of reducing automobile dependency, use and congestion in the heart of the urban area shall be supported.

- H.1 Prepare educational information concerning the location and use of bikeways, greenways, the bus system, and other forms of transportation as alternatives to the automobile.

- H.2 Work to promote increased coordination of University access concerns within the Alternative Transportation Plan.

2.2.2 Utilities

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

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.1 Community Appearance

- A. Measures to improve the effectiveness of grading, landscaping and buffering standards for new and existing developments shall be encouraged. *****
- B. The significance of street trees in providing visual relief, summer cooling, improved air quality and livability shall be recognized through public policies and actions to encourage their planting and maintenance. *****
- C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.
- D. Sign policies and standards shall be periodically updated to enhance community identity and create a high quality business image.

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.

2.3.3 Housing and Neighborhoods

- 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.
- 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.

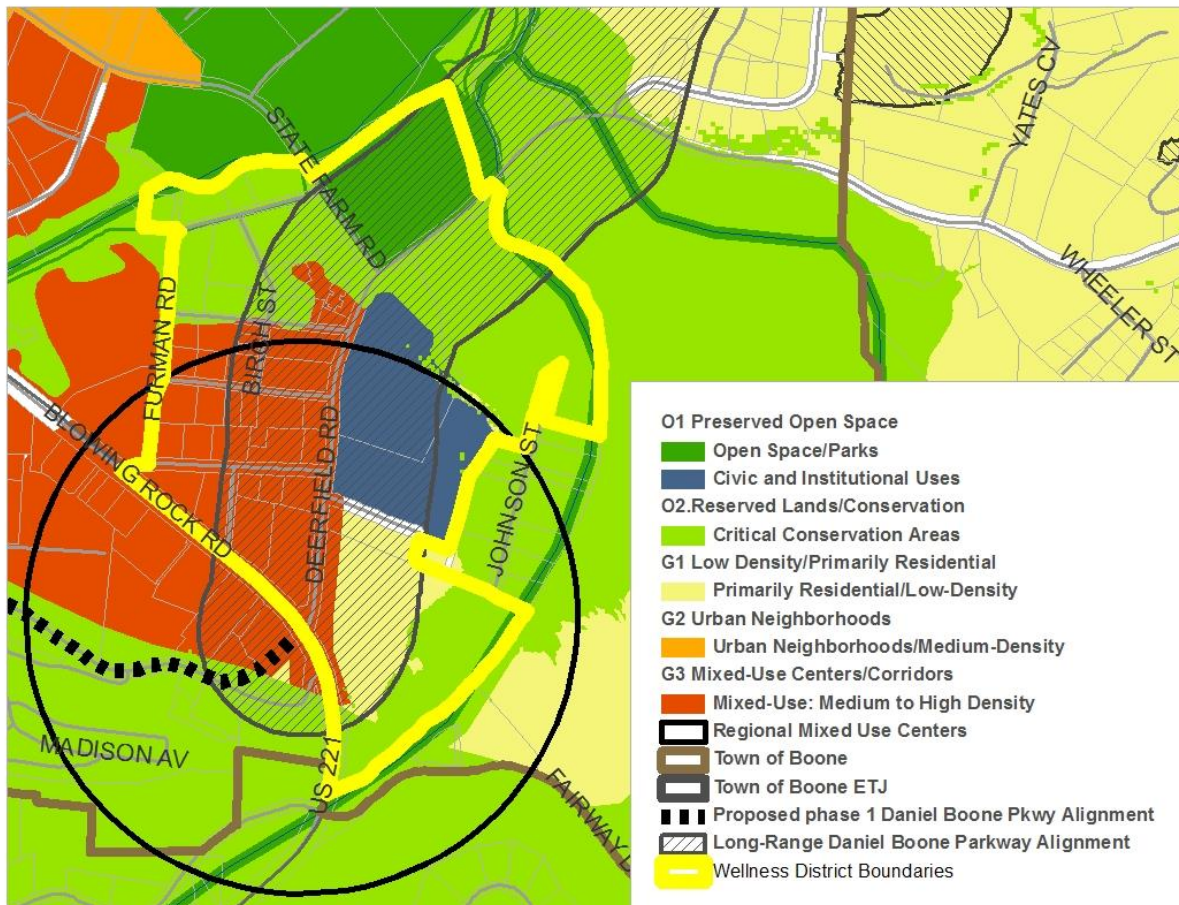
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)

Framework Plan: The Framework Plan located in Article 4 of the Boone 2030 Land Use Plan is a land use policy map intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community. As such, it provides the framework for and is the cornerstone of the Land Use Plan. The Framework Plan methodology divides land within the study area into six separate classifications or "sectors" (labeled as O-1 through G-4). These range from the most natural (Preserved Lands) to the most urbanized areas (Downtown/Mixed-Use), with each sector reflecting the appropriate balance between environmental conservation and development intensity for the area.

The area within the Wellness District Small Area Plan is located within multiple sectors within the Framework including the O1, O2, G1, and the G3. A majority of the district is located within a Regional Mixed Use Center and the long range Daniel Boone Parkway alignment.



O-1 Sector: The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of: existing parks & greenways, wetlands and streams, 25 ft stream buffer – standard, 30 ft stream buffer - watershed area, 35 ft stream buffer - steep slopes, federal or state lands, conservation easements and cemeteries. Appropriate land uses/development types include: conservation areas, parks & greenways, limited agricultural/forestry uses, water access areas, and limited civic uses such as schools.

Civic & Institutional Uses: In addition to the geographic sectors, the Framework Plan indicates two related special land uses: the existing schools and other civic sites such as the hospital, the community college, and the library. These civic and institutional uses properties are related to the community’s permanent green infrastructure since large pieces of land on many these properties will continue be undeveloped open space.

O-2 Sector: O-2 sector lands represent areas that are prime candidates for moving into the O-1 sector through conservation easements or other open space acquisition/protection measures such as Transfer of Development Rights. This sector, shown in medium green on the Framework Map, consists of lands that should be off-limits to development except occasional residential/rural buildings at very low densities. These areas may be legally developable based on current federal, state, and local regulations. However, they are areas that based on environmental and urban service factors (difficulty of providing of sewer/water service and roadways, for example) should be lightly developed or undeveloped, remaining in a rural or natural state. In large part, these areas correspond with locations identified for watershed protection in the Town’s current regulations. This zone also corresponds with areas in the Secondary Water Pressure Zone, defined as elevations above 3400 feet, which are difficult to efficiently serve with adequate public water pressure. For Boone, this sector also consists of: 100 year floodplain, slopes of 30-70%, 100 ft. riparian stream buffer, zone of potential rock instability, and high landslide hazard zones. Appropriate land uses/development types include: conservation areas, parks & greenways, agricultural and forestry uses, limited civic uses such as schools, very low-density residential development and clustered development (approximate net density: 1 dwelling unit per 10 gross acres).

G-1 Sector: The G-1 sector, indicated by the light yellow on the Framework Map, is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities. Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Boone, this sector is generally located away from planned neighborhood or regional centers and close to heavily encumbered O-1 or O-2 land. The community types and land uses appropriate for this sector are: low density cluster developments or hamlets (a clustering of buildings around a rural crossroad), low-density residential development comprised predominately single-family detached structures and small scale multiple family units (e.g. duplexes, triplexes) - (up to 5 units per acre - except where limited by watershed rules to 1

single family unit per two acres (WS-II) or 2 single family units per acre (WS-IV)), limited convenience retail uses, civic uses and (parks, schools, religious and government uses).

G-3 Sector: The G-3 Sector, indicated in dark orange/red, is intended to apply along high-capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development. Care should be taken to limit the length of G-3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition, with special attention given to areas in O-1 and O-2 sectors along water courses. The full-range of community types and uses are appropriate in the G-3 sector, including: single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, traditional neighborhood developments, neighborhood centers, regional centers, and industrial districts.

Regional Centers: Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Focus Area: The proposed Wellness District area was selected as a focus area within the Boone 2030 Land Use Plan in Chapter 8 of the Boone 2030 Land Use Plan. The plans shown in this section are intended to be conceptual build-out visions for significant and prototypical areas of Boone. The purpose of these conceptual plans is not to require strict conformance to each building or parcel as drawn, but to show general patterns and intensities and potential development/redevelopment opportunities that are consistent with the community’s goals. These conceptual plans are also meant to illustrate the desired development principles that have been articulated by residents and stakeholders. Care was taken in the design process to envision development alternatives based on property boundaries or known opportunities for parcel consolidation as well as the market feasibility for the scale, amount, and type of development.

HOSPITAL DISTRICT INFILL & REDEVELOPMENT



EXISTING CONDITIONS ▲

EXISTING CONDITIONS

The hospital district is located along US 321 in the southeastern part of the town. The area is dominated by big box development to the west and the existing hospital facility to the east. The core area is laden with individual medical offices with their own surface parking facilities.

RECOMMENDATIONS

Create a cohesive mixed use district with an emphasis on medical facilities and related uses. The goal for this area is to create a balance of uses that create an environment that is both functional and inviting to residents, visitors, patients, staff, as well as offices, services, and facilities that would benefit from proximity to the hospital.

The northern portion of the district introduces an assisted living facility and consolidates the medical offices into a configuration more conducive to shared facilities and parking. The proposed assisted living facility would house apartments, bungalows, and care suites.

Three of the core blocks are dedicated to housing with one having mixed uses of office and limited retail. A fourth block to the south is conceived as a mixture of office and retail while along US 321, mixed use with parking behind is the predominant pattern. The southeastern quadrant of the district could house offices or even a corporate headquarters such as a medical research company. This quadrant also has a historic home and barn that are proposed for protection through this redevelopment process.

HOSPITAL DISTRICT REDEVELOPMENT POTENTIAL

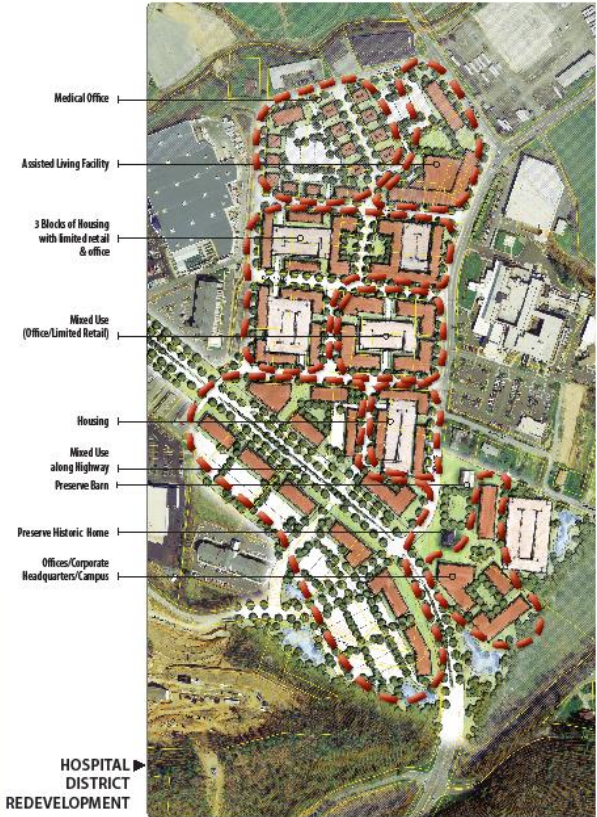
Office: 403,000 sf

Mixed Use: 383,000 sf (office, residential—some retail)

Residential: 428 Units

Assisted Living Facility: 149,000 sf (apartments/bungalows/care suites)

Total Development as Drawn: 1,363,000 sf



PLANNING BOARD REPORT/RECOMMENDATIONS

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.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval OR ☐denial is reasonable and in the public interest because:



CASE 20160295 WELLNESS DISTRICT STANDARDS- UDO TEXT AMENDMENT

Request

In November 2015 Town Council adopted the Wellness District Small Area Plan and directed Staff to draft standards for a new Wellness District zoning district. Draft standards are presented within this report. These standards were formulated using the language and guidance located within the Wellness District Small Area Plan.

[Click here to view the Wellness District Small Area Plan](#)

DRAFT TEXT

The text below in ~~red-strikethrough~~ is the text proposed to be deleted and the blue underline is the new text for consideration. Please note, text amendments will now contain the case number and effective date in italicized font at the end of the section in which the text was modified. In addition, items highlighted in yellow are items that were incomplete at the time of publication or are items that need to be discussed. Incomplete items will be completed in time to be discussed at the public hearing.

REVISION 06/08/2016: Based upon the comments at the public hearing, Staff has modified the proposed text. Revisions are highlighted in gray and either show a ~~red-strikethrough~~ for deleted text or blue underline for proposed text.

14.02 Commercial Districts Established

- 14.02.01** The following commercial districts are hereby established: B1, B2, B3, ~~and OI~~, and WD. These districts are created to accomplish the purposes and serve the objectives set forth in the remainder of this Section.
- 14.02.02** The B1 Central Business District is intended to provide for the development of the commercial and service center for the Town while maintaining its character, and to encourage appropriate residential uses in the central area of Town, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- 14.02.03** The B2 Neighborhood Business District is intended to provide for the development of low-density commercial and services that are accessible by pedestrians and cyclists from surrounding neighborhoods, which serve the day to day convenience needs of surrounding neighborhoods, and are of such nature as to be in harmony with the neighborhoods they serve. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a

comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.04 The B3 General Business District is established to provide a wide range of consumer goods, convenience goods and personal services for the community and surrounding region. Appropriate residential uses are allowed in this district, normally as part of mixed-use developments. The regulations for this district are designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.05 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 designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.

14.02.06 The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

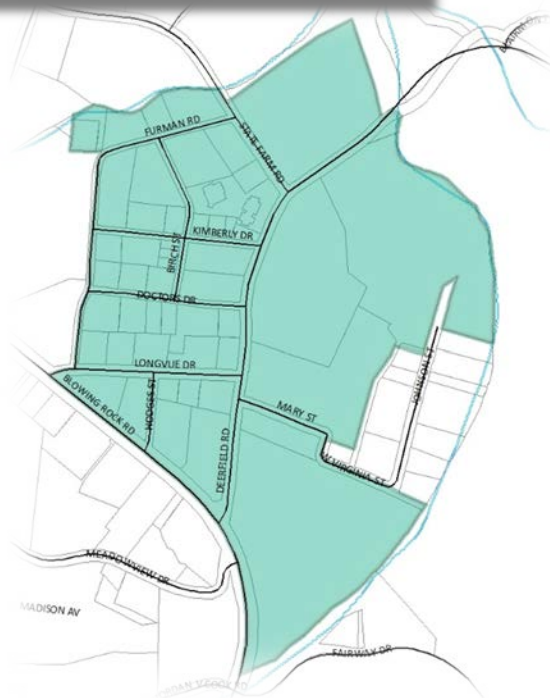
Article 17 **Wellness District Standards**

17.01 **Applicability**

17.01.01 The Wellness District (WD) is guided by the goals, objectives, policies and standards of the Wellness District Small Area Plan.

17.01.02 Figure 17-1 below shows the boundaries of the WD.

Figure 17-1 Wellness District Boundaries



17.01.03 No provision in this article shall be applicable to any property lying outside the boundaries of the WD.

17.01.04 Except as provided herein, development within the WD shall comply with all standards as set forth in this Ordinance.

17.01.05 This article shall govern in the event of conflicts with other regulations of this Ordinance.

17.02 **District Use Requirements**

17.02.01 Except as provided herein, all principal, accessory and temporary uses within the WD shall comply with Article 15 District Uses.

17.02.02 Except for educational uses and medical uses, development containing more than 20,000 square feet or having building footprints greater than half an acres shall provide for a mix or two or more (2+) principal uses.

17.02.03 The permitted uses allowed within the Wellness District are those permitted under the Town of Boone, Unified Development Ordinance, Article 15, District Use Requirements as of the date of the approved Wellness District Small Area Plan and are further limited herein.

A. Table of Principal Uses

Use #	Specific Use	Reference
1.0 Household Living		
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)	17.02.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)	
1.16	Multi-Family Dwelling in Mixed Use (>100 bedrooms)	
2.0 Group Living		
2.05	Nursing Care Home	15.13
2.06	Nursing Care Institution	15.15
2.07	Skilled Nursing Facility	15.14
2.09	Retirement Community, Category 2	15.15
3.0 Transient Living		
3.07	Hotel	
4.0 Institutional Uses		
4.05	Post Office	
5.0 Government Uses		
5.12	Police Substation	
7.0 Telecommunication		
7.11	Emergency Response Communications	
8.0 Assembly		
8.01	Religious Assembly, Category 1	
9.0 Education		
9.01	Appalachian State University (no residential uses allowed)	
9.02	Caldwell Community College & Technical Institute (no residential uses allowed)	

Use #	Specific Use	Reference
9.03	Other Public Colleges & Universities (no residential uses allowed)	
9.04	Other Private Colleges & Universities (no residential uses allowed)	
10.0 Daycare		
10.01	Child Daycare, Large	15.25
10.02	Child Daycare Center	
10.04	Adult Daycare Center	
11.0 General Sales and Service:		
11.04	Financial Institution ≤ 5,000 ft²	
11.05	Financial Institution > 5,000 ft²	
11.06	Restaurant ≤ 2,500 ft² open to the public during 10 pm – 6 am	
11.07	Other Restaurants ≤ 2,500 ft²	
11.08	Restaurant > 2,500 ft² open to the public during 10 pm – 6 am	
11.09	Other Restaurants > 2,500 ft²	
11.13	Other Personal Service Establishments	
11.14	Retail Store up to 5,000 ft²	
11.15	Retail Store more than 5,000 but less than 25,000 ft²	
11.16	Retail Store 25,000 ft² and greater	17.02.05
11.18	Business/Professional Office open to the public during 10 pm–6 am	
11.19	Other Business or Professional Office	
11.20	Medical Office, Category 1	
11.21	Medical Office, Category 2	
11.22	Medical Office, Category 3	
11.23	Medical Office, Category 4	
11.24	Hospital	
11.25	Medical Emergency Response	
11.35	Therapy Farm	
12.0 Recreation		
12.10	Recreation Facility, Category 1	
15.0 Parking		
15.01	Parking Structure	17.02.06

B. Table of Accessory Uses

Use #	Specific Use	Reference
A-2	Home Occupation	15.53
A-4	Limited Non-Restaurant Drive-Through	
A-7	Outdoor Dining	15.58
A-8	Automated Teller Machine (ATM)	
A-9	Automated Teller Machine (ATM), Freestanding	15.59
A-19	Helistop	
A-20	Swimming pools, spas and hot tubs	15.66

C. Table of Temporary Uses

Use #	Specific Use	Reference
T-3	Temporary Construction Trailer	15.69
T-4	Temporary Mobile Medical Unit	
T-5	Temporary Classroom	

<u>T-8</u>	<u>Temporary Non-Fixed Site Event Venue</u>	
<u>T-9</u>	<u>Temporary Carrier on Wheels (COW)</u>	
<u>T-11</u>	<u>Temporary Itinerant Merchant/Peddler</u>	

17.02.04 **WD Supplemental Regulations for Multi-Family in Mixed Uses**

- A.** For purposes of this Section, “commercial” shall include any of the uses listed in Subsection 17.02.02(A) above.
- 1.** Exception: Use 15.01 Parking Structure does not qualify as an acceptable commercial use.
 - 2.** Other than a leasing office, an amenity for the multi-family residential portion of the development which is also open to the public does not qualify as an acceptable commercial use.
- B.** No single-use residential buildings are allowed. Residential mixed-use are only allowed as part of a mixed-use building.
- C.** Each development shall provide at a minimum ground floor/street level commercial uses along the primary and secondary facades.
- 1.** Residential uses are not permitted on the ground floor/street level of the building.
- D.** A mixture of residential dwelling unit types is required. No one type of dwelling unit, as defined by the number of bedrooms shall comprise more than fifty percent (50%) of the units.
- E.** Occupancy of each residential unit shall be limited to family or to (3) unrelated persons.

17.02.05 **WD Supplemental Regulations for Retail Store 25,000 ft² and greater**

- A.** Use 11.16 is only permitted on properties located within the Corridor Overlay District and which border Blowing Rock Road.
- B.** Use 11.16 within the WD area must meet all additional requirements as set forth in Section 15.27.

17.03 **District Standards**

17.03.01 Only the density standards set forth in this Article apply to development within the WD.

17.03.01 **Minimum Gross Land Area:** 10,000 square feet

17.03.03 **Minimum Landscaped Area:** Twenty percent (20%) of gross land area excluding street right(s)-of-way which meets the requirements of Section 17.06.

17.04 **Building Form**

17.04.01 **Building Orientation:** Buildings and their principal entry points, should be oriented toward the public street with the primary façade, architectural elements and entrances clearly identifiable and directly accessible.

17.04.02 Building Siting**A. Setbacks**

1. Build-to-lines are 0-foot minimum/20-foot maximum from the edge of the public realm and/or any public space.
2. If the required public walkway encroaches onto private property, the build-to-zone will be measured from the walkway edge.
3. Interior setbacks shall be based on minimum fire separation required between buildings.

- B.** Buildings along the public rights-of-way shall be a minimum of 60% of the primary property frontage.

17.04.03 Building Height

- A.** Minimum building height shall be two (2) stories.

- B.** Maximum building height shall be six (6) stories.

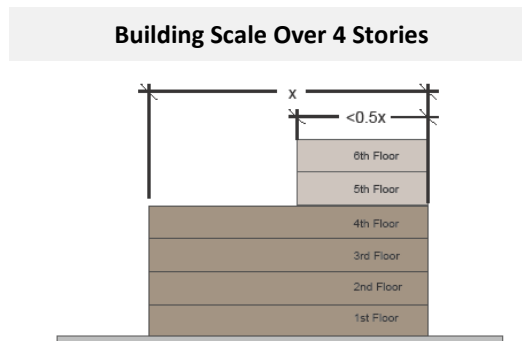
- C.** Building height shall be measured by the number of stories from the first floor (defined as the street level floor).

1. Equipment penthouses or building parapets are exempt from building height measurements.

- D.** Corner buildings may exceed the maximum building height by 15% for 20% of the building frontage along each corresponding street as measured from the corner of the building.

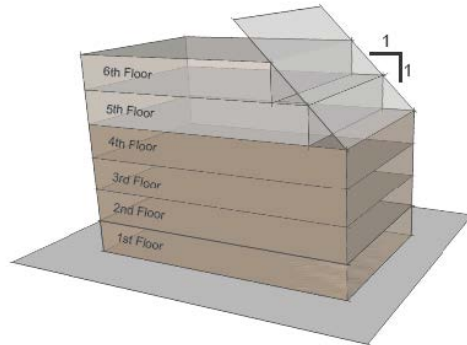
17.04.04 Building Scale: Buildings greater than four (4) stories must adhere to at least one of the following design standards:

- A.** Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,



and/or

- B.** Buildings greater than four (4) stories shall step back the building plane at a 1:1 ratio along the street façade. For every foot above the maximum permitted building height, the building plane may extend upward one foot for every additional foot setback.

Building Setback Over 4 Stories**17.05 Architectural Standards**

17.05.01 Façades: Building facades facing a publically accessible street or other public space shall incorporate the following design standards:

A. Buildings may have up to 3 different types of façades:

1. The primary façade is the side of the building which faces the public street and which contains the building's primary pedestrian entrance.
2. The secondary façade is the side of the building which faces a public street and which may contain additional pedestrian entrances.
3. All other façades are those which do not face a public street.

B. Façade Variation: Buildings shall have architectural features and patterns that provide visual interest while supporting a clear and unified image throughout the development and include:

1. Building façades shall be constructed parallel to the street frontage to the greatest extent possible.
2. Secondary façades shall be treated with the same design and materials as the primary façade.
3. Purposeful variation or accents in materials, textures and colors are required.
4. Horizontal and vertical divisions such as banding and repetitive window patterns.
5. Primary and secondary façades shall include clear delineation between the first or second level and the upper levels with a cornice, canopy, awning, balcony, arcade or other architectural feature.
6. The mass of the building shall be reduced by changing building planes through offsets and recesses, changing the building heights and varying the parapet or roof heights.

7. All building façades shall have perceivable, repetitive features and patterns such as windows, columns or other vertical features.
8. All building façades shall avoid long and monotonous wall and roof planes. Windows and doors are to front onto the street, with direct pedestrian access to the street front sidewalk.
9. Blank walls and non-transparent windows are prohibited along pedestrian areas and public spaces to help provide for pedestrian comfort, security and points of interest.
10. For large projects, each sequential block of new construction shall contain unique building facades so as to encourage architectural variety within large projects. While the use of similar architectural elements on multiple buildings is acceptable, large visually monotonous projects with repeating exterior building design(s) does not contribute to visual diversity and human-scale character and therefore is inappropriate.

C. Building Materials: Building materials shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following material standards apply to all structures, including parking structures, in the district:

1. Permitted building façade materials include: brick, natural stone, cast stone architectural precast stone, glazed curtain wall and window wall systems, architectural precast concrete and architectural- grade metal panels (galvanized, painted or ornamental).

Stone:

- ~~a. For primary building facades, a minimum of thirty five percent (35%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.~~
- ~~b. For Secondary facades, a minimum of twenty five percent (25%) of the building finish material must be stone. Stone must be utilized in a horizontal and vertical manner.~~
- ~~c. For all other remaining facades, a minimum of ten percent (10%) of the building finish material must be stone.~~

2. Wood: Porches, balconies, breezeways, pergolas, deep eaves, eyebrows, corbels, trellis and other features are encouraged to be made of wood with a natural finish which generally should not exceed 10% of the major façade.
3. All other materials not mentioned in 17.05.01(C)(1) and (2) above shall be a compliment or an accent application not to exceed 10% of building façade.
4. The use of clear or lightly tinted colored glass (30% maximum tint) is required.
5. Large uninterrupted expanses of a single material are prohibited.
6. Spandrel glass is permissible only to hide the structural features between the floors

of a building.

7. Vinyl or aluminum siding and colored or mirrored/reflective glass is prohibited.

D. Building Color: Building colors shall be in harmony with the rest of the development to create a sense of place and attraction with the surrounding community. The following color standards apply to all structures, including parking structures:

1. Building materials colors (brick, stone, tile, precast stone) shall be subtle, neutral and nature blending.
2. Colors for other manufactured building materials shall be subtle and neutral and shall be compatible with the colors identified in Figure 17-2.
 - a. Stark white and black are prohibited as field colors. (place in table)
3. Building accent colors, including awning and canopy colors, should complement the primary materials and colors used on the building. Accent colors are limited to no more than 10% of each separate façade and shall be compatible with the colors identified in Figure 17-2.
4. Generally no more than four colors are allowed per building (including all materials).
5. Corporate branding colors are permitted on logos and signage.

Figure 17-2 Permissible Field Colors					
Select Benjamin Moore - America's Colors Palette					
AC-1	AC-8	AC-15	AC-22	AC-29	AC-36
AC-2	AC-9	AC-16	AC-23	AC-30	AC-37
AC-3	AC-10	AC-17	AC-24	AC-31	AC-38
AC-4	AC-11	AC-18	AC-25	AC-32	AC-39
AC-5	AC-12	AC-19	AC-26	AC-33	AC-40
AC-6	AC-13	AC-20	AC-27	AC-34	AC-41
AC-7	AC-14	AC-21	AC-28	AC-35	AC-42
Permissible Accent Colors					
Select Benjamin Moore – Color Preview Palette					
Benjamin Moore Color Pre-View Series 2049-10 through 2174-70.					

E. Building Fenestration: Fenestrations (windows and doors) should maximize the views and allowable daylight into spaces.

1. For all street level/ground floor uses located along public streets and other public spaces, 60-90% of all wall area between two (2) and twelve (12) feet shall consist of transparent glazing (clear windows and doors). Upper floors fronting public rights-of-way shall consist of 30-70% windows.
2. Fenestrations shall be spaced thirty (30) linear feet maximum between features.
3. Ground floor restaurants are encouraged to provide windows and doors that can be opened to provide direct access to the sidewalk when weather permits.

F. Pedestrian Entrances:

1. All buildings shall have their main pedestrian entrance opening to a street, courtyard garden or square. When street level uses have entries from more than one street or from other public spaces, the primary entrance will be from the street.
2. A pedestrian entrance is required to access public spaces which adjoin the building.
3. Retail uses with exterior ground level visibility along a street or public space shall have individual public entries from the street or public space in addition to internal entries.
4. Street level retail uses located on building corners shall locate entrances at the corner.
5. Buildings adjacent to existing or planned trails, open spaces or parks shall provide public entries along the façade fronting these amenities.
6. Entrances shall provide shelter from inclement weather.

G. Roofs: Roof lines should have visual interest and features complementing the overall character of the building and the development.

1. Rooftop penthouse enclosures should be architecturally compatible and predominantly of the same material as the building.
2. Single-sloped shed roofs, mansard or vaulted/arched roofs are prohibited.
3. Flat roofs shall be concealed from pedestrian view with a parapet wall.
4. Publically visible roof materials shall be standing seam metal, asphalt shingles, shakes or tile.
5. Publically visible plumbing vent stacks shall be colored to match the roofing material.
6. “Green” roofs utilizing plants to absorb rainwater and reduce ambient air temperatures are strongly encouraged.
7. Rooftop amenities such as sun decks are encouraged.

H. Mechanical/ Service Equipment & Solid Waste Enclosure Screening: All properties shall minimize the visual impact of mechanical/ service equipment and solid waste facilities from the public right-of-way.

1. Service areas, storage areas, restaurant grease receptacles and refuse enclosures should be oriented away from public view and screened from public areas.
2. Service and refuse areas are encouraged to be clustered together where feasible at the rear of the building.
3. Solid waste and recycling enclosures and all other waste storage or containers, other than streetscape and site furnishing trash receptacles, shall be designed into a structure or building, or shall be screened from adjacent public streets by an opaque enclosed structure (see detail in UDO Subsection 22.13.03) compatible with the building architecture.
 - i. Additional landscape plantings compatible with the overall landscape plan may be required outside of the enclosures to soften the appearance from public view.
4. Utility cabinets and pedestals should not be located within parking lot landscape islands or the public right-of-way where they cannot be screened, are exposed to damage from vehicles and/or present a hazardous visual obstruction to drivers or pedestrians.
5. Meter boxes shall not be located along the front of buildings and screened if located on the side of a building.
6. Ground level mechanical equipment shall be screened by a structure that complements the design of the building through the use of similar materials, colors, finishes and architectural details. Additional landscape plantings compatible with the overall landscape plan shall be required outside of the structure to soften the appearance from public view.
7. All rooftop mechanical equipment should be screened from view from adjacent properties and adjacent right-of-way by use of parapet walls or screens designed to be compatible with the building architecture.
8. Elevator penthouses shall be screened by a structure that is architecturally compatible with the design of the building through the use of similar materials, colors, finishes and architectural details used on the primary building façade.

17.06 Landscape Standards

17.06.01 Landscaping promotes sustainable development, minimizing negative impacts on natural resources and is vital to softening the harshness of paved areas and buildings while enhancing a sense of place.

17.06.02 Compliance

A. All plant material must comply with Appendix B, Guide for Landscaping. All plant material must comply with the latest edition of the American Standard for Nursery Stock published by the American Nursery and Landscape Association.

- B. Plant material must be locally adaptable species and hardy to Zone 6 in accordance with the US Department of Agriculture's Plant Hardiness Zone Map and comply with the Town of Boone Approved Plant List in Appendix B.
 - 1. Xeriscaping and water conservation landscaping is an encouraged alternative. The practice of Xeriscaping includes the use of native grasses, low-water need plant material, and the addition of soil amendments and mulching. Refer to the plant list in Appendix B for a list of Xeriscaping compatible plant material.
- C. Necessary pruning and trimming shall be in accordance with UDO Section 31.12.04, Prohibited Pruning, and must be done in strict accordance with the current edition of "Tree, Shrub, and other Woody Plant Maintenance – Standard Practices" of the American National Standard for Tree Care Operations (ANSI 300).
- D. All plants and materials fulfilling the landscape requirements shall meet the following minimum installation sizes and types:
 - 1. Large deciduous shade trees shall be a minimum three inch (3") caliper with a height of fourteen to sixteen feet (14' – 16') at planting.
 - 2. Small to medium sized deciduous ornamental trees shall be a minimum two inch (2") caliper with a height of ten to twelve feet (10' – 12') at planting.
 - 3. Evergreen trees shall be a minimum of eight feet (8') in height at planting.
 - 4. Shrubs shall be a minimum of twenty-four inches (24") in height and spread at the time of planting.
 - 5. All sodded or seeded lawn areas must be comprised of a Bluegrass/Fescue blend.
 - 6. Mulch shall be dark hardwood three inches (3") in thickness.
 - 7. Landscaping shall not obstruct the views of motorists using any street, driveway or parking aisle and comply with a ten feet (10') by seventy feet (70') sight distance triangle.

17.06.03 Street Yard Landscaping

- A. A street yard consists of a landscape area parallel to the public right-of-way, typically between the sidewalk and the development, designed to provide continuity of vegetation along the public realm and soften the impact of the development by providing a pleasing view from the street.
- B. The street yard must contain a combination of the following:
 - 1. An average of one (1) large deciduous tree three inch (3") minimum caliper (unless subject to overhead power lines) per thirty feet (30') of street frontage. Innovative design in tree arrangement is encouraged.
 - 2. An average of one (1) low growing small shrub, ornamental grasses per five feet (5') of street frontage with a minimum of twenty-four inches (24") in height and spread at the time of planting. A minimum 60% of the shrubs must be evergreen.

3. A minimum twenty percent (20%) of the front street shall be turf and must be sodded. Turf shall be located on the street side of the front street yard.
4. Seasonal color is encouraged in the front street yard with an emphasis on the entrance areas.
- C. Although no street yard setback is required (0' minimum, 20' maximum build-to-zone), where the building is setback, a front street yard is required.
- D. Parking areas fronting a street or side street shall be separated from the sidewalk and/or right-of-way with a ten feet (10') minimum planting yard consisting of a minimum three feet (3') height screen, except where vehicular sight lines may be impaired. Screening should consist of one or more of the following:
 1. A decorative, opaque masonry wall (2' minimum/3' maximum height) compatible in composition, appearance, color and architectural detail with the proposed building and landscaping.
 2. An undulating earthen berm (3' minimum height) and landscaping not exceed a slope of 3H:1V.
 3. A continuous hedge row of evergreen shrubs (3' minimum/4' maximum height), shade trees (1/30lf) and groundcover. Understory ornamental trees, small evergreen trees, flowering shrubs, ornamental grasses, and/or perennials must be supplemented for color and visual interest.
- E. The following trees are required based upon location:

<u>Street Tree Planting Schedule</u>		
<u>Street Tree</u>	<u>Species</u>	<u>District Street</u>
<u>'Allee' Lacebark Elm</u>	<u><i>Ulmus parvifolia 'Allee'</i></u>	<u>Deerfield Road</u>
<u>'Hightower' Willow Oak</u>	<u><i>Quercus phellos 'QPSTA'</i></u>	<u>State Farm Road/Longvue Road</u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	<u>Furman Road</u>
<u>'October Glory' Red Maple</u>	<u><i>Acer rubrum 'October Glory'</i></u>	<u>Doctors Drive/Kimberly Drive</u>
<u>'Panache' Shumard Oak</u>	<u><i>Quercus shumardii 'QSFTC'</i></u>	<u>Birch Street</u>
<u>Alternate Compliance Ornamental Trees</u>		
<i>(for use only with existing overhead power lines as main street tree with approval from Urban Design Specialist)</i>		
<u>Street Tree</u>	<u>Species</u>	
<u>'Forest Pansy' Redbud</u>	<u><i>Cercis Canadensis 'Forest Pansy'</i></u>	
<u>'Kwanzan Cherry</u>	<u><i>Prunus serrulata 'Kwanzan'</i></u>	
<u>Kousa Dogwood</u>	<u><i>Cornus kousa</i></u>	

17.06.04 Interior Landscaped Areas

- A.** Landscaped areas other than street yards, must meet the following standards must be met:
1. Areas must be a minimum of eight feet (8) in width.
 2. A minimum of 5 Large Deciduous Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 3. A minimum of 2 Small Deciduous/Ornamental Trees per one-hundred feet (100') of linear landscaped area length, or more based on the need to provide additional trees to meet tree canopy coverage requirements.
 4. A minimum of 8 Large Evergreen Trees per one-hundred feet (100') of linear buffer length.
 5. A minimum of 12 Shrubs per one-hundred feet (100') of linear buffer length.
- B.** Required buffers shall not be disturbed for any reason except for open/public spaces, driveway openings or connectors, pedestrian or bike paths, designated greenways, utilities, drainage ways, bio-retention areas, walls, fences, and other passive or minor uses compatible with the general separation of land uses and provided that the total number of required plantings are still met.

17.06.05 Foundation Landscaping

- A.** Vehicular surface areas shall be separated from building facades by both a five feet (5') minimum foundation planting area and pedestrian walks leading to building entrances.
- B.** This area shall contain small ornamental and evergreen trees, low growing shrubs (minimum 60% evergreen), ornamental grasses, ground cover, turf or combination thereof complimentary of the architectural façade and shall sufficiently mass the landscaped area.

17.06.06 Tree Pit/Plaza Landscaping

- A.** A minimum six (6) foot by six (6) foot opening, clear of utilities, shall be provided for all trees.
- B.** Root barriers shall be provided for all tree plantings.
- C.** Tree grates or other approved devices shall be provided around all trees in hard surfaced areas to ensure adequate water and air penetration.
- D.** Structural soils are encouraged within tree pit areas.

17.06.07 Parking Area Landscaping

- A.** To break up large expanses of parking and to provide shading, landscaping shall be installed in and around parking areas. Required plantings shall be located within or adjacent to parking areas, in parking islands, medians, at the end of parking bays, or between rows of parking.

1. Landscape islands are required so that no parking space is more than fifty feet (50') from the trunk of a large deciduous tree.
2. Shrubs shall be planted at the rate of one (1) eighteen inch (18") minimum height evergreen shrub, deciduous shrub or ornamental grass per every two-hundred-fifty square feet (250 ft²) of vehicle surface area.
3. Parking islands shall be planted as to facilitate safe sight distances.
4. Shrubs shall not be planted within six feet (6') of a trunk of a new tree, nor within the drip line of a protected/preserved tree.
5. Planting islands within parking areas shall be a minimum of ten feet (10') in width and two-hundred-fifty square feet (250 ft²) protected by curbs, bollards, wheel stops, walls, etc.

17.06.08 Tree Canopy Preservation and Planting Requirements

- A. Preserving trees and the overall tree canopy can improve the aesthetic quality of the site and Town as a whole, provide environmental benefits, and mitigate the impacts of development on the community. In addition to compliance with UDO Section 31.13, a Tree Canopy Preservation Plan must be provided demonstrating the following requirements:
 1. Every parcel shall retain existing trees or provide new trees to equal thirty percent (30%) tree canopy coverage.
 2. The plan must show pre and post development canopy calculations and trees by common and botanical name, size, quantity, and health of tree(s) and tree canopy coverage provided by each tree. Canopy coverage is the area beneath the drip line of the existing trees on the lot/parcel. For onsite trees if the canopy extends into a neighboring property, credit for that portion of the canopy may also be taken. Canopy coverage can only be credited from healthy trees or stands of trees.
 3. Credit for newly planted trees shall be calculated as follows:
 - a. Large Deciduous Tree – 620 square feet of canopy coverage
 - b. Small Deciduous Tree – 225 square feet of canopy coverage
 - c. Large Evergreen Tree – 250 square feet of canopy coverage
 - d. Small Evergreen Tree – 100 square feet of canopy coverage
 4. When calculating how much existing tree canopy coverage is already present on the parcel, you may multiply this by 1.25. This additional credit is to encourage the preservation of existing tree canopy.

17.07 Parking Standards

17.07.01 Except as provided herein, development within the WD district shall meet the standards in Article 24 Parking.

17.07.02 Vehicular Parking:

- A. All parking serving the site and counted toward minimum parking requirements shall be located on the site or within 1,200 feet of the building entrance if located off-site.
- B. Parking between the public street and the building is not permissible.
 - 1. Exceptions: no more than one bay of parking is to be permitted to avoid large expanses of parking separating the building from the sidewalk.
- C. Wellness District Education Use Minimum Parking Requirements:
 - 1. Instructional Labs / Classrooms: 4 spaces/classroom
 - 2. Lecture Halls: 1 space/3 seats
- D. Parking Reductions: In order to promote a pedestrian-oriented, human-scale, urban form and multi-modal access, parking reductions are allowed as provided below. The permit issuing authority may adjust the minimum/ maximum number of parking spaces required when one or more of the following is applicable:
 - 1. The Planning Administrator may approve parking reductions for live-work developments or residential units specifically designated for Wellness District business.
 - 2. A 10% reduction in the number of required parking spaces for businesses oriented to pedestrian traffic.
 - 3. A 10% reduction in the number of required parking spaces for developments located adjacent to a public greenway system with pedestrian/ bike linkages and designated bicycle parking areas.
 - 4. A 20% reduction in the number of required parking spaces is permitted for developments located along a public transit line with designated transit stops located within a walking distance of 1,320 feet and operating service from 6:00 AM to 6:00 PM where service intervals are no longer than 15 minutes during peak commute hours.
 - 5. To limit the amount of impervious surfaces dedicated to parking on each lot, shared parking is encouraged. A shared parking analysis prepared by a registered licensed professional transportation engineer in North Carolina using the Urban Land Institute (ULI) Shared Parking Model (latest edition) or a study showing excessive, unused parking by one owner to be shared with another owner must be submitted. A written agreement between property owners acknowledging the number of shared parking spaces must be submitted and agreed to by the permit issuing authority.
 - 6. A parking study, prepared by a licensed professional engineer, illustrating the required parking ratios do not accurately apply to a specific development.
 - 7. If the number of required off-street parking spaces cannot be reasonably provided on the property associated with the principal use, then spaces may be provided on adjacent or nearby lots, satellite parking lots may be located up to a half-mile (0.5

mi) from the principal use building if served by a transit line, shuttle, or located along a dedicated pedestrian sidewalk or greenway trail. Written permission from the owner/person responsible for the satellite parking spaces must be provided. The applicant shall provide written acknowledgement that continuing the validity of his permit depends on his continuing ability to provide the requisite number of parking spaces.

E. Parking Structures: Parking structures are strongly encouraged to consolidate parking, and to encourage walking and better utilization of the land.

1. Parking structures are encouraged to be located at the interior of a block or under buildings, not visible from the public right-of-way. Ground floor commercial uses, or space adaptable for future commercial use, are encouraged to be integrated into the structure located along the public street.
2. Parking structures shall not have exposed structured parking at the ground floor level along street frontages.
3. If parking structures are located along the public right-of-way, building setbacks, scale, height requirements and architectural design standards are applicable with trees and foundation plantings installed to soften the parking structure façade.
4. Parking structures should be designed so ramps are hidden from view of the street or public right-of-way.
5. Structures should be constructed of the same building materials as the district buildings.

F. Drive-Through Facilities:

1. Non-restaurant drive-through are allowed but shall be approved by the Community Appearance Commission.
2. Drive-through and stacking lanes shall not be located along facades facing a public street.
3. Drive- through and pick up windows shall be placed to the side or rear of buildings and screened.
4. Architectural elements, landscaping and/or other screening elements shall be used to minimize the visual impacts of the drive-through facility.
5. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
6. The design and location of the facility shall not impede vehicular flow or pedestrian movement and safety.
7. Drive-through and pick-up window canopy materials, design and color shall be the same as the primary building.

G. Loading/ Unloading Areas:

1. Loading and unloading areas are regulated by Section 24.08.
2. Loading and unloading activities are not permitted in the public right- of-way unless specifically designated by the Town.
3. All loading/unloading areas shall be located to the side or rear of buildings and shall be screened from public view.
4. Screening shall be a minimum four (4) foot height wall compatible with the building architecture, material, color and details or a continuous compact evergreen hedge (36" minimum height at the time of planting reaching 48" minimum height within three years).
5. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking spaces or parking areas.

17.08 Streets, Driveways and Sidewalks

17.08.01 Except as provided herein, streets, driveways and sidewalks shall meet the standards set forth in Article 23.

~~17.08.03 Streets~~

17.08.042 Driveways

A. Site access drives shall be consolidated and located across from intersections for the safety of motorists and pedestrians.

~~The distance between~~

B. Developments are required to provide drive aisles to the edge of the property in order to provide for future cross-access between sites.

C. Sites are required to provide cross-access easements between properties for circulation.

~~Driveways along State Farm Road and Deerfield Road are limited to~~

D. Driveway crossing should maintain the same elevation of the sidewalk. The appearance of the sidewalk (scoring pattern or special paving) should be maintained across the driveway to indicate that though a vehicle may cross, the area traversed by a vehicle remains part of the pedestrian travel way.

17.08.053 Sidewalks

A. Sidewalks meeting the requirements of UDO Section 23.08 are required along the entire length of any abutting street.

B. The fee-in-lieu provisions contained in Section 23.08.05 shall not apply.

17.09 Signs

17.09.01 Except as provided herein, signs are regulated in Article 26.

- 17.09.02** All signs must be shown and approved on a master plan, which shall indicate, sign size, location, lighting and copy (if available). All subsequent sign approvals for the development must be in compliance with the master plan.
- 17.09.03** Signs shall be limited to two (2) colors plus the background color. This does not apply to federally registered trademarks.
- 17.09.04** Sign copy on two-faced signs shall be identical on both sides.
- 17.09.05** Changeable copy is not allowed.
- 17.09.06** Sign lighting is limited to .3 foot-candles above ambient lighting.
- 17.09.06** Standards set forth in UDO Section 26.12 Shopping Centers and Malls, Section 26.14 Home Occupation Sign, and Section 26.15 Exceptions and Modifications do not apply within the WD.
- 17.09.07** Building Identification Signs: Buildings are permitted to have building identification wall signs subject to the regulations below.
- A.** Each building is allowed one (1) wall sign per each primary and secondary facade.
 - B.** Building Identification Signs may not exceed .025% of the entire building façade for which the sign is to be located.
 - 1. Minimum size allowed regardless of building façade area is 24 square feet; and
 - 2. Maximum size allowed regardless of building façade area is 120 square feet.
 - C.** Sign copy is limited to the name of the building and shall not contain the name or logo of any tenant or business.
 - D.** Building identification signs are not limited to their location on the building façade.
 - E.** Lighting for a building identification sign is limited to back-lighting or down-lighting.
- 17.09.08** **Attached Sign(s):** Each ground floor tenant/business is allowed one attached sign for each primary and secondary façade which contains a pedestrian entrance subject to the regulations below:
- A.** Attached signs as permitted herein are not permitted above the ground floor/street level of each building.
 - B.** An attached sign must be located on the portion of the building which is occupied by the tenant/business the sign is for.
 - C.** Attached signs which encroach into the public right-of-way are required to obtain an encroachment agreement.
 - D.** The bottom of an attached sign shall be located at a minimum height of nine feet (9') from the adjacent finished grade.
 - E.** Wall
 - 1. A wall sign shall not project more than twelve inches (12") from the building façade.

2. The size of a wall sign is limited to the tenants'/business' linear building frontage along the primary or secondary façade (as applicable).
 - a. The wall sign is limited to one square foot of sign area per linear foot of building frontage.
 - b. The maximum permitted square-footage of a wall sign is eighty (80) square feet regardless of linear building frontage.
3. Lighting for a wall sign is limited to internal illumination or down-lighting.

F. Canopy/Awning

1. Canopy and awning sign copy shall not exceed twenty-five percent (25%) of the canopy or awning with a maximum of forty-eight (48) square feet of copy area regardless of the size of the awning.
2. Sign copy on a canopy shall be located on the valance.
3. Canopy and awning lighting is limited to down-lighting.

G. Projecting

1. A projecting sign shall be mounted and perpendicular to the building façade.
2. A projecting sign shall not exceed twenty-four square feet (24 ft²) in area.
3. Lighting for a projecting sign is limited to internal illumination or down-lighting.

17.09.09 Monument Sign

- A. The only freestanding sign other than directional signs allowed within the WD is a monument sign, which can be a two-faced sign that has a base at least seventy-five percent (75%) of the horizontal width of the sign and the base of the sign must be located directly on the ground.
- B. The size of the monument sign shall be twenty-five square feet (25 ft²) for the first fifty feet (50 ft.) of street frontage plus .75 square feet for each additional foot of street frontage to a maximum sign face area of 70 square feet.
- C. Monument sign heights are limited to five feet (5') as measured from finished grade to the top of the sign structure.
- D. Copy of the monument sign is limited to the building name/address and/or commercial tenants within the building.
- E. Monument sign lighting is limited to internal illumination or down-lighting.

17.09.10 Directory Sign(s)

- A. Each building entrance which allows access to a building, not a specific tenant/business, is allowed to display a directory sign.
- B. The directory sign must be building mounted adjacent to the building entrance.
- C. A directory sign is limited to no more than twenty square feet (20 ft²).

D. Directory sign lighting is limited to down-lighting.

17.09.11 Directional Signs: Directional signs to direct traffic flow and to locate entrances and exits shall be permitted subject to the following:

A. Directional signs must be shown and approved on all site plans, which shall indicate, sign size, location and copy.

B. Directional signs shall not exceed four square feet (4 ft²) in area and three feet (3') in height above grade.

C. Logos, names and advertising are not permitted on directional signs.

Article 34 Definitions

Façade

~~The face of a building, especially the principal or front face showing its most prominent architectural features.~~

The façade shall include the entire building wall(s), including wall faces, parapets, fascia, windows, doors, canopy and visible roof structures of one complete elevation.

Primary Façade

The façade which faces the public street and which contains the building's primary pedestrian entrance.

Secondary Façade

The façade which faces a public street and which may contain additional pedestrian entrances.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

[Click here to view the 2006 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.
- 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.
- 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.

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

2.1.2 Commercial Development

- B. Commercial and Office Development shall be encouraged to locate in planned shopping centers, office parks and mixed use developments to stop the proliferation of strip development.
 - B.1 Review the Town's zoning text and map with the objective of reducing the negative impacts of typical commercial strip development.
- C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- E. Residentially scaled and designed neighborhood businesses may be a planned element of newly developed or redeveloped neighborhoods. They should be near other compatible facilities such as elementary schools and neighborhood parks.
- F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area.
- G. Effective buffering and/or landscaping shall be provided where a large scale or automobile-orientated commercial or office use adjoins an existing or planned residential use.
- H. Encroachment of incompatibly scaled and designed commercial or office uses into viable existing or planned residential areas shall be prohibited.
 - H.1 Amend the zoning map to provide appropriate commercial zoning in transitional areas that do not encroach upon established residential neighborhoods.
- I. Office and institutional development may be encouraged as a transitional land use between residential areas and higher intensity commercial activities.
- J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards.
 - J.1 Beyond the major corridor area consider the development of architectural design standards for commercial development throughout the Town's planning area. *****

- J.2 Consider supplementing the highway corridor overlay district in the zoning ordinance to encourage commercial development to include: 1) attractive signage, and 2) build-to lines with parking in the rear.

2.2 INFRASTRUCTURE

2.2.1 Transportation

- G. The operational success of the area's mass transit system shall be enhanced through the encouragement of compact, transit sensitive development patterns. Site planning that incorporates transit stops and convenience clusters shall be required, where appropriate.
- G.1 Evaluate and amend site plan standards to include provisions for transit stops, sidewalks and pedestrian ways, bikeways and secure bicycle storage.
- G.2 Construct transit stops with covered passenger shelters to encourage ridership.
- G.3 Construct, where possible, bus stop pull-out areas or lanes to avoid holding up traffic along traffic corridors.
- H. Policies that have the effect of reducing automobile dependency, use and congestion in the heart of the urban area shall be supported.
- H.1 Prepare educational information concerning the location and use of bikeways, greenways, the bus system, and other forms of transportation as alternatives to the automobile.
- H.2 Work to promote increased coordination of University access concerns within the Alternative Transportation Plan.

2.2.2 Utilities

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

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.1 Community Appearance

- A. Measures to improve the effectiveness of grading, landscaping and buffering standards for new and existing developments shall be encouraged. *****
- B. The significance of street trees in providing visual relief, summer cooling, improved air quality and livability shall be recognized through public policies and actions to encourage their planting and maintenance. *****
- C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.
- D. Sign policies and standards shall be periodically updated to enhance community identity and create a high quality business image.

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.

2.3.3 Housing and Neighborhoods

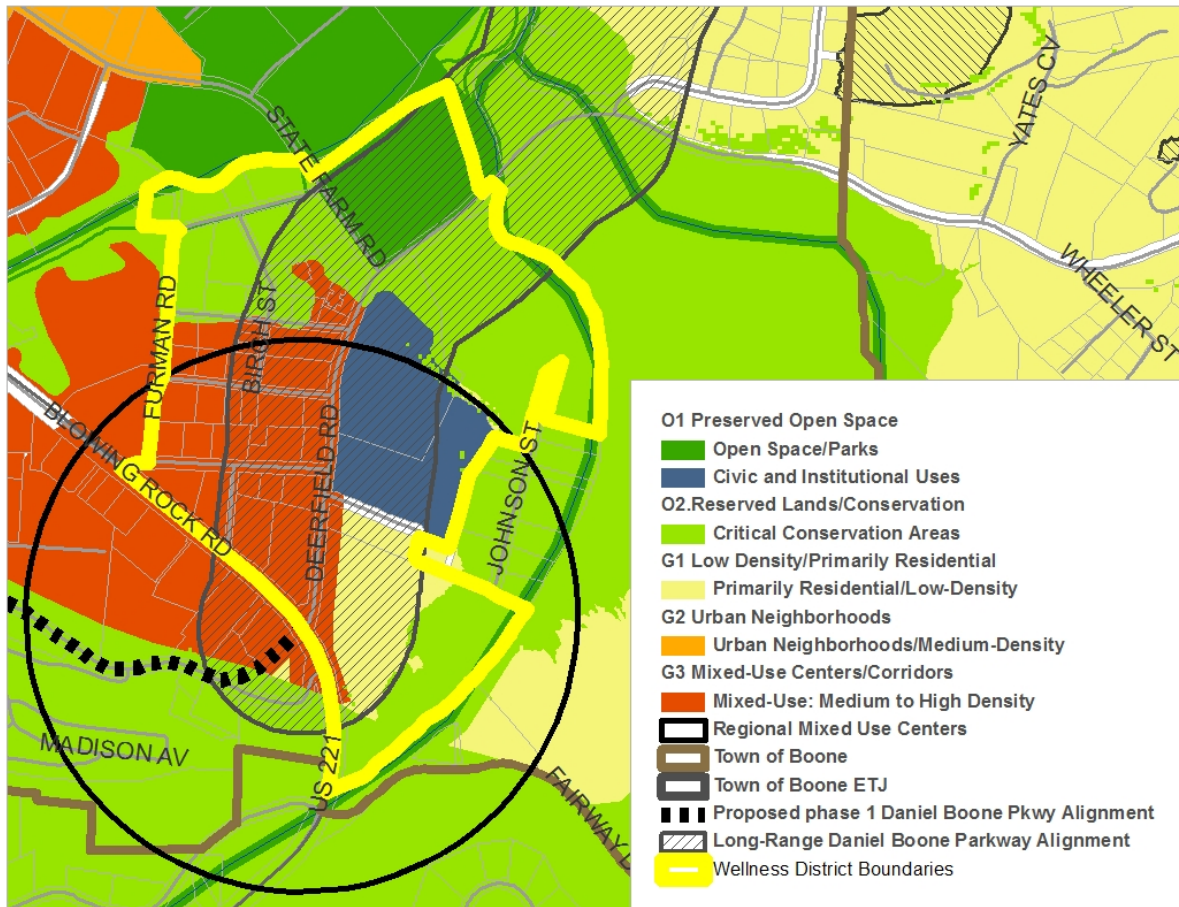
- E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.
- 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.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)

Framework Plan: The Framework Plan located in Article 4 of the Boone 2030 Land Use Plan is a land use policy map intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community. As such, it provides the framework for and is the cornerstone of the Land Use Plan. The Framework Plan methodology divides land within the study area into six separate classifications or "sectors" (labeled as O-1 through G-4). These range from the most natural (Preserved Lands) to the most urbanized areas (Downtown/Mixed-Use), with each sector reflecting the appropriate balance between environmental conservation and development intensity for the area.

The area within the Wellness District Small Area Plan is located within multiple sectors within the Framework including the O1, O2, G1, and the G3. A majority of the district is located within a Regional Mixed Use Center and the long range Daniel Boone Parkway alignment.



O-1 Sector: The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of: existing parks & greenways, wetlands and streams, 25 ft stream buffer – standard, 30 ft stream buffer - watershed area, 35 ft stream buffer - steep slopes, federal or state lands, conservation easements and cemeteries. Appropriate land uses/development types include: conservation areas, parks & greenways, limited agricultural/forestry uses, water access areas, and limited civic uses such as schools.

Civic & Institutional Uses: In addition to the geographic sectors, the Framework Plan indicates two related special land uses: the existing schools and other civic sites such as the hospital, the community college, and the library. These civic and institutional uses properties are related to the community’s permanent green infrastructure since large pieces of land on many these properties will continue be undeveloped open space.

O-2 Sector: O-2 sector lands represent areas that are prime candidates for moving into the O-1 sector through conservation easements or other open space acquisition/protection measures such as Transfer of Development Rights. This sector, shown in medium green on the Framework Map, consists of lands

that should be off-limits to development except occasional residential/rural buildings at very low densities. These areas may be legally developable based on current federal, state, and local regulations. However, they are areas that based on environmental and urban service factors (difficulty of providing of sewer/water service and roadways, for example) should be lightly developed or undeveloped, remaining in a rural or natural state. In large part, these areas correspond with locations identified for viewshed protection in the Town's current regulations. This zone also corresponds with areas in the Secondary Water Pressure Zone, defined as elevations above 3400 feet, which are difficult to efficiently serve with adequate public water pressure. For Boone, this sector also consists of: 100 year floodplain, slopes of 30-70%, 100 ft. riparian stream buffer, zone of potential rock instability, and high landslide hazard zones. Appropriate land uses/development types include: conservation areas, parks & greenways, agricultural and forestry uses, limited civic uses such as schools, very low-density residential development and clustered development (approximate net density: 1 dwelling unit per 10 gross acres).

G-1 Sector: The G-1 sector, indicated by the light yellow on the Framework Map, is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities. Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Boone, this sector is generally located away from planned neighborhood or regional centers and close to heavily encumbered O-1 or O-2 land. The community types and land uses appropriate for this sector are: low density cluster developments or hamlets (a clustering of buildings around a rural crossroad), low-density residential development comprised predominately single-family detached structures and small scale multiple family units (e.g. duplexes, triplexes) - (up to 5 units per acre - except where limited by watershed rules to 1 single family unit per two acres (WS-II) or 2 single family units per acre (WS-IV)), limited convenience retail uses, civic uses and (parks, schools, religious and government uses).

G-3 Sector: The G-3 Sector, indicated in dark orange/red, is intended to apply along high-capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development. Care should be taken to limit the length of G-3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition, with special attention given to areas in O-1 and O-2 sectors along water courses. The full-range of community types and uses are appropriate in the G-3 sector, including: single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, traditional neighborhood developments, neighborhood centers, regional centers, and industrial districts.

Regional Centers: Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger black circles on the map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321

and NC 105; and around the intersection of US321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Focus Area: The proposed Wellness District area was selected as a focus area within the Boone 2030 Land Use Plan in Chapter 8 of the Boone 2030 Land Use Plan. The plans shown in this section are intended to be conceptual build-out visions for significant and prototypical areas of Boone. The purpose of these conceptual plans is not to require strict conformance to each building or parcel as drawn, but to show general patterns and intensities and potential development/redevelopment opportunities that are consistent with the community's goals. These conceptual plans are also meant to illustrate the desired development principles that have been articulated by residents and stakeholders. Care was taken in the design process to envision development alternatives based on property boundaries or known opportunities for parcel consolidation as well as the market feasibility for the scale, amount, and type of development.

HOSPITAL DISTRICT INFILL & REDEVELOPMENT



EXISTING CONDITIONS ▲

EXISTING CONDITIONS

The hospital district is located along US 321 in the southeastern part of the town. The area is dominated by big box development to the west and the existing hospital facility to the east. The core area is laden with individual medical offices with their own surface parking facilities.

RECOMMENDATIONS

Create a cohesive mixed use district with an emphasis on medical facilities and related uses. The goal for this area is to create a balance of uses that create an environment that is both functional and inviting to residents, visitors, patients, staff, as well as offices, services, and facilities that would benefit from proximity to the hospital.

The northern portion of the district introduces an assisted living facility and consolidates the medical offices into a configuration more conducive to shared facilities and parking. The proposed assisted living facility would house apartments, bungalows, and care suites.

Three of the core blocks are dedicated to housing with one having mixed uses of office and limited retail. A fourth block to the south is conceived as a mixture of office and retail while along US 321, mixed use with parking behind is the predominant pattern. The southeastern quadrant of the district could house offices or even a corporate headquarters such as a medical research company. This quadrant also has a historic home and barn that are proposed for protection through this redevelopment process.

HOSPITAL DISTRICT REDEVELOPMENT POTENTIAL

Office: 403,000 sf
Mixed Use: 383,000 sf (office, residential—some retail)
Residential: 428 Units
Assisted Living Facility: 149,000 sf (apartments/bungalows/care suites)
Total Development as Drawn: 1,363,000 sf



PLANNING BOARD REPORT/RECOMMENDATIONS

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.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

First motion and vote: The proposed amendment to the Town's zoning ordinance ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning ordinance and believe ☐approval OR ☐denial is reasonable and in the public interest because:

Zoning/Planning Permit 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
www.townofboone.net

PERMIT IS FOR (CHOOSE ONE):

- ☐ Single Family or Duplex (Residential)
- ☐ Commercial
- ☐ Board of Adjustment Hearing (other than Appeals)
- ☒ Planning/Other

A. CONTACT INFORMATION

Applicant: Town of Boone Company: _____
Address: PO Drawer 192, Boone, NC 28607
Phone Number: _____ Email Address: _____
Property Owner: State of North Carolina Company: _____
Address: c/o State Property Office, 1321 Mail Service Center, Raleigh, NC 27669-1321
Phone Number: 828-262-2040 Email Address: _____

B. PROPERTY INFORMATION

Watauga County Parcel Identification Number(s): 2910-72-6682-000
Address/Location: Corner of Deerfield Road and State Farm Road
Project Name: State of North Carolina – GU Zoning Map Amendment

C. PERMIT SUBCATEGORIES

Additional Forms Needed

Zoning Permits

- ☐ Accessory Building *Zoning Project Data Form (Residential or Commercial)
- ☐ Addition/Expansion including decks and patios *Zoning Project Data Form (Residential or Commercial)
- ☐ Change of Occupancy *Commercial Project Data Form
- ☐ Land Disturbance (not associated with the construction of a bldg.) *Zoning Project Data Form (Residential or Commercial)
- ☐ Manufactured Home Set-up in Park *Manufactured Home in Park Form
- ☐ New Building Construction *Zoning Project Data Form (Residential or Commercial)
- ☐ Renovation/Remodel *Zoning Project Data Form (Residential or Commercial)
- ☐ Accessory Use (as listed in UDO Subsection 15.07.01) *Zoning Project Data Form (Residential or Commercial)
- ☐ Temporary Use (as listed in UDO Subsection 15.07.02) *Zoning Project Data Form (Residential or Commercial)
- ☐ Sign *Sign Project Data Form (Zoning)
- ☐ Pavement Sealant *Pavement Sealant Project Data Form
- ☐ Major Subdivision Zoning Permit *Commercial Project Data Form

Board of Adjustment Hearings

- ☐ Special Use Permit/Modification *Special Use Permit Form
- ☐ Variance *Variance Form
- ☐ Major Subdivision Preliminary Plat Approval *Major Subdivision Preliminary Plat Approval Form

Planning/Other

- ☐ Exempt Division of Land *Subdivision Exemption Project Data Form
- ☐ Minor Subdivision (Preliminary and Final Plat) *Minor Subdivision Project Data Form
- ☐ Major Subdivision (Final Plat) *Major Subdivision Final Plat Project Data Form
- ☐ UDO Text Amendment *Text Amendment Project Data Form
- ☒ General Use Zoning Map Amendment *General Use Map Zoning Map Amendment Project Data Form
- ☐ Conditional District Zoning Map Amendment *Conditional District Zoning Map Amendment Project Data Form
- ☐ Voluntary Annexation *Annexation Petition (Satellite or Contiguous)
- ☐ UDO Text Interpretation *UDO Interpretation Data Form

D. DETAILED DESCRIPTION OF PROJECT

See Project Data Form

E. PROJECT MANAGER DESIGNATION

A project manager is responsible for the activities listed in UDO Section 4.19. Single-family and two-family projects involving less than ½ acre of land disturbing activity or commercial site improvements that involve no more than 2,500 square feet of land disturbing activity are exempt from this requirement.

Name: NA Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

F. DESIGN PROFESSIONAL INFORMATION**Engineer: NA**

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

Architect: NA

Name: _____ Company: _____
 Address: _____ License #: _____
 Phone Number: _____ Email Address: _____

G. 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.

WD Small Area Plan &
 Direction to Prepare
 Text by TC in 11/2015

Bill Bailey, Planning Director**Applicant¹ (Print)****Applicant Signature****Date****NA****Property Owner (Print)****NA****Property Owner Signature****NA****Date****Official Use Only**

Project File Name:

State of North Carolina – GU Zoning Map Amendment

Permit Number:

20160299

Project Name/Number:

NA

Date:	Fee:	Receipt Number:	Method of Payment:	Paid By:
May 2016	NA	NA	NA	NA

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¹ Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person must be submitted along with this application. Execution by property owner of this application signifies that the applicant is authorized to proceed.

General Use Zoning Map Amendment Project Data Form

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

Project Name/Number:
20160299

Permit Name/Number:
State of North Carolina – GU Zoning Map Amendment

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

A. ADDITIONAL APPLICATION INFORMATION

Hearing Date Requested¹: June 6, 2016

B. DEVELOPMENT INFORMATION

Existing Zoning District(s): O/I Proposed Zoning District(s): WD

Existing Land Use(s): Vacant

Adjacent Land Use(s): N: Town's Greenway/Park E: Golf Course, Single-Family Residential

W: Gas Station, Medical Office, Office S: Hospital, Medical Office

Are there are any existing variances granted to the property? ☐ Yes ☒ No ☐ Unknown

If yes, describe: _____

Total Land Area:

C. DOCUMENTS REQUIRED FOR SUBMITTAL

- ☐ Application Fee
- ☒ Deed(s) of all property included in the request
- ☐ A written metes & bounds legal description with accompanying survey map is required for a request that would rezone only a portion of a tax parcel or requests for multiple zoning districts

D. PROPERTY OWNER SIGNATURE:

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

Property Owner (Print)

Property Owner Signature

Date

¹ Each applicant must provide the meeting date for which they wish their request to appear. Each completed application must have met published meeting deadlines.

Official Use Only

Public Hearing Meeting Date: June 6, 2016

PC Meeting Date: June 13, 2016

TC Meeting Date: June 16, 2016

Date of APO Mailed Notification: May 24, 2016

Date of Posted Notification: May 24, 2016

Project Approved: ☐ Yes ☐ No

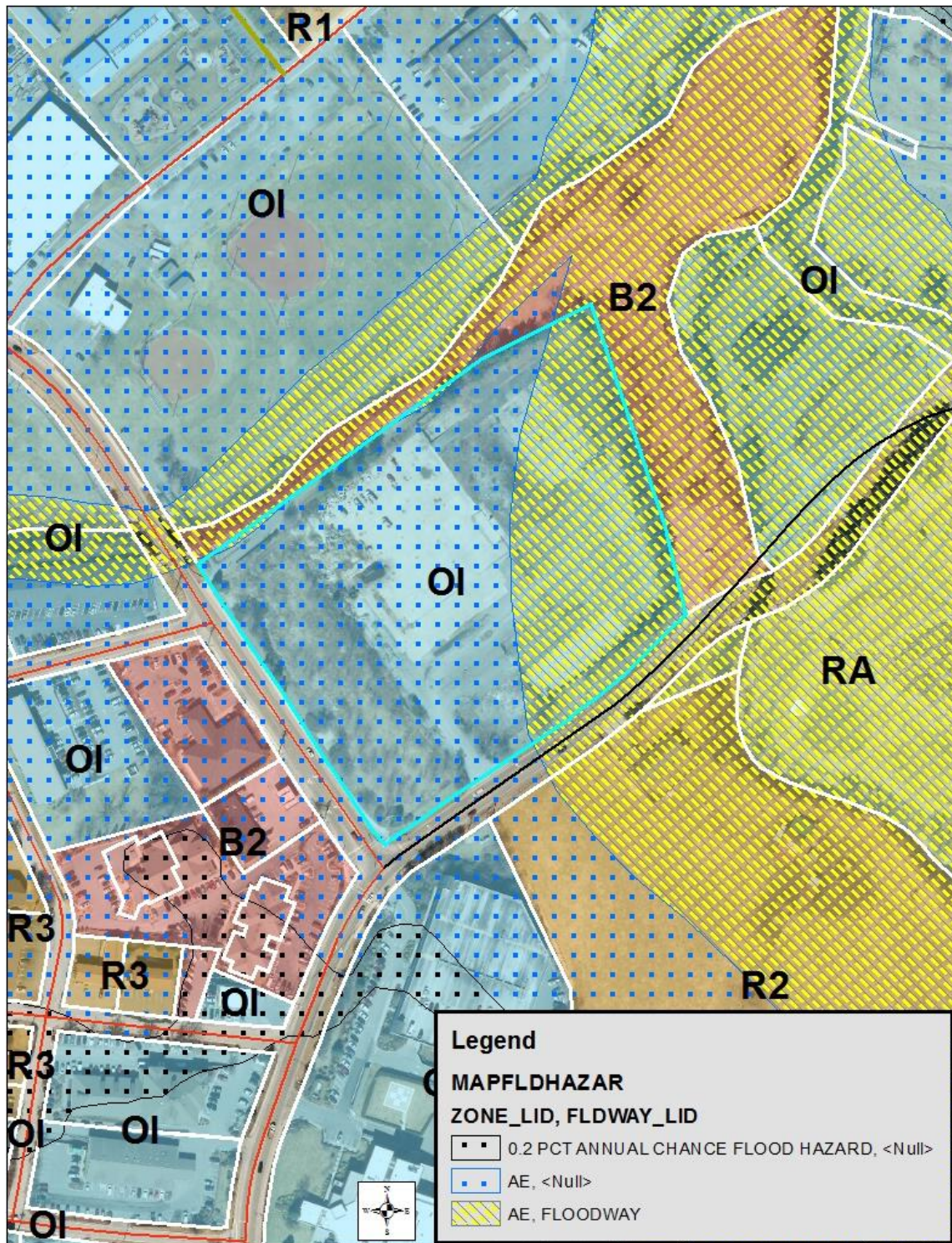
Date Order Recorded: _____

Order Recordation Information: Book: _____ Page: _____
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Communication: State of North Carolina General Use Zoning Map Amendment Staff Report (Case 20160299 State of North Carolina - General

STAFF REPORT
SPECIAL PUBLIC HEARING
JUNE 6, 2016

CASE 20160299 STATE OF NORTH CAROLINA GENERAL USE ZONING MAP AMENDMENT



Request

The Town of Boone has initiated a General Use Zoning Map Amendment to rezone property owned by the State of North Carolina located at the corner of Deerfield Road and State Farm Road (Watauga County PIN: 2910-72-6682-000) from OI Office Institutional to WD Wellness District*.

**Request predicated on the adoption of the proposed Wellness District Standards. All references to the WD are "as proposed".*

Parcel Information

Addresses:	783 West King Street
Watauga County PINs:	2910-72-6682-000
Property Owner:	State of North Carolina
Total Lot size:	8.98 acres
Jurisdiction:	Corporate limits
Access:	State Farm Road (town) and Deerfield Road (NCDOT)
Topography:	Little to no slope.
SFHA:	Yes.
Watershed District:	No
Corridor District:	No
NCD:	No
Viewshed:	No
Transit Route:	Yes. (Red Route along Deerfield Road)
Utilities:	Town water and sewer are available.
Current Zoning:	OI, Special Flood Hazard Area
Proposed Zoning:	WD Wellness District
2030 Plan Designations:	O1 Preserved Open Space
Current Uses:	Vacant

Zoning District Descriptions:

- OI:** 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 designed and intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses.
- WD:** The Wellness District (WD) is established to provide an area-specific zoning district located around the local hospital to promote a diverse mixture of medical, education, office, retail and residential uses within a compact, vibrant pedestrian oriented center while encouraging community interaction and transportation options.

Zoning & Use of Adjacent Properties		
Zoning		Land Use
North East	B2 Neighborhood Business	Town Park/Greenway
South East	RA Residential Agriculture; R2 Two Family Residential; OI Office Institutional	Across Deerfield Road: Golf Course; Single Family Dwelling; Hospital
South West	B2 Neighborhood Business; OI Office Institutional	Medical Offices, Gas Station, Offices
North West	B2 Neighborhood Business	Town Park/Greenway

Permissible Uses

UDO Article 15, Section 15.07 contains the Table of Principal Uses for the OI Office Institutional Uses, which should be read in conjunction with the definition of terms set forth in UDO Article 34. The Proposed UDO Subsection 17.02.03 contains the uses proposed to be allowed “by right” within the Wellness District. For ease of comparison Staff has placed both districts in a chart.

Uses within the Wellness District which have different supplemental regulations or other use qualifiers will be shown in “red”.

15.07 Table of Principal Uses

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
1.0 Household Living				
1.01	Single-Family Dwelling			
1.02	Manufactured Home “Class A”			15.08
1.03	Manufactured Home “Class B”			15.08
1.04	Manufactured Home “Class C”			
1.05	Manufactured Home Park			15.09
1.06	Duplex (one duplex building per lot)			
1.07	Duplex (more than one duplex building per lot)			15.10
1.08	Townhouse (up to 30 bedrooms)			15.10
1.09	Townhouse (31-100 bedrooms)			15.10
1.10	Townhouse (> 100 bedrooms)			15.10
1.11	Multi-Family Dwelling (up to 30 bedrooms)			15.10
1.12	Multi-Family Dwelling (31-100 bedrooms)			15.10
1.13	Multi-Family Dwelling (> 100 bedrooms)			15.10
1.14	Multi-Family Dwelling in Mixed Use (up to 30 bedrooms)		L	15.11 17.02.04
1.15	Multi-Family Dwelling in Mixed Use (31-100 bedrooms)		L	15.11 17.02.04
1.16	Multi-Family Dwelling in Mixed Use (> 100 bedrooms)		L	15.11 17.02.04
2.0 Group Living				
2.01	Family Care Home			15.13
2.02	Family Care Institutions	L ^{T125}		15.14
2.03	Halfway House, Category 1	L		15.14
2.04	Halfway House, Category 2	L ^{T125}		15.14
2.05	Nursing Care Home	L	L	15.14
2.06	Nursing Care Institution	L ^{T125}	L	15.14
2.07	Skilled Nursing Facility	L ^{T300}	L	15.14

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
2.08	Retirement Community, Category 1	L		15.15
2.09	Retirement Community, Category 2	L ^{T125}	L	15.15
2.10	Residence Hall, Category 1	L		15.15
2.11	Residence Hall, Category 2	L ^{T200}		15.15
2.12	Residence Hall, Category 3	L ^{T300}		15.15
2.13	Fraternity or Sorority Dwelling			15.16
2.14	Boarding House			15.17
3.0 Transient Living				
3.01	Home for Survivors of Domestic Violence	L		15.18
3.02	Shelter for Homeless, Category 1	L ^{T50}		15.19
3.03	Shelter for Homeless, Category 2	L ^{T300}		15.19
3.04	Bed and Breakfast, Category 1			15.20
3.05	Bed and Breakfast, Category 2			15.20
3.06	Vacation Rental			15.21
3.07	Motel			
3.08	Hotel		P	
4.0 Institutional Uses				
4.01	Airport/Landing Strip			15.22
4.02	Heliport			15.22
4.03	Funeral Home Establishment	P		
4.04	Cemetery	P		
4.05	Post Office	P	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	P ^{T50}		
5.07	Event Venue, Category 1	P		
5.08	Event Venue, Category 2	P		
5.09	Event Venue, Category 3	P ^{T50}		
5.10	Landfill			
5.11	Solid Waste Processing			
5.12	Police Substation	P	P	
5.13	Utility Facility, Town	L		15.23
5.14	Utility Facility, Government, Neighborhood	L		15.23
5.15	Utility Facility, Government, Regional	L ^{T300}		15.23
5.16	Government Facility	P		
6.0 Non-Government Utility Facility				
6.01	Utility Facility, Neighborhood	L		15.23
6.02	Utility Facility, Regional	L ^{T300}		15.23
7.0 Telecommunications				
7.01	Antenna Collocation on Existing Wireless Support Structure not requiring additional accessory equipment	P		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
7.02	Antenna Collocation on Existing Wireless Support Structure requiring additional accessory equipment	L		15.24
7.03	Building Mounted Antenna not requiring additional accessory equipment	L		15.24
7.04	Building Mounted Antenna requiring additional accessory equipment	L		15.24
7.05	Antenna Collocation on Electrical Transmission Towers			15.24
7.06	Other Antenna	L		15.24
7.07	Wireless Support Structure which meets district height requirements	L		15.24
7.08	Stealth Wireless Facility which exceeds district height requirements	L		15.24
7.09	Wireless Support Structure which does not meet district height requirements up to and including 120'	S		15.24
7.10	Other Tower that exceeds 120' in height			15.24
7.11	Emergency Response Communication Antenna	P	P	
8.0 Assembly				
8.01	Religious Assembly, Category 1	P	P	
8.02	Religious Assembly, Category 2	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	Appalachian State University		P (no residential uses allowed)	
9.02	Caldwell Community College and Technical Institute	pT75	P (no residential uses allowed)	
9.03	Other Public Colleges and Universities	pT75	P (no residential uses allowed)	
9.04	Private Colleges and Universities	pT300	P (no residential uses allowed)	
9.05	Trade School	pT200		
9.06	High School	pT300		
9.07	Elementary School	pT125		
9.08	Boarding School	pT300		
9.09	All other Educational Facilities	CD		
10.0 Daycare				
10.01	Child Daycare, Large		P	15.25
10.02	Child Daycare Center	L	P	15.25
10.03	Adult Daycare, Large		P	15.25
10.04	Adult Daycare Center	L		15.25
10.05	All Other Daycare	CD		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
11.0 General Sales and Service				
11.01	Kennel			15.26
11.02	Veterinary Office/Hospital with Outdoor Kennels	L ^{T125}		15.26
11.03	Veterinary Office/Hospital without Outdoor Kennels	P		
11.04	Financial Institution ≤ 5,000 ft²	P	P	
11.05	Financial Institution > 5,000 ft²	P	P	
11.06	Restaurant ≤ 2,500 ft² open to the public during 10 pm – 6 am	p ^{T75}	P	
11.07	Other Restaurants ≤ 2,500 ft²	P	P	
11.08	Restaurant > 2,500 ft² open to the public during 10 pm – 6 am	p ^{T200}	P	
11.09	Other Restaurants > 2,500 ft²	p ^{T125}	P	
11.10	Bar			
11.11	ABC Store			
11.12	Personal Service Establishment open to the public during 10 pm – 6 am	p ^{T75}		
11.13	Other Personal Service Establishments	P	P	
11.14	Retail Store up to 5,000 ft²	P	P	
11.15	Retail Store more than 5,000 but less than 25,000 ft²		P	
11.16	Retail Store 25,000 ft² and greater		P	15.27
11.17	Shopping Center/Mall	S ^{T300}		15.28
11.18	Business or Professional Office open to the public during 10 pm–6 am	p ^{T75}	P	
11.19	Other Business or Professional Office	P	P	
11.20	Medical Office, Category 1	p ^{T300}	P	
11.21	Medical Office, Category 2	p ^{T125}	P	
11.22	Medical Office, Category 3	p ^{T125}	P	
11.23	Medical Office, Category 4	P	P	
11.24	Hospital	p ^{T300}	P	
11.25	Medical Emergency Response	p ^{T300}	P	
11.26	Open Air Market, Recurring	L ^{T50}		15.29
11.27	Vehicle Sales and Service			15.30
11.28	Equipment Sales and Service			15.31
11.29	Moped Sales and Service			
11.30	Boat or Marine Craft Sales and Service			15.32
11.31	Impound Lot/Towing Service			15.33
11.32	Gas Station			
11.33	Car Wash			
11.34	Seasonal Retail Activities and Amusements	P		
11.35	Therapy Farm		P	
12.0 Recreation				
12.01	Indoor Shooting Range			15.34
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			15.35
12.09	Coliseum			
12.10	Recreation Facility, Category 1	P	P	
12.11	Recreation Facility, Category 2	p ^{T50}		

Use #	Specific Use	Zoning Districts		Reference
		OI	WD	
12.12	Recreation Facility, Category 3			
13.0 Agriculture				
13.01	Garden, Community	L		15.36
13.02	Garden, Residential	L		15.37
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		15.38
14.0 Manufacturing				
14.01	Microbrewery			15.39
14.02	Brewpub			15.39
14.03	Brewery/Distillery			15.40
14.04	Brewery/Distillery, Other			15.41
14.05	Winery Associated with a Vineyard			15.42
14.06	Winery			15.42
14.07	Winery, Other			
14.08	Extraction of Earth Materials			
14.09	Machine/Welding Shop			15.44
14.10	Manufacturing, Other			15.45
15.0 Parking				
15.01	Parking Lot	L		15.46
15.02	Parking Structure	L	P	15.47
15.03	Park and Ride Lots	L		15.46
16.0 Storage				
16.01	Mini-Storage			15.48
16.02	Outdoor Storage			15.49
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 $\leq 10,000 \text{ ft}^2$			
17.03	Trucking or freight terminal $> 10,000 \text{ ft}^2$			
18.0 Waste Related Uses				
18.01	Recycling Drop-off Station			15.49
18.02	Recycling and Salvage			15.49
18.03	Junkyard			
18.04	Private Landfill			
19.0 Particular Activities which pose Particular Concerns about Public Health				
19.01	Electronic and Internet Gaming			15.50
19.02	Adult Establishments			15.51

15.07.01 Table of Accessory Uses

Use #	Accessory Uses	Zoning Districts		Reference
		OI	WD	
A-1	Secondary Suite	L		15.52
A-2	Home Occupation	L	L	15.53
A-3	Accessory Dwelling Unit	L		15.54
A-4	Drive-Through	L	L Limited Non- Restaurant Drive Through	15.55
A-5	Outdoor Display	L		15.56
A-6	Outdoor Storage			15.57
A-7	Outdoor Dining	L	L	15.58
A-8	Automated Teller Machine (ATM)	P	P	
A-9	Automated Teller Machine (ATM), Freestanding	L	L	15.59
A-10	Produce Stand			15.60
A-11	Poultry	L		15.61
A-12	Livestock, Small	L		15.62
A-13	Livestock, Large			15.63
A-14	Bees	L		15.64
A-15	Garden, Residential	L		15.65
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}	L	
A-20	Swimming pools, spas, and hot tubs	L	L	15.66
A-21	Caretaker's residence	L		15.67
A-22	Vehicular Gate	L		15.68
A-23	Vehicle Washing Station	P		
A-24	Chemical Storage Facility			
A-25	Open Air Market, Accessory	L		15.29
A-26	Daycare, Small	P		

15.07.03 Table of Temporary Uses

Use #	Temporary Uses	Zoning Districts		Reference
		OI	WD	
T-1	Temporary Care Provider Dwelling	L		15.69
T-2	Temporary Construction or Repair Dwelling	L		15.69
T-3	Temporary Construction Trailer	L	L	15.69
T-4	Temporary Mobile Medical Unit		L	15.69
T-5	Temporary Classroom	L	L	15.69
T-6	Temporary Portable Storage Containers	L		15.69
T-7	Temporary Staging	L		15.69

Use #	Temporary Uses	Zoning Districts		Reference
		OI	WD	
T-8	Temporary Non-Fixed Site Event Venue	L	L	15.69
T-9	Carrier on Wheels (COW)	L	L	15.69
T-10	Yard Sales	L		15.69
T-11	Itinerant Merchant/Peddler	L	L	15.69
T-12	Open Air Market, Temporary	L		15.29

Intensity/Density Regulations: The WD Wellness District measures density differently (more form-based) than the traditional OI Office Institutional Zoning District. Staff has provided a comparison of the two zoning districts below.

Zoning District	Min. Gross Land Area	Min Lot Width	Min. Street Frontage	Max. Floor Area Ratio (FAR)	Min. Open Space Ratio (OSR)	Min. Livability Space Ratio (LSR)	Min. Recreation Space Ratio (RSR)	Minimum Landscaped Area	Setbacks	
									Street	Interior
OI	10,000 ft ²	100 ft	80 ft	.340	.71	.27	.032	-	20'	17'
WD	10,000 ft ²	-	-	-	-	-	-	.20	*	**

* Build-to-lines are 0-foot minimum/20-foot maximum from edge of the public realm and/or any public space.

**Interior setbacks shall be based on minimum fire separation required between buildings.

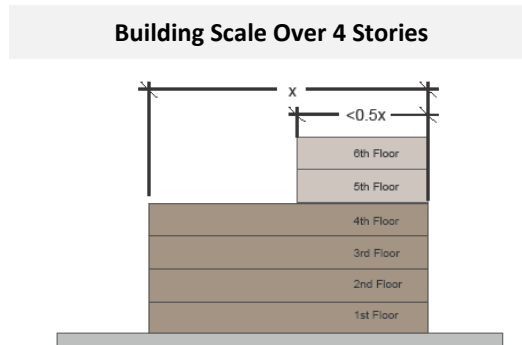
Building Height

Zone	Height Limitation (Feet)
OI	67
WD	Min. height: 2 stories – Max. height: 6 stories*

*The WD zoning district also regulates “building scale” as follows:

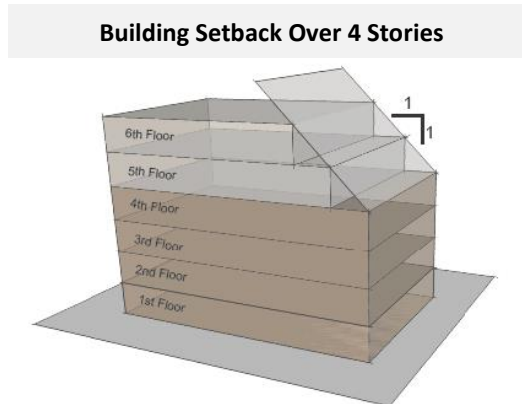
Building Scale: Buildings greater than four (4) stories must adhere to at least one of the following design standards:

- A. Building planes extending above four (4) stories shall be less than 50% of the total building facade along the street,



and/or

- B. Buildings greater than four (4) stories shall step back the building plane at a 1:1 ratio along the street façade. For every foot above the maximum permitted building height, the building plane may extend upward one foot for every additional foot setback.



Landscape Standards:

OI: Must meet the requirements of UDO Article 31 Landscape Standards.

WD: Must meet the requirements of UDO Article 17, Section 17.06 Landscape Standards.

Community Appearance Standards:

OI: Must meet the requirements of UDO Article 25 Community Appearance Standards.

WD: Must meet the requirements of UDO Article 17, Section 17.05 Architectural Standards.

Sign Standards:

OI: Must meet the requirements of UDO Article 26 Signs.

WD: Must meet the requirements of UDO Article 17, Section 17.09 Signs.

Sidewalks:

OI: Must meet the requirements of UDO, Section 23.08 Pedestrian Circulation and Sidewalk Requirements.

WD: Must meet the requirements of UDO, Section 23.08 Pedestrian Circulation and Sidewalk Requirements except the fee-in-lieu provisions in Subsection 23.08.05 shall not apply.

CONFORMITY TO ADOPTED PLANS**COMPREHENSIVE PLAN UPDATE**

[Click here to view the 2006 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.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of 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.

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 cost effective, long term component of an economic development strategy.
- 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.
- 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.
- F. New firms and expanding businesses that complement the natural resources and beauty of the region shall be especially recruited and encouraged.

2.2 INFRASTRUCTURE

2.2.2 Utilities

- 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.
- 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.

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

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

2.3.1 Community Appearance

- C. The significance of major roadway entrances into Boone as measures of community image and quality shall be recognized through building placement, landscape, signage and other visual improvements. The Town, along with private property owners and developers, shall work to jointly improve the appearance and design of major street corridors.

2.3.2 Community Character

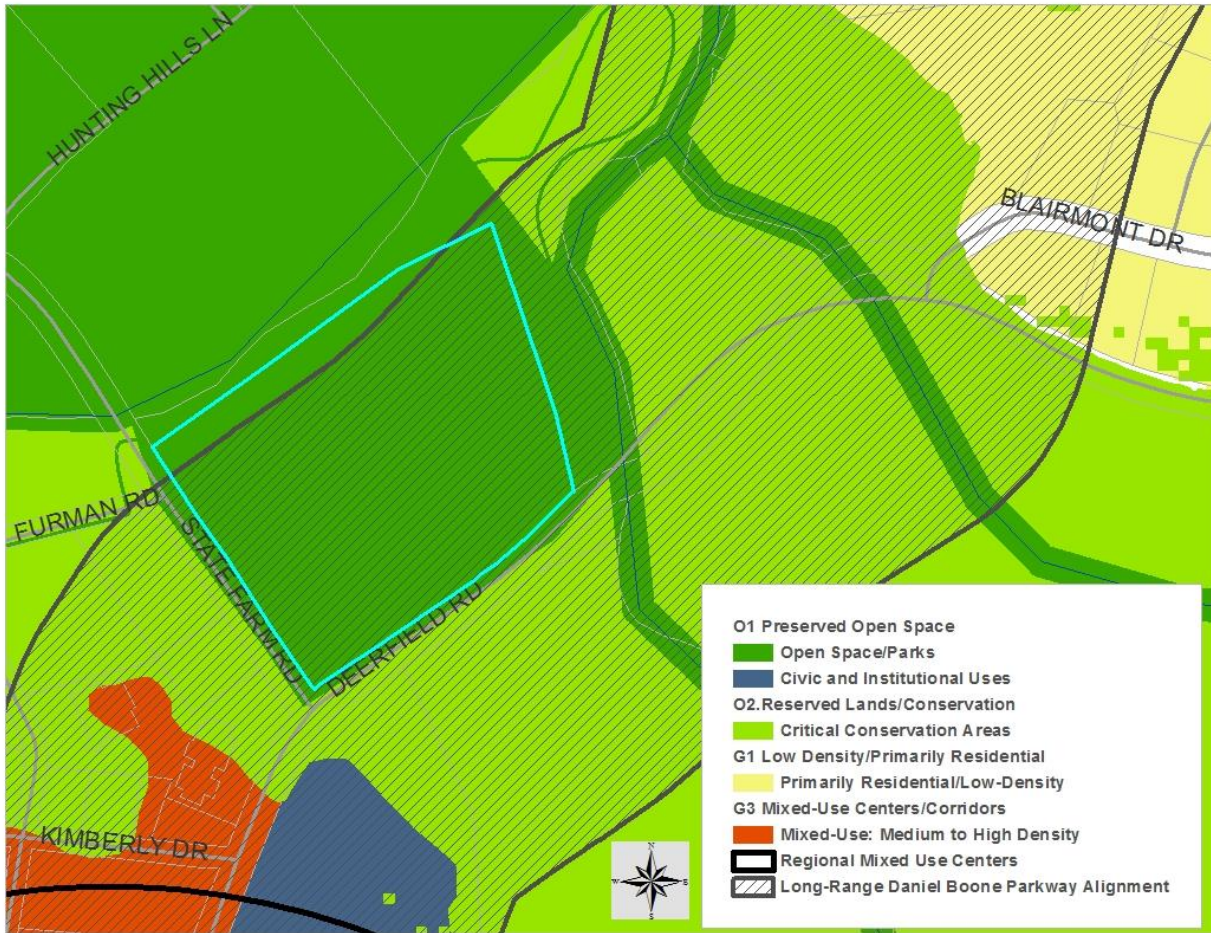
- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

BOONE 2030 LAND USE PLAN

[Click here to view the Boone 2030 Land Use Plan](#)

Framework Plan: The Framework Plan located in Article 4 of the Boone 2030 Land Use Plan is a land use policy map intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community. As such, it provides the framework for and is the cornerstone of the Land Use Plan. The Framework Plan methodology divides land within the study area into six separate classifications or "sectors" (labeled as O-1 through G-4). These range from the most natural (Preserved Lands) to the most urbanized areas (Downtown/Mixed-Use), with each sector reflecting the appropriate balance between environmental conservation and development intensity for the area.

This property is located within the O1 sector and the long range Daniel Boone Parkway alignment.



O-1 Sector: The O-1 sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks. For Boone, this sector specifically consists of: existing parks & greenways, wetlands and streams, 25 ft stream buffer – standard, 30 ft stream buffer - watershed area, 35 ft stream buffer - steep slopes, federal or state lands, conservation easements and cemeteries. Appropriate land uses/development types include: conservation areas, parks & greenways, limited agricultural/forestry uses, water access areas, and limited civic uses such as schools.

[Wellness District Small Area Plan](#)

[Click here to view the Wellness District Small Area Plan](#)

This property is located within the Wellness District Small Area Plan. Per the “Intent” on page 1 “Boone’s Wellness District Small Area Plan (The Plan) is designed to meet the expanding health care needs of Boone and surrounding areas in the years to come. The purpose of The Plan is to support economic development and direct investment efforts of the various existing and future institutional users located within the Plan

Area. The Plan is intended to provide for a mix of uses with a concentration on medically related academic, wellness, multifamily residential, commercial and support uses within a more urban, pedestrian-friendly environment. Urban design (the design of buildings, streets and other public spaces and their interrelationships) are a major factor in determining the district's economic, social and cultural sustainability. The Town's zoning and planning documents, as well as other development standards and input from stakeholders were influential in guiding these decisions and shaping the Plan area's character, quality of life and sustainability."

Certificate of Mailing

Certificate of Mailing:

I, Marlene Crosby, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on May 25, 2016.

Marlene Crosby, Administrative Support Specialist

Certification of Posting

I, Chris Grubb, 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 May 25, 2016.

Chris Grubb, Environmental Planner

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.

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: The Planning Commission recommends ☐approval OR ☐denial for the following reasons:

TOWN COUNCIL ACTION

Per NCGS 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest.

ACTION TAKEN

First motion and vote: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's Comprehensive plan and other applicable adopted plans of the Town which relate to this application because:

Second Motion and Vote: I move to ☐approve OR ☐deny the proposed amendment to the Town's zoning map and believe ☐approval OR ☐denial is reasonable and in the public interest because:
